LEGISLATIVE COUNCIL

Wednesday 16 June 1982

The PRESIDENT (Hon. A. M. Whyte) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

MEAT HYGIENE

The Hon. B. A. CHATTERTON: I seek leave to make a statement before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question regarding meat hygiene.

Leave granted.

The Hon. B. A. CHATTERTON: In 1980, this Parliament passed new meat hygiene legislation that made a clear distinction between country slaughterhouses where there was no full-time meat inspection and abattoirs where there was full-time meat inspection. The legislation was passed following a report made by a Joint House select committee, which, when it examined this question of slaughterhouses and abattoirs, realised that country slaughterhouses without full meat inspection would have a competitive advantage. For that reason, the joint select committee recommended that slaughterhouses be restricted to 5 000 sheep equivalents per year and to selling to two retail shops within their district.

It has become obvious that this new legislation is not being enforced. In fact, the flagrant breaches of the legislation make a complete mockery of any attempt by abattoir owners to upgrade. They see no reason at all to upgrade their premises to meet the standards required by abattoirs when country slaughterhouses are free to do what they like and that are not restricted in their trade at all.

It has been reported to me that one country slaughterhouse in the electorate of the Minister of Agriculture has been given a quota of 22 000 sheep equivalents—more than four times the quota recommended by the joint select committee. In fact, it is already 9 000 sheep equivalents over the 22 000 quota, with two months still to go in the financial year. It is fairly obvious that a much greater capacity is going through that works than should go through what can be regarded as a country slaughterhouse.

It has also been reported to me that a similar situation is occurring in the electorate of the Deputy Premier. In addition, the Meat Hygiene Authority itself has openly admitted that 25 per cent of the meat from country slaughterhouses is being sold wholesale. Of course, the select committee report recommended that it should only be sold retail to shops in the district of the country slaughterhouses. In fact, probably more than 25 per cent of the meat from country slaughterhouses is being sold wholesale.

Can the Minister say how many country slaughterhouses have been allowed through-put quotas greater than 5 000 sheep equivalents, as recommended by the committee? Which country slaughterhouses are they, and where are they located? How many country slaughterhouses have exceeded the quota granted to them by the Meat Hygiene Authority, and what action has been taken against those who have exceeded their quota? Finally, what action has been taken to prevent country slaughterhouses from selling meat wholesale in unfair competition with abattoirs with full meat inspection?

The Hon. J. C. BURDETT: I will refer the question to my colleague and bring down a reply.

AGED DRIVERS

The Hon. J. R. CORNWALL: I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Health, a question about aged drivers.

Leave granted.

The Hon. J. R. CORNWALL: A serious financial injustice is being perpetrated against licensed car drivers over 70 years of age in the South Australian community. Every driver in this State over 70 years requires a medical and eyesight certificate annually to fulfil the licence requirements. According to the statistical officer in the Motor Registration Division, the total number of drivers in this category is 24 470, a considerable number.

There is nothing exceptional about the requirement that they should have a medical and eyesight test; it seems to me to be a sensible precaution, and I support it entirely. However, the great injustice is that these people are not covered for such tests, either by medical benefits or by their pensioner health benefit cards. The result is that every driver over 70 years in this State has to pay a net amount of money which is more than double that which the rest of us have to pay for drivers licences. When you consider your salary, Mr President, and mine, and that of most other people in the community, it becomes obvious that that is grossly unjust.

It is a grossly unjust financial penalty on the aged in our community for them to have to pay about $11 a year more for their driving licences than the rest of us. Pensioner and senior citizens groups have approached the Fraser and Tonkin Governments to have this unjust burden removed. I have also had a number approach me. Unfortunately at this point I am not in a position to do a great deal about it except to let South Australians know about it.

The Hon. Frank Blevins: It won't be long now.

The Hon. J. R. CORNWALL: That is right. However, the Liberals will not be budged in their penny-pinching attitude. It takes more than $250 000 a year out of the pockets of aged drivers in this State. Will the Minister take whatever action is necessary either directly or through her Federal colleagues to have this gross injustice remedied?

The Hon. J. C. BURDETT: The Hon. Dr Cornwall is probably aware of the announcement made by the Minister of Transport, who announced that aged driver tests will be required only once every three years and a medical certificate once a year. I shall refer the question to the Minister of Health and bring back a reply.

FOREIGN DOCTORS

The Hon. M. S. FELEPPA: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Health, a question on doctors coming from overseas.

Leave granted.

The Hon. M. S. FELEPPA: An article, headed 'South Australia leads way on doctor plan', in the *News* of 10 June states:

An Adelaide system which is taking foreign doctors from factories and labouring jobs and putting them back in hospitals has attracted national attention.

A subcommittee of the national Committee of Inquiry into Recognition of Overseas Qualifications (CIROQ), will visit Adelaide in the next two weeks to examine the system at Queen Elizabeth Hospital.

South Australian committee member, Mr Bruno Krummins said today CIROQ was in the final stages of its inquiry.

He said the committee, which would make recommendations to the new Immigration and Ethnic Affairs Minister, Mr Hodges

next month, believed the Queen Elizabeth Hospital system could become a model for other hospitals.

A doctor who helped devise the system over the past three years said it had involved eight unemployed Vietnamese and one Indonesian doctor to whom the hospital had given graduate medical student status.

I have very much regard for these young doctors, and I support the initiative taken by the committee. However, what is the situation with European doctors? Would the same committee consider recognition of their professional qualifications as well?

The Hon. J. C. BURDETT: I shall refer the honourable member's question to the Minister of Health and bring back a reply.

UREA-FORMALDEHYDE FOAM INSULATION

The Hon. G. L. BRUCE: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Health, a question on the sale of urea-formaldehyde foam insulation.

Leave granted.

The Hon. G. L. BRUCE: I have in my possession a letter from the Australian Federation of Consumer Organisations Inc. In the letter the federation details the hazards of using urea-formaldehyde foam insulation and outlines how it was banned from sale in the American State of Massachusetts in November 1979. Since that time the Australian Federation of Consumer Organisations Inc. has been closely monitoring the position. Its statement relating to the use of the insulation is as follows:

(a) there is no effective standard for *in situ* installation to guarantee that the resultant product will remain stable;

(b) an unstable produce will, under certain environmental conditions, release urea formaldehyde gas;

(c) the amount of gas likely to be released cannot be predetermined;

(d) there is a tolerable level of exposure to formaldehyde gas below which no adverse health effects are experienced;

(e) however, in the light of *(c)* above, there are doubts about the safety of the product, particularly in circumstances where it is manufactured and installed on site.

I understand that a ban on the sale of urea-formaldehyde foam insulation has been called for by the AFCO and letters have been sent to all Ministers of Health on this matter. In the light of this, could the Minister advise the Chamber of her attitude to the request to ban the sale of this material?

The Hon. J. C. BURDETT: This matter has also been brought to my notice as Minister of Consumer Affairs. I have received a letter from that federation, and approaches have also been made to me by CASA. I have discussed the matter with them, and also with the Commissioner of Standards. I will refer the matter to the Minister of Health and, possibly in conjunction with her (as my department is also considering the matter), bring back a reply.

TRANSPORTATION CORRIDORS

The Hon. N. K. FOSTER: I seek leave to make a short explanation before asking the Attorney-General, representing the Minister of Transport, a question about transportation corridors.

Leave granted.

The Hon. N. K. FOSTER: The Britannia corner has been a matter for discussion by the Road Traffic Board and other such bodies for a number of years, as to whether or not it should be controlled with electronic devices. This corner carries an enormous amount of traffic, which goes in a number of different directions. The destination of traffic, until it reaches the intersection, is not known. Traffic can turn left or right, and this is not made clear to following motorists until the roundabout is reached. A decision is not made by many drivers as to which way they will turn and they do not take up the appropriate lane until the intersection is reached. Traffic should proceed before reaching the intersection either in the left or right-hand lanes.

It seems to me that the volume of traffic is north and south through from the Hackney area. The traffic in this area is very great because it is on the route taken when people wish to dodge the inner city area and the terraces of the city; this route is also taken by people wishing to travel towards Highway No. 1, which commences roughly at Glen Osmond. Of course, a lot of traffic enters Fullarton Road and continues up Fullarton Road making a right turn at the point I have already described. It seems to me that a lesser volume of traffic which causes a considerable hazard approaches on Fullarton Road south of that particular intersection, after entering Fullarton Road at the Payneham Road intersection (or the Maid and Magpie corner, as it is known).

I am concerned about that particular roundabout and about the traffic flow in the whole area. There is a hazardous electronic traffic device on Norwood Parade; five roads run into the intersection. I am also concerned about the intersection of Kensington and Fullarton Roads. The problems I am referring to are caused by traffic from the eastern suburbs being somewhat impeded by traffic coming through on Fullarton Road.

Will the Minister ascertain from the Minister of Transport or from the Highways Department what traffic counts have been made in respect to vehicles using Fullarton Road for the purpose of turning right towards the city at that roundabout? Will the Minister also ascertain what volume of traffic turns left into Kensington Road as against the volume of traffic that enters Fullarton Road and continues past the roundabout on that road?

Has there been any comparison study between this traffic count and the volume of traffic travelling either east or west in or out of the city along Kensington Road and other access roads into the city? Has any thought been given to the fact that Fullarton Road should not be a through road from Payneham Road in the vicinity of the Britannia Hotel corner? Will the Minister ask his department to evaluate the reduction in the number of accidents at that intersection if such a 'no through road' was created on the northern side of Fullarton Road, that is, on the northern side of the roundabout? Would that facilitate the bulk of the traffic moving around that intersection over the total traffic flow period?

The Hon. K. T. GRIFFIN: I will refer that question to my colleague and bring down a reply.

GIRLS IN APPRENTICESHIPS

The Hon. ANNE LEVY: Has the Minister of Community Welfare a reply to a question I asked on 8 June about girls in apprenticeships?

The Hon. J. C. BURDETT: My colleague, the Minister of Industrial Affairs, has advised me that the matter raised by the honourable member is being considered by the Government.

EGG BOARD

The Hon. B. A. CHATTERTON: Has the Minister of Community Welfare a reply to a question I asked on 18 December last year about the Egg Board?

The Hon. J. C. BURDETT: My colleague, the Minister of Agriculture, informs me that regulation 9 of the regulations

under the Food and Drugs Act requires that labels of packaged food with a durable life of 90 days or less must be marked with a 'use by' date. Since that regulation applies to eggs, there is no intention on the part of the South Australian Egg Board to remove the 'use by' date stamp which, incidentally, appears on the carton.

SCALE FISH LICENCES

The Hon. B. A. CHATTERTON: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Fisheries, a question about scale fish licences.

Leave granted.

The Hon. B. A. CHATTERTON: There has been considerable discussion within the scale fishing industry over a period of months about the future of net fishing in this State, particularly the question of whether net fishing licences should be transferable. The industry is concerned that a large number of net fishing licences are not presently used; therefore, if the licences were to become transferable and saleable, the purchasers of those licences would naturally use them quite intensively to justify the purchase price. In fact, the Department of Fisheries has estimated that if net licences were transferable there would be a 37½ per cent increase in the scale fishing effort in this State. Surveys and reports in relation to the scale fishing industry indicate that the resource is overfished. The industry is not in a position to take any additional effort, let alone an addition of the order of 37½ per cent.

Despite the very disturbing figures that are coming through, the Government appears to be adamant in its policy that the scale fish licences should become saleable. In view of the very serious consequences that are likely to arise in the scale fish industry if the effort is increased by 37½ per cent, will the Minister reconsider the decision to make scale fish licences transferable?

The Hon. C. M. HILL: The Minister of Fisheries is well aware of any concern on this question that might be expressed within the scale fish industry and of all the statistics and figures that come through his department. However, as the honourable member has asked that the Minister have another look at this issue, I shall be pleased to forward the question to him and bring back a reply.

SPORT

The Hon. BARBARA WIESE: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of Recreation and Sport, a question regarding the Institute of Sport.

Leave granted.

The Hon. BARBARA WIESE: In the sport section of yesterday's *News* a report headed ' "Sexist" charge aimed at institute' pointed out that, contrary to the policy that was recently announced by the Government with a fanfare that it would appoint more women to boards and committees, the Minister of Recreation and Sport has seen fit to appoint only one sportswoman, among a total of eight top positions, to the board of the Institute of Sport. This move has been strongly criticised by a number of women representing a wide range of community and sporting groups, including the Women's Keep Fit Association, the Y.W.C.A., the Australian Council for Health, Physical Education and Recreation, and the Sportswomen's Association. I think that you, Sir, would agree that none of those groups could be described as radical feminist organisations.

I think, therefore, that the Minister can be assured that the feeling already expressed, namely, that the board is unrepresentative (as it relates not only to the balance between the sexes but also in a broad range of sports) is a widespread view that is held in the community. Will the Minister take action immediately to ensure that the board of the new Institute of Sport is made more representative of community interests, either by increasing its size so that other appointments thereto can be made or by changing its existing composition?

The Hon. K. T. GRIFFIN: I will refer the honourable member's question to the Minister of Recreation and Sport and bring back a reply.

REPLIES TO QUESTIONS

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Attorney-General a question regarding replies to questions.

Leave granted.

The Hon. ANNE LEVY: It is highly probable that this session of Parliament will end tomorrow, and I am sure that I am not the only member of Parliament who has a great series of questions that are unanswered. Indeed, I have one dating from 23 March relating to the State Development Plan that has not yet been answered, and another one asked on 6 April regarding the Police Special Branch that has not yet been answered. These questions are nearly two months old, and I would have hoped to receive an answer by now.

I have also asked quite a number of questions during the current sittings. Indeed, I have eight unanswered questions that have been asked since 1 June. I ask the Attorney-General what will happen regarding answers to those questions. If Parliament rises tomorrow and prorogues, will answers be sent by post to members, and will they ever be printed in *Hansard*? Also, is there any way that we can expedite matters in relation to obtaining answers to questions that remain unanswered for such lengthy periods of time?

The Hon. K. T. GRIFFIN: The usual practice is that, if Parliament is not sitting when answers become available, they are communicated by letter to the honourable member who asked the questions, and, when we resume, they have generally been incorporated in *Hansard*. It is my recollection that that practice has been followed, whether or not there has been a straight adjournment or Parliament has prorogued.

I would therefore expect that, if questions remain outstanding as of tomorrow, the answers thereto will progressively be forwarded to honourable members during the next four weeks or so, and we will move to have the answers to those questions inserted in *Hansard* next session.

GRAPE ADVISORY COMMITTEES

The Hon. B. A. CHATTERTON: I seek leave to make an explanation before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question regarding grape advisory committees.

Leave granted.

The Hon. B. A. CHATTERTON: Last year, the Minister of Agriculture, when opening a grape industry conference, was critical of the number of advisory committees that existed within the grape industry and suggested that there should be some rationalisation of these committees. In fact, he established another committee to undertake the task of rationalising the committees that were in the industry. The Minister also gave the committee an ultimatum that, if it did not come up with a programme of rationalisation before June 1982, he would forget his idea.

This was a rather strange ultimatum for the Minister to give, as he had made the proposal in the first place. It is, of course, now June 1982, and I would like the Minister to say whether that committee, which was established to carry out this rationalisation task, has completed its work, whether it has made a report and, if so, what sort of rationalisation of advisory committees within the grape industry is envisaged.

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring back a reply.

COURT FACILITIES

The Hon. C. J. SUMNER: I seek leave to make a statement before asking the Attorney-General a question regarding court facilities.

Leave granted.

The Hon. C. J. SUMNER: During the last election campaign the Attorney-General promised, on behalf of the Liberal Party, to upgrade court facilities. In fact, what has happened is that some suburban courts have under this Government been not upgraded but abolished altogether. The Prospect and Norwood courts are two examples of courts of summary jurisdiction that have been abolished under this Government.

Further, the innovative idea to have night court sittings in Whyalla has also been discontinued, to the further disadvantage of the people who must work during the day and who have difficulty attending court hearings. Apart from the reduction in court facilities that are available to the citizens of this State, there are some areas (Port Adelaide is one example) where the facilities are quite inadequate.

I would like to know what action the Government intends to take to upgrade the facilities in the Port Adelaide court. Port Adelaide is the second biggest court in this State after Adelaide Magistrates Court, but the facilities there, particularly for witnesses, counsel, staff, and prisoners, are quite inadequate. Although nothing seems to have been done about the facilities at Port Adelaide, I have been advised that for some obscure reason, about $180 000 is being spent on upgrading the court at Gumeracha.

The Hon. B. A. Chatterton: In whose district is the Gumeracha court?

The Hon. C. J. SUMNER: I do not know in whose district it is; it may be in the district of the Deputy Premier. I understand that one magistrate visits Gumeracha Court of Summary Jurisdiction every five years, and the rest of the time it is serviced by justices of the peace. Nevertheless, I have been informed that a considerable sum has been spent on upgrading this court, including cell accommodation and the like. That seems to be an odd selection of priorities by the Government, considering the difficulties which have been experienced in the second busiest court in South Australia, which is at Port Adelaide. First, what plans has the Government for upgrading facilities at the Port Adelaide court? Secondly, how does it justify the expenditure on the Gumeracha court, given the use to which that court is put, when busy suburban courts are lacking facilities?

The Hon. K. T. GRIFFIN: The problem about the Port Adelaide court facilities is that they are currently linked with the police facilities, and there have been plans to relocate the Port Adelaide police facilities, thus allowing an opportunity to upgrade the Port Adelaide court facilities. I do not have the up-to-date position at my fingertips with respect to that proposal, but I will ccertainly be prepared to obtain that information and let the Leader have it. In regard to Gumeracha court, I rather suspect that the Leader is relying on quite inaccurate information. He does that quite frequently from time to time. I would be surprised if that sum were being spent on the Gumeracha court.

Again, I will obtain some information from my officers and let the Leader have a reply in due course. The Leader mentioned the night courts system at Whyalla, which was an innovation. Those sittings were terminated because, for better or worse, there was a lack of patronage. Perhaps in one respect that is not a bad thing but, on the other hand, one can hardly justify the expense of a magistrate, court officials, police and others involved in Whyalla court at night.

The Hon. C. J. Sumner: The magistrates didn't like it.

The Hon. K. T. GRIFFIN: I think the magistrates were perfectly happy to sit, but there is little point in inconveniencing a number of people for what was a surprisingly small number of people who patronised the facilities. I will obtain some other information on the situation in relation to the Port Adelaide and Gumeracha courts and make sure that the Leader has that information.

GOVERNMENT CARS

The Hon. N. K. FOSTER: I wish to ask the Attorney-General, representing the Minister of Transport, a question about Government cars. How many passenger-type motor cars are held by the Government? How many are listed as being used on a restricted hours-of-day basis? How many are provided to senior staff on a basis whereby it could be said that they were almost their personal property? Does the Government condone the use of these vehicles as private family vehicles? On what working days or on an overtime or take-home basis, is the use of such cars permitted, and in what number and from which departments? How many cars and/or light utilities and four-wheel drive vehicles are used strictly during overtime hours, including weekends, by all departments? Will the Minister list the number of departments which have four-wheel drive vehicles that never seem to get out of the urban area?

The Hon. D. H. Laidlaw: It's fashionable to have them.

The Hon. N. K. FOSTER: Yes. What is the average horse power of the vehicles? What other types of vehicle, such as utilities, are used in overtime hours, when observation informs everyone that the vehicles are not being used for carrying purposes but are usually occupied only by the driver? What are the designated areas of operation of vehicles that are permitted out of the garage over the weekend? One tends to see them from the Barossa Valley to the bottom of the Fleurieu Peninsula. Also, has the Director of the C.F.S. been asked not to use his official car for personal use? Has he obeyed such a request? Finally, to what extent are four-wheel drive utilities carrying Government number plates used for private purposes to knock the hell out of the Flinders Range over weekends.

The Hon. K. T. GRIFFIN: I will have to refer those questions to the Minister of Transport. I suspect that it will be a particularly difficult task to collate all that information. It will be a matter on which I will have to obtain information, and the Minister of Transport is the appropriate Minister to obtain that information. If other Ministers are directly involved in the responsibility for providing that information, I will endeavour to ascertain whether it is available.

The Hon. N. K. Foster: All departments and statutory authorities should be included in the figures.

TRAFFIC LANES

The Hon. FRANK BLEVINS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of Transport, a question about traffic lanes.

Leave granted.

The Hon. FRANK BLEVINS: Since entering Parliament, the list of my failures has been much longer than the list of my successes. Among my failures is an attempt I have been making to convince successive Governments to change the regulations in regard to keeping to the left on dual carriageways. The present position is that when, on a dual carriageway, people see signs such as 'Keep to the left unless overtaking' or 'Use left-hand lane' only a few people, including me, take any notice. The Government has a reasonable record over the past three years in attempting to reduce the road toll. It has been assisted a great deal by members on this side. Some of the legislation it has brought in to reduce the road toll has been improved by the input of members on this side. We are very concerned about this matter.

One of the problems is that drivers get annoyed, frustrated and irritated and, in turn, become discourteous themselves because of the behaviour of some quite irresponsible road users. Anything we can do to stop drivers getting irritated would have some effect on reducing the road toll and certainly would have some effect on drivers' nerves.

A couple of weeks ago I was driving down South Road and attempting to get where I was going in a reasonably safe, speedy manner, but well within the limits. I had to travel for about a quarter of an hour behind a car with a P plate which was hogging the right-hand lane. Since the driver was restricted in the speed at which he could go, one would have thought that he would have the courtesy of keeping to the left-hand lane, and not annoy what seemed like half of the people of Adelaide who were stacked up behind him. That type of thing occurs all too often, and since the P plate has come in I believe the problem is getting worse. I would like the position to be as it is in many areas of Europe, that is, that it is mandatory to use the left-hand lane, unless overtaking.

The Hon. K. T. Griffin: In Europe it would be using the right-hand lane.

The Hon. FRANK BLEVINS: In the part of Europe from which I come it is using the left-hand lane. Recently I believe they were arguing in the Falklands about driving down the left or right-hand side of the road, and I assure you they are now driving on the left. In what we believe to be the most prominent part of Europe people drive on the left.

The same position applies in America, where it is mandatory to drive in the right-hand lane when there is a dual carriageway. If one does not do so, the police will take action accordingly. Also, in America if you drive too slowly you are considered to be a nuisance on the road and the police will pinch you, and so they should.

It is obvious that the signs requesting drivers to keep left have had little or no effect. People are not using the left-hand lane when they should do so. It would be preferable if this problem were solved by common sense or courtesy, but that is not occurring. The next step is to legislate. My information is that it merely requires a change to the regulations. Will the Government consider action to remove the annoying practice of people driving in the outside lane on dual carriageways when they are not doing the maximum speed? In other words, will it make driving in the left-hand lane, except when overtaking, mandatory rather than voluntary?

The Hon. K. T. GRIFFIN: I will refer the question to the Minister of Transport and bring back a reply.

FINANCE COMPANIES

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question on finance companies.

Leave granted.

The Hon. C. J. SUMNER: On 12 April the *Advertiser* reported on a decision of the Privy Council in the case involving Mr and Mrs J. N. Comblas and a finance company in which it was concluded that some South Australian people who have had loans from finance companies may be able to obtain refunds on credit charges that have been paid. That was the interpretation of the results of that case by the *Advertiser* journalist. The article further stated:

> Some who defaulted on their repayments, with the result that the companies repossessed and then resold goods held as security, may be owed further refunds.

That appeared along with the statement of the South Australian Commissioner for Consumer Affairs, Mr Noblet, who was reported as saying that . . . he had arranged for a detailed analysis of the judgment to assess whether existing legislation should be amended because of it.

Has Mr Noblet carried out that assessment? What is the result of the assessment? How many people and what categories of people will now, as a result of that decision, be able to claim refunds of credit charges that they have paid?

The Hon. J. C. BURDETT: The analysis has been carried out. The criticism of the Privy Council of the form of notice required by the Consumer Credit Regulations to be given to consumers was based on the fact that this notice was misleading in cases in which the Consumer Credit Act applied but the Consumer Transactions Act did not. At the time the matter was argued before the Privy Council the latter Act did not apply to loans secured by a home mortgage where the amount involved was more than $20 000, but there was no such limit in the Consumer Credit Act. As it happened, this anomaly had been noted independently of the Privy Council proceedings and was corrected by the Statutes Amendment (Consumer Credit and Transactions) Act passed in March this year and assented to on 22 April.

Thus, the criticism was of the law as it stood at the time when the facts happened, that were the subject of that case. As it happened, the same criticism that the Privy Council took up had been noted by the Government and had been corrected. As I have said the Act was assented to on 22 April. The amendments made by this Act increased all monetary limits under this legislation. In the case of home mortgages, the upper limit was made $30 000 under both Acts. So there is no longer the discrepancy that existed before. I expect these amendments to come into operation on 1 July 1982. As this anomaly has now been corrected, there are no amendments to the regulations that are required as a consequence of the Privy Council decision.

The Hon. C. J. SUMNER: I have a supplementary question. What is the position of people who obtained finance from finance companies before these amendments were implemented? Are they entitled to any refund of charges made under previous legislation?

The Hon. J. C. BURDETT: I will investigate that question and bring back a reply.

TOXIC SHOCK SYNDROME

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Health, a question about toxic shock syndrome.

Leave granted.

The Hon. ANNE LEVY: Recently, there has been considerable discussion about toxic shock syndrome, a rare but very serious condition resulting from infections by staphylococcus aureus, which has in many cases been associated with the use of tampons. I have a table, produced by the Commonwealth Department of Health, which is part of a

study being done into toxic shock syndrome in Australia and which lists nine cases which have occurred in Australia during 1981. Two of these cases were in Melbourne, two in Sydney, one in Geelong, one in Perth, one in Launceston, one in Collie, and one in Adelaide.

The Adelaide case was not associated with menstruation, so obviously it has a different history from those cases which have been associated with the wearing of tampons. The table also lists a probable retrospective case which occurred in Adelaide a number of years ago and which was associated with menstruation. I appreciate that research and investigation into toxic shock syndrome will still be occurring, and I trust that careful monitoring in this regard is taking place, particularly about the possible association with the wearing of tampons. Can the Minister say whether there have been any cases of toxic shock syndrome in South Australia this year? If there have been, have they also been associated with the wearing of tampons during menstruation?

The Hon. J. C. BURDETT: I will refer the honourable member's question to the Minister of Health and bring back a reply.

BICYCLE TRAFFIC

Order of the Day, Private Business, No. 1: The Hon. J. A. Carnie to move:

That Corporation of West Torrens by-law No. 57 in respect of bicycle track traffic, made on 10 December 1981, and laid on the table of this Council on 9 February 1982, be disallowed.

The Hon. J. A. CARNIE: I move:

That this Order of the Day be discharged.

Order of the Day discharged.

RIVERLAND PLANNING REGULATIONS

The Hon. J. A. CARNIE: I move:

That regulations under the Planning and Development Act, 1966-1981, in respect of Riverland Planning Area Development Plan (River Murray Valley Planning Regulations), made on 23 December 1981, and laid on the table of this Council on 9 February 1982, be disallowed.

In moving a similar motion last week, I commented that to move disallowance of regulations is not a step to be taken lightly. The Joint Committee on Subordinate Legislation has not taken this step lightly and has considered the matter seriously. This again raised the difficulty which the committee has, as I mentioned last week (and it bears repetition), that here we have quite a large set of regulations which, in the view of the committee from evidence given, is defective in certain areas. As a committee, we cannot recommend to the Parliament, and the Parliament would not have the power, to amend those regulations simply in the areas where concern was expressed. Again, as I said last week, I think that that is something the committee could consider to see whether Standing Orders could be changed to allow amendments to regulations, rather than total acceptance or total disallowance.

These regulations before us are designed to control buildings along the South Australian section of the Murray River, particularly in the flood plain area. Nobody denies that the control of buildings on the flood plain is desirable; indeed, it is essential. The committee has taken the view that these regulations go well beyond control and are, in fact, total prohibition. The regulations under the Planning and Development Act, 1966-1981, provide:

4. (1) No person shall:

(a) within the fringe zone:

(i) change the existing use to which land or any building or structure thereon is or are lawfully being put; or

(ii) construct, convert, or alter any building or structure,

without the consent of the Authority, or

(b) within the flood zone:

(i) change the use to which land or any building or structure thereon is or are lawfully being put without the consent of the Authority, or

(ii) construct, convert or alter any building or structure.

This regulation means that within the fringe zone the consent of the authority could be given for the construction or conversion of any building or structure, but that within the flood zone itself there is a total prohibition. Consent cannot be given by the authority.

It is an accepted fact that regulations under the Act should not go further than the Act itself, or than the Act intends. That, to me, is a basic premise. The committee considers these regulations do go beyond the Act. That opinion was also given by legal evidence to the committee and is borne out by cases which have been before the Supreme Court. In the case of *Barnes and another v. State Planning Authority,* which was an earlier case that dealt with the Riverland development plan and its application—

The PRESIDENT: Order! Is the case about which the honourable member is talking before the Supreme Court at present?

The Hon. J. A. CARNIE: No, this is a 1977 case and judgment has been given. This case was reported in 1977, 17 S.A.S.R., at page 421. The background to that case is that Mr Barnes wanted to construct a house at North West Bend within the 1956 flood level. The Planning Appeal Board decided that his appeal against the State Planning Authority's refusal should be dismissed, and Mr Barnes took the case to the Supreme Court. Mr Justice Jacobs, in dealing with the case, quoted from the board's determination, as follows:

The losses and damage to property which has resulted from periodic flooding of the River Murray has been considerable, and the cost of this has been borne in part by the community. It is desirable that in future, the flood plain should be kept free of developments which could be damaged by flooding or impede the flow of floodwaters.

His Honour, in commenting on this, said:

Not, be it noted, all development, but only that which might have the stated effect.

That 'stated effect' was damage by flooding or, particularly, impeding the flow of flood waters.

Numerous cases relating to developments on the flood plain have gone to the Supreme Court. Some of these developments on the flood plain have been refused by the authorities; in some cases they have been allowed and in others they have been disallowed. In all cases the court was at pains to point out that the plan did not envisage a total ban on buildings merely by virtue of the fact that they were located on the flood plain. The Joint Committee on Subordinate Legislation accepts that there should be no new development or subdivision in the flood plain area, but I am referring to subdivisions and building allotments up to 100 years old.

This raises a further question of people who have purchased allotments in good faith. Indeed, they may have a substantial mortgage and could be paying off a loan on their blocks. Suddenly, by virtue of these regulations which impose a total ban, their blocks become valueless. This gives rise to a situation in which someone who already has a holiday house gains a windfall because there will be a shortage of such homes along the river, but next door to him a person who has a block on which he has not built will lose everything. As I have said, he may still be paying off a loan on

that block and suddenly he is not allowed to build on it. If he is not allowed to build on his block he will obviously have nothing to sell, so the land becomes completely valueless.

The committee believes that this is quite anomalous and, indeed, it seems that the State Planning Authority could well take the same view. Under these regulations (the regulations we are discussing, not the interim regulations), permission to build was refused in these two cases. When the parties decided to take it further and appeal to the Planning Appeal Board, the State Planning Authority did not contest the appeals and consent was given. In those cases, it was obvious that the State Planning Authority itself recognised that this total prohibition was going too far. The committee really wants the State Planning Authority to re-examine these regulations and correct this obvious anomaly.

As I have said, it is quite wrong that the regulations should go beyond the Act. The Subordinate Legislation Committee and the people who have given evidence believe that this is the case. The committee obviously accepts that control of building along the Murray River is essential. The Murray River is valuable to South Australia not only in relation to the supply of water to many parts of the State but also as a tourist attraction and recreation area. It is essential that there is adequate control of building along the Murray River. The committee believes that it is very doubtful whether total prohibition is warranted, and asks the State Planning Authority to examine this matter.

If these regulations are disallowed, the interim development control regulations will come back into force. Obviously, the interim development control regulations were perfectly adequate. They were in force for about six years and worked very well for that period. There should be no problem if these regulations are disallowed. I understand that the Minister and his officers are prepared to examine the matters raised in the evidence that I tabled last week and, when the new Planning Act is proclaimed in about two months, to bring new regulations down which will take into account the matters that I have raised today and which have been given in evidence before the committee.

The Hon. N. K. FOSTER: Last week I intimated that generally the committee had many problems in relation to the Planning and Development Act. I believe that the problems arise as a result of a misunderstanding by those who are responsible for people who live within a municipality, such as those living in the Murray River planning area. That is a very large area of land which includes almost the whole river system of this State. Many people own shacks along the river and do not live in the area on a full-time basis, for example, my colleague the Hon. Mr Bruce.

This area is a tremendous recreational area for the whole of the State. The councils in this area must accept that they are responsible not only for people who live in the area but also for those who reside there on a part-time basis.

In conclusion, I express some disappointment at the fact that all of these regulations draw a great deal of blood from the urban and rural areas of this State. I believe that most people consider that their rights are being trampled upon (perhaps they do not understand the Planning and Development Act). I believe that Parliament should become more responsible in relation to disallowance motions which mean a great deal to shack owners, landowners, and so on. I support the motion.

Motion carried.

MURRAY MALLEE PLANNING REGULATIONS

The Hon. J. A. CARNIE: I move:

That regulations under the Planning and Development Act, 1966-1981, in respect of Murray Mallee Planning Area Development Plan (River Murray Valley Planning Regulations), made on 23 December 1981, and laid on the table of this Council on 9 February 1982, be disallowed.

I point out that the terms of these regulations are identical to the terms of my previous motion. The reasons for disallowance are exactly the same.

Motion carried.

FORESTRY ACT

Order of the Day, Private Business, No. 5: The Hon. B. A. Chatterton to move:

That the proclamation under the Forestry Act, 1950-1974, relating to section 162, hundred of Gambier, County of Grey, made on 3 December 1981 and laid on the table of this Council on 3 December 1981, be disallowed.

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

That this Order of the Day be discharged.

Order of the Day discharged.

PLACES OF PUBLIC ENTERTAINMENT

Adjourned debate on motion of Hon. C. J. Sumner:

That regulations under the Places of Public Entertainment Act, 1931-1972, relating to revocations, made on 3 December 1981, and laid on the table of this Council on 8 December 1981, be disallowed.

(Continued from 9 June. Page 4420.)

The Hon. J. C. BURDETT (Minister of Community Welfare): I rise to speak to this motion. I listened attentively last Wednesday when the Hon. Mr Sumner moved against the recommendation of the Subordinate Legislation Committee for the disallowance of these regulations under the Places of Public Entertainment Act relating to the licensing of cinematographic projectionists. I have since read the *Hansard* report of his speech moving the disallowance. This did not take long because, although he spoke for quite some time, the Leader made only three points, each of which he repeated three times.

The Hon. C. J. Sumner: That was because of your stupid interjections.

The Hon. J. C. BURDETT: If the honourable member would like to look at the *Hansard* report, he would see that I made few interjections.

The Hon. C. J. Sumner interjecting:

The PRESIDENT: Order!

The Hon. J. C. BURDETT: Honourable members will possibly recall the debate last Wednesday that immediately preceded this motion of the Hon. Mr Sumner. It was a disallowance motion by the Hon. John Carnie in respect of certain regulations under the Planning and Development Act concerning certain zoning regulations at Tea Tree Gully which would have permitted, if passed, a particular development in that area. In that instance, the Subordinate Legislation Committee, through the Hon. John Carnie, moved for the disallowance of those regulations, having heard the evidence. I supported the committee on that occasion, even though the regulations that were disallowed were obviously regulations promulgated by this present Government.

As I stated on that occasion, I supported the recommendation of the Subordinate Legislation Committee because evidence was taken, assessed by that committee, and acted on. I do not say this lightly. I have served on that committee. I respect the way it assiduously addresses itself to the propriety of the regulations which come before it. I respect its deliberations and its conclusions. It is a Joint House committee consisting of both Government and Opposition

members, and I know that you, too, Sir, have served on that committee.

In the present instance the Joint Committee on Subordinate Legislation has, having taken some 30 pages of evidence, not recommended that the regulations be disallowed. I support its conclusion, and I do so for two reasons. When I say that I support the committee's conclusion, I believe that it has acted correctly, although for special reasons that I will add later I propose to say that I do not oppose the motion. I have already alluded to the first reason. The second reason is that the Act in question is within my portfolio as Minister of Consumer Affairs, and I therefore speak with some personal knowledge and authority knowing the background to these amendments.

I totally refute the Hon. Mr Sumner's contention that the only valid reason for deregulation in this case is 'the Government's own ideological predilection'. The 'Inner Circle of Motion Picture Projectionists', cited by Mr Sumner, has between 150 and 200 members out of the 342 presently licensed 35mm operators in this State, and the committee took evidence from this body through its Secretary, Mr Frank Lawrence, and also from Mr Edward Goldsworthy, who is Secretary of the Australian Theatrical and Amusement Employees Association.

I agree with the Hon. Mr Sumner that Mr Goldsworthy's evidence was representative of persons in the industry and supported retention of the present system of licensing. The Joint Committee on Subordinate Legislation also heard officers of the department, including the Supervising Licensing Inspector responsible for this area. The committee decided to take no action. This indicates that, having heard all the evidence, the committee was satisfied that deregulation was proper.

The Government's policy is that, where appropriate, industries should not have regulation imposed on them by Government. Unless there is some compelling reason to the contrary, industries should be left to regulate themselves. Secondhand motor vehicle dealers, for example, will not be deregulated at present because there is still a need to improve outside control on some elements of the industry.

In this case, however, the Government considers that Government regulation of projectionists does no more than impose a requirement for entry into this employment. In effect, the industry is expecting the Government to act as an employment agency for it by vetting inappropriate people (that is, those who have not passed the examination). This is something that the industry must take on its own shoulders. It must, by imposing its own competence criteria if it wishes, take the responsibility for choosing its employees.

The Hon. Mr Sumner claimed that this deregulation is effectively removing a 'trade certificate' from projectionists. This is not so. The measure merely removes any requirement that projectionists be licensed by the Government. There is nothing to prevent the unions and/or industry from imposing their own standards of competence and examination courses, either formally (for example, through a Department of Further Education) or self-administered.

I am pleased that recent discussions between officers of my department and Mr Goldsworthy of the Australian Theatrical and Amusement Employees Association which, as I said, includes the 'inner circle', indicate a very real prospect of the preparedness of the industry to become self-regulating in the near future. Indeed, although it was very briefly, I did speak to Mr Goldsworthy. Certainly this deregulation measure would not have been proceeded with by the Government if the safety of the public was considered to be put at risk. One working party on small businesses recommended that the department 'consider' regulation and, in doing so, take into account this safety factor. The department did so. It was satisfied, however, that public safety would not be endangered by this deregulation.

One major reason for introducing licensing in 1913 was to ensure that projectionists could safely handle highly flammable film. In those days, the projectionist was the focal point of theatre safety. He was in charge of the lights, access to exits, and so on. Since then, things have changed significantly. Film is not flammable now. The projectionist is often some distance from the theatre and his ability to be aware of conditions in the theatre is greatly reduced. Safety requirements for buildings have improved greatly. All theatres must have firemen present.

The Hon. Mr Sumner's argument about safety fails to stand the scrutiny of the simple rules of logic. He is saying, 'Projectionists have to be licensed; cinemas are presently safe; if projectionists cease to be licensed by the Government, cinemas will cease to be safe.' His argument is fallacious in that it has, if one knows about the laws of logic, what is known as an 'undistributed middle premise'. The significance of the legal maxim *post hoc ergo propter hoc* will not be lost on Mr Sumner. The Government certainly recognises that the projectionist still has a role to play with regard to safety. Those requirements have not been deleted from the regulations.

The projectionist, for example, must still be vigilant and ensure that working conditions are safe. He simply does not have to be licensed. The requirements are still there. The Government considers that safety will not be impaired because, first, the safety requirements under the regulations remain; secondly, theatre firemen and other theatre staff contribute to safety; and, thirdly, the theatre management has a real interest in seeing that safety and competence are maintained. Their ability to operate a place of public entertainment is their livelihood, and expensive projection equipment is at stake.

Victoria is the only other State to retain this form of licensing and only in a limited form. There is no evidence that removal of the licensing from other States has contributed to a decrease in public safety in cinemas. Certainly, South Australia's record of safety is generally good, and that will remain. Also, the cost of a licence would be greatly increased if the cost of maintaining standards were to be passed on. Probably the cost of a licence would be about $50 a year. What I intend to do is to hold further discussions with Mr Goldsworthy and Mr Lawrence, and give them every assistance in working out industry self-regulation. When I am satisfied that this has been accomplished I will bring back these regulations with a starting date. That starting date would be, say, July next year or whatever day it was considered to be appropriate, but that would be a matter of discussion with the organisations concerned.

I am saying that because of these discussions I will not oppose the motion, but I will hold further discussions and see what can be worked out in negotiations and consultation about industry self-regulation. We will see what appropriate starting date can be determined from which the new regulations can become operative. What I am saying is that we do not oppose the motion at this time. We will continue to have negotiations and probably bring back regulations in the future.

Nearly all objections to deregulation were on the basis of projectionists' competence, not the safety aspect. We contend that this competence can be maintained through the industry itself, and we are pleased that the industry, through Mr Goldsworthy, is coming around to this conclusion. For those reasons, I speak for the motion and do not oppose it.

The Hon. N. K. FOSTER: I support the motion and commend the Minister for the action which he has now made known to this Council. It is not always an easy thing

to do. Many of us make the great mistake of perhaps thinking to ourselves that we ought to change our minds, but we become inhibited for any number of reasons and do not do so. Therefore, I commend the Minister, and I am sure that honourable members will appreciate the action that he has decided upon.

I should like to give the Minister advice on one aspect: perhaps the deregulation unit could, when dealing with such matters, convey that fact to the industry and people involved, that deregulation is intended in that area. I point out that, upon representation being made to the committee by the Hon. Mr Sumner, everything was done within the framework of its understanding to ensure that cinematographic operators and others were given a hearing and the right to put their view. These are matters affecting ordinary people and organisations which may or may not be aware that regulations are changed or applied to them. I commend the Minister for his action.

The Hon. K. L. MILNE: What I was going to say has been said by the Minister and the Hon. Mr Foster. The Government has taken a responsible attitude. Most honourable members are in favour of groups such as projectionists, who are trying to improve their status and service, and I am sure that there was just a misunderstanding in this situation. It is not as if projectionists were seeking registration, because they already have it. As a result of these discussions something of benefit for projectionists will result, and I applaud the sensible approach of the union and the Minister's response.

The Hon. C. J. SUMNER (Leader of the Opposition): I am pleased to see that the Minister is adopting a conciliatory attitude on this matter. It may be that he saw that the numbers were not quite with him and believed that discretion was the better part of valour. For whatever reason, I am pleased that he has decided to allow these regulations to be disallowed and has undertaken to enter into negotiations with the union and people concerned in the industry to sort out their future.

However, I wish to take issue with one aspect of the Minister's comments, apart from his quite erroneous comments about the arguments that I put up last week which, despite his criticism, seem to have found some favour with the Council. The Minister's ultimate aim still seems to be that of deregulation. I understand that the union and the workers in this industry are still favouring some kind of licensing and regulatory system. The Minister should bear in mind that the discussions which have been agreed to by the union and workers have been agreed to on the basis that the discussions which are conducted will be with an open mind as to the ultimate result. That certainly is the position that I have been advised by the union and the association. They are willing to enter into discussions. They are happy with the Minister's attitude to the disallowance of regulations and they are entering into discussions not on the basis that the ultimate result will be deregulation or delicensing: they are entering into discussions on the basis that a solution can be found to this problem which will maintain some form of regulation or licensing.

I wish to clarify that aspect for the Council in case honourable members have obtained a misleading impression from the Minister that there was some kind of tacit agreement that deregulation was to be the ultimate result of any negotiations. I thank the Government and the Hon. Mr Milne for the attitude that they have finally adopted on this matter. I am pleased to see the motion passed.

Motion carried.

SELECT COMMITTEE ON URANIUM RESOURCES

The Hon. N. K. FOSTER: I move:

The the Report of the Select Committee on Uranium Resources, laid on the table of this Council on Wednesday 11 November 1981, be noted.

I wish to address the Council in regard to the select committee which was convened in this Chamber through a motion moved by the Opposition. The terms of reference were completely changed by the Government of the day. I do not wish to take any great amount of time in regard to this matter. Members may well see a great deal of material stacked up on my right which represents only a small proportion of the evidence taken by that committee. I brought it in here in case I was required to filibuster in regard to a similar matter later today. I hope I will also be able to address the Council later today. I am somewhat critical of the committee in some respects. I was very disappointed that, when I attempted to move a motion on a number of occasions, such attempts were thwarted as no-one saw fit to second the motion, which would have given the committee the right to inspect the Honeymoon and Beverley deposits. I do not wish to refer to the rest of the deposit in the north and north-east of the State which will be involved in a mining operation called Honeymoon. It is already the subject of a pilot plant which is successfully using the leaching method of extracting uranium. Basically the leaching method is to bore a hole into the uranium ore body. A mineral solution is placed down the hole and the end result is the rising in the main bore hole of the uranium ore itself. It is refined to yellowcake in the final result. I ask the Hon. Mr Cameron to listen to this because he did not support my motion on that committee.

The uranium operation in this State will not unfortunately be subject to any form of indenture by any State Government, nor can it. I pause at this stage because it is a real situation. I hope I am wrong in this regard but I hope that the Leader of the House and the Leader of the Government will correct me in that respect. When people see fit to criticise the fact that an indenture is required in respect to mining operations, both the Government and members of the public who are interested ought to bear in mind that where there is an input by the taxpayers and by the Government it most certainly gives the Government the absolute right to produce an indenture—whether it be by way of request or otherwise—where infrastructure is required. It can be in regard to ports, railways, roads, air fields or whatever. A population base is unlikely to occur at the Beverley deposit and others in this State. The nearest population base lies in the New South Wales city of Broken Hill. Their input into this can only be way of demonstration which has already taken place.

They cannot make representations to the Government of this State in respect of that matter because the Federal Minister, Mr Anthony, the Deputy Prime Minister, has seen fit to give a licence to the pilot plant near Honeymoon. That was given within a few short hours of my directing a question in this Chamber when the committee refused to go there in the first instance. That is a deplorable state of affairs on the part of a select committee charged with a responsibility by this Council through a majority vote. It is neglecting its responsibility in overlooking the probabilities that may occur. Yet, we homed in finally on a minority report which bears my name. I will be respectful enough at this stage not to go any further in my comments. I will leave others to work it out. Many members in this Chamber are more fully aware of the initiation of that report and aware of who saw it before I did. I was not happy about the matter as I believe that as a member of that committee I ought to have been consulted.

The committee did not visit any installations other than those engaged in the mining and milling of uranium. Radium Hill was clearly not one of those. I would like to acquaint the Council with the fact that, when I moved that we visit Honeymoon and the associated areas, it was only after I had agreed and moved to drop Radium Hill from the motion that the resolution was seconded, finally carried and aborted by the non-co-operation of those people who were responsible for mining there. I refer to a certain consortium and I say no more. It did not give accurate information, I later learnt. I cast no reflection on those involved in the administration of the committee, including its secretary, Mrs Davis. She was informed that we would only see a tin shed, a gas cylinder and a rough airstrip. I later learnt that there was considerable bore exploration.

A considerable amount of evidence was given to the committee in regard to Radium Hill but we did not visit it. That spells out clearly the fact that the committee erred and shirked the responsibility given to it by this Council. The committee sat many times in Adelaide—perhaps something like 50 times. We visited Roxby Downs or Olympic Dam in July 1980, which is a fair time ago. We were there for one day. We also visited Amdel at Thebarton and the Institute of Technology which are involved in experimentation, particularly in regard to yellowcake.

We did not even go 150 miles up the track to Port Pirie, even though the committee was told that much concern had been expressed by nearby residents, who gave evidence about this. I thought that we were remiss in that respect also. Much evidence was taken in respect to a hot spring in the Flinders Ranges. We took evidence from people who said that they had spent some 10 years of their life swimming in those particular pools and they stressed the fact that they felt fit and well at the age of 70 years, whereas hydrologists and others who gave evidence later said that they would not wash their hands in the stream 10 kilometres from those springs. We still did not visit those places.

We received evidence from Saskatchewan in Canada, which is a State and has a city not dissimilar in size to South Australia and Adelaide. Further, it has a State Government structure not dissimilar to the one in this State. The Government of the day obviously would not make funds available for us to go there. I would like to have gone to Scotland, England and Sweden. I do not know whether I wanted to go to France, because I do not trust them that much. That country produces much power from nuclear powerhouses.

We did not go to Japan. After we went to Roxby Downs we found ourselves going up to Mount Isa and, from Mount Isa, eventually to Mary Kathleen. Other members left me in the township of Mount Isa. It was very cold when we left Adelaide and I went to step behind the bus and it took off without me. The only brains in the party were left standing on the tarmac. However, after eight miles they discovered that I was missing.

The Hon. R. C. DeGaris: We were sorry about that, too.

The Hon. N. K. FOSTER: Yes. We then went to Mary Kathleen, an on-and-off project which has been producing uranium for some years. It was as rough as guts, if I may use that term—and I use that term regarding the safety I observed, as I have had experience of the industry for some years. We were given 'the treatment' by that company. We watched the latter portion of the mining of the ore. We visited that mine at a time when it was considered to be near the end of its life. We went back to Mount Isa and had an interesting evening with the management, and a run-down of the Mount Isa mine complex was given to us. Mining methods were explained in that undertaking, and much information as to the background of the isolated town area was given to us. Great strides had been made regarding the provision of recreation facilities, particularly water-based recreation facilities in an adjacent area within 60 or 70 kilometres of the town. This meant a great deal to the town.

From Mount Isa we travelled to Darwin and after listening to some of those 'Government members' we went to look at Nabarlek, which is unique from a number of points of view in respect to the mining and milling of ore. Some people say that this particular ore body was found by aerial probe as far back as 1952. People who say that this mineral has been around since the Second World War have not read a great deal about it. I know that it has been around a lot longer than that.

Mining began at Nabarlek in 1977. The calculations and predictions from the probe were absolutely spot on. The company concerned is a consortium. One would come to the opinion that this mine has a huge Japanese input and is mainly concerned with ensuring that that country has a supply of uranium for its nuclear power plant. Nabarlek was opened by the Deputy Prime Minister, the Leader of the Country Party, Doug Anthony, and the plaques commemorate the occasion both in English and Japanese. I was not able to see anything written in an Aboriginal dialect. The ore body was extracted in a matter of seven months. The heavy equipment which the company thought it might need to extract that amount of ore, one of the highest grades of uranium in the world, was not needed, as the ore was easy to remove. The ore lies, and has lain, for some considerable time 'at grass' (to use a mining term), that is, above ground. I think that there is some 14 000 or 15 000 tonnes of the highest grade uranium ore in the world at that particular mine. From what I have been told, the ore was above ground before the plant was even completed.

The Hon. J. C. Burdett: We have a photograph of you standing on top of it.

The Hon. N. K. FOSTER: If there is a photograph of me standing on top of it, nobody has shown it to me. However, I did climb it. I wanted to look at the overlay, which is covered some three feet with an impervious layer and wire-netting and with other materials, such as plastic and a sort of pliable cement of some 2½ feet. When ore is needed for processing, it is sliced off like a huge cake and carted away.

Transportation difficulties ought to be noted in respect of that. This tends to become lost because it is just beyond the escarpment area of Darwin; after one goes some hundred or so miles across the tidal flats and beyond the Oenpelli Aboriginal settlement it is another 30 miles or so. Most personnel are flown in and out for their shifts. There is a road, but for many months of the year it is impassable. When one boards the aircraft one sits in the fuselage near the wings and one finds oneself sitting beside the drums of yellowcake which are lying down the aisle of the aircraft with straps holding them in place. That is how the yellowcake is flown out. I asked how the yellowcake was transported and I was not told that it went out by aircraft, but later I was told that that was likely. I refer to a book sold by the South Australian newspaper, the *Advertiser*, of which I cannot remember the title but it is either *One Minute in the Life of an Australian* or *One Second in the Life of an Australian.* One person decided that the project was to be the subject for that particular book or photographic art book, whatever one likes to call it. That publication can be purchased from the *Advertiser* for about $25. The price is so high that I am sure copies are still available.

After dive-bombing buffalo, at the suggestion of the Hon. Mr Cameron, the committee travelled a further 30 miles and arrived at a great dust bowl called Ranger. The manager at Ranger was a very colourful character. In fact, one could have thought that he was playing the part of a popular American actor in the way he answered questions and asked

his driver, 'What do you think, Horace, what should we tell them?' He was a jocular bloke.

The committee viewed the first stages of what no doubt will become one of the greatest productive uranium mines in the world. In a later debate I will refer to reports which suggest that it will produce about 300 000 tonnes of ore per year. The ore will be running out of their ears for God knows how long. I point out that this area is subject to a great deal of flooding. The committee also saw the first stages in the establishment of Jabaru. At that time there were only a few people in evidence, but it is now a township comprising about 2 000 people as a result of increased activity and the fact that the mine is going into production.

Of course, like all mines of its type this mine has inherent dangers. One of the main dangers is that it is subject to flooding, in spite of the fact that earthworks have been built to a specification which, according to experts, should stand the test of time for an 80-year flood period. However, two years ago the river burst its banks and flooded everywhere. There is no better vehicle than water to carry contaminated material. Contaminated water can sit on the surface or run underground and contaminate the aquifer. On the other hand, during the course of processing and milling uranium ore there is a necessity to ensure that a minimum water level is maintained in the tailings dams. Last year, some workers protested and went on strike because the water level in the tailings dams dropped below one metre.

The Minister from the Northern Territory who accompanied the committee made quite clear that the minimum level could be lowered. He said that one foot of water would be enough. When the men later returned to work I understand that there was no water in the tailings dams.

Even though modern technology is involved in this industry it must be made clear that there can be no short cuts in relation to safety. Water should be made available in a dry season so that the water level in the tailings dams does not drop below the minimum safety requirement.

The committee then travelled to Darwin where it spoke to officers from the equivalent of the South Australian Department of Mines and Energy. The committee also visited Rum Jungle, which is a most desolate site. Although that area is no longer mined the ravages of that crude mining operation are still there for all to see. The committee was told by responsible public servants who accompanied us that the Federal Government had earmarked about $14 000 000 over a period of years to ensure that the mess left behind as a result of the uranium mining operation would be cleared up and that the environment would be restored to close to its original state, before mining commenced in the 1940s. That has not been done.

A gentleman aged about 30 years telephoned me this morning in relation to another matter on the Notice Paper. He told me that he worked at Rum Jungle when he was about 18 years of age. He was handling material, but was not even told that it was radioactive and could present a health risk. He had to eat his lunch without being able to wash his hands, because of the shortage of water. That is an indication of the crudeness of the Rum Jungle operation. It was so crude that the operators of the mine did not even consider keeping a register of employees. I only hope that the person I spoke to does not suffer a terminal disease as a result of having worked under such crude conditions at Rum Jungle.

Mr Justice Fox, who at that time was a roving ambassador in relation to this subject, appeared before the committee as a witness. I am sure that most members will have read his two Ranger Reports. However, his report on proliferation is not as widely read as it should be. I recall that the committee was rather childish in the way it ushered Mr Justice Fox in through the back door of this building to meet the committee in the basement. He was kept from public gaze as if he should not be seen entering or leaving this building. I believe that the fact that the committee felt that it should shield him from the press caused Mr Justice Fox a great deal of embarrassment. I am sure that degree of protection was not necessary. I am happy to say that on a subsequent visit he did not receive that type of treatment. I did not visit Lucas Heights in Sydney with the rest of the committee, because I had seen it on a number of previous occasions.

If this Chamber is to exist into the future it should receive an allocation from the Budget to allow select committees set up by this Council to properly carry out their role in the interests of the electors of this State. I have been a member of three select committees set up by this Chamber. The first committee arose as a result of the non-passage of a Bill dealing with the crash repair industry. That committee was aborted as a result of the election in 1979. It was never revived by the present Government. Along with the Hon. Mr Creedon, I was also a member of another very good committee chaired by the Hon. Mr Chatterton. The Hon. Mr Geddes was also on that committee, but it was aborted because that honourable member saw fit not to support this Party when it was in Government in relation to what was happening to the gas fields in the North of this State. He was ostracised by his own Party for that. That may happen to me later today, or whenever. That committee was aborted because the then Government chopped off its funds. Surely, the total expenditure involved in running this Parliament, particularly this Council, is very small indeed; I worked it out at less than 1 per cent of the Budget. We must provide adequately for staffing. The work load undertaken by the Secretary of that committee was tremendous and, indeed, was more than one person could reasonably be expected to do. Much of the work done by the committee Secretary, was well beyond the hours that anyone, even in Parliamentary terms, could be expected to work.

My criticisms relate to the deplorable action taken on Party-political lines in respect of that committee. A committee of that type cannot operate in that way. If a select committee is to play its role, namely, probing, inquiring, and chasing up evidence, we must pay the necessary amount to enable that job to be done properly. Weeks were wasted in respect of people whose evidence was vital to the committee. We wanted finance to pay for the overnight stay of certain witnesses in Adelaide and to give them money for their rail fares. The Hon. Mr Milne can bear me out in this respect. I make no great criticism in relation to the Chairman of that committee, who had to go cap in hand to the Government to ensure that funds were available.

The committee advertised in the daily press of the nation to let people know that the committee was ready and willing to take evidence. However, we were denied that opportunity because the Government was so penny-pinching. Despite the fact that they were unemployed, some witnesses wanted to make a contribution. The committee's hearings did not involve just wealthy miners: it also involved ordinary people in the street who wanted to give evidence but who were denied that right because they were embarrassed about having to tell the committee about their predicament. That difficulty could have been overcome simply by our writing out a docket to enable such persons to travel a lousy 400 or 500 miles from Melbourne to give evidence.

The committee did not even go to what is now a uranium mine which is almost across the road at Yeelirrie and which is run by the same company. However, because of the starvation tactics employed by the Government, the committee did not even get there. I hope that, instead of jutting out his chin, the Attorney-General will take note of what I am saying. After all, his Party will not be in office much

longer, and I hope that those who are here long after I have gone also take note of what I am saying. At least they will have had experience of a Government which refuses to accept its responsibility and which wants to commit departments to budgets under which they cannot possibly operate.

I could have spoken for considerably more hours on this matter, but I will conclude with a few more well-chosen remarks. What I have said already can be proved by one's looking at the minutes of the committee's meetings. I should also like to state that I have in past few weeks visited Roxby Downs. Mr John Reynolds, who holds a responsible position with the joint venturers, was frequently before the committee not only at his own request but also at the committee's request, and I told him before Christmas that I would like to visit Roxby Downs as late as possible before the indenture Bill was introduced. I saw Mr Reynolds at the Tourist Bureau when he was showing films to politicians representing both political persuasions. I wanted to go to Roxby Downs as late as possible in May, so that I could compare what I saw then with what I saw in 1980.

What I saw when I went underground will be a matter of discussion by myself in the debate on the indenture Bill. This industry, which is in its infancy in this State, in the light of the new technological era, is different from the Rum Jungle or Radium Hill of 40 years ago, and it ought to be the subject of an ongoing committee of this Council, or indeed of both Houses, so that evidence can continue to be taken in order to ascertain whether or not the fears that people hold about what may or may not happen at Olympic Dam can be further investigated.

I was indeed fortunate when I visited the site, because Sir Edward Pochin was on board the flight. A nice bloke, who is 73 years old but who looked only about 50, Sir Edward was able to contribute much and assist with many of the queries that I raised regarding the Roxby Downs venture. Indeed, I thought that Sir Edward was very fair.

One tends to get the totally wrong idea from an on-camera type of interview that has only a certain time limit, after which the interviewer can cut off the person being interviewed. That happened to Mr Dunstan, who was chopped off during his interview, which should have gone on for much longer. An ongoing committee of this Parliament should be appointed so that when people like this come to Australia they can be made available for the benefit of the people of the State. This relates particularly to people involved in a high technology area not only in this industry but also in industry generally.

I will address myself in more detail to that question later. It seems a tragedy that an attendant in this Council can draw the bar across the Chamber and that a person can appear on the other side of it and be thrown into a dungeon without the right to defend himself or herself, yet this Council cannot, without a joint sitting, hear evidence on matters as vital as this.

Finally, I believe that select committees, are worthless and useless if they are committed to a task on a shoe-string budget as was the case with this committee, which was thus unable to properly investigate the whole ramifications of such an industry. I thought about moving for another committee in this place not dissimilar to the Canadian committee which is looking into the acid rain problem on the North American continent. That problem is even more disastrous than nuclear fall-out.

One must have the financial backing to go to the countries that have the evidence so that one can say to those industries involved, which pour thousands of tonnes of acid into the air a year, that they are killing forests, trees, fish, birds, and finally human beings. I will deal with that aspect in greater detail later. I thank the Council for listening, although I am sorry that I could not be more critical in the time that I allowed myself.

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

COMMERCIAL BANK OF AUSTRALIA LIMITED (MERGER) BILL

Adjourned debate on second reading.
(Continued from 15 June. Page 4566.)

The Hon. C. J. SUMNER (Leader of the Opposition): Both this Bill and the Commercial Banking Company of Sydney Limited (Merger) Bill are designed to facilitate the merger of these banks with the National Bank in one case and the Bank of New South Wales in another case. The decisions that have led to these mergers have already been taken in other places and are not really matters that are within the province of the State Government. The Bills that the Attorney-General has introduced facilitate the mergers to provide for the transfer of accounts and the like, and provide for the transfer of staff and their rights under existing contracts.

I understand that they are similar Bills to that which was introduced to deal with the merger of the Bank of Adelaide with the A.N.Z. Bank and which had to be referred to a select committee. Each of these Bills will have to be referred to a select committee, which will meet over the recess, before the Parliament's resuming some time late in July. There is little point in opposing the second reading of the Bills and, accordingly, I support the second reading of this Bill and the Commercial Banking Company of Sydney Limited (Merger) Bill. If any problems arise they can be dealt with by the committee or, alternatively, honourable members will have an opportunity for further debate when the committees have reported. If there are any objections at that stage, members will have their right to vote against the clauses or the third reading. I support the second reading of both Bills to enable them to be referred to select committees.

Bill read a second time.

The PRESIDENT: As this is a hybrid Bill, under Standing Order 268 it must be referred to a select committee.

Bill referred to a select committee consisting of the Hons G. L. Bruce, L. H. Davis, N. K. Foster, K. T. Griffin, D. H. Laidlaw, and C. J. Sumner; the quorum of members necessary to be present at all meetings of the committee to be fixed at four members; that Standing Order 389 be so far suspended as to enable the Chairman of the committee to have a deliberative vote only; the committee to have power to send for persons, papers and records, to adjourn from place to place, and to sit during the recess; the committee to report on the first day of next session.

COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED (MERGER) BILL

Adjourned debate on second reading.
(Continued from 15 June. Page 4568.)

The Hon. C. J. SUMNER (Leader of the Opposition): I commented on this Bill when discussing the previous Bill. My only further comment is in the light of the motions that the Attorney-General has moved in setting up the previous select committee. I have adopted the general principle that the proceedings of select committees of this Council and Parliament should be open to the public, and that motions

of that kind should normally be moved to enable the disclosure of evidence before a report is made to Parliament. I have taken that view on previous committees that this Council has established.

The Hon. K. T. Griffin: Not all of them.

The Hon. C. J. SUMNER: All that have been significant. I refer particularly to the Select Committee on Uranium Resources, the Select Committee on the Unsworn Statement, and the Select Committee on Random Breath Tests, all of which were open to the public. Other committees have been established at the instigation of the Government, where motions which permit the disclosure of evidence have not been moved. They were matters dealing with local government boundaries and the like, and the point was not taken at that time. On this occasion, the Attorney has not moved that the evidence be made public before a final report is made to the Council.

The Hon. K. T. Griffin: It's all tabled in the end.

The Hon. C. J. SUMNER: I appreciate that, and I do not intend to move in this case that that should apply. I wish to make clear that my not moving that this evidence can be made public is not to be taken as acceptance of the position that the deliberations of and evidence taken before select committees should be in private. I firmly believe, except in special circumstances where confidentiality is required, that the hearings of select committees should be open to the public and the evidence should be able to be published before it is tabled in the Chamber. That is the view I take, certainly on any issue of major importance.

The Hon. K. T. Griffin interjecting:

The Hon. C. J. SUMNER: I accept the principle that the evidence should be made public before it is tabled in the Council. However, as I do not believe these select committees are of great public controversy, I do not intend to press the issue at this time. I put it on record that I am of that view.

Bill read a second time.

The PRESIDENT: As this is a hybrid Bill, under Standing Order 268 it must be referred to a select committee.

Bill referred to a select committee consisting of the Hons. G. L. Bruce, L. H. Davis, N. K. Foster, K. T. Griffin, D. H. Laidlaw, and C. J. Sumner; that a quorum of members necessary to be present at all meetings of the committee be fixed at four members; that Standing Order 389 be so far suspended as to enable the Chairman of the committee to have a deliberative vote only; the committee to have power to send for persons, papers and records, to adjourn from place to place and to sit during the recess; the committee to report on the first day of next session.

COMPANIES (APPLICATION OF LAWS) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 June. Page 4570.)

The Hon. C. J. SUMNER (Leader of the Opposition): I do not object to this Bill. It was introduced to correct an amendment we passed to the Companies (Application of Laws) Act 1982 earlier this year. It is part of the national scheme that has been established by the Federal Parliament in co-operation with the States. It merely provides that the trustee companies in South Australia can continue to act as liquidators, as was the situation under the State Companies Act. For some reason, this provision was omitted from the Act that applied the Federal scheme to South Australia when it was before the Council earlier in the year.

Bill read a second time and taken through its remaining stages.

BUILDING SOCIETIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 June. Page 4570.)

The Hon. C. J. SUMNER (Leader of the Opposition): I do not oppose the Bill. It has come about as a result of specific circumstances that the Minister has mentioned in his second reading speech, namely, that two existing small building societies have indicated that they wish to amalgamate but have discovered certain obstacles in the legislation in regard to their proposal to amalgamate. The need for the legislation arises out of special circumstances.

I should express my disquiet that the provisions of the Building Societies Act, which were introduced to protect the public, have to some extent been weakened by the provisions of a Bill that has been introduced specifically to accommodate a special case. If either of these building societies applies for registration at present it will not be granted registration, because it does not have the amount of share capital of $2 000 000 as prescribed by section 12 of the Act. Indeed, following the amalgamation, the societies will have that amount of share capital, which would entitle them to amalgamate and obtain registration following amalgamation. These two societies existed before the legislation was changed requiring registration of building societies.

The proposition the Minister puts to Parliament is that there should be quite significant changes to the Act to accommodate the problems that these two societies have. To some extent we are weakening the provisions of the present Act, which provides a protection for the public by ensuring that building societies do have a certain asset backing before they register. Having said that, I add that it does appear that this legislation has the support of the industry. It also has the support of the advisory committee on building societies, which has been set up by the Government under previous amendments. I also understand that the Association of Permanent Building Societies supports the provision.

Can the Minister give an undertaking to the Chamber that there have been consultations and can he outline what consultations there have been with the industry and the industry's association? Can the Minister also say what consultations have occurred with the advisory committee and whether or not the advisory committee, by resolution, has approved the Bill before us? If the industry is satisfied with the legislation, as I believe it is, then I will raise no objection to it. During the second reading explanation when the Minister discussed the powers of the Registrar in deciding whether or not a proposed amalgamation should proceed, he said:

> In practice, he [the Registrar] would only make such a decision after consulting the Building Societies Advisory Committee and Treasury officers so that all relevant factors are considered.

I wonder whether there is any need for a statutory requirement that that should occur, namely, that the Registrar should consult these bodies before agreeing to amalgamation, or whether or not that can be done administratively. If it is to be done administratively, what procedure does the Minister intend to invoke so that the Registrar does, in fact, follow that procedure of consultation? It could also be said that there might be a need for some consultation with the industry's association as well in these circumstances.

If this Bill is not passed, then either the two societies concerned will not amalgamate and will continue on as they are with share capital which is less than that currently required by the Act or, alternatively, they will, presumably, have to disband. In those circumstances I do not intend to oppose the legislation. Can the Minister explain the consultation that has gone on with relevant interested groups, and whether or not those groups approve of the legislation?

The Hon. J. C. BURDETT (Minister of Consumer Affairs): I thank the honourable member for his contribution and co-operation in this matter, which has become a matter of urgency. The Leader acknowledged that, when the Bill for the Building Societies Act was first introduced by the previous Government, small societies which could not comply with the monetary criteria were in existence and were allowed to continue. That was perfectly proper, but I do point this out.

A small number of building societies are what one might call specialised building societies. There are other associations which exist for other reasons basically, but want to have the building society activity available to their membership. This is where the small building societies come from—those which would not be viable if they were just specialist building societies, but are viable because they exist for some other reason and also want to have building society portfolios within the services they are offering to their members.

I take the point raised by the Leader when he said that he was concerned as to whether members of building societies might be adversely affected by this Bill. I suggest that that is not likely to be the case. I think that the honourable member acknowledged this himself when he said that if the Bill is not passed the two building societies in question would not be able to amalgamate. I think that those building societies' members would, in that case, be adversely affected, because the building societies would not continue to be viable. In this case they now will be.

I do not think that any members of building societies, even the small ones, will be adversely affected. We must remember that the small building societies are already there and are giving a service to their members, and it is a service which has been appreciated by their members. I would not like anything I have said to be construed as being a lack of support. I support what the small building societies are doing. What this Bill addresses is only the situation where two building societies want to amalgamate because they are technically new building societies and do not comply with the criteria. I do not think that members will be adversely affected because the Registrar, obviously because of his duty and role, is going to be very careful about exercising his discretion.

I take the Leader's point when he asked me to outline what consultation there has been. There was, as I said, some urgency about this matter. The Building Societies Advisory Committee, established by Statute, met on Tuesday this week and unanimously approved this proposed amendment. There was not any problem in that area. The Leader has taken the point that the Bill does not provide any statutory requirement, but the Registrar, in future, and before approving an amalgamation, will in fact consult that committee. The Leader referred to the fact that in the second reading explanation I said that that would occur. It is fairly obvious that that will occur, simply because the procedure is there. The Registrar would be very foolish if he did not consolidate that committee. Because of the nature of things, the Minister would always be consulted. I am happy to give an undertaking that I will make a standing direction to the Registrar of building societies that in any case in the future of an amalgamation of two building societies he shall consult the Building Societies Advisory Committee.

The question was also raised by the Leader about the association. I think that takes care of itself because members of the association are on the advisory committee and are always consulted in that way. I am happy to also give an undertaking that I will make a direction to the Registrar that in any cases of future proposed amalgamations he also consult the Building Societies Association. I thank the honourable member for his comments.

Bill read a second time and taken through its remaining stages.

LOTTERY AND GAMING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 June. Page 4584.)

The Hon. J. R. CORNWALL: It gives me a great deal of pleasure to support this Bill. It is a short Bill and is not very complicated, but it is of substantial significance. It will remove for many charitable organisations the necessity to pay licence fees on their fund-raising activities. I think I can claim some credit for the introduction of this Bill. Late last year it was brought to my attention that the Heart Beat Organisation was liable for about $1 800 in fees in relation to the sum of $26 000 that it had collected as an organisation.

The Heart Beat Organisation is comprised of people who at some time or another have been patients in the Cardio-thoracic Unit of the Royal Adelaide Hospital. I am sure that all members would be aware that that is arguably the most remarkable unit of its kind in the Southern Hemisphere. It undertakes all types of heart surgery, particularly coronary by-pass surgery which is very effective these days. Something like 6 000 people have had cardiac operations performed by this particular unit and, of course, they require ongoing care in the months and years following their surgery. This necessitates particular equipment.

As a body of men and women or the parents of young children who have benefited through the activities of the Cardio-thoracic Unit they have banded together in many cases to give mutual support and encouragement to patients who have recently undergone coronary by-pass surgery. In the course of their activities they have been fund raising in order to purchase support equipment, particularly for other hospitals throughout the State, including the Whyalla and Mount Gambier Hospitals. The ridiculous situation arose where the $26 000 they had raised for the purchase of equipment attracted $1 800 in licence fees under the existing legislation. Obviously, the $26 000 raised to buy equipment for Government hospitals was a direct saving to the Government. In the circumstances the Heart Beat Organisation believed, and I certainly supported it very strongly, that it was quite iniquitous and quite stupid for it to have to pay that $1 800.

In my customary way and as a believer in truth, justice and the South Australian way I publicly took up the cudgels on their behalf. The Minister of Health and the Minister responsible for this legislation had been dragging their feet, so I applied a little pressure. Partly as a result of that, this Bill is now before us. It is a very satisfactory outcome. I am sure all members will admit that at best it was rather foolish and at worst a situation where Peter was being robbed to pay Paul. Many of these charitable organisations, particularly in the health area, are fund raising to buy capital equipment, thereby saving the Government of the day money. I have very much pleasure in vigorously supporting this Bill.

Bill read a second time and taken through its remaining stages.

ROAD TRAFFIC ACT AMENDMENT BILL (1982)

Adjourned debate on second reading.

(Continued from 15 June. Page 4572.)

The Hon. FRANK BLEVINS: The Opposition supports this Bill, which appears to do exactly as is outlined in the second reading explanation. It provides a legislative framework for regulations setting out the most appropriate mass and dimension limits for commercial motor vehicles. I believe this particular proposition has taken about eight

years to reach this stage, not because anyone has been particularly tardy but because of the necessity to prepare uniform legislation throughout the Commonwealth. All honourable members would be aware that that is extremely difficult and time consuming. I am pleased that the Government has finally achieved that aim. As it has taken about eight years to reach this stage I see no purpose in delaying it any further.

Bill read a second time and taken through its remaining stages.

ROXBY DOWNS (INDENTURE RATIFICATION) BILL

Adjourned debate on second reading.

(Continued from 15 June. Page 4598.)

The Hon. J. A. CARNIE: I feel that almost everything that can be said on this matter has been said, and my contribution will be fairly brief. Previous speakers have raised many issues, from the dangers, both real and imagined, of mining uranium and of generating power from uranium, through the moral questions, to whether or not the project is economically viable. I will deal with the last matter, namely, that of economic viability, first, because that part of it is really of no concern to the Government.

The Hon. Dr Cornwall quoted figures in a very learned manner during his contribution to the debate in an attempt to show that the whole project is not commercially viable and that, therefore, this Bill should not be passed. I am sure that the joint venturers are as aware of these figures as is Dr Cornwall. After all, Western Mining Corporation did not become the sixth largest company in Australia by being stupid and, although it may appreciate the concern expressed by Dr Cornwall, who appears to be adopting a fatherly attitude in watching over the welfare of the joint venturers, I have no doubt that Western Mining Corporation and B.P. are quite capable of managing their own financial affairs very well indeed.

The fact is that the Government is not committed to spending any money unless and until the joint venturers have decided on the feasibility of the whole project, and that is what this indenture Bill is all about. The company has already spent about $50 000 000, over 80 per cent of which has flowed directly to South Australian interests and has provided jobs for South Australians. Furthermore, it was encouraged to do this by the former Government, which showed far more responsibility than the present Opposition is showing. However, because of statements made by the Opposition, both collectively and individually, doubts do exist as to whether, even should the project prove economically viable, it would be allowed to go ahead.

Any company is ultimately responsible to its shareholders, and no responsible company would commit $50 000 000 of its shareholders' funds on further feasibility studies without some assurance that, if those feasibility studies were positive, they would be allowed to proceed. To do otherwise would be totally irresponsible, and it would be understandable that in such an event the shareholders would call the board to account. Yet, that is what the Hon. Dr Cornwall is asking them to do. The A.L.P. amendments ask the joint venturers to spend their $50 000 000 in further studies without any assurance that they can mine at Roxby Downs. Under the conditions of those amendments, that would be up to the Government of the day. Of course, these amendments are totally unacceptable to the company and the Government.

In short, it is not the decision of this Government or this Parliament whether or not the project is economically viable. Those honourable members who have raised this aspect are simply dragging red herrings across the trail. That decision will be made by the company and, until it is made, the Government is not committed to any expenditure at all. The Hon. Dr Cornwall has made the observation in this place and outside that Roxby Downs, if it proceeds at all, is a project for the 1990s and not the 1980s. I am inclined to agree with him. It will be the 1990s before Roxby Downs is in full production and before the town that the joint venturers envisage exists. But, for it to be a project of the 1990s, work must proceed now.

I even accept the Hon. Dr Cornwall's figures and his conclusions that Roxby Downs would not, on current prices, be a viable proposition. But, we are not looking at the position now: we are looking at the position at the end of the decade and beyond, and, when the feasibility study is completed at the end of 1984 (which it must be under the terms of the indenture), the decision will be made not by the Government or the Parliament but by the company, based on current and projected prices at that time.

I hope, for the future of South Australia, that the decision that the company makes then is to proceed. South Australia needs a project of this magnitude, with the jobs that it will create and the royalties that it will provide. Members opposite, and particularly the Leader of the Opposition in another place, have accused the Government of saying that Roxby Downs will be the sole saviour of South Australia. The Government has never said that. However, to deny that such a project would be of great benefit to South Australia is quite ridiculous. Let us suppose for a moment that the Hon. Dr Cornwall is right: that the decision at the end of 1984, or whenever, is that the mine is not economically viable. Then, the Hon. Dr Cornwall should allow this Bill to pass and at least provide to the South Australian economy the $50 000 000 that will be spent on the next stage of the feasibility study. As the honourable member is apparently so convinced that the project will not proceed, anyway, why deny South Australia, and in particular the Iron Triangle cities, the money and jobs that the current study provides?

Another matter that has been raised relates to the dangers of mining uranium and generating power from it. No-one is saying that uranium mining is completely safe. That would be quite ridiculous and misleading. Any mining has a risk factor. Any manufacturing industry has a risk factor. That has always been so and probably always will be so, although the modern methods of manufacturing are constantly reducing these risks.

It is a question of balancing the risks against the benefits involved, and mankind has always done that. The fact is that the generation of power by nuclear means is among the safest means of doing so that exist. I am speaking here of the whole process, from the extraction of whatever base product is used, or the construction of a dam, to the stage when power is generated to enable us to turn on our lights and stoves, or for the industrialists to turn on the motors in their factories. The only means of power generation safer than uranium is natural gas. The most dangerous means by a factor of between 50 and 100, depending on what authority one reads, is coal. Does the Opposition seriously think that we should stop coal mining? If its opposition to this Bill is serious and it is because of the dangers of the nuclear fuel cycle, the Opposition should be promoting the banning of coal, because it is a far more dangerous means—

The Hon. Frank Blevins: The potential for disaster.

The Hon. J. A. CARNIE: I will come to that.

The Hon. Frank Blevins: Don't talk about coal, because it has nothing to do with the argument.

The Hon. J. A. CARNIE: The fact is that emotionalism has been engendered in relation to uranium, and this has to a degree clouded the issue. I can understand that and respect it. This is because of radioactivity and of the effects

that it can have. However, matters such as this must be kept in perspective, and again the risks must be balanced against the benefits. I now refer to Sir Edward Pochin, a world authority on radiological protection, who recently visited Adelaide. Because questions have been raised about the qualifications of various experts, I think that it is worth my reading into the record the following profile of Sir Edward Pochin:

He is an honorary member of the British Radiation Protection Association, the British Nuclear Medicine Society, the Nippon Radiological Society and the Hospital Physicists Association. He is a member of the U.K. Medical Research Society, Physiological Society, Association of Physicians, British Institute of Radiology, Society of Radiation Protection, British Medical Association, Royal Society of Medicine and the International Radiological Protection Association.

For 26 years he has been a U.K. representative on the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR), for 12 years a member of the U.K. National Radiological Protection Board and for 20 years a member of the World Health Organisation Expert Advisory Panel on Radiation. He has been knighted twice for his work in the field of radiation and radiation protection.

He gave a most interesting address at a luncheon that I attended which would have given much food for thought, I am sure, to members opposite. Unfortunately, that address appears to have been boycotted by them, as was the address given at Parliament House by Professor Beckmann, and this indicates a closed mind attitude.

One table of figures which Sir Edward Pochin gave is worth referring to the Council. The figures are relevant to the question of risk versus benefit. They relate to the incidence of cancer. Honourable members must realise, as I am sure they do, that radiation is not the only industrial cause of cancer. Sir Edward Pochin referred to a table at the lecture I attended which showed the perceived cancer risk in industries in the United Kingdom. The figures were brought to a common factor of deaths per million workers.

Of course, there are not 1 000 000 workers in the uranium mining industry, and probably not in some of these other industries either, but, for the purpose of comparison, that is how it was done. In cadmium mining and processing there is a higher than normal risk of cancer of the prostate gland, the perceived risk being 1 500 deaths per 1 000 000 workers. In the nickel and carbonisers industries, nickel can cause lung and nasal cancer, and lung and bronchial cancer is related to the latter industry, but both have a perceived risk of 3 000 deaths per 1 000 000 workers. Carbon bisulphide had a perceived risk in regard to coronary disease of 4 000 deaths per 1 000 000 workers. Finally, in the rubber industry there is a higher than normal risk of cancer of the bladder of 6 500 deaths per 1 000 000 workers.

Those figures range between 1 500 deaths and 6 500 deaths per 1 000 000 workers. In comparison with that, the perceived risk in uranium mining as a cause for cancer is between 30 and 40 deaths, a mere fraction of the risk in other industries. That figure must be considered. There is this emotionalism about radiation, but it exists in other areas as well to a greater degree. I repeat that coal is the most hazardous means of generating electricity.

Many people are killed and injured in coal mines, as we all know, and during the transport of millions of tonnes of coal that is needed each year for a big power station. In addition, many people are casualties of the more subtle effects of the pollutants emitted into the atmosphere. A person who lives near a nuclear power station will receive a minute exposure of emitted radiation.

The Hon. J. R. Cornwall: What about a nuclear plant explosion?

The Hon. J. A. CARNIE: That has not happened, has it?

The Hon. J. R. Cornwall: Turn it up!

The Hon. J. A. CARNIE: The Hon. Dr Cornwall has had his say. I am talking about the normal operations of a nuclear power station. A person living near a nuclear power station will receive a minute exposure of radiation. This annual exposure is about one-thirtieth of the annual exposure that an adult would receive from his natural body radioactivity. The health effect from such exposure is about equivalent to smoking one-fifth of a cigarette a year. In contrast, a coal-fire power station will cause about three times this radiation exposure to people living nearby, because all coal contains radioactive uranium and thorium. In anyone's language this is a minute amount of radiation, but still three times the amount of radiation that comes from a nuclear power station.

In addition to these minute traces of radioactivity which come from coal-burning power stations, there are other toxic substances—arsenic and cancer-causing organic compounds such as benzopyrene.

The end product of the nuclear fuel cycle, high-level waste, is highly dangerous, and it is imperative that it is disposed of safely. There now appears to be little doubt in my mind that it can be safely stored. The Hon. Mr Milne in his contribution last night read a table of what is being done in the different countries and, in most cases, I admit, it is still in the experimental stage or still being studied. The main reason why it is still being studied in most cases and has only reached an experimental stage in Sweden is that there is not yet enough nuclear high-level waste to warrant the expense of disposing of it finally.

I do not intend to deal with the question of vitrification and synrock, because that has been done by other members. I emphasise that there is not yet sufficient waste to warrant final disposal. Further, the United States Navy has been disposing a high-level waste from its nuclear submarines for years by forming it into synthetic basalt and storing it in stable geological formations in Idaho. That has been going on for about 25 years, and I have not yet heard of any disaster that has resulted from that.

I stress that the amount of high-level waste is small and, in contrast, the waste from coal-fired power stations is huge and some is highly toxic. As a comparison, the waste from one year's operation of a 1 000 megawatt nuclear plant would easily fit under a card table (about a cubic metre), yet ash from a 1 000 megawatt coal-fired plant would fill 40 000 trucks. As I have said, some of the waste in ash from a coal-fired station is highly toxic. Also, high-level radioactive waste decays. Admittedly, that is over a long period, but it does decay and toxic substances such as arsenic in coal ash never decay and remain dangerous forever.

In every way the mining and transport, the atmospheric emission and the end product, the whole process of coal, involve a much more dangerous way of generating power than does the uranium cycle. However, we do not hear cries from the Opposition to ban coal. We do not have a CACE—Campaign Against Coal Energy—and we do not have people lying in coffins on the steps of Parliament House protesting about coal. Why is there this distinction? Could it be the fear whipped up by the Helen Caldicotts of this world, with their half truths and innuendos? I have no doubt that Dr Caldicott is a very able paediatrician, but that is a long way from being an expert on the nuclear fuel cycle. I would prefer to pay far closer attention to the words of people like Sir Edward Pochin, Professor Beckmann and Dr Svenke—

The Hon. L. H. Davis: Dr Caldicott's husband is a radiologist.

The Hon. J. A. CARNIE: Perhaps something rubbed off on her. These people work in the industry but do not minimise the risks: they put those risks in perspective and, as I said, I would pay far greater attention to their views than the emotional rantings of people like Dr Caldicott.

Another question that has been raised is the moral question, which, I accept, is a difficult matter. I respect the fact that many people hold very sincere views in this regard. There is the view that for us to mine uranium at Roxby Downs will contribute to nuclear proliferation and contribute to an unsafe process. These people believe we will be helping to provide a highly dangerous product—high level waste which cannot be safely disposed of. The fact is that whether or not uranium is mined at Roxby Downs would have no bearing on any of these things. Any sane person is against nuclear weapon proliferation, but there are enough nuclear weapons stored already by the five acknowleged nuclear powers to destroy us all. If other countries wanted to develop the nuclear arms industry, it would be more likely that they would mine their own uranium, because it is a common element which most countries have in some form or another. It is simply a question of cost, and that is rarely a consideration where weapons are concerned. Whether or not South Australian uranium is mined is totally irrelevant.

The question of safety of the nuclear fuel cycle is the next question raised. I have already mentioned this, but again make the point that, for the generation of the same amount of power, the generation of energy by nuclear means is the second safest method known. Every practical form of energy involves risk but, in more than 500 reactor years of service in the United States (and there are 75 nuclear reactors in the United States), there has never been a death of or serious injury to a plant employee or member of the public. I would stress that point.

I regret that the Hon. Dr Cornwall has left, as he raised the question of disaster. The Three Mile Island question is always raised when this matter comes up. To me, the Three Mile Island incident, while it had the potential to be a disaster, in fact turned out not to be a disaster because the emergency core cooling system, the fail-safe system, worked and prevented it. It was merely overridden by human error and mistake. I am sure that all honourable members will agree that the automatic system worked, a disaster did not occur and that we have learned from it so that future nuclear reactors will be even safer. I have made the point that there has never been a death or injury. If we want to use statistics, we could say that the Three Mile Island incident has indirectly caused deaths on average of one per week because of the need to switch to other forms of electricity, in most cases coal, and statistically that would cause a death a week to generate the amount of power that Three Mile Island generates.

Outside of the United States, at July 1981 there were 179 nuclear power plants operating, another 160 under construction and 269 in the planning stage. There are many countries (nearly 50) which are becoming more and more dependent on nuclear power. To many, it represents their only means of progress, and I speak of the third world countries. The Hon. Dr Ritson spoke of anti-uranium bumper stickers. I am reminded of another sticker I have seen which states, 'Ban uranium. Let the bastards freeze in the dark.' Like the slogans which the Hon. Dr Ritson mentioned, that is perhaps rather simplistic but there is still an element of truth in it. We would be denying a means of energy creation which these people are in need of.

The Hon. Mr Milne said, in his lengthy contribution, that we should lead the way and set an example to the world—that the nuclear power industry throughout the world will wind down if we but show the way. It is almost as if the Hon. Mr Milne sees himself as a new Messiah preaching a new religion. He mentioned that, as a young man, he wrote a book entitled *Ostrich Head.* It is ironic that he and those who think like him are emulating that particularly stupid bird. Does the Hon. Mr Milne honestly think that people outside Australia or South Australia care two hoots whether or not uranium is mined in South Australia? The countries which are becoming more and more dependent on nuclear energy will not wind down their power stations simply because the Hon. Mr Milne thinks they should. They will simply buy their uranium elsewhere. Anti-nuclear people in Australia are getting themselves out on a limb as far as the rest of the world is concerned. I will quote Mr Mick Young, M.H.R., speaking at the A.L.P. conference at the weekend, as reported in Tuesday's *News.* The report states:

> Mr Young M.H.R. told the convention he had recently attended an international conference and listened to delegates from 105 countries speak about energy. No-one from any country or political persuasion had opposed nuclear energy nor mentioned the dangers of it. 'We have taken on a very big argument and it is an argument that a lot of people outside this country cannot understand', he said. 'We have to understand the plight of the under-developed world and what they are going to do about energy, and lift their standard of living.'

It is very sad that the Hon. Mr Milne, who has been involved in the business world (although after listening to the figures he gave last night one is forced to wonder) and who has represented South Australia in London, can be so naive. The Hon. Mr Milne said that, unless a country has an indigenous source of energy such as coal, oil or hydro, it should not have power at all. Is he prepared to go to Japan and say to industrialists there, 'You have developed your entire economy on industry. For that you need vast amounts of energy. South Australia, because of my idealistic beliefs, has voted that you should scale down that energy which is generated by nuclear means. We feel that you should revert to a peasant nation'? I can imagine the reception he would get. Yet, that is virtually what he is advocating by saying that the nuclear power industry should wind down throughout the world and that only indigenous forms of power generation, such as coal and oil, which countries happen to have, should be used.

The Hon. K. L. Milne: I didn't say that at all.

The Hon. J. A. CARNIE: It is in *Hansard.* I can imagine the reception he would get. Japan is a major trading partner of Australia, but I wonder how long she would remain so in those circumstances. Let the Hon. Mr Milne go to West Germany and France and say the same thing. Let him go to the poor nations of the world (and they are the majority) and say that. Let him go to those nations that want to develop and enjoy the comforts that energy can bring and let him say, 'I'm all right Jack but we want you to remain as you are. We believe it would be wrong for you to develop.' That sounds ridiculous and indeed it is. It is ridiculous that a man in a responsible position and, in this case, in a position of quite unwarranted power, should take such an attitude. The Hon. Mr Milne says that it is morally wrong for us to sell uranium. I say that, to help developing nations and those already developed and to provide a safe source of energy, it is our moral duty to sell uranium.

The argument of whether or not the Government has a mandate for a particular matter often comes up in this Council. If ever a Government had a mandate this Government has one on this issue. At the time of the last election the then Liberal Opposition stated quite clearly that if elected it would facilitate mining at Roxby Downs. That was not hidden. It was clearly stated as a major matter of policy. There would not have been a voter in South Australia who did not understand the position. The Liberal Party was elected, as the Hon. Mr DeGaris said yesterday, with the highest vote of any Party since compulsory voting came in in South Australia—some 55 per cent. The Australian Democrats gained 8.3 per cent. So, the Australian Democrats, representing such a small number of people and represented in this Council by one man, have set out on a path of frustrating a popularly elected Government on a major matter of policy. It is a travesty of democracy.

The Hon. Mr Milne is always boasting that he has an open mind on legislation—that he waits to read legislation and, in many cases, hear the debate before making his decisions. Yet, on this occasion before we saw the Bill and indeed before the Bill was drafted he stated his opposition to it. What has happened to the open mind to which he is always so proud to refer?

The fate of this Bill is still in the balance. To me it is more than Roxby Downs. It is more than the jobs and royalties that Roxby Downs will provide. It is a barometer of the investment climate in South Australia. If this Bill is lost, I have little doubt that investors, particularly resource developers, will see that as an indicator that South Australia is not interested in encouraging development and will take their investment dollars elsewhere. This is probably the most important piece of legislation brought forward by this Government. I urge the Chamber to support the Bill.

The Hon. C. J. SUMNER (Leader of the Opposition): I have no desire to prolong the debate. The issue of uranium mining and the nuclear fuel cycle has been the subject of discussion in South Australia for the past 10 years. Initially, the Labor Government, both Federally and at a State level, supported the use of nuclear energy for peaceful purposes and South Australia was prominent in the development of feasibility studies on uranium enrichment in Australia. In 1977, as a result particularly of the findings of the Ranger Uranium Environmental Inquiry of October 1976 (the Fox Report), and the United Kingdom Royal Commission on Environmental Pollution in September 1976 (the Flower Report), a policy of not permitting the mining and treatment of uranium in South Australia, unless and until it was demonstrated that it was safe to provide uranium to a customer country, was adopted by the South Australian Government and approved in March 1977 by the House of Assembly, with the support of the Liberal Party.

This 'play-it-safe' position still represents the policy of the Australian Labor Party. The policy did not preclude permission to carry out exploration or feasibility studies, and the work that has been done at Roxby Downs to date was done under an authority given to Western Mining Corporation by the previous Labor Government. However, it was made clear that this permission did not extend to actual mining of uranium while questions of safety remained unresolved and until the safety conditions laid down by a future Government were adhered to.

The general issue has been thoroughly canvassed in South Australia and in more recent years has more specifically focused on the potential development of uranium, copper, gold and rare earth deposits at Roxby Downs. Despite this debate and discussion, however, the issue has not been finally resolved in the minds of the South Australian community. There are still deep and bitter divisions between South Australians over the issue. It is one in which points of view are held passionately and with conviction. I will not canvass all the areas of debate, as this has already been done comprehensively by speakers on both sides earlier in this debate. However, from a personal point of view, I wish to outline my position as it is an issue about which I have been concerned for many years and about which I have spoken on previous occasions.

I would like to compliment the Hon. Dr Cornwall for his comprehensive coverage of the issue. The knowledge which he has gained as a result of his study of this topic through the select committee and the discussions I have had with him have been of considerable assistance to me in formulating my own thoughts. The Hon. Mr Milne also made some useful points which require an answer from the Government particularly in his analysis of the economic benefits to South Australia and his conclusion that in economic terms the South Australian Government, because of its enthusiasm for this project, has let itself agree to an indenture in which the royalty payments are not as beneficial as we have been led to believe. That proposition, put by the Hon. Mr Milne, deserves some response from the Government because the argument which he put, on the face of it, certainly had some merit.

I appreciate the position that was taken by the Hon. Mr DeGaris and the Hon. Mr Laidlaw, and by the most recent speaker, the Hon. Mr Carnie, but was somewhat disappointed by the superficial nature of the arguments of some of the other Government speakers.

I first spoke in the House on this topic in February 1979 when the Hon. Mr DeGaris moved a motion calling for the rescission of the motion passed unanimously in the House of Assembly on 30 March 1977, that no mining or treatment of uranium should occur in South Australia unless and until it was demonstrated that it was safe to provide uranium to a customer country. In November 1979 I moved for the establishment of a select committee on uranium resources, which reported in November 1981.

I have always been concerned about the use of nuclear power and, in particular, the use of nuclear technology in the production of nuclear weapons. It was this issue and also the question of the safe disposal of high level wastes which provided the major bases for my objections in those two speeches. Although there are other issues of safety in mining, and in nuclear reactor safety particularly, which deserve close attention, it was basically these two issues (that is, nuclear proliferation and the disposal of high-level wastes), which have caused the Labor Party to adopt a 'play-it-safe' approach.

I must confess to feelings of considerable disquiet, indeed, depression, in dealing with this Bill. On the one hand, it is probable that the energy imperatives of the world and economic and political pressures in South Australia will result in uranium being mined at Roxby Downs at some time in the future. On the other hand, it is also quite likely that the human race and its society as we know it today will be destroyed by nuclear war. It is this dilemma, this conflict, which I find most difficult to resolve. The issue is not a purely technical or scientific one, but is more about people's attitudes to society and its future development. Because of the capacity for destruction which the world has produced through its nuclear weapons, whether to mine uranium in South Australia is essentially a moral question.

Unfortunately, mining interests and opponents of the Labor Party often present the issue in narrow political terms. The Liberal Party tends to see it simply in left-right ideological terms and conveniently forgets that the Australian Democrats, which contain many ex-members of the Liberal Party, also oppose mining. The Liberals also conveniently forget that overseas the major opponents of uranium mining in Sweden for instance, came from a rural-based party, which is more similar in its philosophy to the Liberals than it is to that of the Australian Labor Party. In the May 1982 *Business Weekly Review*, an article headed, 'Politics could moth-ball Roxby Downs' states:

> Western Mining Corporation's billion dollar resources project in South Australia is a prime example of how political considerations can make or break the plans of a mining group.

This point of view is expressed often, and was repeated again by Des Colquhoun in the *Advertiser* today when he said:

> The debate in South Australia is no longer rational. It is almost entirely political and there is nothing less rational than politics.

The speeches of many honourable members opposite echo the same sentiment, namely, that the opposition to Roxby Downs is all political—that somehow politics is to blame for the defeat of this Bill.

These sorts of statement completely cheapen the argument. It is probable that in pure political terms the Labor Party would be better off letting the Bill pass in its present form. However, the Labor Party will only pass the Bill if it is heavily amended, because we believe there are still outstanding moral issues, particularly relating to weapons proliferation, but also general safety, which remain unresolved. I therefore resent the denigration by mining interests and the Liberal Party of people's motives on this issue and the dismissal of the arguments as purely political, as if that could constitute any answer to the concerns which many people in the community and the world hold over the uranium issue.

It is not as if the decision to proceed on nuclear energy is a unanimous decision throughout the world. There have been a number of referenda in the United States. A referendum in California supported nuclear energy, and also in at least one other State there has been support for nuclear energy. However, in Austria, a referendum was called to decide whether a nuclear reactor, which had already been built, should be commissioned. The decision in Austria was against commissioning that reactor.

In 1980, a referendum was held in Sweden and it is interesting to note its result, because it recommended the phasing out of nuclear power within 30 years. While the referendum approved the continuation of existing nuclear installations and agreed to the partial completion of the programme in hand, at the time of the referendum a firm decision was made that Sweden should abandon the production of nuclear energy and channel its resources into the development of other energy forms.

The situation in the rest of the world is not as clear cut as some honourable members have made it out to be. There is considerable disquiet throughout the rest of the world in relation to uranium mining. In fact, in a public opinion poll reported in the *Bulletin* in December 1979 people living in a number of nations were asked about their attitude to uranium mining. The poll revealed that a majority of people throughout western Europe were opposed to nuclear power. I believe that the situation is not as simple as many honourable members have made it out to be by saying that there is world-wide agreement that the world community should be in the business of producing nuclear energy. I think the fact that there is so much disquiet throughout the world in relation to this matter reinforces the argument that most of the opinions held in this area are genuine—that the opponents to nuclear energy see it as an important issue. The argument used by the mining industry and, disappointingly, by some members opposite that this is a political issue in the narrow sense of the word is quite unacceptable. As I have said, that attitude is very disappointing.

The first part of the dilemma that I posed earlier dealt with the energy imperatives of the world. The civilian use of nuclear energy is a fact of life at the present time. We have particularly become used to a life style in the western world which we do not want to give up. Indeed, many developing countries aspire to our lifestyle. Western Europe is already partially locked into the civil use of nuclear power. France, Sweden, West Germany, and Japan, four of the most industrialised countries in the world, have no oil, little coal and need energy to maintain their economies in their present form.

The world's population is expanding and fossil fuels are exhaustible. It is legitimate to ask where the energy will come from to enable a reasonable standard of living to be maintained by the world's population, most of whom live in conditions of abject poverty. The counter-argument often put is that we must change our lifestyle. Undoubtedly that is true to some extent. In particular, greater steps must be taken to conserve those resources which are exhaustible. It is difficult to justify the absolutely profligate use of energy which occurs in the West at present. However, I do not believe that the peoples of the world want to completely return to a so-called 'simpler lifestyle'. Certainly, the developing countries aspire to living standards similar to those which exist in the West. If these standards are to be maintained the question of where our future energy needs will come from must be answered.

Initially, the energy needs of the world came from trees, and much of the world's surface has been laid barren through the use of this resource. Countries surrounding the Mediterranean were once heavily wooded. One only needs to visit Burra in South Australia to see the extent to which industry in that town decimated the surrounding woodlands. The world's forests are continually being denuded for some so-called economic purpose, and there is a continuing worry about the effect that will have on the earth's biosphere. The development of hydro-power also has an effect on the environment, and that is a matter of considerable controversy in Tasmania at the moment in relation to the potential damming of the Franklin River.

It is possible to argue that, if civil nuclear power was safe, more of the world's forests and natural areas would be retained, as the need for the use of forest areas and hydro-power would be less compelling. If a *prima facie* case is made out for the need for nuclear energy, one must then turn to the safety factors involved in the fuel cycle. I do not intend to go into the plethora of scientific or technical data available; instead, I will confine myself to the conclusions I have reached. In most areas I accept the notion that in the development of any new technology or industry there is an 'acceptable risk' argument. All industry involves some degree of risk, whether it be in the production of coal, the use of the motor vehicle or the fact that people voluntarily choose to shorten their lives by smoking. Society accepts that some risks are acceptable in order for society to develop.

The question of reactor safety generates a lot of controversy. As with many things in the nuclear fuel cycle there may be a small chance of a major accident. If there is a major accident it will be of quite devastating proportions. The Hon. Miss Wiese mentioned that the Union of Concerned Scientists in the United States recently conducted a two-year study of a hypothetically expanded nuclear economy and concluded that before the year 2 000 close to 15 000 people in the United States may die as a result of minor reactor accidents. Moreover, they estimated that during that same time period there is a 1 per cent chance that a major nuclear accident will occur, killing nearly 100 000 people. Most will die of radiation induced cancers. Other views are equally as horrendous and indicate that an accident involving a nuclear reactor would be a catastrophe and that 45 000 to 50 000 people could suffer, that 3 000 people would die soon after the accident, and up to 45 000 people over the next 30 years. I believe that most people concede that the possibility of such an accident occurring is very low. However, it is not so high as to lead insurance companies to refuse cover for nuclear contamination.

The figures given in these two examples are quite horrendous. In other aspects of modern society we accept the risks of even greater tragedies because of the benefits that society sees in the development of technology which gives rise to the risks. Between 1945 and 1978, 1 500 000 people have died on the roads in the United States. That is an average of 43 300 people a year. In Australia, 90 000 people have been killed on the roads since the war. It could be argued that in the United States every year as many people die on the roads as would die from a major nuclear calamity, yet we accept the benefits afforded by motor vehicles.

Despite the safety problems that have been exacerbated in modern society the life expectancy rate, based on mortality

tables, which include all causes of death, including accidental causes, show an incredible improvement in the last century. In 1911, the life expectancy rate for Australian males was 55.2 years, females 58.8 years; in 1958, this had increased to 66.1 years for males, 70.6 for females; and in 1978, 70.2 for males and 77.2 for females. For the same periods in Western Europe the increase is from 47 years to 67 years and then 72 years by 1978. Similar increases have occurred in the United States of America and in the Soviet Union. In the period 1900 to 1911 Russians had a life expectancy of 32 years; in 1950, 67 years; and in 1978, it had increased to 70 years.

The Hon. Anne Levy: Is that for males or females?

The Hon. C. J. SUMNER: That is the combined life expectancy of both males and females. The increase has been quite dramatic, even in the developing countries. For example, in India the life expectancy was 23 years in 1911; it then rose to 32 years in 1950; and it was 48 years in 1978. I emphasise that taking modern society as a whole, with all the medical research and advances in technology combined with the problems produced by modern society in relation to increased industrial accidents, road accidents, and so on, there has been, statistically, a dramatic increase in life expectancy during this century.

Although I certainly do not believe that all problems in the nuclear fuel cycle are resolved if one accepts that there is and will be an energy shortage in the world over the next 30 years and that no alternatives are available, I am prepared to conclude that the mining, processing and enrichment of uranium can be carried out within the limits of acceptable risk. I am a little less sanguine about reactor safety but can see that, in view of the figures that I have given the Council, it could be argued that reactor safety comes within the limits of acceptable risk, although it must be realised that, if the unlikely event of a reactor calamity occurs, it would be a disaster of quite extraordinary proportions.

The other important issue that I have already mentioned is the disposal of high-level nuclear waste. This is one aspect particularly of the Labor Party's concern. At this point in time I cannot accept that the technical problems have been sufficiently resolved. There is no doubt that the Fox inquiry concluded that in 1976 there was no generally accepted means by which high level waste could be permanently isolated from the environment and remain safe for years. The Flowers Report in the United Kingdom at the same time said there should be no commitment to a large programme of nuclear fission power until it had been demonstrated beyond reasonable doubt that a method existed to ensure the safe containment of long-lived highly radioactive waste for the indefinite future.

It is worth emphasising that they were independent inquiries set up in Australia and in the United Kingdom to assess the risks of the nuclear fuel cycle. Since that time, there have been some developments, although I am not prepared to accept that all the problems in regard to waste disposal have been resolved. Former Premier Dunstan, following his trip overseas in January 1979, came to certain conclusions, to which he referred in his book, as follows:

> Only Sweden had established a safe means of disposal of high-level atomic waste.

It is interesting to note that the former Premier, Mr Dunstan, did concede that Sweden had the technology for a safe means of disposing of high-level atomic waste. However, that was not the end of the argument. Mr Dunstan continued:

> This process required a cooling period vitrification of the waste and a further holding period and its final burial surrounded by impervious clay in deep primitive rock formation. No such system had been established in other countries, and most countries could not provide the conditions in which that system could operate. England still had not proved a system demanded by the Flowers Royal Commission, France was doing nothing about final disposal, nor was Germany, and the Netherlands had been unable to prove its proposed alternative of burial in subterranean salt domes. Most users of uranium rods required them reprocessed. The reprocessing inevitably produced high level wastes and no general method of the long-term disposal of these wastes was in sight for most users, including all Australia's present or likely customers.

They were the conclusions drawn by former Premier Dunstan, who conceded some advances but still did not believe that advances made in the disposal of waste were sufficient to enable us at this time to commit ourselves to the mining of uranium.

I have also tried to update that information, and attended a lecture given by Dr Svenke, President of the Swedish Nuclear Fuel Supply Company, in Adelaide recently. He confirmed that no actual waste had been permanently disposed of but was certainly of the view that it could be done. On this issue, I cannot accept that all the problems of the disposal of waste have been resolved, but am prepared to accept that they may be at some time in the future. However, this uncertainty still reinforces my view that we should, at this point in time, continue to play it safe.

There seem to me to be strong arguments for not rushing into uranium mining but to try to ensure that more research and work on waste disposal is carried out in potential customers' countries. We should further encourage such research in Australia. If these problems can be overcome and the major remaining problem is that of proliferation, the correct position for Australia might be to insist on the return of material that could be used for weapons manufacture. While that position may produce the best safeguards, it would be much more difficult to sell to the South Australian public because it would involve the return to Australia of nuclear wastes.

My main concern with uranium mining has always been and still is the threat of nuclear war. Tragically, at present there are some people who find the notion of nuclear war acceptable. One occasionally hears the proposition that a nuclear war can be won. I find that argument utterly unacceptable. I sometimes think—

The Hon. J. A. Carnie: That has nothing to do with Roxby Downs.

The Hon. C. J. SUMNER: That is what a lot of honourable members opposite have maintained during the debate but, had they bothered to study the issue a little more closely, they would have seen that, unfortunately, the issues are related. Most people who answer honestly questions on this matter will concede that the two questions are related. I do not accept that the threat of nuclear war has nothing to do with Roxby Downs. I find utterly unacceptable the argument that is sometimes put that a nuclear war can be won. I sometimes think that the human race is on some mad kind of death wish.

I ask why nations require nuclear weapons if, in the ultimate analysis, they do not intend to use them. One has merely to contemplate the past history of mankind and the number of devastating wars that have occurred this century (which is only 80 years old) and in the centuries before that. If the two devastating wars that we have experienced this century had been nuclear wars, one could only be horrified at the potential prospect. If one thinks of the future of the incredible arsenals that the major powers and other powers have in this area, one can only be pessimistic about the future in terms of nuclear war. Can we in this world contain, with the sort of weapons that we currently have, a situation that could potentially lead to a nuclear war, given the history of conflict that has existed until now?

No-one should be under any misapprehension about the incredible devastation and suffering that would be caused by a nuclear war. Dr Svenke advised that there were some 60 000 warheads in the world at the present time containing the explosive power of the equivalent of 1 500 000 Hiroshima

bombs. According to Robert Moore, the Chief Planning Officer for the New South Wales State Emergency Services, a one-megaton nuclear warhead dropped on Sydney would cause the following casualties in the first 24 hours: 180 000 people killed; 180 000 seriously injured, of whom 50 000 would be trapped under wrecked buildings and 30 000 severely burned; another 170 000 would be moderately injured, of whom 80 000 would have broken bones and lacerations; and 90 000 would be less severely burnt. The remaining 2 500 000 people in Sydney would escape injury from the initial holocaust, but all of them would be exposed to radiation fall-out unless they were protected in some way. That is presupposing a one-megaton nuclear warhead being dropped on Sydney.

Doctors throughout the world are becoming increasingly concerned about the absolute powerlessness of the medical profession to deal with a calamity of this kind. Even if sufficient survivors were left, Dr Martin Eastwood writes in an article on *Medicine and Nuclear Warfare—a Clinical Dead End,* in the prestigious U.K. medical journal *Lancet*, as follows:

> The initial effects are those of blast-heat and radiation; severe burns and blast injuries of a mortal type will be experienced up to 22 miles from the centre of a 10-megaton explosion. The immediate effect is to destroy 80 per cent of buildings and kill approximately one-third of a population.
>
> At least another one-third will be maimed by the heat and blast injuries in the first moment or two after the explosion . . .

He further states:

> The survivors would probably represent 5 to 10 per cent of the original population in a city and they would face a world without its previous social or economic, political or religious structure. The mountain of corpses, the leaking sewers, lack of clean water and exacerbation of normal health problems would overwhelm the number of survivors and their inadequate treatment facilities. The initial panic and subsequent inertia would probably hamper all orderly coping processes. It is likely, however, that outside the target area small towns and villages would be more or less unharmed and would receive with varying welcome refugees from the bombed area.

Mr George Keenan, when receiving the Albert Einstein Peace Prize in Washington, a former U.S. Ambassador to the Soviet Union and a person recognised as being an architect of the policy of containment of the Soviet Union in the late 1940s and 1950s, had this to say:

> We have gone on piling weapon upon weapon, missile upon missile, new levels of destructiveness upon old ones. We have done this helplessly, almost involuntarily, like the victims of some sort of hypnotism, like men in a dream, like lemmings heading to the sea, like the children of Hamelin marching blindly along behind their Pied Piper. And the result is that today we have achieved, we and the Russians together in the creation of these devices and their means of delivery, levels of redundancy of such grotesque dimensions as to defy rational understanding.

And at Strasbrook on 11 May 1979, Lord Louis Mountbatten said:

> In the event of a nuclear war there will be no chances, there will be no survivors, all will be obliterated. Nuclear devastation is not science fiction. It is a matter of fact. The world now stands on the brink of a final abyss. Let us all resolve to take all possible practical steps to ensure that we do not through our own folly, go over the edge.

They are not people who would be described as emotional or unstable persons. They are men very much of the world and men who, in the twilight of their careers, were concerned about the threat of nuclear war. I reject the oft-stated proposition that honourable members opposite have put to the Council that the arguments based on the threat of nuclear war are purely emotional arguments. They are not. Whatever members opposite say, there is that threat which exists. How we are going to contain it over the foreseeable future is the great challenge that we have in this world community.

The Hon. D. H. Laidlaw interjecting:

The Hon. C. J. SUMNER: I will answer the honourable member shortly. The question then arises as to what steps we can take to avoid this devastating tragedy. Would a decision not to mine uranium at this time assist in the objective of preventing nuclear war? That is far too simplistic. Liberal members opposite have interjected to indicate that there is no connection between mining at Roxby Downs and the horrors that I have just outlined. It is sometimes dubbed as a completely emotional argument. However, the blithe dismissal of the connection between uranium mining and nuclear war does not stand up to independent analysis. The two independent inquiries that I have mentioned clearly indicate the connection between the nuclear fuel cycle and nuclear war. Of course, mining at Roxby Downs, as the Hon. Mr Carnie realises, is part of the nuclear cycle. It is the beginning. The Fox Inquiry concluded that the nuclear power industry is unintentionally contributing to an increased risk of nuclear war and that this was the most serious hazard associated with the industry. The Flowers Report also concluded:

> The spread of nuclear power would inevitably facilitate the spread of the ability to make nuclear weapons and we fear the construction of these weapons.

These were independent inquiries which indicated the connection between the civil industry and nuclear weapons and nuclear war. I emphasise that there were independent inquiries established by the Australian Government and by the United Kingdom Government, and they clearly and specifically said that there is a danger of an increase of proliferation from the nuclear fuel cycle and from the spread of nuclear power.

If uranium mining at Roxby Downs does not involve the spread of nuclear power, then I do not know why we are mining it. Clearly, it is part of the nuclear fuel cycle and part of an expansion if we sell uranium to nuclear powers. Those two independent inquiries saw that there is an increased risk of proliferation as a result of expansion of nuclear power.

The Hon. D. H. Laidlaw: If you wanted to blow up Sydney, would you not use a hygrogen bomb?

The Hon. C. J. SUMNER: I understand what the Hon. Mr Laidlaw is saying, and I will deal with that shortly. These independent inquiries indicated the connection between the civil industry and nuclear weapons and nuclear war. If that is not enough, the select committee of this Council came to the same conclusion—not specifically—but, in the technical report which was tabled, the following statement appeared:

> However, the technology and skills acquired in a nuclear power programme would be of assistance to a country that might subsequently decide to develop a nuclear weapons capability. Nuclear material from a nuclear power programme could also be diverted and processed for proliferation purposes.

As I said, that was the conclusion of the technical report of the select committee established by this Council to which Liberal members agreed.

The question now is whether these arguments are valid. The argument generally put is that the civil use of nuclear energy would not affect its military usage. It is argued that any country determined to develop nuclear weapons would do so with or without a civil reactor yet, from those three inquiries, it is clear that the expansion of the civil nuclear industry and nuclear power does involve an increase in the scope for proliferation and, therefore, an increase in the possibility of nuclear war. Dr S. Svenke, to whom I referred earlier, accepted that there was a connection, but concluded that the problem of proliferation was political and that all research and development can potentially have both civil and military uses. He argued that just to abandon the good use could not necessarily abandon the bad use. He conceded that nuclear weapons have a new potential for wiping out all forms of life on this earth and also conceded that the balance of terror which is the current means of stopping the

war cannot work forever. He mentioned the 60 000 warheads and the 1 500 000 Hiroshima bombs and posed the question of what difference one extra bomb would make in such a situation. The stopping of the export of uranium would not stop its military uses, he argued.

Sir Mark Oliphant has concluded that withholding Australian uranium would not prevent the erection of a single reactor or the production of one nuclear weapon in a world where 50 000 to 60 000 such weapons already exist. The Executive Director of the Western Mining Corporation, Hugh Morgan, stated:

> The connection between nuclear electricity and nuclear warfare is exactly the same connection that exists between many other products with which we associate our daily lives. On this thesis, there would be no war without steel, petrol, electronic gadgets, etc., yet we accept them. The threat of nuclear war hangs over all of us, but if people were worried about killing people with bombs, why are we not worried about killing people with cars. From my point of view the horror of having 1 000 planes bomb and destroy Nuremburg or Dresden is no different from having one plane destroy Nagasaki or Hiroshima.

That is his argument. The conventional air raid on Dresden released an amount of energy comparable to the nuclear raid on Hiroshima: 135 000 killed at Dresden, and 90 000 at Hiroshima. The disregard with which Liberal members treat this argument about the connection between nuclear power and nuclear war is disturbing. Philosophically most members opposite are Christians and see man as some pinnacle and not as a step in an evolutionary process which could produce a different form of life yet they are quite blase about the potential consequences of nuclear power.

Despite the Liberals' protestations about nuclear war, one never sees them taking any role in anti-war activities. They leave this to others. One could feel more convinced of their genuineness if they were taking steps to reduce the possibility of nuclear war. Of course, we never see them involving themselves in any activities which would reduce the possibility of nuclear war. The problem with the Liberals' arguments is first that, although there are already sufficient nuclear warheads to devastate the earth's surface, it is not only increasing the numbers of warheads which increases the risk of nuclear war but also increasing the number of countries which have access to nuclear weapons. It was to this danger that both the Fox and Flowers reports were referring.

Further, I find the Dresden comparison quite unconvincing. The scale of devastation of nuclear war places us in a completely different bracket from that applying to conventional arms and, because of this difference in scale, the Morgan argument is too simplistic. The argument therefore which is concerned with uranium mining because of the possibility of nuclear war is not emotional, it is not fanciful, but is tragically a concrete devastating reality. Before proceeding with uranium mining we must be absolutely sure that all that has been done in the field of anti-proliferation can be done. I, quite clearly, at this point in time am not so convinced. I am not so convinced because the Fraser Government, which established a proliferation safeguards system when it first announced uranium mining, subsequently weakened quite significantly those safeguards. The Hon. Mr Cameron can laugh, but it is a fact. I am not prepared to agree to uranium mining while there is still the threat of nuclear proliferation. Much more has to be done in this area.

By not mining uranium at this time we will give some hope to the anti-nuclear war movement which is developing in the world and gaining strength at the present time. We should also ensure that maximum pressure is imposed to prevent the proliferation of nuclear weapons in other countries and the diversion of materials for terrorist purposes. It is absolutely imperative that all possible international pressure be applied to ensure a reduction in arms and a tightening up of proliferation safeguards. We can add our voice to that by not approving mining at this stage. The Roxby Downs ore deposit will not go away. It will always be available to be exploited should our doubts on the matters I mentioned be satisfied. Indeed, the joint venturers have not said themselves that they will proceed with the project. In the light of this situation I believe that the correct policy to adopt is, first, that we should allow the feasibility study to proceed and, secondly, that we should continue to monitor developments overseas in the areas of reactor safety, waste disposal and weapons proliferation. We should outline what safeguards we should require from customer countries.

In the light of the still outstanding safety problems that exist in the civil nuclear fuel area and effectively the unresolved problems that exist in the proliferation of nuclear weapons, the approach that is adopted by the Labor Party, which is not to stop the feasibility study but which is to allow us more time to set out the safeguards we require (recognising that at the present time they are unsatisfactory), is a stance which is responsible. It is a stance which is sustainable. The mine at Roxby Downs will not go away. There is no need to press ahead with mining immediately. On that basis I oppose the Bill in its present form. I will support the amendments put up by the Hon. Dr Cornwall. If those amendments are not passed I will oppose the Bill at the third reading.

[Sitting suspended from 6.25 to 8 p.m.]

The Hon. L. H. DAVIS: The second reading of this important indenture Bill to date has revealed two distinctly opposing views, one put forward by the Labor Party and one put forward by the Democrats. The Labor Party, in summary, has said that the decision to produce from Roxby Downs should be reserved for the Government of the day. That removes certainty, which the joint venturers quite properly require. The second thrust of the Labor Party's opposition is that the mine is unprofitable, anyway, in relation to current prices or future prices. One could almost say that the Labor Party has shown more enthusiasm in the past for Monarto than it is showing for Roxby Downs in the future.

On the other hand, the Democrats have said that Roxby Downs is really a bonanza, but the Government does not realise that and is being ripped off because the royalties charged are not high enough. Quite clearly, they have not read the evidence, and they have insulted the ability and integrity of the Minister, public servants and the joint venturers.

South Australia, although the last of the colonies to be settled, became the cradle of Australian mining with the opening up of the Glen Osmond lead mine in 1841. It is all too easily forgotten that mining discoveries ensured that the new colony, struggling as it was, did not go under. In the 10-year period from 1841 to 1851, South Australia was the only colony with 49 mines. There were 38 copper mines in existence by 1850. Thousands of Cornish miners and artisans came to the colony, and the population leapt from 15 000 in 1841 to 64 000 by 1851.

South Australia's first large country towns were mining towns. Kapunda opened in 1844, and Burra in 1845; and by 1851, 1 300 people lived at Kapunda and at least 5 000 people lived around the Burra mine, making that town the sixth largest population centre in Australia. Mining meant jobs for people, but in 1851 many men from South Australia joined the gold rush and went east in search of their fortune. The copper mines were largely deserted.

But then came the discovery of rich copper lodes at Wallaroo in 1860 and at Moonta. Moonta and Kadina

emerged as South Australia's largest towns outside Adelaide. At the census of 1871, these three towns contained 11 500 people, and had an estimated population of 20 000 by 1875. The area boasted the largest copper province in the world, supplying some 10 per cent of total world demand. Captain Walter Hughes, the copper king, donated £20 000, which led to the founding of the University of Adelaide. Thomas Elder, later of Elder Smith fame, did likewise in 1874 and assisted the university and other organisations in Adelaide. For many years, in the 1860s and 1870s, copper exports exceeded in value exports of wheat and flour. The whole community benefited, and most importantly these mines provided employment.

Next year is the centenary of the discovery of Broken Hill. Within a few years of 1883 this city became the third largest in New South Wales, but it was really more allied to South Australia. The discovery of silver, lead and zinc at Broken Hill opened up the country with railways and roads, and resulted in the establishment of the smelter at Port Pirie, now the largest lead smelter in the world and, like the mines at Burra, Kapunda, Wallaroo and Moonta, it provided jobs, both directly and indirectly.

As Hugh Morgan, Executive Director of Western Mining, said recently at a lunch in Adelaide when he delivered a paper entitled 'The Case for Roxby Downs', 'I very much doubt whether anyone in the 1880s gave an address entitled "The Case for Broken Hill".' I think it is also most improbable that any Party in those days put out an advertisement saying 'Can South Australia afford Broken Hill?' In Port Pirie, B.H.A.S. employs 1 750 people directly, and several more thousand jobs flow indirectly from that smelting operation, which commenced in 1890. Yet, despite South Australia's being the cradle of mining in Australia and subsequently boasting the largest copper province in the world with the value of mineral exports exceeding that of primary products for many years, we are, in 1982, the Cinderella State in mining. Notwithstanding the contribution of the natural gas produced from the Cooper Basin, the value of mineral production in South Australia in 1980-81 including oil and gas, from the Cooper Basin was $226 400 000. That was less than Tasmania with a figure of $277 600 000 and the Northern Territory with a figure of $275 200 000. Certainly that picture will change when the liquids project comes on stream in the Cooper Basin. The 659-kilometre pipeline to Stony Point will lead to the production of crude oil and condensate in 1983 and l.p.g. in 1984 in what is currently Australia's largest natural resource project. While the Cooper Basin liquids project will create 3 000 jobs, at its peak it will provide permanent employment for 800 people, and yet Mr Bannon and Dr Cornwall embrace this project, which will create 800 jobs and significant royalties, and ignore Roxby Downs, where it is envisaged that there will be a new town of 9 000 people with direct employment for over 2 000 people.

However, Santos itself should be looked at more closely, for if the logic of the Hon. Lance Milne and the Hon. Dr Cornwall were to prevail in that situation their view would be that it should have closed down as a company long ago. The company was floated in 1954 by Mr John Bonython and others. Shareholders had to be pretty patient, as it took nine years to discover gas at Gidgealpa which occurred in 1963. The company took 17 years to make its first profit, in 1971, after commencing gas production in 1969. Santos paid its first dividend to shareholders in 1978, 24 years after being formed. On Dr Cornwall's analysis the company should have been encouraged to close down in the 1950s or the 1960s. Oil, at $2 or less per barrel, was plentiful and there were many people who dismissed Santos' hopes of oil and gas discoveries as but a dream. But they won through, and today it is one of the very largest companies in Australia in terms of market capitalisation.

With regard to other natural resource developments of late in South Australia, there is the Whyalla steelyards using iron ore from the Middle Back Ranges and, of course, there is the Leigh Creek coalfield.

There may be some who believe that this debate about uranium mining in South Australia is novel: well, it should not be, as in 1906 Radium Hill was discovered, and in 1910 Mount Painter was discovered by Sir Douglas Mawson, and both mines were worked intermittently for their radium content until the 1930s. Radium Hill was used between 1954 and 1961 for the supply of material for western defence programmes. Benefits flowed from this through the formation of Amdel. On 27 July 1976, former Premier Don Dunstan said:

> It [that is, Radium Hill] was an extremely successful project for which we gave Sir Thomas Playford great credit.

So, there is no novelty in uranium mining, and ironically the mining at Radium Hill resulted in the formation of Amdel. The late Sir Thomas Playford established the Australian Mineral Development Laboratories 21 years ago; it was formed from the research team which developed processes for the recovery of uranium oxide from the Radium Hill ore.

Amdel, an independent contracting organisation, which does work for mining companies around Australia, is a great company of international repute. It has recently elected to expand its operations to Technology Park. During the year ended 30 June 1981 the number of employees at Amdel increased by 35 to 259 people.

What of the Roxby Downs indenture Bill, given the background that we have for mining in South Australia? The joint venturers are, first, Western Mining Corporation, which next year will celebrate 50 years of contributing to the development of Australia's natural resources. Western Mining floated as a gold producer but now has diverse interests with its world ranked nickel mine at Kambalda and significant gold interests in Western Australia.

It has a 33 per cent interest in ALCOA, the Yeerillie uranium prospect in Western Australia, and the Benambra copper prospect in Eastern Victoria, as well as an active oil and gas exploration division which spent in excess of $20 000 000 in the last financial year. It is ranked seventh among public companies listed on the Australian Stock Exchange in terms of market capitalisation. It certainly would be regarded by many mining people as the best if not most certainly the most successful explorer in Australia over the last two decades. Western Mining Corporation has a reputation for encouraging initiative among its geologists and is regarded as a good employer, sensitive to the needs of its workers. My recent visit to the Roxby Downs reconfirmed that view.

B.P. Australia, with a 49 per cent interest in the Roxby Downs project, spent $243 900 000 in 1981 in Australia in a variety of energy resources, such as the North West Shelf project in petroleum exploration, marketing and refining and in mineral exploration. It is also one of Australia's largest producers of coal.

The return on shareholders' funds for B.P. Australia in 1982 was low—under 2 per cent. A recent study undertaken by Coopers and Lybrand, the chartered accountants who surveyed 117 Australian mining companies, showed that company's mining profits were only 8.5 per cent after tax on funds employed and only 6.7 per cent on assets. These financial statistics reflect the obvious, namely, that companies engaged in natural resources exploration and production are risk takers of a high order. Exploration costs are enormously high and often go unrewarded.

The technical problems of developing an operation can often be time consuming and unexpectedly costly. Long

lead times compound the uncertainties and commodity prices fluctuate dramatically. For example, M.I.M. Holdings, Australias largest copper producer, on 10 June reduced its copper price to $1 360 per tonne, the lowest level since 1979 and a little less than half the record price in February 1980. In fact, in real terms the copper price is at its lowest level for 20 years.

As the Hon. Dr Cornwall has observed, uranium spot sales have also halved in the past two years but Energy Resources of Australia have demonstrated that significant long-term contracts for uranium can be written at substantially above spot prices. Lead prices, which peaked at nearly $1 400 per tonne in 1979, are currently $650 per tonne. Zinc prices peaked at about $2 000 per tonne in 1974 and at the moment are in the $750 to $850 band. The silver price, which was $44 in January 1980, is now $5.50 per ounce. Commodity prices are determined by the nature of the market of supply and demand at any given time.

Base metal prices are all depressed below long-term trend levels because of the world-wide economic down-turn at the present time. Metal price increases will be significant when a full economic recovery occurs. This has happened before and it will happen again. It is the nature of the beast, and Australia, as a significant exporter of energy and metal products, is automatically affected. Meat, wheat, wool and other primary products also vary. Sugar is selling at a quarter of its peak price of a few years ago.

The impact of falling commodity prices and profitability of the existing mining operation can be well illustrated by examining M.I.M. Holdings. M.I.M. has a very large underground operation mining copper, silver and lead and this created seven million tonnes of ore in 1980-81, roughly comparable to the projected tonnage in the initial project stage of Roxby Downs. The exceptionally weak commodity prices at present could result in M.I.M. losing as much as $10 000 000 in 1981-82, its first recorded loss since the Second World War.

That is only two years after a record net profit after tax of $204 000 000 in the 1979-80 financial year. Yet, M.I.M. Holdings are there, having been formed as Mt Isa Mines Ltd in 1924, to explore the copper, silver and lead deposits at Mt Isa. As a result of the development of this rich resource, a city was created in this hot and arid location, so remote from civilisation. Mt Isa now boasts a population of 25 000 with 5 100 employees, 1 900 of whom work underground. The company has made an enormous contribution to the development of the town, its infrastructure and its people. It has been generous to its employees through donations to many institutions and the Queensland community at large.

Key witnesses to the Legislative Council's select committee examining this indenture Bill have likened the size of the Roxby Down deposit to that at Mt Isa. Certainly, the initial Roxby Downs project envisages a population of only 9 000, but it is a valid and useful comparison, for neither township would be there if it were not for the vast mineral deposits.

In 1981 Mt Isa Mines attracted 32 000 out-of-town visitors. There are 35 000 tourists expected in 1982. This figure understates the number of visitors to Mt Isa, as obviously not all would tour the mine. There are 20 hotels/motels with 890-odd beds and over 500 people directly employed in providing accommodation and food. I have mentioned that Mt Isa has an expected loss in 1981-82, following a record profit in 1979-80, to underline the fallacy of the economic arguments put forward by the Labor Party.

Appendix C to the select committee report of this Bill contains a statement by the Hon. R. G. Payne and the Hon. D. J. Hopgood. One third of that statement opposes the indenture Bill and deals with the depressed state of the uranium market, together with a fleeting reference to the weakness of the copper market. As I have already observed, all metal prices at the moment are weak. If Roxby Downs had been a pure copper mine, would those members and the Hon. Dr Cornwall argue against the indenture Bill on the ground that copper, like uranium, was selling at about half its high point of recent years?

More importantly, the Labor Party statements suggest that this State Government has a right to make judgments about the economics of the Roxby Downs project. I reject that. I do not believe that it is the right of any State Government to make economic judgments about a project such as this. If the Government had a direct interest in that project, outside infrastructure costs, it would be a different matter, because taxpayers' money would be more intimately involved.

Given that the State's commitment to infra-structure is not sprung until the initial project go ahead is signalled, I do not believe that this Government is in the business of telling mining companies whether their projects will or will not be profitable. Commercial judgments of this nature should be left to the joint venturers. As Hugh Morgan said in a television debate with the Hon. Dr Cornwall recently, 'It's our business, it's our money, it's our risk.'

The report of the Select Committee on the Stony Point (Liquids Project) Ratification Bill of 1981, did not refer to the economics of the project. Mr Bannon, in November 1982, babbled enthusiastically about how much better a petro-chemical project at Stony Point would be 'than pies in the sky such as Roxby'. He said that without questioning the economics of the petro-chemical project. Why not? Because if parties have shown an interest, they have examined the economics of the project themselves.

The facts are quite clear. The severe economic downturn in Western economies is being felt in Australia and no less in the natural resources sector. It is reasonable to assume that a recovery in the near future will trigger off an upturn in commodity prices. The joint venturers have made a valid point when they claim this slump works to their advantage.

Other copper or uranium prospects which have been proved up are sidelined in the downturn. It provides the joint venturers with a chance to complete their feasibility studies without the other projects progressing. The argument has also been put on more than one occasion in recent months by Mr Bannon that the indenture Bill is a political stunt. That argument does the Leader of the Opposition little credit. I am appalled that two responsible and respected groups, such as Western Mining and B.P. (Australia), can be accused of being party to a political stunt. The Hon. Dr Cornwall more than matched his Leader when he told Hugh Morgan, Executive Director of Western Mining, in a recent television debate on *Nationwide* he was sad that he, Hugh Morgan, had entered the political arena. Hugh Morgan had not entered the political arena. As the top executive for Western Mining he was publicly putting the case for the project to which the Hon. Dr Cornwall had been publicly opposed.

Not much better are the observations of the Labor members of the indenture Bill select committee. On page 8 of the report they state:

> It is probable in the light of the market conditions outlined above, that even if the indenture is ratified, the companies will complete their final feasibility study and then put the project on a 'care and maintenance basis only' while they watch world market trends and explore uranium contracts.

In what he claimed was an objective examination of the present position, the Hon. Dr Cornwall stated that 'Every informed source in the mining industry throughout Australia accepts that Roxby Downs will not be mined in the 1980s.' Like his colleagues, he also accuses the joint venturers of hiding the truth. Perhaps the Hon. Dr Cornwall would care

to tell us which informed sources in the mining industry throughout Australia said that Roxby Downs will not be mined.

The Labor Party's opposition to this project has been long on rhetoric but short on any evidence from people who have the respect of the mining industry. No doubt the Hon. Dr Cornwall may care to explain in the Committee stages why the joint venturers are prepared to undertake in the indenture Bill to spend another $50 000 000 over the next 2½ years in completing their feasibility studies if they intend to put the project on a care and maintenance basis. It simply does not make sense. Late in his speech the Hon. Dr Cornwall grudgingly admitted that this is an ore body of world class. He is correct in that assessment, because no other natural resources project in Australia has had so much money spent in the feasibility stages as has Roxby Downs.

Why are two world market companies anxious to spend so much money now rather than deferring the project as suggested by the Labor Party? Someone must be wrong. In his television debate with Hugh Morgan, the Hon. Dr Cornwall concluded with the comment that '$50 000 000 is supposed to be a lot of money, but you're looking at $30 000 000 000 worth of minerals, so $50 000 000 is nothing.'

The Hon. J. R. Cornwall: I said the possibility of $30 000 000 000 worth of minerals.

The Hon. L. H. DAVIS: All right, the possibility of $30 000 000 000 worth of minerals. To better put it in perspective, the joint venturers in a five-year period will have spent at least $100 000 000 if the indenture Bill succeeds in this Chamber. That would build four buildings equivalent to the new S.G.I.C. headquarters in Victoria Square. The value of the project is already obvious. There are already 250 people on site at Olympic Dam—

The Hon. J. R. Cornwall interjecting:

The ACTING PRESIDENT: Order!

The Hon. L. H. DAVIS: Many people from Adelaide and other regional centres are benefiting from this project. For example, Nationwide Caterers employs 20 people full time and some casuals in the supply of food at Olympic Dam.

Turning more precisely to the Bill, what are some of the decisions and planning requirements of the joint venturers before they commit themselves to the initial project? First, there is the requirement of finance. In a recent speech to a group of Adelaide business men, Mr Hugh Morgan, the Executive Director of Western Mining, put the problem of finance into some perspective. He said, 'The passage of the indenture Bill means that the joint venturers will have the ability to go to the international banking community with the very clearly defined support of the South Australian Parliament, together with accurate knowledge of royalty payments, infra-structure costs and Government participation in those costs and the knowledge that changes to those costs and conditions can come about only through new Acts of Parliament. This increases very greatly the status of Olympic Dam in the estimation of the international capital market.'

Also, there is the water requirement. A certain amount will be available from Port Augusta, which requires a pipeline, to be built at the expense of the joint venturers. The Artesian Basin to the north will require bores to be put down. Power will have to be run out to the bore fields to drive the pumps, which have to be manufactured.

Power will be available initially out of Woomera and, later, Port Augusta. Delivery times on some components of a power line could be as long as two years. I refer also to the head frame and winder. One imagines that it will be custom built, and the design stage for such a complex piece of equipment could take up to two years. The head frame and winding equipment for any additional shaft, or upgrading of the present shaft will, in the design stage, take at least two years. One would imagine that it would take at least a year to manufacture. Although underground equipment for mines can be more easily bought off the shelf, the ventilation system would obviously require detailed research and planning.

The sewage disposal system requires pump and pipe work to be designed and approved by the Government. Contracts must be let, and houses built. Bitumen is also required, and so on.

The indenture is needed because it sets the ground rules. The joint venturers are entitled to know the royalty rate, and the State Government's commitment to infrastructure. They are important figures that must be known. How, otherwise, could the joint venturers undertake a feasibility study?

The Labor Party says that we do not need a guarantee to spend another $50 000 000. Let us assume the following example. The Hon. Dr Cornwall is a small business man wanting to establish a factory. He puts down his foundation and spends time (which is money) looking at the design of the factory and machinery therefor, a market for his products, finance for the factory, and perhaps some working capital. Then, the local council could say, 'We will let you know at some time in the future whether you can build the factory on the foundations you have laid.' What would the Hon. Dr Cornwall say then? Would he say, 'That is a good deal'? Of course he would not. That is a fair analogy to what his main amendment to the indenture Bill seeks to do.

The Labor Party's 'maybe, maybe not' approach is unreasonable to the joint venturers, who have spent $50 000 000 over the past three years and who are prepared to spend another $50 000 000 over the next two years. That is hardly a sign of a lack of confidence in the potential of Roxby Downs. Why should the joint venturers not be entitled to have with the Government a contractual arrangement that provides them with some certainty? They are entitled to a return on their money, which, in today's market, would be costing them 18 per cent.

The Hon. C. M. Hill: Judging by the number of its members in the Chamber, the Labor Party is really interested in Roxby Downs!

The Hon. L. H. DAVIS: For the benefit of the remaining members in the Chamber, the time being 8.30 p.m., $50 000 000 would cost $9 000 000 a year if the rate of interest was 18 per cent, and it would cost $18 000 000 a year if the principal was $100 000 000.

The Hon. J. R. Cornwall: Interest rates are shockingly high, aren't they?

The Hon. L. H. DAVIS: Yes, they are.

I now refer to clause 6 of the indenture, because it has been misconstrued quite deliberately by the Opposition. Clause 6 (1) *(a)*, which deals with a commitment to the initial project, provides:

> The joint venturers shall use all reasonable efforts to complete, by 31 December 1984, such detailed studies and evaluations of the nature referred to in recital *(b)* as in their opinion may be necessary or desirable to enable them, or any of them, then to undertake necessary final evaluations and negotiations with respect to finance and the sale of product, prior to taking any decision to proceed with the initial project . . .

Clause 6 (2) provides:

> As soon as the joint venturers consider it practicable, but before 31 December 1987, the joint venturers shall, subject to the terms of this indenture (in particular, Clause 53), notify the Minister of their decision with respect to proceeding with the initial project....

There is nothing in this clause to stop the joint venturers undertaking the detailed studies and evaluations and coming to a conclusion to start a project, admittedly on a much smaller scale, and to make a decision at any time after 31 December 1984. I would have though that any venture of this size, with so much money outlaid, would require continuity.

I am sure it would be desirable for the joint venturers, if they can manage it, to achieve continuity between the exploration, feasibility, and mining stages of this vast operation.

With a $100 000 000 outlay and a debt at current interest rates of $18 000 000, would not the Hon. Dr Cornwall think it logical that the joint venturers would like to service their debt capital out of cash flow as soon as possible? If the honourable member were a small business man faced with a similar situation, would he put it on ice? Commercially it is in their interest to mine as soon as possible.

Returning to the Labor Party, and reflecting on its attitude towards uranium, I point out that it supported uranium mining for most of the 1970s. Premier Don Dunstan established the Uranium Enrichment Committee, which advocated the establishment of enrichment facilities to cost about $1 400 000. Premier Dunstan endorsed those findings in July 1976 and at that time, referring to the possible community concern about uranium mining and milling and the dangers of radioactivity, he stated in Parliament:

> Environmentally the uranium enrichment project would cause less trouble than the I.C.I. plant at Port Adelaide causes or with fewer problems than the average petro-chemical plant already existing in this country.

It is a matter of record that, in March 1977, Premier Dunstan reversed the Party's uranium policy on the grounds of safety and environmental issues. I am not aware of what occurred during that eight-month period to cause this change. No-one has explained why the Labor Party changed its position.

What is interesting is that in May 1976, while the Party was still pro uranium, the Hon. Mr Duncan and the Hon. Frank Blevins sent a telegram of support to members of the Australian Railways Union in Queensland who were refusing to transport supplies of yellow-cake mined at Mary Kathleen. In June 1976 in Parliament the Hon. Frank Blevins said he supported the A.R.U. strike 'entirely and unreservedly'. That was while the Labor Party was still supporting uranium mining.

The Hon. Mr Blevins has a special interest in the three Iron Triangle towns which each, through their local council, publicly support the Olympic Dam project. The people in those industrial towns support this project because they know that there are jobs involved: it will prosper their local economies and communities.

This anti-uranium stance of the Labor Party has meant that it has had difficulty in judging the merits of uranium mining in Australia and, in particular, at Roxby Downs. The fact is that, since 1977, there have been more than 100 shipments of uranium concentrates from Australia, totalling 6 000 tonnes, to such countries as Japan, West Germany and America. We have existing long-term contracts for the sale of yellow-cake for $4 000 000 000, with the largest being to Japan of 12 000 tonnes.

That is the reality of uranium mining in Australia at the moment.

So, Labor Party policy has forced them into an absurd position. We saw early in December 1981 Mr John Bannon saying that the joint venturers were demanding low electricity tarifs. We all know that that simply is not true. He went on to say that Western Mining wanted a one-sided deal and the cost of infra-structure will be enormous to the State. However, business and financial commentators in the Australian press have universally praised the Western Mining, B.P. and South Australian Government indenture Bill. As has already been quoted in another place, the Business Editor of *The Age*, Terry McCrann, on 5 March 1982 stated:

> The South Australia scheme [that is, for royalties] does appear to be the most sensible method we have yet seen for a State Government to tap a share of the profits without imposing an arbitrary, and often unfair, deterrent on mining development.

That is a fairly common response from financial analysts who have examined the detail of the indenture. How could anyone objectively criticise the Government's $50 000 000 commitment to infra-structure items as expressed in clause 22. For example, the Government is committed, once the joint venturers have committed themselves to the united project, to provide necessary air-conditioned primary schools worth up to $11 000 000; housing accommodation for married and single personnel connected with the operation, up to $7 700 000; necessary air-conditioned secondary schools to the value of $6 600 000; the sealed road from Pimba to an amount of 50 per cent of the cost up to $6 050 000; and, a hospital within the townsite to an amount of $4 730 000. The total amount for these items is $30 000 000 at 1981 prices.

Those items account for 60 per cent of the $50 000 000. These are items which are invariably provided by a Government, whether it be for Roxby Downs, Mount Gambier or any other country or city centre. The joint venturers are responsible for the roads with the exception of the Pimba road. They are also responsible for air strips and power and water supplies. As an observer of attitudes to mining once commented (and this is applicable to Roxby Downs), the main resource Australia needs to develop is not below its feet but above its neck.

I wish to turn briefly to examine the arguments of the Hon. Lance Milne, who last night made what can only be described as a remarkable contribution. Perhaps his most amazing statement began as follows:

> To us all energy means health, food, transport, comfort and security.

I think we all agree with that. However, he went on to state:

> What of countries which have no energy sources whatever and seek to industrialise? This is a difficult question to answer but my view would be that unless they can get by without uranium they should not attempt to be an industrial nation.

I find that a most remarkable statement.

The Hon. Frank Blevins: It is immoral.

The Hon. L. H. DAVIS: It is immoral; the Hon. Frank Blevins is quite right. Take Japan, which is a highly developed country with virtually no energy resources whatever. It relies almost entirely on energy imports. Does the Hon. Lance Milne say that we should deny energy resources to Japan or to those less developed countries of South-East Asia such as Taiwan and South Korea? It is a preposterous statement and, as has been observed, quite immoral.

The Hon. Mr Milne stated earlier that the real answer to all of this is not to mine Roxby Downs but to care and share. There would be no sharing, because there will be nothing to share if the mining does not go ahead. There will be no workers and no ability to supply energy-starved countries.

I want to concentrate particularly on one aspect in which the Australian Democrats take on the world in regard to accounting for mining profits. The Hon. Mr Milne made a calculation which assumes certain things incorrectly. He talked about 150 000 tonnes of copper per annum at a market value of $1 400 per tonne. First, it is dishonest to use that figure. As I have already explained, the present price for copper is at its lowest value in real terms for the past 20 years, and the honourable member has the audacity to take today's base price and project it into the future.

He then said that smelting and relevant costs and sale costs should be deducted, and he put that figure at about $500 a tonne. The definition in the calculation of the royalties provides that the deductible costs include only the relevant sale costs, and for the honourable member to deduct $500 is totally wrong. I would suggest that that figure should be more of the order of $150. From my previous experience

(I have a working knowledge of the costs of mining), the Hon. Mr Milne quite erroneously has included smelting as a sale cost, but that is a cost of producing the product. Having deducted $500 a tonne instead of $150 a tonne, the honourable member has changed the whole equation.

The Hon. K. L. Milne: It makes a difference of only $1 000 000.

The Hon. L. H. DAVIS: Do not be silly.

The Hon. K. L. Milne: You work it out.

The Hon. L. H. DAVIS: You cannot make that deduction, because after a certain cut-off point any increase is profit, and that would increase the profit out of all proportion to the percentage increase in price.

The Hon. K. L. Milne interjecting:

The PRESIDENT: Order!

The Hon. L. H. DAVIS: In his speech, the honourable member claimed that, on the base royalty of 2½ per cent, the royalty to the State, on this miraculous calculation which I have shown on two points is quite wrong, will be $9 250 000. Yet in the *Financial Review* of 2 April 1982, Ian Gilfillan, who is described as the policy co-ordinator for the Australian Democrats, the No. 1 Legislative Council candidate in South Australia (and I suggest that he will probably remain styled that way for some time), in a letter to the editor, stated that the Australian Democrats estimate that the 2½ per cent return on royalties will amount to $13 000 000. So the Hon. Lance Milne talks about $9 000 000 while other Australian Democrats talk about $13 000 000. I suppose that if we defer this Bill for long enough it will not be worth anything.

The Hon. K. L. Milne: It is $13 000 000 at 3½ per cent. You know exactly what we mean.

The PRESIDENT: Order!

The Hon. L. H. DAVIS: What I am reading says 2½ per cent. The Hon. Mr Milne says that the whole question of royalties is a crude and cruel joke. He claims that the company is ripping off the taxpayers of this State. I would suggest that that is a joke. The honourable member has taken no notice of the benefits that flow from Roxby Downs and he has taken no notice of the evidence that was given by the Under Treasurer of South Australia, Mr Barnes, who stated, in giving evidence to the select committee, that, if one looks at the resources of the State and the benefits flowing to the State from Roxby Downs, one sees that these benefits will include stamp duties payable to the State, payroll tax, sales of liquor, cigarettes, and returns from gambling and so on.

Obviously there are enormous benefits that flow back to the State due to the establishment of a new town in addition to the royalties that we have already discussed.

The Hon. Dr Cornwall in his contribution showed the inconsistency that we have all come to recognise both within and outside Parliament: on *Nationwide* on 3 March 1981 he was asked the following question:

> It is heresy then, amongst those of the left of the ALP who are almost conducting a holy war against uranium mining.

The Hon. Dr Cornwall said in reply:

> Well, I don't like the term, of the left. There are some very concerned people in the party who are absolutely convinced that to do other than leave uranium in the ground forever is the worst thing we could do. The end of mankind if you like. Now I respect their views, but I think that sometimes they are held almost as an article of faith—almost a religious tenent if you like, rather than perhaps objectively.

A further question was as follows:

> In other words, they look at it purely emotionally?

The answer was:

> I think they do tend to think with the head rather than the heart.

The Hon. J. R. Cornwall: You have got it the wrong way round; play it again, Sam.

The PRESIDENT: Order!

The Hon. L. H. DAVIS: He then goes on to say in this debate that the production of yellowcake from Roxby Downs will create bombs equal to 4 000 of the bomb dropped on Hiroshima. The Opposition is involved in pure emotion in this debate. In conclusion, Sir Ben Dickinson, one of the most respected and leading authorities on mining generally and uranium mining, in particular in Australia and South Australia, who served under both the Liberal and Labor Governments, perhaps put it best when he said in evidence to the Select Committee:

> There must be no break in the continuity of activity between exploration and development funding, and this to me is the most important and critical aspect of the agreement.

I agree with that statement. The daisy petal approach of the Labor Party, the 'may be' or 'may be not' nature of its central amendment deals the indenture Bill a death blow. International financiers looking at the funding of a billion dollar project would laugh at it, and the joint venturers would not have the certain information in respect of royalties and State infrastructure costs that they understandably require in their final feasibility study.

Sadly, too, the business community and the people of South Australia will suffer indirectly because of the uncertainty and doubts created in the minds of interstate and overseas investors who may be contemplating investment in South Australia. I do not relish the prospect of South Australia being called the hick State of the south.

The Hon. J. R. Cornwall: Then sit down and stop making a fool of yourself.

The Hon. L. H. DAVIS: I fear that, if this Bill fails, Dr Cornwall's dream of South Australia's becoming the hick State of the south will come true.

There is some concern in the community largely based on fear of the unknown in this area of uranium. One only has to look at an aspect of the nuclear cycle to see that there is a benefit to the community in very real and practical terms. I address myself to the use of isotopes which are used in medical diagnosis and medical research and agricultural research and industry.

The Hon. J. R. Cornwall: Here we go.

The PRESIDENT: Order!

The Hon. L. H. DAVIS: The Hon. Dr Cornwall thinks it is irrelevant but he should know, being one of the few scientists or people with a scientific background in this Chamber, that all these applications have become possible with the advent of nuclear reactors, which have made it economic to produce large amounts of radioactive isotopes at low cost.

If the Labor Party is unequivocably opposed to the mining and milling of uranium at Roxby Downs then it follows as night follows day that it must be opposed to the nuclear reactor of the Australian Atomic Energy Commission at Lucas Heights.

The Hon. J. R. Cornwall: You are straight out of Barnum and Bailey.

The Hon. L. H. Davis: The honourable member may like to tell us whether that reactor is a good thing.

Members interjecting:

The PRESIDENT: Order! We must get this debate through this stage.

The Hon. L. H. DAVIS: Yellowcake is the initial product that follows from the mining of uranium and is classified by the International Atomic Energy Agency as low-level solid radioactive material. However, cobalt 60 teletherapy sources, which are used in cancer cases, because of the intense radiation must be transferred to hospital teletherapy units in lead-lined containers. They are regarded as dangerous. It is a fact of life that we use radioactive isotopes; over

10 000 people in South Australia are treated each year with radioactive isotopes, yet the Labor Party shows no concern that the application and development of these isotopes has been made possible by a nuclear reactor.

Finally, Mr President, I unequivocably support the Bill. It provides South Australia with a unique opportunity to establish a new township which will be built with less Government support than any other town in South Australia. It provides royalties to the State Government which will enable State taxation and charges to be kept down and services to the people of South Australia to be improved. It provides economic growth. With that growth there are jobs created for people in South Australia at a time when jobs are increasingly hard to come by.

On Sunday night I took my daughter to see the film *The Man from Snowy River*. It is the story of pioneers in the mountain country a hundred years ago. On the same programme was a film called *A Mine for Olympic Dam* all about pioneers in 1982 and opportunities that will be opening up. It showed union men who are happy with their jobs, who see that there is an exciting future, and who regard Western Mining as an excellent employer. I think the decision that we should make is the decision that a gentleman made at the interval after that film when in the foyer I overheard him say, 'We should forget the politics—South Australia needs the mine.'

The Hon. N. K. FOSTER: I propose to rise in this debate tonight with more focus of attention than I have ever asked for. I have taken a stand on this particular matter, and honestly believe that a decision ought to be made. I think at the outset that the totality of the people who are in the framework of the Constitution of this State have a right to participate in such a decision. It is a matter of responsibility of the Government in office to accord them quite clearly and quite emphatically that right. If the matter is one of such moment then the only course that the Opposition has is that it is placed in a false position concerning the Constitution. I regard the word 'false' as being one not of dramatics but of reality. The constitutional position that arises in any Government when you have a system which will return a majority plus one with the balance of power is an extremity of democratic electoral justice.

The Hon. C. J. Sumner: What does all that mean?

The Hon. N. K. FOSTER: It means that I was under considerable pressure yesterday from two Democrats, neither one being Hon. Mr Milne in this place. It came through to me that the greatest loss in a democracy is the influence of power vested in one person—the power of that one person being tantamount to a dictatorship. I was placed in a position subjected to such power for a considerable number of hours, but it seemed a considerable number of years.

That is not the way that I see democracy should operate. It has been written that a situation such as I have described is dangerous in the extreme in politics and in society as we understand it.

There should be deep and serious consideration of this matter. I say, not boastfully but with sincerity, that the representations made to me concerning what I should do have been, to say the least, very considerable, and they have come from those who have not disguised themselves as being political opponents of the Liberal Party, as well as from those who are not opponents of that Party but who have a certain political belief, which is their right, and I do not question that. I have received many messages and telephone calls from people clearly identifying themselves with a political ideology, including many who have said that they are, in fact, Liberal opponents, and I commend them for their honesty. It has reached the stage where this question has to be settled by the people of this State.

I reiterate that this matter involves taking a sensible responsibility, which the Government should take and that it must afford to the people of the State that basic and fundamental right. Prolonging the matter is a travesty of that principle. I did not see the Premier's telecast tonight: it was so short that I was not quick enough on my feet to get from this Chamber to the nearest television set, about 38 steps away. It was important to me, because I wanted to hear what the Premier had to say. There is no doubt in my mind that the project should proceed if the people of the State say that. However, the project should not proceed on the vote of a single person, either someone elected to this Parliament or a member of the community. If the Premier, in the brief statement that I understand he made, considers that he has a right, which I repeat is one that rests with him alone, members on this side of the Chamber have a constitutional right also to make a decision. Fundamentally, it should be the people who determine the issue, and whether or not people who sit on this side or the other side of the Chamber have their say it is of no great moment to me.

I say that bearing in mind the fact that Australia was plunged into two world wars through the announcement of two Prime Ministers of different political persuasions. Those people who think for themselves will know the facts. The masses did not have an opportunity to vote on the issue and the Legislature did not get an opportunity to vote. Menzies announced at about 10 p.m. on a Sunday night that Australia was involved in the Second World War. The people had no say in the matter whatsoever. The same situation applied in 1915, but that decision was made by a Prime Minister from the other side of politics.

The Hon. G. L. Bruce: He had the popular support of the people.

The Hon. N. K. FOSTER: He had emotional support—he did not have popular support. That fact was borne out by the conscription debates and the referendum that occurred a few years later, but I thank the Hon. Mr Bruce for his interjection. One cannot gauge popular support in that way; that is quite impossible. One politician has boldly said that the electorate knows what this issue is all about. I have endeavoured, and I hope achieved, to make people aware of it, but whether or not the issue is clear in most people's minds in relation to the mining and milling of uranium and the totality of the project is another matter.

This debate has become clouded with all sorts of phraseology, innuendo and half truths. However, the company has been given a clear right at the behest of members on this side when we were in Government to explore and undertake this project. The company should not be frustrated after it has spent millions or even billions of dollars. Whether one supports free enterprise or a State undertaking, it is a fact of life that that undertaking has been given. That undertaking should now be honoured by Parliament and it should be comparatively free of any machinations and whim of the Government of the day. I say that with absolute sincerity.

I believe that the Premier should have the courage to prorogue Parliament tomorrow and then let the people decide this matter within the next three weeks. That would then negate any argument about whether or not the Government has been granted a mandate.

The Hon. J. R. Cornwall: It would be a one-issue election.

The Hon. N. K. FOSTER: It would be a matter for the participants to decide whether or not it would be a one-issue election. As I said earlier, this project could have been delayed for some years while the political Parties procrastinated about the issues involved. I do not intend to give passage to the indenture Bill. Earlier this afternoon I said that the select committee had a serious responsibility.

I said quite clearly what it meant, and I thought that I dealt clearly with my disappointment in that respect. I do not want to reiterate my disappointment, although I do not think that the matter should be left to hang around, because it means a considerable amount to those who are involved in the project.

I now refer to the mining and milling of the substance itself. I see it as being less dangerous than are some other mining operations. Certainly, I think so in relation to the milling aspect. If my colleagues expected me to stand in this Chamber tonight and say certain things, I remind them that I told the conference of my Party in November 1981 quite clearly where the matter ought to be resolved and, if they did not correctly interpret my remarks or listen to me properly, that is a matter for them. What I said last Monday was no different from what I said last November, including remarks I made on television, and the A.B.C. film footage can be played and stopped at any point if necessary. The Labor Party's policy in relation to this matter is absolutely clear. I said the other day what I said in November, although it seems that some people did not understand it.

The Hon. C. J. Sumner: I'm surprised that anyone understood it.

The Hon. N. K. FOSTER: Well, they did. If the Leader did not hear it, it is a reflection on his academic training as a solicitor. I thank him for that interjection.

The Hon. J. R. Cornwall: Are you going to support the indenture Bill?

The Hon. N. K. FOSTER: I have already told members about that.

The PRESIDENT: Order! The honourable member will address the Chair.

The Hon. N. K. FOSTER: I said quite clearly that the matter should be resolved by the people, and that is it. After 48 hours of experiencing all this, I am adamant about that. I say so in all political, social and personal honesty. The matter had to come to a head; it should be resolved by the people, and the Government can grab the writs as quickly as it likes, if it so wishes. Indeed, I challenge it to do so. If Government members shake their heads, they merely confirm that they believe that the best possible thing that can happen for them is for the Bill not to be carried.

The Hon. J. A. Carnie: Rubbish!

The Hon. N. K. FOSTER: So be it, and it is the honourable member's right to say that. I respect the Hon. Mr Carnie as a member in this Chamber, and I have always done so, although I think that the characteristics that he displays here are a little different from those of many other members in this place. Nevertheless, the policy enunciated by the Party of which I have been a member for more years than has anyone else in this Chamber is quite clear, and I will stand by it. However, it seems to me that it would have been the indecisive—

The Hon. Frank Blevins: He sucked you all in.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: What are they saying?

The Hon. G. L. Bruce: They said that you have sucked us all in.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: The honourable member says that, but not one member of the Caucus upbraided me for what I said on Monday.

The Hon. C. J. Sumner: You didn't turn up.

The Hon. N. K. FOSTER: I thank the honourable member for that information, which I sought and got.

The Hon. C. J. Sumner: You can stay away, too.

The Hon. N. K. FOSTER: That is all right, Mr Sumner. If it was not for me, you would not be sitting where you are.

The Hon. C. J. Sumner: That's quite true.

The Hon. N. K. FOSTER: I thank the honourable member for his honesty. Further, I want to say that I have belonged to an organisation representing workers in this State longer than any other member of this Chamber. It goes back to the days when there were 44-gallon drums that were burst on the sides with pickaxes, covered only with a hessian bag. I was one of many people who had to handle such containers. Indeed, I handled most of the equipment from the Maralinga test zones.

I am aware of the shipment of these items covered in bulldust and carrying radioactivity as a result of the Maralinga bomb blasts. At no time did the then Government take the people of this State into its confidence and say that an atomic explosion had been made within a 1 000-mile radius as the crow flies. No reference was made to the radioactive cloud that travelled through the populated areas of this State. The people were not accorded that right but were told that, if they got up at 4 a.m. and looked to the north-west, they could see a blast if the weather conditions were suitable.

The hypocrisy of politics is well known in all political persuasions. I would now like to deal with the situation in regard to the Party to which I belong. Whilst the forums of the Party have been absolutely united in respect to this matter, one must come down on the side that the affiliates have not been. We have not stood as one in respect of the attitude to the exploitation of this mineral, although we have always stood as one when we were required to record a vote in the properly constituted forums of the Party at conventions and councils. Honourable members must agree that that is correct.

The Hon. G. L. Bruce: It is the majority vote at the end.

The Hon. N. K. FOSTER: True, but there has been the inequality of support for and loyalty to us. Affiliates in the Northern Territory and Queensland have mined uranium for more than 20 years. I now refer to this side of the war years in regard to Rum Jungle and Radium Hill, although they have existed over a longer period. Whilst the Hon. Chris Sumner says that perhaps I ought to be disciplined and removed from the Party for ever—

The Hon. B. A. Chatterton: He did not say that.

The Hon. N. K. FOSTER: He has not said it in those blunt terms; he would be reluctant to move for the expulsion of the various areas of the trade union movement from the affiliation of this Party, but that is what it means in real and proper truthful terms. I do not blame the trade union area for what is has done. I do not blame it for one moment, because the burden on the movement in respect to the Vietnam struggle, in which I was involved possibly more than anyone else here—

The PRESIDENT: The spotlight is on you, and I want to be as tolerant as possible, but we have the Bill before us.

The Hon. N. K. FOSTER: The Bill provides for the mining and exploitation of the mineral. I recognise that. I mention it briefly so that I do not embarrass you, Mr President. I think that, within the periphery of the whole context of what we are discussing, a number of issues ought to be raised in a manner which is pertinent to this debate. We have heard debates here tonight in respect of the economics of the industry. Trade unions in Brisbane have fought this matter in the last nine months and have suffered to the extent of $600 000 in costs under the Trade Practices Act for holding it up. In Darwin it was a figure of $250 000. Unions met yesterday in Darwin in respect of the matter, not in regard to yellowcake but in regard to the constitutional right to ship it.

To that extent I think everybody in this Chamber who has kept abreast of developments in this industry in the last few years knows that the trade union movement is divided and is being placed in a most invidious position in this

respect. The confrontation with unions that do the work has been guided by geographical boundaries more than anything else. The A.C.T.U. policy is one thing; the enforcement of it is another. I do not think the power is in this Party to direct the trade union movement in any direction. I know of no case where that has existed.

I deal now with the hazards of the industry beyond the stages of mining and milling at Roxby Downs. I would pay a compliment to those in the venture who have paid a great price and have carried out a great deal of study in gaining a tremendous amount of advice in respect of the matter of the chamber method of mining. They have obviously embarked upon it and it has been made safe for those workers in the area. I would not say that, otherwise. I visited the place a few weeks ago and cross-questioned a number of officers in respect of that in a conference room before we went to the mine site itself. I was also there in 1980. The depths to which I descended and what I saw were impressive, not from the viewpoint of its enormity but because of the air change system, which was considerable and effective.

Another shaft to allow air passage was being drilled the day I was there. It was pushed through the following day to take a drilling machine, at tremendous cost. The hole was necessary to carry out air filtration and change in the mine. I questioned the company in regard to collectors of radon gas, only to be told quite clearly and, I believe, honestly that, if I was an advocate of collectors I would be merely providing a collecting system to give off uranium 222, whereas if there were no collector systems and it was exhausted within 15 minutes to the atmosphere, its life would be indeed short. People may argue with me that it would not dissipate as quickly as I was told.

I am in no position to quarrel with or refute that. The safety of workers is absolutely paramount, and I mean that in the absolute sense. I have been known in my industrial days, as early as 1954, to attempt to ban asbestos. I had been called a bloody fool (and I hope honourable members will excuse that expression), and today all sorts of people are on the band waggon. I have been known to try to ban phosphates, as you, Mr President, would know, in respect of wheat fumigation. I have tried to prevent members of the Waterside Workers Federation who were unfit to carry out their work and some of whom were carted to a grave in Geelong, from doing that work. I am concerned about that sort of danger.

I have had the unfortunate experience in my industrial days of knocking on the doors of five women and telling them that they were widows. It is not an easy experience, or one that anyone could take lightly. It is an experience that I hope people in this place and those who hear what I say will never have to undergo. I am very cognisant of the fact that workers would not be exposed to the extent that I saw them exposed at Mary Kathleen. It is one thing to provide a set of safety standards, but it is another thing to insist on them. The old saying of familiarity breeds contempt is not so true: familiarity breeds indifference, and indifference is very dangerous indeed.

So it was to that end that I visited Roxby Downs, and it is to that end that I hope that the company will grant my request to go there again, whether I am within this building or outside it. Last night in this Council the Hon. Mr Milne dealt with the great ideological goal: he said that we cannot, as we approach the year 2000, go back to the dark ages. People want to drive motor cars, they want air-conditioning, and manufacturers want automated factories. Incidentally, anyone who buys a Japanese, a French or a European car is condoning the use of nuclear power and nuclear energy, because in West Germany and France, in par'-ular, that is exactly what happens. If people were fair dinkum, they would ban those vehicles.

If we in this country did not have coal and if we had no access to oil, we would join the Third World countries that are in the same position and say to another country, 'It is all right for you. You can turn on the lights, switch on an air-conditioner, or use a washing machine or all sorts of appliances, but we cannot.' That poses many problems. Might I suggest that, while some of us believe that we have the God-given right as a Westerner in society generally in the economic and productive sense to deny others, it is a matter for our own conscience. It is all right for Westerners in society to say that we should not give others technology that will destroy us and possibly them.

But what we have to remember and to recognise is the trafficking from Western society that gives the undeveloped world the means to do just that. India can undertake experiments and it has the capability to deliver an atomic bomb. Japan is an example, and the Philippines, South Africa and Israel are other examples.

I suppose that we can cast our minds back, although most people within the hearing of this building are probably in an age group which does not remember the events following the Second World War.

We ponder the high ideals in relation to Roxby Downs, yet in this State little or nothing is said in respect of Honeymoon, which is a large and vast deposit.

The Hon. J. R. Cornwall: It pales into insignificance as compared to Roxby Downs.

The Hon. N. K. FOSTER: I do not know about that.

The Hon. J. R. Cornwall: Look at the figures.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: Thank you, Dr Cornwall. I doubt that, but the Hon. Dr Cornwall, as my colleague on the select committee, flatly refused to second a motion on a number of occasions that we visit that place to ascertain the number of bore holes and the extent of the field that extended from Honeymoon, to Beverley, which is a considerable distance, and can be measured in square miles.

The Hon. J. R. Cornwall: There was a tin shed a gas cylinder and six bottles of beer. There was nothing to see.

The PRESIDENT: Order! The Hon. Dr Cornwall will cease to interject.

The Hon. N. K. FOSTER: It was true that it was reported to the committee by the secretary of the consortia that there was nothing there other than that, but my information was that it had been tested and bored for a considerable distance. As a committee we ought to have had the guts and the courage to resolve by our own observations whether or not there was a tin shed and a gas cylinder there, or whether there was an air strip capable of allowing aircraft to land. We did not do that, but it was not good enough to accept that there was only a tin shed and a gas cylinder there. In fact, five months later a delegation of people indicated that, after having gone there, they had found otherwise and proved to me, if not to the Hon. Dr Cornwall, that in fact there has been activity there for a considerable time.

The Hon. J. R. Cornwall: That was seven months later.

The Hon. N. K. FOSTER: Be it seven years later, that is a short time in the life of a generation. What I am putting is that we failed in our responsibility to adequately and properly assess what was happening in our own State in respect of this matter. The point I want to make here is that it would appear that there is no way, because of the method of mining involved at the Beverley site, for this Parliament—

The Hon. J. R. Cornwall: There is nothing at Beverley; Honeymoon is the only place where anything has happened.

The Hon. N. K. FOSTER: If the honourable member wants to start to yell and scream he may expect me to retaliate.

The Hon. J. R. Cornwall: Retaliate as much as you like.

The PRESIDENT: Order! I ask the Hon. Dr Cornwall to desist.

The Hon. N. K. FOSTER: I would suggest, Mr President, that he be left alone. He does not know what he does or what he talks of. I have refrained from talking to my honourable colleague in the manner that he might expect, but I am saying to this Council quite clearly that the expectations of that field are extremely wide.

The Hon. R. C. DeGaris: It is a big field.

The Hon. N. K. FOSTER: It is a tremendous field.

The Hon. J. R. Cornwall: There is nothing in it at the moment, on the surface.

The Hon. N. K. FOSTER: There is nothing at Roxby Downs on the surface. One has to go down a couple of thousand metres.

The fact is that there are extracts of uranium ore of the leaching method at the site to which I have been referring.

The Hon. J. R. Cornwall interjecting:

The Hon. N. K. FOSTER: I can understand your agitation because you refused to second my motion.

The Hon. J. R. Cornwall: There was nothing there at the time.

The Hon. N. K. FOSTER: You were not prepared to take the ride there to find out.

The Hon. J. R. Cornwall: Good God!

The Hon. N. K. FOSTER: Maybe he is; you are not. I do not want to see this enter into a confrontation between Cornwall and Foster; there would be no good in that. I will give you your chance to yell and do what you like, and I will not respond to such cynicism. I am saying in this debate that we ought to have gone there; I said so this afternoon. We did not evaluate that area, so we are not in a position to say which way it should go. However, the people of Broken Hill tell me that the prospects are considerable and they live within 80 km of it. They are not foolish people. They are people for whom mining is their life; their life is underground. They have gone out there and have looked at it. Who am I then, having not been there, to say they are a bunch of idiots or liars, and that they are not telling me the truth. Television cameras have photographed it, and my observers have told me that at least those films are partly accurate, having in mind that the television camera appears to show the area to be quite large when it is not—

The PRESIDENT: There is no mention of Honeymoon or Beverley in the Bill.

The Hon. N. K. FOSTER: Unfortunately, Mr President, there is not, but it does involve uranium. I want to come now to the attitude of the present Government. It would appear to me that the Government has made excessive politics out of this matter. I have listened to the contributions in this debate in this Chamber since yesterday. I want to commend the attitude of the Hon. Mr DeGaris in relation to the amendments that have been suggested by Dr Cornwall, who I think has drawn up a reasonable set of amendments. I think they are worthy of the consideration of this Council and I would expect the Attorney-General to consider them and, if necessary, take them to managerial level at a conference and report them back to the Council. The Attorney-General should not consider any time factor and rush this matter through this Chamber.

The workers compensation provision seems, on the surface, to be quite good because it mentions a sum of $500 000. Of course, it does not say much more than that. This is a risk industry in which an individual can contribute to his own health risk. I suggest to my colleagues in respect of this matter that a *bona fide* registered employee who contracts a disease within the industry should be given protection, as the Hon. Mr DeGaris suggested in this Chamber yesterday. An undertaking should be given in respect of workers compensation in respect of the limitation of actions.

I take that one step further. I have in mind a Western Australian court case in which, during the past two years, a widow of an employee at an asbestos mine at Wittenoom was forced eventually to appear before a court of appeal at considerable cost. Unfortunately, the widow passed away the day before the case reached that court and the matter was determined.

It is all right to say that the widow has to receive $500 000. If people are forced to go through the courts of the land they have to run the gauntlet and take the risk. There is a very costly risk in a court of challenge. A widow may well finish up with a judgment but she may have to pay $200 000 in excess of a $500 000 judgment. That is not unknown. The Hon. Mr Burdett, being a learned gentleman and being conversant and qualified in the law, would not deny that.

I suggest that any registered *bona fide* employee within the industry who contracts a disease such as lung cancer or a related disease, which is some 40 years in manifesting itself, should have negligence found on the part of the employer. I know of few cases where that has happened under industrial awards. From memory, clause 13 of the waterside workers award, for which I fought in court, along with others, for a number of years, was enacted when there was a situation of a falling beam. Awards should be aimed at specific actions within the area of the work force and should be so specified in award conditions.

The Hon. D. H. Laidlaw: Haven't you gone on long enough?

The Hon. N. K. FOSTER: A worker who dies in industry has little time on this earth. It makes little difference to us whether we stand in this Chamber for two hours or whether we are here in 12 hours, at 9.40 tomorrow morning. Some companies have not accepted proper responsibility over the years. I recall an incident where a company would not bolt a beam on the top deck of one of its ships and the beam was dislodged, resulting in a fatal accident.

I was able to have an award provision included to cover injuries caused by the dislodgment of a beam. Employers then made sure that they either lashed, bolted or manoeuvred the beams properly. A similar provision should apply in this industry. The company should also be required to change the air in the mines after a certain period of time, to minimise the danger to workers. That should be done in a way that causes minimal disturbance of dust.

The Hon. R. C. DeGaris: It should not be part of the indenture Bill.

The Hon. N. K. FOSTER: I agree, but where else does one allow for it? I take the Hon. Mr DeGaris's point. Honourable members might recall that I tried to split clause 36 of the Radiation Protection and Control Bill into radiation in relation to mining and radiation in the medical field. However, no-one agreed with my proposal. I still believe that that should have been done.

I have already dealt in part with the mining and milling of uranium. With proper, recognised safeguards and with the co-operation, understanding and education of the work force I believe that the dangers can largely be overcome. However, it is much more difficult in relation to the rest of the industry. If nuclear power plants were being built only in the United Kingdom and the United States, which have come to grips with the problems associated with this industry, we would be in a better position to assess the dangers involved. Fast breeder reactors have been in operation in Scotland for 25 years. At the moment they are being dismantled. That is one of the most intense projects in the United Kingdom at the moment. If fast breeder

reactors exist in sufficient numbers in the future, uranium will not have to be mined.

It is a fact of life that, if a country wants to maintain its present life style but does not have an abundance of coal or oil, its only hope is to derive power from another source. France, Sweden, Japan and Great Britain are four countries in this position. Australia has an abundance of uranium which can be mined in considerable quantities.

It is up to the Federal Government to issue an export licence for uranium. It will also be the Federal Government which decides whether to accept waste material back into Australia, which is the situation in England and Japan. The Hon. Mr Milne referred to high-level waste and vitrification after about 25 years. He said that high-level waste could be stored in water for 25 years and that other waste could be stored in water for 50 years. Half the nuclear scientists in this world work for defence establishments to make bigger and better warheads, bombs, and insidious weapons of destruction.

The Hon. R. C. DeGaris: Don't they use the hydrogen bomb?

The Hon. N. K. FOSTER: They can use any sort of bomb, including nuclear weapons.

The Hon. R. C. DeGaris: The hydrogen bomb is more efficient.

The Hon. N. K. FOSTER: In terms of what? In terms of destruction, it is more efficient, although I was not thinking along those lines. Surely the scientific world has a responsibility to channel at least 75 per cent of those personnel into an intensive study in order to reduce the danger of high-level waste, so that it can be used with some commercial success. Some people have told me that that is a possibility in the next 10 years. However, it is merely an assumption on their part as a result of present-day studies.

That poses a great problem, and I do not know how we can overcome the difficulty of whether or not it is accepted in the world. Most of the Administrations in Germany, Holland and America today seem to aim at the disarmament programme and the non-proliferation of weapons. To that end, I think that every support should be given to it, and that we should hope that this happens. Whether or not those moves are successful remains to be seen.

I now refer to something which is not contained in the Bill but on which I hope that you, Sir, will allow me some latitude, namely, technology relating to chemicals that will destroy us, be they within or outside the nuclear industry. I wonder how many members know of the book entitled 'Still Waters, A Chilling Reality of Acid Rain', which is referred to in the report of the Subcommittee on Acid Rain of the Standing Committee on Fisheries and Forestry of the Canadian House of Commons, which committee comprises eight members and a Chairman. I refer to table 3 on page 25 of that report, which relates to sulphur dioxide, the emission of which from 10 plants in Canada reaches the alarmingly destructive quantity of 2 737 000 tonnes.

The PRESIDENT: Order! The honourable member is developing quite a good argument, but he really should address the Chamber and not the gallery.

The Hon. N. K. FOSTER: I turn in that direction, Sir, to relieve a physical ailment from which you know I suffer.

The Hon. J. R. Cornwall: A mental one, too.

The Hon. N. K. FOSTER: You are an insulting bastard, John, if you want to be, so if you want to clear out—

The PRESIDENT: Order!

The Hon. N. K. FOSTER: The honourable member can leave the Chamber if he does not want to listen to me. The emission from the 10 Canadian plants to which I have referred amounts to 2 737 000 tonnes a year; that quantity is dumped on Canada. However, that pales into insignificance in relation to some of the waste that we may have. In any event, I refer honourable members to the table in the report to which I have referred.

There are numerous recommendations in this report that are of great interest. It deals with problems in America where forests are dying, where streams become useless, where fish cease to live because they can no longer breathe, and reference is made to efforts to rehabilitate the waters. Valuable photographic documentation is included in the report in respect to pollution and unchecked emissions. Reference is made to the burning of coal to overcome the shortage of oil over the past three years.

The recorded death rate runs high in the adult population in provinces where such establishments exist. One figure is a staggering 13.2 per cent of the adult population, while water resources are in great danger. The advance of technology to permit such emission sounds good from a productive point of view, but there is more than one side to the argument. I now refer to the Hon. Mr Laidlaw.

The Hon. D. H. Laidlaw: What have I done wrong?

The Hon. N. K. FOSTER: You might be like me—you are in here. I referr to no attempts being made to check emissions or provide collection devices at the Adelaide Cement Company's Birkenhead works in the past. I remember the position when a few years ago new guttering was filled with cement ash within three months, but that no longer happens.

I understand that the chemical company in which the honourable member has some interest no longer wastes 200 tonnes per month of sulphuric smoke, but now collects and sells it. The Hon. Mr Laidlaw nods in agreement. South Australia cannot afford further power stations to be built on Torrens Island. I doubt whether the head waters of the gulf can afford another power station at Port Augusta to burn Leigh Creek coal. I suggest that the next power station be built in the Mannum area in order to utilise the coal from adjacent deposits. We should not have a concentration of power stations as has been the case in New South Wales and elsewhere. How we will overcome all the associated problems I do not know.

In regard to this Bill, each honourable member has a responsibility as to whether he accepts it. We each have a responsibility to voice an opinion. It can be considered that uranium is a comparitively noxious pollutant used to generate electricity. What remains is the next question of containment of wastes. I have viewed films on the synrock process and the glassification method. I do not know whether scientists will find an area where they can state categorically that wastes can be disposed of safely for 500 000 years or 80 000 years, or whatever is the half life of such substances. However, I do think that this Government has a direct and absolute responsibility to set up within this Parliament a system which would have as its purpose the matter of consultation, taking evidence and canvassing views. It should be made known in this Chamber with the press being allowed to report its deliberations and to expound upon those matters that are made known in this Council. It seems that we have a system and a constitutional right to request that the servants of this Parliament draw the bars across the Chamber and ensconse somebody behind them and in fact throw them in prison if we need to, including even the Chief Justice of this State for the term of the Parliament. We need to have before the Houses of this Parliament people who could adequately and properly examine views and technical viewpoints, particularly in a matter such as this.

The Hon. J. C. Burdett: That is what select committees are for.

The Hon. N. K. FOSTER: I dealt with that today. However, when we start select committees for fun we are denied the right to go to such places as Saskatchewan—

The Hon. R. C. DeGaris: You are talking about a permanent standing committee.

The Hon. N. K. FOSTER: There should be a permanent standing committee in this place, and it should not be starved of funds. The money required to run this Chamber is less than 1 per cent of the State Budget: I believe it amounts to about .2 per cent of the revenue of this State per annum. If it were double that, it would provide sufficient finance to enable members to look at problems in this particular industry. We ought to have observers from every political persuasion going to Scotland to look at the dismantling of a reactor. It will come under intense scrutiny world wide. However, that is not going to happen.

If I cross the floor of this Chamber tonight to give the right to this Government for the indenture to continue, it is the responsibility of this Government, within three weeks, to go to the people of this State and give them the chance to say 'Yes' or 'No'. If the Government wants to take longer than that and go through the existing circumstances that confront it in respect of the Constitution of the State, it should do just that.

The Hon. K. L. Milne: Or a referendum.

The Hon. N. K. FOSTER: That would be a referendum. However, a referendum tends to be prostituted. The Canberra octopus is the plaything of the banks of the Commonwealth. The people were told that, there could be no wage structure, as it was too big a risk to run. We see all the eggs being put in one basket—the basket of those who have a vested interest in mining. We as elected members of the Parliament should take upon ourselves the responsibility of allowing the people to do as they did in 1967 in the referendum on the Aboriginal rights question.

In a referendum, the Constitution provides that, before a vote, the questions for and against should be put. That can be very loaded, and the Government of the day will determine the way in which it is done. It is not done by a body that is necessarily committed to examining the question, but rather it is put to a body that tends to come down on the side of its own thinking. Parliament has not come very far in the 130 or 140 years since this State gained a right from the House of Commons to so operate.

That is an indictment on Parliament: it is not an indictment on the people. It is not that long ago that a minister of religion or a person under the age of 30 years could not be elected to our State Parliament. It is not that long since people who worked for a living in this State did not have a right to cast a vote for the people who may or may not enter this Chamber. This is an indictment not on those who were disfranchised but on those who sat here for many years and said, 'To hell with those people and to hell with their right to say who sits in this place.' I do not know what one could possibly hope to achieve by denying people the right to come before this Chamber and express their view. Whether or not we think that those people are crackpots who are pushing a particular barrow or expressing a point of view is absolutely beside the point.

Every day people outside this place become more cynical. They could not give a damn about politicians, and they regard us as bludgers and as being less than honest in our deliberations on their behalf. Very few people do not suffer from some form of inhibition in regard to coming before this place and putting a point of view. Let us examine the manner in which people can do that. An advertisement was inserted in the newspaper the other day by the Retail Traders Association and others (and it was a scurrilous statement), inviting people to sign a particular form and return it to their local member. Of the tens of thousands of forms which were printed in the daily press and which could have been returned, fewer than 2 000 were returned. People thought 'What the hell', and did not return them.

I received the first form today. It was directed to me, as a member of this place since 1975. I understand that 2 000 forms were returned not directly to any specific member of Parliament and not identifying any member of Parliament, but merely returned to this address. That seems to me to be a dereliction of duty and responsibility on the part of the Parliament. There is no committee system here that advertises in the daily press that anyone who has a particular concern in regard to a matter that is before this Council can come here and express an opinion. Professional lobbyists can do that, as can anyone who has the time, the inclination, the money, and self-interest, but other people cannot. That is a tragedy. We cannot overcome that. The Government of the day does not consist of elected members of the Liberal Party or the Labor Party: it consists of a cabinet that is elected by the Party in office, as far as the Labor Party is concerned. The Cabinet is chosen by one man in the Liberal Party.

The PRESIDENT: Order! The honourable member is going a long way from the indenture Bill.

The Hon. N. K. FOSTER: I thank you, Mr President, but I am putting to this Council, Sir, that inherent in the matter before you and me is a decision involving 13 men, one plus 12, one less than the number established at Runnymeade as that which could condemn a person to death, let alone having the right to express an opinion.

I remind members of that. Why is the number 13? It has been decided that for the State there will be 47 members of the people's House, the House of Assembly, and a majority of that is half plus one. When you have a majority decision in Caucus or a Party room decision there is a vote of 13 people, plus the Speaker, the President, the whip and the Chairman of Committees, so, in fact, a majority for the Executive Government is there. It is true that it has operated as far as the Liberal Party is concerned and it has operated as far as the Labor Party is concerned. There should not be any more than 10 Ministers in this State, but I will not argue further the merits of that.

The PRESIDENT: Order! I must bring the honourable member back to the Bill, as he is a long way off it.

The Hon. N. K. FOSTER: With respect to the people who contacted me saying that an excursion into any further production of yellowcake is one that we should resile and refrain from because of its adding to the nuclear holocaust that they consider must eventually come, I want to quote from *Hansard*, which not many people read, apart from the occasional times that they read anything other than the contributions that I make. In addressing herself to a particular measure in respect of defence matters and associated matters, Senator Ruth Coleman (and I quote from the Senate *Hansard* of 27 May 1982, pages 2556 and 2557) said:

> They are totally unnecessary arms because we already have quite enough military equipment. We already have the capacity to destroy the world many times over and will only increase that capacity, although why anybody would want to be able to kill anybody more than once is beyond my comprehension.

So, too, it should be beyond us. Her comments continue:

> We have a number of ever-growing stockpiles of nuclear weapons capable of that destruction. It is a fact, for instance, that there are now over 3 tonnes of explosive power for every man, woman and child on earth. Those stockpiles are increasing daily, both in number and sophistication. As the numbers grow and technology develops so, too, does the risk of war, either through mistake, miscalculation or even malfunction of control systems, not to mention the human factors such as the ambition, stubbornness, political intransigence or perhaps even mania of various people. I think it is sobering to reflect on Dr James Miller's speech in 1981 when he was secretary to the International Physicians for the Prevention of Nuclear War. He said that in 1977, an average year, 1 000 military people were removed from access to nuclear weapons because of drug usage.

There is also drug addiction, and the dreadful consequences of that should be considered. The comments continue:

Perhaps the most dangerous aspect of all is the growing psychological climate—a world-wide psychological climate, I might add—that suggests that a genuine nuclear war is inevitable in the future but that we can hope that whilst it will be unpleasant it will be, for some, a survivable experience. The best information available is that it will not be a survivable experience. It is simply recognised that some people will take longer to die than others. It is sometimes a little difficult, particularly in this place, not to become disheartened and to give up in the face of what we are increasingly being told that we have to acknowledge is inevitable. It is very easy to become cynical about such organisations as the United Nations. I would be the first to admit that there have been a number of occasions when I have felt disillusioned and discouraged about that organisation but it is all we have. It is the only avenue for a consensus of opinion which could lead—I stress, could lead—to world disarmament and to world peace. It is the only avenue we have whereby people can sit down and talk.

We should send to that conference people who are prepared to assert themselves and exert a view to that particular body. It becomes incumbent on me to mention those 50 per cent of scientists working for defence establishments who try, by legislative endeavour and by the United Nations endeavour, to turn their mind towards a peaceful solution to the problem of people who want more power measured in terms of electricity so that they may be able to switch a light on at night time, let alone engage in industrial activity. In conclusion, Mr President, I want to say this—

The Hon. C. J. Sumner: Hear, Hear!

The Hon. N. K. FOSTER: You get up and do better. I have seen people slaughtered and I have become pacifist in that regard. I have seen people slaughtered to no avail; I have seen kids killed. I have seen mothers killed and kids clinging to them. That was in Portsmouth and London in 1940. It is great to sit in this Chamber and say 'Hear, hear!' because I may be going to resume my seat, but you took yourself off to Italy recently, Mr Leader of this House—

The Hon. C. M. Hill: No, Leader of the Opposition.

The Hon. N. K. FOSTER: You took yourself off, Mr Leader of the Opposition, in the hope that you would have returned to this country with some compassion for those who suffered in the natural disaster, the earthquake. I remind you of that and make no apology for doing it.

I was telephoned this afternoon by a person who was agitated about what I should do tonight. He claimed, rightly or wrongly, that while living at Leigh Creek a few years ago, he lost two daughters and a wife who suffered cancer from a fall-out in the Maralinga area. We would be less than human not to listen to such plaintive and genuine representations such as that.

The Hon. J. R. Cornwall: What did you tell him?

The Hon. N. K. FOSTER: You are an educated person. I was kicked out of school at 13 with low marks, but unfortunately the marks were across my posterior and not emblazened upon my intellect.

The Hon. J. R. Cornwall: What did you tell him?

The PRESIDENT: Order!

The Hon. N. K. FOSTER: You ought to imagine what I told him.

The Hon. J. R. Cornwall: I don't have to, because he told me all that you told him.

The Hon. N. K. FOSTER: Maybe you did, because he got agitated and became frightful in his language. Had he left his number, I most certainly would have telephoned him back. If I were not to do so I would not have mentioned the matter here tonight. So, the Honourable Dr Cornwall can accept little comfort from that. If you think you may deride me in that cheap type of innuendo, well—

The Hon. J. R. Cornwall: It's not innuendo.

The Hon. N. K. FOSTER: It is innuendo or fact, as you may see that. Had I not mentioned it, you would not have had the guts to do so. I say that to you advisedly.

The Hon. J. R. Cornwall: I have never been lacking in courage, mate.

The Hon. N. K. FOSTER: I doubt that because with courage goes sensible restraint, and you have not been able to exercise that. I put that to you quite clearly. I say it to the Council, not to you as an individual member, but I say it for those who may represent a far wider audience tonight in respect of this matter. It is a matter of relations so far as you and I are concerned, but it is not a matter of cheap political gibe by my colleague in this place tonight, as I gave him the opportunity to do just that.

If he wants to cheapen himself in that endeavour, then it will be on his own head. I witnessed all these things as a teenager of 18 to 20 years. There ought to be a better way. Each member will agree, when we have left this Chamber and are having a drink in the bar, that that is true. What then is the difference between radioactive fallout and what was used in the recent war in Vietnam?

How many honourable members opposite tramped the streets to prevent that? How many politicians eligible to make decisions to condemn those people to death in that country went there themselves? I do not say that in criticism, but in the context that it should not have happened.

If one considers that there ought to be a right to the company, which seems to be a company of some honour and integrity, then the matter ought to be settled in the interests of the company at Roxby Downs. The 20-odd members in this Chamber ought not to impose their will upon the people of this State, but should give them the opportunity to voice an opinion. If the people are foolish enough to follow a particular line that suggests that they ought to do it, so be it. It is not good enough for any member on either side of politics to condemn other members for what has occurred or for having a different view, taken on the basis of an end result, which could well be one of disaster.

It is not good enough for me to stand here and say that some of my colleagues do not see it as I see it. It is not good enough for me to stand here and say that that in itself represents a burden to the solution of this problem. It is not good enough for me to stand here and say that some people who are affiliated to the Party that I have long represented in the form of a trade union have been put under such vast pressure that they can no longer express what they consider to be the rights of protection to other people in the world when they, in fact, say that they will ban the export of a particular ore from this country.

It is not good enough for me to stand here and condemn mining companies or trade unions, in fact, who embark upon a project such as Roxby Downs, work it and still belong to a trade union, and for me to say to those trade union leaders, 'I have heard that you consider yourselves to be above the policy of the Party.' That is not resolving the situation at all.

The resolution goes far deeper than that. People have already said that if we give an industrial company the go-ahead, then we ought to take the waste back and dispose of it. That sounds very good from a moral standpoint. It may well be that we do not have sufficient geographical areas in which we can contain the waste indefinitely. It could well be that a country which cannot produce uranium may discover, by scientific process, examination, scrutiny and testing, how to do that. The world, of course, would have to pay for that.

It is not good enough for me to stand here and say that we should insist upon the disposal of this waste when there are such vast amounts of waste from other industries which do not come under the same scrutiny (I emphasise that) that we insist rightly that Western Mining and B.P. must come under if they want to carry out business in this State.

We have no such undertaking in this country at Lucas Heights and we have received no such undertaking in relation

to defence establishments. We all know, and the Hon. Mr Laidlaw knows better than I, that Australia was prepared to experiment with germ warfare over the last 25 or 30 years. Germ warfare is more horrific than the bomb.

The Hon. D. H. Laidlaw: And a lot cheaper.

The Hon. N. K. FOSTER: The Hon. Mr Laidlaw, the industrialist, comes to the fore. The Hon. Mr Laidlaw points out that it is much cheaper—but it is more insidious. Napalm cannot be removed from the body and causes tremendous pain. A person suffering from the effects of napalm will not overcome the problem by diving into a lagoon or a pool of water. It is a shocking device, but it is not atomic. I have been addressing my remarks to that tonight. Man should stand higher than lemmings. Man is more destructive than lemmings even though they have more justification, and I am sure nature decrees that they have. Yesterday afternoon I was besieged in the corridors of this building by two members of the Australian Democrats, which is an offshoot of the Liberal Party.

Members interjecting:

The Hon. N. K. FOSTER: I knew that comment would cause some derision, and I think it is time we had a little jocularity in this debate.

The Hon. C. M. Hill: It's time we wound it up.

The Hon. N. K. FOSTER: The Hon. Mr Hill could wind it up very quickly if he had the intestinal fortitude to do so.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: The Hon. Mr Hill could recall the House of Assembly and require the Premier to issue writs within the next 10 minutes. If members opposite think that the luxury of office for the next few months is more important than this issue and that that is fair to the companies involved, let it be on their heads. However, I believe that members opposite should be democratic enough to let the people decide and I believe the Premier said that tonight. It is as wrong for me to have the so-called balance of power in this situation as it is for the Hon. Mr Milne to have the balance of power. That is just not good enough and it is not democratic. A crackpot could stand alone as an independent candidate—

The Hon. J. R. Cornwall: Or even as a Party member.

The Hon. N. K. FOSTER: If you want to see me outside later, John, I will pull you into gear. The Hon. Dr Cornwall sought my advice within this Chamber and outside this Chamber until his head became greater than his stomach. The probability that he will be a Minister in a future Government has clouded his direction.

The PRESIDENT: Order! The Hon. Mr Foster will come back to the debate.

The Hon. N. K. FOSTER: Mr President, I make no apology for saying that. I spoke to the Hon. Dr Cornwall before I spoke tonight. He cannot shut up; he cannot help himself.

The Hon. C. M. Hill interjecting:

The PRESIDENT: Order!

The Hon. N. K. FOSTER: The Hon. Mr Hill has been up to all sorts of political pranks since he became a member of this Council. The Hon. Mr Hill purchased 2 000 mails one weekend in an endeavour to enhance his position as a businessman in this city by flogging more land in the marketplace.

The Hon. D. H. Laidlaw: What's that got to do with the debate?

The PRESIDENT: Order!

The Hon. N. K. FOSTER: The Hon. Mr Hill interjected and I thought that I should answer him. It is a fact of life that we can criticise the amount of money that the State or the Government will put into the Roxby Downs project. I make that abundantly clear to the Government. We suffer from a great disease in this country and I do not think that the Government, that I, or members on this side, will overcome it on a Federal or State basis. There have been many attempts to do so and there have been many eloquent speeches inside and outside Parliament stating that it will be taken care of.

The Honourable Mr Milne and others suggested last night that we will not get a sufficient and proper return from this project. However, that suggestion pales into insignificance, because when I asked the people who put it to me yesterday whence they came, they said, 'Kangaroo Island'. I am referring, of course, to the Australian Democrats' No. 1 candidate for the next election, Mr Gilfillan.

Members interjecting:

The PRESIDENT: Order!

The Hon. N. K. FOSTER: I put to those people that, although they were criticising what was likely to happen to the company concerned with Roxby Downs, they, as some of the 4 000 residents on Kangaroo Island, were sustained there because the State Government subsidised their existence on the island. If the State did not subsidise industry in South Australia, we would not be able to build motor cars. I remember, as President of the Trades and Labor Council in 1965, chairing meetings when 30 000 persons were engaged in the motor vehicles industry and there was an ancillary force of an equal number.

The PRESIDENT: Order! I remind the honourable member that there is nothing in this Bill relating to subsidies.

The Hon. N. K. FOSTER: There is, Mr President, because it refers to royalties. Last night, you allowed the Hon. Mr Milne to read from a prepared statement for about 20 minutes, so I will continue. I refer to this State's dairying industry. We could kill every cow in South Australia, import all our dairy requirements from New Zealand and be better off financially. We could pull out every fruit tree and vine from Loxton to Renmark and beyond and be better off economically. However, we would have a great problem with the 15 000 or 20 000 people in the Riverland, the 10 000 or 12 000 people involved in the dairy industry, the 4 000 people on Kangaroo Island, and the 8 000, 10 000 or 13 000 persons involved in the automobile industry. This is just not on, so it cannot be put forward as a valid criticism.

There is certainly no hesitation on the part of the joint venturers at Roxby Downs to recognise that the industry in which they are involved is a risk industry. People, least of all those people, do not deny that. Those honourable members who consistently say that there will be a fall-off in market prices for rare earth, gold and uranium, and that we ought to be the saviours of Western Mining and B.P., are being quite false. If those involved are willing to go there and are prepared to sweat it out, and perhaps suffer a loss, that is on their own heads. I regret that the Hon. Dr Cornwall has slipped out of earshot.

The Hon. R. C. DeGaris: Mr Milne has gone again, too.

The Hon. N. K. FOSTER: The Hon. Mr Milne has been a good get-away man. He was quite a good member of the R.A.A.F. during the war. Over the past 24 to 48 hours—indeed over the past six months—I have given this matter much thought. It would be false for me to walk the five steps—the three sword lengths or whatever is the tradition.

The Hon. K. T. Griffin: You might get one in the back!

The Hon. N. K. FOSTER: Many have tried that. Indeed, I understand that the Attorney-General had some trauma within his Party. It was suggested that a principle held by him should bend to his resignation. That is a matter for his conscience.

The Hon. J. C. Burdett: That's news to me.

The Hon. N. K. FOSTER: Anything would be news to you, John. If I were to do that tonight, I would merely

provide a temporary respite for the joint venturers, because, as all members know, this is a matter to be dealt with under the powers of the Government, and within six months the people of this State will have to go to an election. That is an inescapable fact. If I were to take that action, I would merely be giving the joint venturers a respite for a limited time.

I refer to the provisions of the Bill and indicate that, irrespective of the viewpoint that may be held by other honourable members, I believe that Parliament has a sovereign right in this matter. It has a right to talk to the company and those involved in the industry, including trade unions, if there should be a change of Government. I see no burden in that.

I will apply myself to the various amendments as they come up, and I will take myself the right, which I believe I have (if I offend some honourable members, then that is just too bad) to consider that situation. I conclude, probably with a sigh of relief from the Hon. Dr Cornwall—

The Hon. R. C. DeGaris: Hear, hear!

The Hon. D. H. Laidlaw: And me, too.

The Hon. N. K. FOSTER: Okay, you industrialists live in a world of your own and are entitled to do so. I found the Hon. Mr Laidlaw, and his predecessors in industry fought hard industrially, but at least they were willing to be confronted: they were willing to let people express a point of view. The Hon. Mr Laidlaw did not always agree and sought to put above reputations those points that he represented from the boardroom. No-one denies you that right, nor should they: nor should you deny the rights of others to make representations to you.

Some of the legislative Acts in respect to the rights of workers are nothing short of deplorable. In the past 10 years we have seen employee organisations win the respectability to which they have long been entitled from employers. I remember in 1953 going to a conference involving shipowners and being almost literally tossed on a circular table and told that that was where we would negotiate. It took three days to argue that we would sit outside that circle. Such a situation occurred in negotiating the cessation of the Korean War for almost two years. It is childish that men should act in such a manner.

So, I put it to all members that those engaged in the industry have rights and that an incoming Government has a right, within the terms of the indenture, to meet with those people involved in Roxby Downs. I am quite certain that the companies will accept that. Why should they not do so? I have been depicted in the press as a person who is able to do all sorts of things. I do not commend or condemn the press for that. However, I do commend the press for fetching the matter forcibly before the public in the past 48 hours. The people of the State have a right to be properly and adequately informed to the greatest extent possible in an unbiased way so that they can make up their own minds in respect to this matter.

The Hon. Frank Blevins: I bet the press feel they have been taken for a ride.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: The press can feel they have been taken for a ride if they want to. I do not quite get the purport of the interjection.

The Hon. Frank Blevins: I bet the press do.

The Hon. N. K. FOSTER: The press can if they wish.

The Hon. C. J. Sumner: Did you enjoy the publicity, Norm?

The Hon. N. K. FOSTER: No. If my leader thinks that I expressed in the past few days my views on a matter to lead me into gaining publicity, he may well do so. That is his own decision. However, he very well enjoyed the publicity afforded him that allowed him, by the skin of his teeth, to be sitting where he is sitting tonight. If he lands himself, by innuendo, to the criticism I heap on him, he richly deserves it; he probably does not know to what extent.

The PRESIDENT: I wish that the honourable member would ignore the interjections and get back to the Bill.

The Hon. N. K. FOSTER: If the Hon. Mr Sumner wants me to cross the floor on this Bill on the basis that he will get some political kudos from it, will he have the guts and courage at the third reading stage of the Bill to say so or forever hold his peace? I challenge each and every member in the Chamber tonight to do that—challenge me if they will to do that which they accuse me of not being prepared to do at this stage. If I have disappointed them to the extent they believe I have, they are welcome to take my place. They can undergo the pressures, if they want. They should find the courage and principle to do it and consider in their mind the end result of those few short steps from one side of this Chamber to the other. Do not expect others to do that which you are not prepared to do yourself.

Let me say that, if you had been astute and listened to the extent you ought to have listened to what I have said in the Caucus room, you would not find yourself in the political position in which members on both sides of the Council find themselves tonight. We can play politics part of the time, but, in the interests of the people of this State, we cannot play politics all of the time. That is narrow, negative and non-contributory in the real and proper sense. If I am forced to make that criticism of my colleagues, they have brought it on themselves by their interjections. My approach has been honest.

If anyone thinks, as someone who perhaps telephoned a member of the staff today thinks, that my palm is greased, he should go to the Commonwealth Bank at Tea Tree Gully or the Commonwealth Bank at Campbelltown and, if he wants to accept the responsibility to examine the affairs of my mortgages and commitments and the fact that members of my family have not been able to find work in this State for quite some number of years after the Government closed down the development of Monarto, he can do that. He can also, if you, Mr President, allow him, say that the Bill proposed by the Hon. Mr Sumner in relation to pecuniary interests of members of Parliament pales into insignificance if one considers the other side, that people can be—

The PRESIDENT: Order! The honourable member must not refer to another Bill.

The Hon. N. K. FOSTER: I urge the Government to accept what I have said in regard to the amendments before us that stand in the name of the Hon. John Cornwall. They should be given every respect and they should be accorded the rights to which they are entitled. Whether or not I agree with them is beside the point. They should be the subject of a conference and, at the end of this quite short week in the life of the Parliament, they should be subject to the normal process of this Chamber, as occurs in relation to any other Bill.

But I still say that the decision members opposite made yesterday in the Party room, that they would go outside and make absolutely sure that an impression should not (and I emphasise that) be given that the conscious decision that the Liberal Party made and that it risked this Bill would not be carried in narrow, hypocritical, political matters—

The Hon. K. T. Griffin: What was that?

The Hon. N. K. FOSTER: You heard it.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: You should call members opposite to order, Mr President. The truth, of course, will always fetch forth that type of interjection.

The Hon. C. M. Hill: Absolutely incorrect.

The PRESIDENT: Order! The Minister should not enter into the debate at this stage.

The Hon. N. K. FOSTER: The Government has made that part of the decision. I challenge the Government again, if it cannot get satisfaction from the Legislature, to get satisfaction from the electorate. The Liberal Party is the only one that can do it. It is the only body that could possibly cause the Constitution of the State to be put into motion and to, in fact, give the right to the people. I challenge it to do that.

The Hon. K. T. Griffin: We got it in September 1979.

The Hon. N. K. FOSTER: You got it in September 1979 because of the machinations of some people on this side of the Council.

The Hon. L. H. Davis: What do you mean by that?

The Hon. N. K. FOSTER: Members opposite sat in absolute shock for three weeks after they were elected into Government. If they want to wait until March, at the end of their constitutional period, they can do so but, for goodness sake, they should not blame members on this side. They must blame themselves, because it rests entirely with them to clear up this sordid matter within three short weeks.

The Hon. L. H. Davis: We put the Bill up tonight.

The Hon. N. K. FOSTER: The Government can put the Bill up tonight if it is carried; it is entitled to the result. Members opposite should put to the community tonight that they are prepared to take the chance.

The Hon. L. H. Davis: We were elected in September 1979 like that.

The PRESIDENT: Order! The Hon. Mr Davis is out of order at this stage.

The Hon. N. K. FOSTER: The Liberal Party won a premature election in 1979. It has had its three years of fun and joy. It is trying to dodge its responsibilities in respect to the economic situation in this State. It is hopeful tonight that, in fact, a member of this Party will cross the floor and save its hide so that it will not have to produce an economic package. The Liberal Party is denying the right of the people to know what economic package it will produce in the Budget.

Members opposite can dodge it and we will not condemn them for doing so—I will not, anyway. Members opposite should go to the people before being required constitutionally to do so, because they have run themselves out of time to meet the necessities of the Constitution for a double dissolution in respect to both Houses of Parliament. What is wrong with going to an election? Members opposite are the great democrats of the era, the people who have chided others and have said that they support the electorate. What is wrong with the Premier? Why does he not get on with it and go to the people? The member for Hanson, Heini Becker, has already plastered his electoral placards all over his electorate.

The PRESIDENT: Order! The honourable member has really had a very good run. I would ask him to now say what he wants to about the Bill.

The Hon. N. K. FOSTER: Because you are a very wise person, Mr President, you have extended me the courtesy to which you are referring. However, the latter parts of my comments have been challenged. What other alternatives do members opposite have? Will they sit here for another six months, prolonging the agony of the company and prolonging the agony of the people, who perhaps I should have mentioned as first priority? It is to be hoped that the necessity for this to occur will not be repeated in the future.

There is nothing wrong with being defeated at an election on the basis of proper democratic beliefs: if the Liberal Party wins it can draw up the lines for the next 10 years. However, the Liberal Party will have to fight it on issues of the legislation that has been placed before the people. The Labor Party should win the election, and what I have said tonight should be recognised in respect to the vast number of affiliates which by their actions have agreed with the mining and milling of that ore, which, of course, would mean that the Government would have to negotiate with those people. Mr President, I thank you for your tolerance and I realise that I have spoken for a long time.

The Hon. R. C. DeGaris: You are not going to be any more repetitious.

The Hon. N. K. FOSTER: It ought to be repeated, again and again.

The Hon. D. H. Laidlaw: I could not stand it.

The Hon. N. K. FOSTER: The Honourable Mr Laidlaw said that he could not stand it but there are many enjoyments that come from repetition. If the honourable member wants to be relieved of his responsibilities in respect of that matter then he can pair himself off and leave the Chamber.

The Hon. R. C. DeGaris: We offer you a pair.

The Hon. N. K. FOSTER: I will pair with you—it is a matter of discussion between the two Whips. I could have stood here for two minutes or 10 minutes, but I stayed here longer than that, and you have seen me standing here longer still. Often I have not taken matters as seriously as I should have done, but on this matter I suggest that Government members ponder very deeply. The Honourable Mr DeGaris would agree with me in saying that it will not be solved in this Chamber.

The Hon. L. H. Davis: That is what this Chamber is here for.

The Hon. N. K. FOSTER: Quite right, but this Chamber has an inability to solve it because of the situation that exists. I shall now definitely conclude on this final point. No doubt members do not want to read the Budget of 1857, but I have it here if anyone in the gallery wishes to do so.

The Hon. L. H. Davis interjecting:

The PRESIDENT: Order!

The Hon. N. K. FOSTER: The fact is that you have got the result. You see, Mr Davis, that is my right, and you would concede that it is my right. You cannot rely on people operating an industry, or people outside that industry, to take the brunt of the responsibility that is inherent in the mining and processing of uranium produces. That responsibility will not go away if you think it will. We have to face it squarely and face it on the basis that people in the community have a right to reject this or otherwise. I ask, Mr President, that you use your influence to help ensure that people be given that right.

The Hon. K. T. GRIFFIN (Attorney-General): On 1 July 1979 the then Leader of the Opposition, Mr Tonkin, now Premier of this State, said in the House of Assembly:

> The Liberal Party recognises that energy is the key to the future.

He went on to say:

> There is potentially an exciting and challenging future ahead for South Australia if we wish to achieve it, but this will not come about while the Labor Government continues in office. In choosing the Liberal Party at the next election, the people of South Australia will be reopening the way to development and prosperity in the 1980s. They will, in voting Liberal, be voting to secure the future.

In September 1979, by an absolute majority of the people of South Australia, the Liberal Party was elected to govern this State. One of the promises we made was that we would establish the Roxby Downs project. The indenture seeks to achieve that objective. So, at that time it was already one of a number of issues at that election. In the interests of all South Australians, now and in the future, Parliament should now approve the indenture presently before us. This indenture is critical for those who are directly employed in the venture at the present time, and those indirectly involved.

There are families, men, women and children, who presently have security and who will be waiting with great anxiety for the Parliaments decision on this project.

This indenture is also critical for those in the future who will have the real prospect of jobs from this potentially massive development, whether directly or indirectly, young people and the not so young. The decision of this Parliament tonight will directly affect the lives of over 200 direct employees and hundreds of others, their families, and service industries. Let me give some details. There are 92 joint venture employees directly involved at the Olympic Dam site at present; there are 62 in the single quarters, 12 in the caravan park, 14 in housing, and four living at Andamooka. There are 115 non-joint venture contractors and their employees.

The Hon. M. B. Cameron: What will happen to them?

The Hon. K. T. GRIFFIN: That remains to be seen, because the crucial vote is yet to be taken. The issue relates to the future of these people. The non-joint venture employees of contractors as well as contractors number 115. In the single quarters there are 73 and they represent 19 different contractors.

The Hon. M. B. Cameron: Perhaps Mr Foster could explain to them his change of heart.

The Hon. K. T. GRIFFIN: He will have to face the music when he goes up there next time, if he goes. There are 25 in the caravan park, representing 10 different contractors. There are four in permanent housing, representing one contractor; and there are 13 living at Andamooka: a total of 115, and a total directly involved in the Olympic Dam project in that area of 207 employees.

This information does not refer to the jobs of a total of 60 people in Adelaide who are working on the joint venture, of whom 12 are contract employees. The joint venturer already has regular contracts with a number of contractors who provide daily air charter to and from Olympic Dam, daily heavy haulage from Adelaide to Olympic Dam, daily water transport from Woomera to Olympic Dam and a bus service that runs three days a week from Adelaide to Olympic Dam.

There are other major contractors who, on a regular basis, supply transportable buildings (three builders are involved there), p.v.c. piping, and maintenance for the generating plant, general construction services, telecommunications, catering services, heavy engineering, electronic equipment, analytical laboratory services, medical care, road construction, and so on.

The Hon. M. B. Cameron: It's the multiplier effect.

The Hon. K. T. GRIFFIN: It is a considerable multiplier effect. This affects people now. The decision that this Parliament makes tonight will directly affect those people engaged in the Roxby Downs development, as well as people living in Adelaide. It should be noted that some 53 children presently travel from Olympic Dam to school in Andamooka each day, and this represents a significant portion of the total enrolments at that school.

What of the future? If the project is to get the go-ahead from Parliament tonight, as many as 15 000 new and permanent jobs, directly and indirectly, could be created, as the Premier said tonight, 'not just at the mine, but in providing for things like houses, washing machines, furniture, plumbing and electrical services; all of the things which come with the creation of a new town of at least 9 000 people'. There is already a significant amount of money directly coming into the State coffers. For the fiscal year to 30 June 1982, the joint venturers are paying about $129 310 in pay-roll tax, $21 417 for vehicle registration and third party insurance, and $7 713 for liquor and licensing fees, totalling $158 440.

In addition to those direct payments, there are sundry and other licence and registration fees for items such as pressure vessel inspection, explosives magazines usage, possession and use of irradiating apparatus (X-ray machines) and to install septic tanks. In addition, Olympic Dam uses about 550 kilolitres of water a week. This is purchased from the Department of Defence which, in turn, purchases the water from the Engineering and Water Supply Department. The joint venturers' payment for water this year will be about $35 000. These are but a few things happening now as a result of the development at Roxby Downs and are but the tip of the iceberg if the project goes ahead.

A number of matters have been raised by various speakers on both sides of the Chamber. I want to focus on only some of those. The Hon. Lance Milne and his advisers display a serious lack of understanding of the contents of the indenture. It would be a time-consuming task to deal with them all. There are two in particular which must be addressed, and they are the complete misunderstandings of the royalty situation and the overall cost to the State. Before doing that I must express my disappointment and, to some extent, my surprise that the Hon. Lance Milne has displayed an uncharacteristic, arrogant attitude to developing nations. Last night he said:

> And what of countries which have no energy sources whatever and seek to industrialise? This is a difficult question to answer, but my view would be that, unless they can get by without uranium, then they should not attempt to become an industrial nation.

Therefore, on that basis, we should relegate Japan, Korea and Taiwan to a perpetual cottage or primary industry existence. What about the other developing nations of the world? So much for the rights and aspirations of two-thirds of the world's population.

I now return to the question of the royalty and overall cost to the State. The Minister of Mines and Energy referred in a press conference to royalty yields of the order of $30 000 000 to $40 000 000. The Government has never mentioned a figure of $100 000 000 as claimed by the Hon. Mr Milne to be the Government's royalty estimate. The figure appears to be one published by the *Advertiser* of, I think, Saturday 17 October 1981 and includes royalties from all sources, including the Cooper Basin. Of course, the actual royalty yield will reflect market conditions. Any estimates should be treated as illustrative rather than predictive. They show the order of magnitude of revenue yields based on assumptions about such key factors as prices, costs and production levels.

I will deal first with *ad valorem* royalty. Royalty estimates prepared by the Hon. Mr Milne are low mainly because of the assumption made about copper prices and, to a lesser extent, because of the assumed level of deductible expenses to arrive at ex mine lease values which, at $500 per tonne of copper, is unduly high, and because of an assumed rate of recovery of metals from the ore body of only 80 per cent. The Hon. Mr Milne's estimate of *ad valorem* royalty from uranium appears to be relatively high (mainly because of the relatively high production level that has been assumed); this is offset, however, by relatively low estimates of royalty yield from gold, silver and rare earths.

The critical assumptions concern copper prices. The Hon. Mr Milne's estimates are based on current depressed market conditions in which the copper price is now below $1 400 per tonne. The joint venturers have always argued that, at this price, they would not commit to the project. On 18 December 1981, the *Australian Financial Review* featured an article based on research undertaken by the Commodities Research Unit, which claimed that prices of the order of $1.15 to $1.45 per pound (expressed in U.S. dollars) would be required before companies could be expected to commit

to copper mining projects. In December 1981 those prices converted to between $2 200 and $2 800 (Australian dollars) per tonne; at today's weaker exchange rate, the comparable Australian equivalent would be between $2 400 and $3 000 per tonne, or close to twice the $1 400 level assumed by the Hon. Mr Milne. It is expected that copper prices will increase towards these levels by about the middle of this decade.

The Hon. Mr Milne has also assumed a very high level of deductible expenses (equal to $500 per tonne of copper) in arriving at the ex mine lease value of the product on which royalty is calculated. He has also claimed that there are insufficient restrictions on the expenses which may be claimed in deriving ex mine lease values. Allowable deductions are not open-ended; they are limited by the indenture to costs and expenses associated with the sale of product and are governed by standard accounting practice. Contrary to the Hon. Mr Milne's interpretation, mine operating costs are not deductible from sales revenues in determining ex mine lease values. Deductible costs for this purpose are confined to sales and transport costs incurred after the product leaves the mine lease. This is made clear in clause 32 (2) of the indenture.

Furthermore, by assuming that only 80 per cent of assumed production levels are actually recovered, the Hon. Mr Milne's royalty estimates effectively refer to a copper mine capable annually of producing 120 000 tonnes of copper not 150 000 tonnes of copper (he has obviously misunderstood the indenture, which talks about 150 000 tonnes of actually produced copper), and a uranium mine of 4 000 tonnes, not 5 000 tonnes (he has taken 80 per cent of the 5 000 tonnes figure which he used as his base).

The Hon. K. L. Milne: That is an 80 per cent figure, on which every mine would have to be calculated.

The Hon. K. T. GRIFFIN: I am sorry, but the Hon. Mr Milne misunderstands the terms of the indenture. Finally, emphasis is given by the Hon. Mr Milne to *ad valorem* royalty yields calculated on a 2.5 per cent royalty rate. In fact, from the fifth year after commencement of commercial production the minimum royalty rate is 3.5 per cent. In summary, therefore, the royalty estimates prepared by Mr Milne err consistently on the low side by assuming, first, very depressed copper prices; secondly, excessive deductible expenses due to misinterpretation; thirdly, production levels significantly below 150 000 tonnes of copper, and, fourthly, by emphasising royalty based on 2.5 per cent rather than 3.5 per cent royalty rates.

The Hon. K. L. Milne: It's 3.5 per cent after five years.

The Hon. K. T. GRIFFIN: That is what I have been saying. There are numerous variables that will affect the actual amounts of royalties to be received, and it is not appropriate to seek to determine one definitive figure as representing likely royalty revenue. However, using more realistic and correct assumptions than those adopted by the Hon. Mr Milne, it is estimated that the likely revenue would be at least double that which he arrived at, and it could easily be much more, especially if surplus-related royalty became payable.

Let me for a moment turn to the question of surplus-related royalty. In his speech, the Hon. Mr Milne outlined conditions under which no surplus-related royalty would be payable. The intent of the surplus-related royalty has been to ensure that the State shares the benefits of a highly profitable mine. The conditions under which surplus-related royalty would apply are those in which the mine enjoys above average profitability. Surplus-related royalty has been cast deliberately on fairly modest lines.

The *ad valorem* royalty guarantees a royalty return to the State irrespective of the mine's profitability. The surplus-related royalty offers the prospect of something extra when profitability is high. The royalty package does not claim to guarantee a surplus-related royalty return. Rather, it ensures that, if profitability is high, the State may share the benefits, whilst at the same time having access to a guaranteed royalty yield through the *ad valorem* component.

The indenture provides for the royalty arrangements to be renegotiated between the parties prior to 2005. In the event that agreement is not reached, the relevant provisions of the Mining Act in force at that time would come into operation. The Hon. Mr Milne has inferred incorrectly that the royalty arrangements would revert to the current provisions of the Mining Act.

I now turn to the overall costs to the State. The Hon. Mr Milne has presented a scenario in which the State will spend more than it receives back from royalty. An overall assessment of the net financial outcome for the State from the Roxby Downs project requires that account be taken of all sources of revenue, the actual expenditures incurred by the State, their methods of financing, and the timing of both revenues and expenditures. There is a large number of unknowns involved in such an assessment; the issue cannot be reduced to one of simple arithmetic in the way proposed by the Hon. Mr Milne. The issue does not lend itself to numerical precision. Rather, it requires a balanced judgment after taking account of all relevant considerations.

On the revenue side, this involves a consideration of the additional revenues that will accrue to the State simply as a result of employment and income growth, for example, through pay-roll tax, stamp duties, gambling taxes, licence and franchise taxes. These revenues are additional to the revenues raised directly from the royalty provisions.

The royalty return itself cannot readily be summarised, since it will depend on the stage and level of production, prevailing market conditions, the profitability of the mine, and so on. It should be noted, however, that *ad valorem* royalties are payable on all production, including that mined before the mine reaches the stage of commercial production as defined in the indenture. In short, royalty is payable as soon as production occurs.

The State's liability for infrastructure costs becomes payable only after the joint venturers submit a project notice indicating their decision to proceed with the project.

Infrastructure expenditure by the State is more likely to be gradual rather than in one large lump sum and will reflect the staged development of the mining operations.

The Hon. Mr Milne has assumed that, by providing an estimated $50 000 000 for social infrastructure, the State will have to borrow additional funds of that amount and hence incur greater interest costs than otherwise. This is purely hypothetical. A more reasonable assumption would be that the expenditure could be accommodated from within the given level of capital funds available to the State through appropriate ordering of priorities. As noted by the Hon. Mr Milne, the State receives interest-free capital grants from the Commonwealth to finance social capital such as schools, hospitals, and so on.

I also point out that the infra-structure items to be provided by the State are those normally provided by Governments. Do we, for example, balance the costs of providing infrastructure to the people living in Maitland or Port Lincoln against the income that might be expected to accrue to the State from the wheat crops of those districts?

The Hon. Mr Milne has raised the question of the possible effects of increased mining royalties on the Grants Commissions assessments based on fiscal equalisation. This is a terribly complex issue. At the risk of some over simplification, in broad terms, it is the case that the higher the value of mining production in a State, the lesser its share of Commonwealth grants will be as recommended by the Grants Commission.

However, it does not follow that we can discount the beneficial effect of royalties on the State's revenues. If a State took the unprecedented step of failing to develop a potentially productive mine, the commission could well consider taking that into account in a way which was adverse to the State. It follows similar principles in other areas of revenue raising but up to now the Grants Commission has not had to consider this question in the mining area.

In addition, to the extent that one State receives more royalty because its rates of royalty are higher, on average than other States, the Grants Commission's methods are such as to ensure that the State concerned does not lose the financial benefit of its revenue raising efforts. It is also relevant to note that the Commonwealth Government is not bound to follow the recommendations of the Grants Commission. At this very time, a decision is awaited from the Commonwealth Government on its attitude to the latest review of relativities conducted by the Grants Commission.

As I say, this is a complex issue, but the Government certainly does not and cannot accept the conclusion drawn by Mr Milne. There has also been some comment by the Hon. Dr Cornwall as to the commitment to the initial project. It has been suggested that a commitment to mine could be deferred for a decade. This overlooks several matters, the first of which is that the indenture enables a commitment to mine as early as 1984. The commercial facts of life are such that the joint venturers will have a strong commitment to 'get on with it'. The interest they will be incurring on the $100 000 000 or more that they will have spent on feasibility studies will, at current commercial rates of interest, amount to approximately $20 000 000 per year.

In any event, the joint venturers do not have an unfettered discretion as to whether they will commit after 1987. They must, in order to defer, convince the Minister (that is the Government of the day in effect) that it is not economically practical for them to commit. If they cannot so satisfy him, the question is referred to the independent expert, whose functions are set out in clause 50 of the indenture. Whilst we have every expectation that the joint venturers will commit by 1987, the Government sees no point in attempting to force the joint venturers to commit to a project which is not economically practical. Such a course would not be in the interests of either the joint venturers or the people of South Australia.

I turn now to the question of environment protection. There has been some criticism made of the environmental arrangements in the indenture. This criticism overlooks two important facts. The joint venturers are bound to comply with State and Federal environmental impact statement requirements. At this point I seek leave to table the guidelines for an Environmental Impact Statement for use by Roxby Management Services Pty Ltd at Olympic Dam, on Roxby Downs station, which has been signed on behalf of the Department of Home Affairs and Environment, on behalf of the South Australian Department of Environment and Planning, and on behalf of Roxby Management Services.

The PRESIDENT: Is leave granted?

The Hon. J. R. CORNWALL: Not unless we know more about it. It is quite separate from the indenture, I presume.

The PRESIDENT: I am asking whether leave is granted. Leave granted.

The Hon. K. T. GRIFFIN: In addition, the joint venturers are required, every three years under the indenture, to submit to the Government a programme for the protection and management of the environment which enables the Government to maintain continuous surveillance of the project throughout its life, and not just at the outset. If the Government is not satisfied with the programme as originally submitted or compliance with it, it can require the joint venturers to rectify the situation. A question has been raised with respect to tailings management. Let me say that this is to be dealt with by means of the e.i.s. procedures of the Commonwealth and South Australian Governments. It is dealt with under clause 6 (3) *(a)* of the indenture, because details must be included in the details to be advised to the Government of committment to the initial project. It will be dealt with under the three-yearly environmental management programme.

The regulation and condition-setting powers of the Radiation Protection and Control Act will enable input from the South Australian Health Commission and the Minister of Health. Clause 10 of the indenture requires compliance with radiation protection codes which deal with the question of tailings management. To briefly refer to the guidelines for the environmental impact statement, which have been agreed between both State and Federal Governments and the joint venturers, one will see that it must include in the description of the proposed development in item *(f)* the volume of overburden, waste, stockpiling, tailings dams, etc. and proposed locations. It goes on to deal with other aspects of waste management. It also deals with questions of safeguards and standards proposed to minimise the environmental effects of the proposed action, a requirement being that those matters should be discussed.

The Hon. J. R. Cornwall: Environmental impact statements on the proposed legislation will not be invoked?

The Hon. K. T. GRIFFIN: There is the potential for it, and it could apply to this legislation.

The Hon. J. R. Cornwall: That is not right.

The Hon. K. T. GRIFFIN: It does apply to this project. We will deal with that in the Committee stages if the honourable member wants to carry it further.

I now refer to radiation protection. There has been some criticism of the radiation protection clause (clause 10), and it has been stated that that clause ignores certain facts, but I would suggest that those who criticise ignore the fact that the joint venturers are bound to comply with the three nominated codes regarding mining, milling and transport of uranium immediately, without any requirement that they be included in regulations that are promulgated in this State; and they must also comply with any new codes replacing those codes or new codes promulgated by the International Atomic Energy Agency, the International Commission of Radiological Protection and Australia's National Health and Medical Research Council as soon as they are published, without any requirement that they should be promulgated into regulation in this State before they apply. They will apply as soon as they are published.

There is also the requirement that radiation levels be as low as reasonably achievable, and there has been a lot of talk about the ALARA principle, which applies to this project. So, in the event that the codes, which are constantly being re-evaluated, become more rigorous, the joint venturers are bound to comply, without any further obligation upon the State to promulgate them by Statute or regulation. I do not believe that anyone could doubt that those three nominated bodies have the highest possible scientific standing.

In any event, the ALARA principle is expected to result in exposure levels being very substantially below those permitted by the codes. Compliance with the requirements of clause 10 will be ensured by monitoring by the South Australian Health Commission. There has also been some reference by the Hon. Dr Cornwall (and one of his amendments addresses this subject) to the requirement to keep a register of employees. Let me say that employees at Olympic Dam, whether they are employees of the joint venturers or of the contractors to the joint venturers, are medically examined in accordance with procedures laid down by the South Australian Health Commission, and records are kept as

required by the Health Commission. That is being done now.

The Hon. J. R. Cornwall: There is no register.

The Hon. K. T. GRIFFIN: The details are certainly being kept.

The Hon. J. R. Cornwall: But there is no register.

The Hon. K. T. GRIFFIN: What is a register? It is details, is it not?

The Hon. J. R. Cornwall: Writing them down and keeping track of them for 30 years—

The Hon. K. T. GRIFFIN: The South Australian Health Commission practice in this regard is expected to be the model for the rest of Australia. The requirements for medical examination are already contained in the code of practice for the mining and milling of uranium ores. These could be reinforced by regulations under the Radiation Protection and Control Act.

I refer now to workers compensation. There has been some reference to the United Kingdom Nuclear Installations Act, but I believe it should be recognised that this Act has the effect of limiting the compensation payable in the event of an occurrence as defined in the Act. It does not grant rights: it detracts from rights. It was written in the context of nuclear power generation, not uranium mining, which, of course, does not occur in the United Kingdom.

Let me draw attention particularly to section 48 of the Limitation of Actions Act, which enables a court to extend the normal three-year limitation period to such an extent and upon such terms 'as the justice of the case may require'. The court may exercise these powers if 'the facts material to the plaintiff's case were not ascertained by him until some point of time occurring within 12 months before the expiration of the period of limitation or occurring after the expiration of that period and that the action was instituted within 12 months after the ascertainment of those facts by the plaintiff'. The existence of this provision should ensure that appropriate actions could be brought without the extent of liability being limited.

Some comment has also been made about the diversion of uranium for non-peaceful purposes. There has been reference to the possibility that Australian uranium will be diverted for non-peaceful purposes. The evidence of Mr Justice Fox, quoted by the Hon. Dr Cornwall, indicates that this is a risk not a certainty. Australia's controls on exports, developed in the context of the Non-Proliferation Treaty, the International Atomic Energy Agency, inspections and bi-lateral safeguards agreements are the toughest in the world. Diversion of Australia's uranium has to be regarded as highly unlikely.

In this regard, there has been misrepresentation of the safeguards agreement recently concluded with Japan. As I understand the situation, it suited Japan to have Australia appear as though it had granted some concessions, so that Japan could negotiate an easier safeguards agreement with Canada. The situation was correctly described by the Minister of Foreign Affairs (Hon. Tony Street) in a statement to Parliament on 11 March 1982:

> There have been suggestions in the media that the agreement waters down Australia's policy requirements for prior consent over reprocessing, retransfers and high enrichment. These suggestions have no foundation whatsoever. The agreement fully upholds all of Australia's policy requirements, including these requirements. The detailed conditions under which our consent rights are exercised over reprocessing and retransfers are set out in the documents which are attached to the agreement and form part of it. I announced the Government's approach to the exercise of consent rights over reprocessing in my statement of 27 November 1980.
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> As I made clear in that statement all of Australia's existing policy requirements continue to apply. What we have done on reprocessing is to define what had not previously been defined—the conditions under which the consent to reprocessing would be exercised and the controls that would apply to that operation. These have been incorporated in this Agreement with Japan as in the agreements with Euratom, France and Sweden which have already been presented to the Parliament. The text of the agreement shows that press speculation which appeared at the time officials concluded their negotiations was misleading and incorrect. Japan has received no more than any other negotiating partner.
>
> The agreement incorporates what is known as the Australian 'programme approach' to reprocessing. It requires that Australia-origin nuclear material subject to the Agreement shall only be reprocessed, and the resulting separated plutonium stored and used, under I.A.E.A. safeguards in the delineated Japanese nuclear fuel cycle programme. Reprocessing for research and other applications is not approved under the program approach but is to be the subject of individual consideration in the future. This is fully in accordance with Australia's policy requirements, and the conditions are the same as those in previous agreements concluded by Australia with Euratom, France and Sweden.

Let me turn briefly to the Opposition's proposals, as referred to by Dr Cornwall in his speech. We will deal with them at length later. The Opposition's proposals are not acceptable for the following reasons: the first proposal is one which requires approval to proceed to be reserved for the Government of the day. This really strikes at the heart of the object of the indenture. It puts at risk the joint venturers right to proceed in the event that, as a result of their studies, they decide to develop their deposit. It is for this reason that they are seeking Parliamentary approval of the indenture arrangements now. These indenture arrangements provide security for the large sums which have been spent and which are to be committed to this project.

The second proposal relates to the granting of a 50-year lease, but what the proposal does not address is the difficulty that it could result in a valuable deposit being tied up for a very long time without any benefit accruing to the State. Exploration and development activity would be discouraged because the exploitation of the discoveries could be seen as liable to unreasonable and unnecessary delays. What the Government is seeking to do in the indenture is to place obligations on the joint venturers to proceed within reasonable periods of time.

The third proposal is that the joint venturers must be required to observe the radiological standards imposed by any other law of the State. As I have already said, the joint venturers are obliged by the indenture to comply with existing and any new codes promulgated by the International Atomic Energy Agency, the International Commission on Radiological Protection and the National Health and Medical Research Council as soon as they are published. In addition, the ALARA principle will ensure that radiation levels are substantially below those permitted by the codes. These protections are more than adequate.

The fourth proposal deals with special workers compensation legislation. I have already dealt with section 48 of the Limitation of Actions Act which is designed to provide a basis for actions outside the normal time limits where the plaintiff becomes aware of a cause of action only a long time after the event.

The fifth proposal relates to the tailings management proposals having to be approved by the Minister of Health. As I have already indicated, that is already dealt with by Commonwealth and State EIS procedures; the Radiation Protection and Control Act; the three-year environmental programme procedures in the indenture; and compliance with codes requirements in the indenture.

The sixth proposal relates to a public environmental inquiry. Both Commonwealth and State Environmental procedures envisage public comment on the draft EIS.

The Commonwealth Environment Protection (Impact of Proposals) Act, 1974, allows for a public inquiry should that be seen as desirable by the Commonwealth.

The seventh proposal provides for periodic reviews, whether the project should or should not proceed. As I have already indicated, that gives rise to all the uncertainties the indenture is designed to avoid.

These are but a few of the matters which have been addressed by honourable members but which it is important to respond to at this stage of the debate. Let me just return briefly to the consequences of rejection of the indenture. First, employment opportunities will be lost to the State. This applies in two respects. People already employed now both by joint venturers and contractors and suppliers to them; and future employment opportunities which would result from commitment to an initial project.

Secondly, an opportunity to diversify the State's economy would be lost. Roxby Downs would not just stimulate the State's mining sector. It would provide an outlet for advanced technology industries, as well as for all industries involved in supplying a mine and town in a remote area of the State. The range of industries that would benefit includes builders, building materials suppliers, engineering and earthworks contractors, analytical laboratory services, charter aircraft operators, caterers, haulage industries, and so on. It would also bring increased activity to the northern areas of the State and the Iron Triangle.

Thirdly, South Australia and Australia would become the laughing stock of the rest of the world. It is unprecedented for a project of this size to be rejected for ideological reasons. Fourthly, South Australia will lose the opportunity to set an example to Australia and the rest of the world with regard to the standards to be applicable to underground uranium mining.

The Hon. C. J. Sumner: Why do you think they voted against commissioning a nuclear power reactor in Austria?

The Hon. K. T. GRIFFIN: The Leader of the Opposition will get his chance to add that at a later stage. The fifth consequence of rejecting the indenture is that, to the extent that Australia's share of the world uranium market is reduced as a result of the non-availability of Roxby Downs uranium to the world uranium market, Australia will lose the chance to set an example to other exporters with regard to safeguards which prevent diversion of uranium to non-peaceful purposes.

I believe that it would be a calamity for this State for this Bill to be rejected. Far from the Hon. Mr Foster putting a responsibility on this Government for that decision, the responsibility rests fairly with the Opposition and the Australian Democrats.

The Government undertook at the last election to get the State Government moving again. It has progressed the Roxby Downs indenture significantly to the point of its being a most significant indenture binding the joint venturers. The Government has honoured its election commitment. It has now brought the indenture to the Parliament of this State. I hope that honourable members in this Chamber, notwithstanding the statements they have already made, will think again about the consequences to this State if this legislation is not passed tonight. I hope honourable members will now move to support the indenture.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

The Hon. J. R. CORNWALL: As everybody in the Chamber knows, I have been one of the senior members of the Parliamentary Labor Party in the forefront in trying to lead a sensible public debate on the whole question of the nuclear fuel cycle in general, and uranium in particular. Therefore, it is appropriate that I speak briefly to this council.

I have tried to promote in the community and in Parliament a sensible, unemotional and intelligent debate. Even at this late hour—and I notice there are in the press gallery only about 20 per cent of the people who were there earlier in the night—I rise more in sadness than in anger to comment on some of the contributions. I realise that I am not replying to a second reading speech and I will not take up much time of the Chamber, but I must make three or four comments.

I believe tonight we have heard the saddest speech that I have ever heard in the seven years I have been in this Chamber from the Hon. Mr Foster. I do not say that lightly. He has been a valued colleague of mine for many years. I also feel that it was the most incredible speech—a speech which was lacking almost totally in credibility.

Unfortunately—and again I say this with enormous sadness—I feel that this evening the Hon. Mr Foster has debauched this place with a contribution which was rambling and almost entirely disconnected but unfortunately, no doubt full of quotable quotes. I can only hope that the media in a responsible way reports that speech in the full context in which it was delivered.

The Hon. R. C. DeGaris interjecting:

The Hon. J. R. CORNWALL: The Hon. Mr Foster, it seems has decided to deliberately embark upon grabbing a series of headlines. On Monday at the Labor State Convention he said that he had agonised for a very long time and that he had decided he might well have to vote for the passage of the indenture Bill. On Tuesday the Hon. Mr Foster was unsure. As far as I can gather from his very lengthy contribution tonight, it now seems that he may well vote against it.

This is a victory, albeit a pyrrhic victory, for those of us who are deeply concerned about the future of the world in general and about the future of the uranium/copper prospect at Roxby Downs in particular.

The Hon. Mr Foster spoke about an election based on the Roxby Downs project alone. Of course, that overlooks all of the major issues on which this State should go to an election at the appropriate time, as follows: health, education, welfare, the state of the economy, unemployment, State charges, housing, housing interest rates, the slashing of the public sector, the very serious breakdown of the social contract that has occurred in this State over the last three years, and the very serious rise in the crime rate, particularly crimes against personal property.

The Hon. K. T. GRIFFIN: Mr Chairman, I rise on a point of order. The Hon. Dr Cornwall is not addressing his remarks to the clause.

The CHAIRMAN: I accept the point of order. I ask the Hon. Dr Cornwall to address his remarks to clause 1 of the Bill.

The Hon. J. R. Cornwall: I have just done that, Mr Chairman, quite adequately.

Clause passed.

Clauses 2 to 7 passed.

Clause 8—'Licences, etc., required in respect of the mining and the milling of radioactive ores.'

The Hon. J. R. CORNWALL: My amendment seeks to delete this clause and insert several new provisions. With your concurrence, Mr Chairman, I propose to deal with each one separately.

The Hon. K. T. GRIFFIN: Mr Chairman, it would be helpful if we could have some indication from the Chair in relation to the manner in which the amendments will be put.

The Hon. J. R. CORNWALL: Each one refers to quite separate things. Therefore, I think it is quite appropriate that they be dealt with separately. I move:

Leave out this clause and insert new clause as follows:

8. (1) Notwithstanding the provisions of clause 10 of the Indenture, the Joint Venturers shall be obliged to observe standards relating to the mining, milling, treatment, processing, handling, transportation or storage of radio-active ores, concentrates, wastes or tailings imposed by or under any other law of the State.

(2) Notwithstanding any provisions of the Indenture, no Special Mining Lease shall be granted to the Joint Venturers unless they have submitted to the Minister of Health detailed proposals for the disposal of wastes and tailings resulting from operations to be carried out in pursuance of the Lease and that Minister has approved those proposals.

(3) If the Joint Venturers fail at any time to comply with proposals approved under subsection (2), the Minister of Health may by order prohibit further mining operations under the Special Mining Lease until the Joint Venturers make good the default.

(4) Contravention or failure to comply with an order under subsection (3) is an offence punishable by a fine not exceeding $500 000.

The CHAIRMAN: The honourable member must move to strike out the present clause because, if clause 8 stands, he cannot proceed to insert new clause 8 (1).

The Hon. J. R. CORNWALL: Are you saying, Sir, that I will have to deal with all the amendments at the one time? If so, that suits me perfectly.

The Hon. C. J. SUMNER: I agree that the amendment is to leave out clause 8, and that the following amendments then appear as clauses 8a, 8b, 8c, and 8d. Clearly, if the Committee does not agree to leave out clause 8, that clause stands in the Bill. The amendment would not necessarily preclude the Hon. Dr Cornwall from moving the new clauses 8a to 8d inclusive if he so desires.

The CHAIRMAN: The honourable member should speak to his amendments as a whole.

The Hon. J. R. CORNWALL: I am happy to do that, but unhappy that we will not be giving some of the more sensible, reasonable people on the Government benches such as the Hon. Mr DeGaris an opportunity to accept some of the amendments that they indicated in their second reading speeches—

The CHAIRMAN: I am giving the honourable member an opportunity to speak to all the amendments, but they can be put separately and, if an honourable member repudiates the rest of them, so be it. If the honourable member speaks to his amendments, we will then move to the striking out of clause 8. Whether or not that is agreed to, the honourable member can move his amendments one at a time.

The Hon. J. R. CORNWALL: New clause 8 (1) provides:

Notwithstanding the provisions of clause 10 of the indenture, the joint venturers shall be obliged to observe standards relating to the mining, milling, treatment, processing, handling, transportation or storage of radioactive ores, concentrates, wastes or tailings imposed by or under any other law of the State.

Clause 10 refers specifically to compliance with codes, and, if honourable members turn to that clause of the indenture, they will see that five codes, numbered (a) to (e), are mentioned, and those codes apparently apply. I take honourable members back not so very long ago when we debated at considerable length the Radiation Protection and Control Bill. It was our contention at that time, and it remains our contention, that those codes are not, and certainly may well not be in the future, adequate to protect those people who may at some time be involved particularly in the mining of radioactive ores at Roxby Downs. There is plenty of evidence for this. I do not want to go all over the debate again on the 1980 NIOSH Report, which refers to the risk of lung cancer among underground miners of uranium-bearing ores.

The National Institute of Occupational Safety and Health is a very prestigious body in the United States which, unlike many bodies involved in this sort of activity, is funded by the Federal Government. It is a very prestigious body, and that report suggests that under the existing codes—and that includes all the codes written into the indenture—the permissible levels may be up to four times too high.

The Hon. K. T. Griffin: The report has never been accepted.

The Hon. J. R. CORNWALL: Indeed it has. If you want to stand up and challenge the validity or credibility of the National Institute of Occupational Safety and Health in the United States, so be it. But it is accepted by every reputable body around the world.

The Hon. K. T. Griffin: That's not true.

The Hon. J. R. CORNWALL: You will have your opportunity and you can try your credibility against mine any time you like. The National Institute of Occupational Safety and Health is a very prestigious body. It is a world leader, and it has produced in this report what I regard as irrefutable evidence that the levels currently set, which are two working level months for a worker for three months in the industry, four working level months for a worker for 12 months in industry or a total of 120 working level months of exposure in the industry, are too high and, as I said, possibly up to four times too high.

Really, I cannot understand for the life of me why the Government will not accept this as an entirely reasonable amendment. We do not believe that we should be bound to those codes which are set out in the indenture. Obviously new evidence will be coming to light all the time as we advance in what I regard as a terrible industry but, as mining proceeds, new information will inevitably show that acceptable levels are too high. One has only to look at the history of this industry, particularly the mining aspect, to see that what was acceptable in the 1950s is totally unacceptable in the 1980s.

One has only to look at all the studies that have been done on uranium miners throughout the world to see that what was regarded as acceptable in the 1950s and the 1960s is now totally unacceptable. The real problem is that we are talking about radon gas, about alpha radiation and about the development of those lung cancers which some uranium miners (a percentage of uranium miners) must inevitably develop, having a lead time of between 12 and 30 years. We do not accept that at this time in our history, in 1982, the five codes laid down in the indenture are adequate.

We say, and I emphasise, that if in the light of knowledge that becomes available in the literature throughout the world and in the light of studies that are conducted throughout the world those codes are not adequate, and if they are not upgraded by the people who are responsible for them, then the State should have the right as well as the responsibility to impose more stringent codes. That is not unreasonable. We are asking that in the event that the Roxby Downs prospect (I say 'prospect' rather than 'project') should proceed—I emphasise this for the benefit of the Hon. Mr DeGaris—this sovereign Parliament must reserve to itself the right to amend our State legislation to apply worker protection with regard to radiological safety that would apply at Roxby Downs.

The Hon. K. T. GRIFFIN: I draw attention to the fact that before the select committee a question was put by the Hon. R. G. Payne with respect to the NIOSH Report, to which the Hon. Dr Cornwall has referred. The answer that Dr Wilson of the Health Commission gave was as follows:

We have copies of the report and we have examined it. It was prepared by a working party of NIOSH and circulated for discussion. It seems that it was one of those occasions where there was an unfortunate leak, if that is the proper term, because it was circulated for comment. It was never endorsed by NIOSH. It was subsequently reviewed by the I.C.R.P. in the annual review of radiation protection in mining and milling. It was discounted. We understand that NIOSH has referred the working party report back for further consideration.

Mrs Fitch then stated:

It is true that NIOSH is reexamining it and that a working party prepared the report. I believe that a number of working groups have been set up to examine the report in considerably more detail, and they are expected to report, hopefully, at the end of this year, but that is a not definite. The attitude to that report

(and I checked this out a couple of weeks ago by telexing NIOSH) is that it is a working document only and that further examination of the subject will be undertaken. It is not prepared at this stage to make a new recommendation for radon daughter exposure on the basis of the work it has done so far.

That is the evidence with respect to the report. I will address other remarks to this clause. As I said in my reply to the second reading, clause 10 imposes a heavy obligation upon the joint venturers. It is an obligation to comply with certain international and national codes, not just when they are translated into the legislation of the States, either by Statute or by regulation, but the moment they, any changes or new codes are promulgated by those agencies. It may be some years before they are translated into the Statute law or subordinate legislation of this State. However, it is important to recognise that under the indenture they apply immediately they are made by those respective agencies.

The Hon. Dr Cornwall has made a plea which he has tended to address to the Hon. Mr DeGaris about this Parliament retaining its sovereignty with respect to this matter. I presume that he is referring to that instead of relying upon the legislation to pick up the international and national codes, and that the State should either pass Statute law or regulations which pick up those codes. There are numerous examples in this State's legislation where we adopt outside standards. The Trade Standards Act is one where standards made outside this Parliament are picked up in legislation and applied as the law of this State without Parliament ever being involved. There are provisions in the Road Traffic Act picking up certain standards, I think from memory, with respect to seat belts.

There are any number of examples of State legislation picking up standards set outside the Parliament and applying them as law without their ever having to be subject to the scrutiny of this Parliament. With this indenture, the same system is applied: that recognises that codes promulgated by scientific agencies apply pursuant to the provision of the indenture, rather than our waiting for them to become part of the Statute or regulation law of this State.

The Hon. M. B. CAMERON: I believe that this amendment seeks to imply that the Government, in agreeing to the indenture, has agreed to a standard which is too high and which is irreversible; in other words, a standard that cannot be lowered. That is simply not the case, as the Attorney-General has stated. The Hon. Dr Cornwall left out one very important factor, and that is that the ALARA principle, which he well knows and understands—

The Hon. J. R. Cornwall interjecting:

The Hon. M. B. CAMERON: I said that the select committee had evidence from a NIOSH working party report, and I ascertained, as the honourable member would have ascertained if he had done his homework, that that was a working party and it was not an official report. In fact, there is considerable controversy in NIOSH as to whether that was an acceptable determination. If it becomes true, it will immediately apply, because the I.C.R.P. will pick it up. It will have to do that. That is the reason for its examining the matter further. The ALARA principle provides that all levels of radiation exposure will be kept as low as reasonably achievable, which will mean that it will be very rare, and certainly, I would expect, in the case of Roxby Downs, the maximum exposure would never be reached.

I said that in the second reading stage, and I say it again, because I believe there is a definite ploy by the Hon. Dr Cornwall to try to imply that this maximum standard is a minimum, and that companies will be allowed to go straight up to this maximum standard and say, 'That is where we will leave the workers.' That is simply not the case, and the Hon. Dr Cornwall knows that. The ALARA principle, as I understand it, is also legally enforceable. If the company is carrying out a practice which means that workers are being unnecessarily exposed to radiation, action can be taken against the company, but if the demands for the action are unreasonable and cannot be met, the company has a right to go to law and to say that it is going too far.

Thus the Government has a right to enforce the law, and the companies have a right to say that it is unreasonable. Surely it is better left like that than being left in a situation where a regulation or a demand, which is impossible to be applied, can be put on the company. One cannot expect the companies to accept that, and I do not believe that this Parliament should accept it.

The points put forward by the Hon. Dr Cornwall in regard to this clause were directed to one end—to try to imply that we as a Government have accepted standards that will put workers at risk. First, I do not believe that those standards put workers at risk and I believe that they will never be reached. The workers will be less at risk than they would be if the maximum standards were reached. I point out again that, in the modern mine, as at Nabarlek, the exposure to radon is only .3 per cent of the standard, and the exposure to gamma radiation is 9.2 per cent of the standard. That is an open-cut mine, and I know that it is a different kettle of fish, but that does not get over the fact that at Roxby Downs the level of the ore grade is about one fortieth that at Nabarlek. That is a fact.

It has already been stated that the level of exposure will be about one-fourth of that which is allowed under international standards. I believe that we should reject this amendment, because, in my opinion, it is being used as a political ploy to try to get the Government to breach its agreement.

The Hon. J. R. CORNWALL: I find that argument not only objectionable but a trifle idiotic, to say the least, and also, I say (perhaps most importantly of all), totally irresponsible. In fact, the Government is saying that it will not make it too tough for the joint venturers. It will not impose on them something that might in the future be too difficult for them to meet.

It might interfere with the profitability: that is really the nub of what it is about. We have been down this path before and debated this matter at great length when the Radiation Protection and Control Bill, which is now an Act, came before this Parliament. When the Bill was before the House of Assembly, the Minister of Health inserted a new clause 26, which had provision for specifically exempting the joint venturers under the indenture from particular requirements of that legislation. That is the fact in law, Mr Attorney.

There is no doubt about that at all and it was admitted freely in debate in the House of Assembly. It was admitted on many occasions by the Minister in charge of what was then a Bill in this place. The Opposition finds the exemption totally objectionable; we find it objectionable to say that the provisions will not be any tougher than the codes that are now applied in other parts of the world by other bodies. The Opposition maintains that we ought to be masters of our own destiny.

The Hon. R. C. DeGaris: Can you tell me whether the standards in clause 10, on the national and international codes, are the same as those that we have in our own Act?

The Hon. J. R. CORNWALL: Clause 26 provides that they will not be any more stringent than any of the codes contained in the indenture that we are discussing.

The Hon. R. C. DeGaris: I am comparing the international standards which are in clause 10 and the existing legislation that we passed recently.

The Hon. J. R. CORNWALL: None of them is any tougher, but specifically the Bill which we debated and which is now an Act provides that in South Australia, as they apply to Roxby Downs in particular, the standards

cannot be any tougher. I cannot remember the exact phraseology—perhaps the Hon. Mr Milne can remember it, because he moved that funny amendment. The new clause 26 that the Minister of Health inserted stated that, 'notwithstanding anything in this Bill nothing shall be more stringent than the codes envisaged', which codes are nominated in the indenture. The Hon. Mr Milne, in his very reasonable way, used the words 'or any less stringent', which, of course, did not mean a thing. The Government actually accepted the amendment, which was not unreasonable, because it did not mean anything.

The Hon. Mr Cameron argued very eloquently against himself. He said that the ALARA principle, the as low as reasonably achieveable principle, will apply and that therefore the sort of levels of radon exposure that might be contemplated would never be reached and that we would never get anywhere near them if there is mining at Roxby Downs. If they will never be reached, and if in fact we are never going to get anywhere near them, surely the State should reserve to itself the right to enact legislation for worker protection if, perchance, higher grades of uranium oxide, radioactive ores, are encountered. No-one suggests that the NIOSH study ought to be used as the definitive document for some legislation that may be enacted next year, in the next decade, or in 1995, which is about the time when there would be a remote possibility of the Roxby Downs prospect proceeding. No-one is suggesting that a document that was written as a series of guidelines in 1980 would be the definitive document for 1990 or 1995.

What I am saying and what I repeat (and I would ask or challenge the Hon. Mr DeGaris to support me in this) is that we want to reserve the right of this Parliament to impose State laws in respect of worker safety in South Australia. We should not be prepared to say to the joint venturers at this time. 'Look, we are not going to make it too tough for you.' If future studies (remembering that the lead time for any of these studies is the average of about a generation, about 25 years) show that our levels are not sufficiently stringent or that the codes are too high, the State reserves to itself the right to enact legislation that would upgrade some of those safety standards at Roxby Downs. That is a very logical, very sensible, very lucid, and, if I may say so, a very well-put argument.

The Hon. K. T. GRIFFIN: The real risk for the joint venturers is that at some time in the future there might be a Government that will want to oppress the venture, and for the sort of money that is being committed to the venture it seems reasonable to this Government that there be some certainty as to the standards which will be set. As I have said earlier, the standards which apply are internationally recognised standards and, of course, recognised by the National Health and Medical Research Council. They apply at the point that they are promulgated, not at the point they are passed into the law of the State, either through Statute or through regulation. So, far from being a loose standard, they apply the best of what is happening in the world at the time when changes are made at the international or national level, without having to wait on Governments to bring them into effect.

I think it is quite fair and reasonable that anyone who is operating in this climate ought to have some degree of certainty, and that is all the Government is proposing in the indenture. It provides certainty according to nationally and internationally accepted standards and, of course, above all applying the ALARA principle.

The Hon. G. L. BRUCE: I do not see anything unreasonable with the amendment. I believe that the State has the right to say how the workers will be protected if they are going to work in a mine of this magnitude. As I understand it, this is the largest ore body of any type in the world and is going to be mined at some of the deepest depths of any mine in the world. No doubt they will be pioneering new technology and new methods in this mine. If the State Government wishes to set standards which are below the standards set throughout the world, I see nothing wrong with that, because they are setting those standards to protect the workers in a unique mine, on the admission from this Government. It is a unique mine, and, surely we have the right to monitor and set the standards as we see fit in South Australia.

The Hon. R. C. DeGARIS: In relation to the amendment moved by the Hon. Dr Cornwall, I indicated in my second reading speech on the Bill that the suggestion made by the Honourable Dr Cornwall had some merit and should be given consideration by the Council. I still believe that that is the position. The point is that the indenture Bill binds the Government and the joint venturers to standards that have been set internationally and nationally. I think the Attorney-General is quite correct when he says that those standards, as they change internationally and nationally, do not have to be adopted by the State; they apply as soon as they are made. I think one code mentioned in the indenture was made in 1972, but not adopted in Australia until 1978.

What we are doing is not to allow the Parliament of the day to adopt any other stricter standards as far as the joint venturers are concerned. That is what the indenture Bill does. The Attorney-General mentioned that we adopt national standards in our legislation from time to time, and I agree with that, but the difference in this case is that we are applying to one industry a set of international standards, whereas if our standards were changed by legislation they do not apply to that one operator.

That is the position the committee must consider. Whilst the Hon. Dr Cornwall has drawn attention to the matter, the committee should be aware of the position. The point that honourable members must recognise is that the indenture can be changed if any Government has the support of both Houses to do so. That means that, if any Parliament of the future feels that there should be standards set for this operation which are higher than the international standards set and accepted in clause 10 of the indenture, then Parliament can alter the indenture to apply those standards.

In reality, if a Government of the future decides that it requires a higher standard than those standards outlined in clause 10 of the indenture, it has the simple means of changing the indenture by amending it if it has the numbers in both Houses. From my point of view, I prefer to see the Parliament have the right to legislate by the process of normal legislation, rather than going through the procedure of altering an indenture Act, however, without the necessity of carrying the terms of reference.

There is one problem in adopting that approach. The joint venturers will be required to go on to the international money market to raise approximately $1 500 000 000. The terms of the indenture will be crucial to the joint venturers in seeking that sort of financial support. Lenders with that sort of finance will be interested in the standards under which the joint venturers will operate. If those standards are not known, then the raising of that finance on the international market may be extremely difficult. As I have said, the restriction on the normal legislative process concerns me and should concern every member in this Chamber.

The sovereignty of the Parliament is preserved by the undoubted ability of Parliament to vary the terms of the indenture at any time it sees fit to do so, although that would be a rather traumatic step for any Government to take. Nevertheless the sovereignty of the Parliament is still preserved if the indenture remains exactly as it is. I still maintain that the suggestion of the Hon. Dr Cornwall has some merit and is not designed to defeat the Bill, as I

believe further amendments that the honourable member will be moving are designed to do. Because of the need for the indenture to be a document which the joint venturers will use as a means to raise large loans, I am prepared to support the indenture at this stage as drafted.

Nevertheless, I have expressed my concern on this matter, and expressed it in this way, that this indenture and the standards will apply only to the joint venturer and any other changes in State legislation will not apply. That is the subtle difference between this situation and the point raised by the Attorney-General. At this stage one can say that the sovereignty of the Parliament is preserved because of its right at any stage, if the Parliament so agrees, to alter the indenture Act in relation to those matters. Therefore, I will not be supporting the amendment as moved by the Hon. Dr Cornwall, but I still say that the matter should be raised and debated in this Chamber, and that the whole point does have some merit.

The Hon. J. R. CORNWALL: I am very pleased that the Hon. Mr DeGaris still supports the sovereignty of this Parliament. He certainly did that for some time when the numbers were 16 Liberals to 4 Labor. The Hon. Mr DeGaris has just given the Committee a classic example of the circumlocution at which he has become expert over the past two decades. He disappoints me. Mr Chairman, it has been pointed out that I should deal with new clause 8 (1) to 8 (4) as one amendment. New subclause (2) provides:

> Notwithstanding any provisions of the Indenture, no Special Mining Lease shall be granted to the Joint Venturers unless they have submitted to the Minister of Health detailed proposals for the disposal of wastes and tailings resulting from operations to be carried out in pursuance of the Lease and that Minister has approved those proposals.

If one reduces the indenture to simple English and leaves out the legalese and the jargon, it means that this will be made up as the project proceeds. The indenture proposes the production of some sort of environmental impact statement every three years.

If this project ever happens to proceed, anything up to one billion tonnes of ore could be removed from the ground. From that ore the company will extract about 1 per cent of copper, a tiny amount of gold, something less than .1 per cent (probably only .01 per cent) of uranium, and some rare earths. In round figures, that will leave something in excess of 90 per cent of the total ore body as tailings. That is an enormous amount. There are radioactive tailings which will remain radioactive for any time scale that can be comprehended by mankind. There is absolutely nothing in the indenture which outlines how those tailings will be disposed of.

The Minister released a press statement yesterday outlining how well we will be protected. The fact is that we will not be protected at all if the indenture passes in its present form; it will simply mean that every three years the joint venturers will virtually prepare an e.i.s. to their satisfaction.

The Hon. K. T. Griffin: It will have to meet certain standards.

The Hon. J. R. CORNWALL: It may well have to meet certain standards, but on the Government's projections there will be an enormous amount of tailings. In fact, the Hon. Mr Griffin has been posturing and telling us that it is one of the great mines of the world—the Mount Isa of the South, the Broken Hill of the west, and the new Eldorado. The Government has not insisted, on behalf of the people of South Australia (because people like the Hon. Mr Griffin come and go—preferably go), that the strategy for the disposal of the tailings be outlined in the indenture. If the prospect of Roxby Downs ever proceeds it may continue for up to 100 years. Quite obviously there must be an overall strategy for the disposal of those tailings. I do not accept that the strategy be provided every three years as the project proceeds.

The Hon. K. T. GRIFFIN: The indenture deals with the question of tailings in three respects. It deals with them in the particulars which must be supplied to the Minister under clause 6 (3), commitment to the initial project. The details are to be advised to the Minister in relation to the mining and all stages of treatment of the ore, including the tonnages of ore to be mined and treated and the disposal of tailings.

It is dealt with in clause 11, which relates to the protection and management of the environment, and in clause 10, which relates to compliance with the codes. It is important also to recognise that in no way are the joint venturers exempted from the provisions of the Commonwealth legislation, which requires the submission of an environmental impact statement under the Environment Protection (Impact of Proposals) Act of 1974 or similar provisions of the South Australian Planning Act which require the submission and approval of an environmental impact statement.

There is no doubt at all that environmental impact statements submitted pursuant to the Acts will be required to include details regarding the disposal of wastes and tailings. So, I submit to the Committee that clearly the question of waste disposal and tailings management is already very well covered by the provisions of the indenture.

The Hon. R. J. RITSON: I have become somewhat concerned that something rather sinister is emerging here, particularly since I heard the Attorney-General explain that the problem of waste disposal is already dealt with in other parts of the indenture. It appeared to me that proposed new clause 8 (4) is simply adding a degree of Executive discretion that will give the Administration of the day the power to destroy the project. That surprised me a little, because the Labor Party began this Committee discussion by praising the concept of Parliamentary control.

Indeed, since I have been a member of this Council the Labor Party has repeatedly emphasised the importance of Parliamentary control. When we have had emergency Bills before us, the Labor Party has been loath to grant the Government of the day Executive discretion for 28 days or even for 14 days. So, I would be interested to hear from members opposite a reconciliation of the various attitudes that have been expressed. They have debated their point of view in proposed new clause 8 (1) on the basis of Parliamentary control, and in new clause 8 (2) the Opposition is asking for Executive discretion, even though the Attorney-General has already told us that there is adequate Parliamentary control.

I wonder indeed whether any consistent principle will emerge or whether the nature of the entire exercise is a partisan one to give a future Labor Government an opportunity to destroy the project.

The Hon. R. C. DeGARIS: I have said that I do not believe it is reasonable that the Minister of Health should have the need to approve a proposal, particularly when there is no basis on which that Minister can make a judgment. Already, we have on the Statute Book power for the Minister of Health to make regulations. As I read this clause, it grants to the Minister the right to make a decision on a proposal without any guidelines in law. That is an extremely dangerous position, to which the Parliament should not agree.

The Hon. J. R. CORNWALL: I want to make very clear that the Opposition gave this matter enormous consideration and spent a great deal of time looking at how it could possibly amend the indenture Bill to make it acceptable within existing and reasonable guidelines. Not only do I say that now but I will be repeating it many times on the hustings. What we are going through at the moment is a straight political exercise. The Government is making it a

straight political exercise. It clearly does not intend to accept any of our amendments. It is carrying on with an enormous degree of cant, hypocrisy and bloody stupidity. I suggest that all my amendments now be put.

The Hon. R. C. DeGARIS: Does the Hon. Dr Cornwall agree that under his amendment new clause 8(2) means that the Minister of Health can make a decision in relation to a matter without any guidelines or regulations to assist that Minister? The Minister could make a decision and demand certain standards without any guidance or criteria at all. The Minister has virtually the power of veto, and that is a power that we should not give any Minister. A Minister should administer an Act or a regulation. To give a Minister veto power, as this provision does, is something with which the Hon Dr Cornwall would surely not agree.

The Hon. J. R. CORNWALL: I do not agree with that statement at all. It means, as the Hon. Mr DeGaris knows (because he was a member of a Government for a relatively short time), that the matter would come before Cabinet. The decision would be made by the Government of the day, which is accountable to the people. It is a far more reasonable proposition than to simply say, 'You can trust us, we will give you e.i.s.'s and make it up each time, as we go along.' We are saying that we want an overall submission on how they are going to dispose of one billion tonnes of radioactive tailings in perpetuity. It is a pretty special sort of circumstance. No responsible executive would impose things that were beyond the wit, will or control of mankind. I cannot accept that at all. Do not let us mess about. We have put up these amendments and the Government has had weeks to consider them. Do not let us go through that bull dust that you do not look at what comes before the House of Assembly.

The CHAIRMAN: Let us not get too far away from Parliamentary language.

The Hon. J. R. CORNWALL: We are talking in the sort of language that ordinary people can understand: cant, hypocrisy and nonsense, call it what one will, within the limits of my vocabularly, which is normally tolerable. The Government has had weeks to consider the amendments. We have gone as far as we possibly can. I am not going to get into these extravagant points about whether it would be reasonable for the Minister of the day or the Government of the day to say, on behalf of the people of South Australia, 'We want to know what you are going to do with one billion tonnes of radioactive tailings.' If the Government thinks that is unreasonable, so be it. Let us not carry on with this nonsense any further, let us put all the amendments to the vote.

The Hon. K. T. GRIFFIN: It is totally unreasonable that a plan for the next 50 years to deal with the disposal of tailings be included as the Hon. Dr Cornwall claims. I have indicated that there is a reasonable approach to this matter already embodied in the indenture in the international standards placing considerable obligations on the joint venturers. I believe those requirements are reasonable and safeguard the future.

The Hon. R. C. DeGARIS: I am rather puzzled by the attitude of the Hon. Dr Cornwall on this matter. I explained to him clearly that the new clause gives the Minister a veto power not based on the rule of law. If there were a change of positions, it is a matter that we as an Opposition would strongly oppose.

I do not believe the question has been adequately answered by Dr Cornwall because, quite clearly, it is not a question of the joint venturers telling the Government what they are going to do with 100 000 000 tonnes. That is contained in clause 10. It is more than that. The Minister plainly has a veto power not based upon any criteria or any rule of law but just a question of veto which he has even though his Cabinet may not agree with it.

The Hon. M. B. CAMERON: It is unfortunate that, in any debate in which the Hon. Dr Cornwall participates, when he runs out of argument he drops down to the level of the school bully and resorts to personal abuse. Members on this side are not impressed by it. The people in the gallery will also not be impressed by it. He needs to argue his case without resorting to those tactics.

The Hon. J. R. Cornwall: I will not argue with cretins like you.

The Hon. M. B. CAMERON: We can get some indication of what I am talking about in view of the language just used. Dr Cornwall acts like a child.

The Committee divided on the amendment:

Ayes (9)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall (teller), C. W. Creedon, M. S. Feleppa, Anne Levy, C. J. Sumner, and Barbara Wiese.

Noes (11)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Majority of 2 for the Noes.

Amendment thus negatived.

The Hon. J. R. CORNWALL: I move to insert the following new clauses:

8a. (1) The Minister of Industrial Affairs shall maintain a register of all persons who are or have been employed by the joint venturers in work relating to the mining, milling, treatment, processing, handling, transportation or storage of radioactive ores, concentrates, wastes or tailings.

(2) The register shall be available for inspection by any member of the public.

8b. If at the expiration of two years from the commencement of this Act comprehensive legislation providing special rights to workers compensation for workers engaged in work relating to the mining, milling, treatment, processing, handling, transportation or storage of radioactive ores, concentrates, wastes or tailings and involving short-term or long-term exposure to radiation has not been enacted by the Parliament and brought into force, the rights conferred by or under this Act shall be suspended until such legislation has been enacted and brought into force.

8c. Notwithstanding any provision of the indenture, no special mining lease shall be granted unless there has been a comprehensive public inquiry into the probable effects upon the environment of the operations to be carried out in pursuance of the lease.

8d. (1) Notwithstanding any provision of the indenture, no special mining lease shall be granted unless the Governor concurs in the granting of the special mining lease.

(2) The Governor has an absolute discretion to grant or withhold his concurrence under subsection (1).

New clause 8a refers to a register of workers in the industry. This matter has been canvassed at length, and I will not canvass it again. It was debated in relation to the Radiation Protection and Control Bill. It is self-evident that a long-term register is required, because we are talking about a period of 30 years when we refer to the possibility of lung cancer. A register is required so that we have details of workers wherever they are in the Commonwealth, and preferably around the world. We could only locate a number of Radium Hill workers, who were dispersed widely. The Commonwealth has talked about a register for as long as we can remember, and the matter was raised in the select committee, but nothing has been done.

New clause 8b refers to workers compensation. The existing workers compensation legislation is totally inadequate. We must have long-term workers compensation, and there must be a special indemnity fund to which the Government and, more particularly, the consortium make contributions. I have had enough of these $2 companies, as people who read my submission to the Senate select committee on private hospitals and nursing homes will know. We cannot

have $2 bodgie companies getting up and walking away from workers compensation liabilities.

Despite what the Attorney-General has said, there is no doubt at all that there should be a public inquiry, invoked under the Environment Protection (Impact of Proposals) Act, 1974, which the Whitlam Government put through. Nothing but good could come from a Ranger type inquiry. Indeed, I asked Justice Fox about this matter specifically when he appeared before the select committee of the Legislative Council, and he stated that companies, by and large, objected, because they found it made their task a little more difficult and onerous. However, he said, a lot of good ideas inevitably came from those inquiries. Anyone who refers to the Ranger inquiry will see recommendations, particularly in regard to the environment, so there should be a public inquiry before a multi-billion dollar prospect, when and if it ever becomes a project, proceeds.

New clause 8d reserves the right for final approval for the Government of the day. This is said to be the most objectionable of our amendments. I put to members opposite (and I would certainly be very pleased to put it to members of the public in South Australia) that that is a very responsible amendment. It is certainly as far as the Opposition could possibly have gone. What it means in practice is that, if these other amendments were passed and, in particular, new clauses 8a to 8d were inserted providing for the register, workers compensation, public inquiry and, finally, approval reserved for the Government of the day (and I challenge the Government to pass this amendment), the joint venturers can walk away with the indenture in their pocket. That is a massive concession on the part of the Opposition. Frankly, I am absolutely amazed that Hugh Morgan, in particular, and the joint venturers together did not accept it. People have talked about having to go to international bankers and having to make arrangements for a prospect which may become a project in the 1990s and beyond: we are not talking about something that is going to happen next week.

The Hon. J. A. Carnie: They want to start now.

The Hon. J. R. CORNWALL: What a lot of nonsense, man. Go back to your pharmacy; hopefully you are better at that than you are in this place. At this stage we are talking about a prospect, and about a final feasibility, a final developmental study, which at some time in 1985 will produce some plans, and 1987 is the very earliest date on which it is contemplated the developers could then come to the Government and say, 'We are not ready to proceed and here are our very good reasons.' Similarly in 1989 they could come to the Government and say 'Here are our reasons why we do not want to proceed', and the same could occur in 1991, and the Minister of the day could extend the time even further.

I am amazed at the Government's attitude. The amendment really is an enormous concession on the part of the Opposition—certainly as far as we are prepared to go. The Opposition will be delighted to explain to the public why the Government knocked it back, if it is stupid enough and foolish enough to do so. Members talked about the fact that the joint venturers will not go ahead and spend another fifty million lousy dollars unless they have the indenture ratified exactly as they want it.

The Hon. K. T. Griffin: That is the way it has been negotiated.

The Hon. J. R. CORNWALL: The Government is not prepared to go to the people of South Australia. You have lain down on your back like a puppy dog and said 'Tickle my tummy.' If the Roxby Downs prospect ever does proceed and if world prices come good (and the Hon. Legh Davis, who pretends to have some expertise in these matters, did not tell us how much a week B.H.A.S. is losing due to the current price of lead, there is possibly $30 billion worth of minerals in the ground. To talk about not being able to spend $50 000 000 to finish off the final feasibility, acknowledging the provisions in new clause 8d, is absolute nonsense.

The Hon. K. T. GRIFFIN: Section 43 of the Radiation Protection and Control Act passed earlier this year clearly empowers the Government to make regulations which could require the joint venturers to maintain a register of the type envisaged by the proposed amendment. The information which I have indicates that there is little doubt, if any, that when the regulations are promulgated provision for such a register will be included. In fact, the Minister of Health during the debate in another place on the piece of legislation referred to the fact that a joint Commonwealth/State consultative committee on nuclear codes is responsible for advising the relevant Commonwealth Minister on the appropriate codes in relation to transport, mining, and so on. She said in *Hansard*:

> This committee is chaired by the Minister for Home Affairs and Environment. Under it, there is a subcommittee, entitled the Expert Committee on the Health Code, which is considering how a central repository of information may be developed to monitor health trends among uranium mine workers. That is a central repository as distinct from the State register that the commission will keep.

She later goes on to say:

> Certainly, the South Australian Government and the Health Commissioner wholeheartedly endorse the concept of a national register.

She repeats that view as her own, the Government's and the Health Commissioner's—that that register will be established as soon as possible. I think it is also important to point out that clause 5 (t) of the Code of Practice on Radiation and Protection in the Mining and Milling of Radioactive Bores (1980) requires the keeping of a register. Further, it is important to recognise that a State register is currently being kept by the South Australian Health Commission. It is not practicable for the Minister of Industrial Affairs to keep a register. It has to be kept by the joint venturers, because they are the ones in possession of all the facts and with the capacity to record and keep up to date that register. I believe that the clause is not necessary and, in fact, is not workable.

The Hon. R. C. DeGARIS: When I spoke in the second reading debate, I said that the question of workers compensation raised by the Hon. Dr Cornwall was a question that did deserve the consideration of this Chamber. New clause 8a deals with the question of a register. I do not think that that should be part of the indenture. If the Minister of Industrial Affairs should be required to maintain a register of all persons employed in the mining, milling, treatment, processing, handling, transportation and the storage of radioactive ores and tailings, we should provide for that in a separate Bill. If the Minister has the power under that Act to keep a register of all people who are engaged in that type of work, as the Attorney-General said, I think that that is already possible under the powers of the Minister of Health. Nevertheless, I believe that new clause 8a is not relevant to the actual indenture.

Concerning the question of workers compensation, I believe that there is a problem and that the Government should give an undertaking in the passage of this Bill that this question will be examined; there are several ways that it can be done. As I pointed out in the second reading debate, I do not believe that the indenture itself is the right place for this to be included. I do not think it is possible to have special workers compensation questions in the indenture, but the problem is there. Whilst there has been some talk of the position concerning Great Britain, US, France and Germany, I think there is also a good deal of information that is not accurate concerning the position in the UK. Nevertheless, there are two ways that it can be

approached. One would be an amendment to the Workers Compensation Act, dealing with the question of compensation in radiation areas; and, secondly, to look at the Limitation of actions Act, where at present there is a limit of three years on any application for damages, although it is possible for the court, on application, to extend that. Nevertheless, I feel that there should be no necessity, where a person has been engaged in these particular industries, to make application to the court to go further than the three-year limitation.

Under United Kingdom legislation there is a period of 30 years in which a liability is admitted. This provision is not in any workers compensation, that is, compensation where there has been an accident which has affected people other than employees. This point was not mentioned in the House of Assembly select committee report. Nevertheless, I believe that, in the question of workers compensation relating to these industries, there is a necessity to look at new procedures that need to be adopted.

The approach made by the Hon. Dr Cornwall in new clause 8a is not applicable to the indenture. Regarding new clause 8b, the Government should give an undertaking to this committee that the question of workers compensation in these industries will be examined and that legislation will come before the Chamber to cater for this particular matter.

The Hon. Anne Levy: Don't hold your breath waiting for it.

The Hon. R. C. DeGARIS: Let us see what answer the Government gives to that question. Regarding new clause 8c, on which I spoke during the second reading debate, I do not believe that it is applicable to the indenture. There are already sufficient powers available in other legislation to handle the question of an inquiry and an environmental impact study. Regarding new clause 8d, I believe that we should not entertain this new clause, whereby the Governor has an absolute discretion to grant or withhold his concurrence under new subclause (1). This involves the Government directly in a decision-making process that should be the responsibility of the Government.

Regarding new clause 8b, I believe that the Government should outline to the Council what it proposes to do in relation to the vital question of workers compensation in these particular areas.

The Hon. K. T. GRIFFIN: If we are not going to talk further about new clause 8b—

The CHAIRMAN: I gave the mover the opportunity to move these clauses separately.

The Hon. J. R. CORNWALL: I elected to move new clauses 8a, 8b, 8c and 8d together and I made my reasons very clear.

The Hon. K. T. GRIFFIN: I have dwelt to a very large extent in my reply to the second reading speech on the Hon. Mr Cornwall's various amendments. In respect of the point raised by the Hon. Mr DeGaris about new clause 8b, I indicate that the Government is prepared to examine the position with respect to the question of workers compensation and the limitation period. This will necessarily involve examining what happens in other countries, not only in the United Kingdom. The Government will undertake that task.

The Hon. FRANK BLEVINS: I did not intend to take part in this debate at all but after hearing the nonsense talked about by the Hon. Mr DeGaris, that causes me to say a few words. The Hon. Mr DeGaris is one of those types of people (and the Council, unfortunately, is afflicted with a number of them) who are always going to do something, grab the headlines, help the press, write a statement, say that there are various points that could be supported, and then stand up here and do the weakest thing any member could do, namely, ask the Government if it would consider it in the future. That is an absolute insult to members of this Chamber, who know what kind of commitment that is by the Government. The Government will look at it, but it has a scale of priorities and I suggest that it will be very low on that scale of priorities. It is exactly the same as doing nothing. I do not mind if the Liberals think that the provisions in this particular clause are adequate to protect workers. Those honourable members are entitled to their opinions.

The overwhelming majority of members opposite are quite happy to pass the Bill as it stands. Time and again the Hon. Mr DeGaris grandstands and says that there may be something in what the Opposition is saying. However, he never quite reaches the starting barrier. Every time a proposition has come forward, no matter what it has been, he has always squibbed. It is about time the press woke up to the likes of the Hon. Mr DeGaris, who runs these furphies to get his line in the press. However, we know what happens when it comes to a vote; he invariably goes to water. It is a joke.

The Hon. R. C. DeGARIS: I think that is a rather odd statement for the Hon. Mr Blevins to make. I recall the Statutory Authorities Review Bill, which was debated recently. I moved a series of amendments and many of them were carried. I also moved about thirty-five amendments to the Planning Bill, and most of them were carried.

The Hon. Anne Levy: I thought I moved the amendments to the Planning Bill.

The Hon. R. C. DeGARIS: In all, there were fifty-five amendments and the Hon. Miss Levy moved some of them. During my second reading speech on this Bill I said that there was some merit in three of the Hon. Dr Cornwall's proposals. I still believe there is merit in part of new clause 8. Sovereignty is preserved by the fact that any future Parliament can alter the actual indenture if it has the numbers.

The second point relates to workers compensation. I believe that workers compensation should be mentioned in this debate. There is some merit in what has already been said. I have said quite clearly that a provision dealing with workers compensation should not appear in the indenture Bill.

The Hon. Frank Blevins: You've got your headline, the press has left, and you can safely vote with the Government.

The Hon. R. C. DeGARIS: I am not after a headline. The Government should undertake to consider this point and, if necessary, it should amend the Workers Compensation Act.

The Hon. FRANK BLEVINS: When did the Hon. Mr DeGaris start to take notice of Government undertakings?

The Hon. R. C. DeGaris: I always took notice when the Hon. Mr Banfield was Chief Secretary.

The Hon. FRANK BLEVINS: I agree completely that an undertaking given by the Hon. Mr Banfield would be worth something. However, the Hon. Mr DeGaris is referring to an undertaking by this Government and that is something new.

The Committee divided on the new clauses:

Ayes (10)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall (teller), C. W. Creedon, M. S. Feleppa, N. K. Foster, Anne Levy, C. J. Sumner, and Barbara Wiese.

Noes (11)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Majority of 1 for Noes.

New clauses thus negatived.

Remaining clauses (9 to 12), schedule and title passed.

Bill reported without amendment; Committee's report adopted.

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That this Bill be now read a third time.

The Hon. J. R. CORNWALL: I will be very brief in my remarks. There has been an enormous torrent of words in recent days, weeks and months and, indeed, over the past three years, on this whole matter. This is the moment of truth. The Opposition has tried, as I have said before, to accommodate this, and has gone as far as it possibly can.

I repeat yet again that the prospect of Roxby Downs, if it ever proceeds, is something for the 1990s and beyond. We do not believe that it is necessary for us to ratify the indenture with this Bill in its present form. We have gone as far as we can possibly go in 1982 in contemplating something which may or may not occur in 1995. It would be appropriate not for the forty-fourth Parliament but for the forty-seventh Parliament to be looking at the finer details.

Nevertheless, we were willing to give the joint venturers a 50-year indenture, all the security about the place, to have a two-way process which, on the one hand, would have them come to the Government every two years and tell us why they did not want to proceed; on the other hand, there would have been provisions to stop them from warehousing the minerals at Roxby Downs if world conditions changed and it was reasonable to expect that the uranium which was to have been mined would be adequately safe and safeguarded. The Government has rejected every attempt that we have made. We could not possibly go any further. Therefore, I indicate that the Opposition intends to vote against the third reading.

The Hon. K. L. MILNE: This really has been a wonderful sort of Gilbert and Sullivan performance. The Labor Party Opposition knows perfectly well what happened in another place. It knows perfectly well that its amendments were not acceptable and would not be accepted by the Government or by us. The Opposition has put on this performance as if it were crystal clear and clean, that it would have gone to great trouble to pass this Bill. What hypocrisy!

The Hon. J. R. Cornwall interjecting:

The PRESIDENT: Order!

The Hon. K. L. MILNE: It knew perfectly well what the result would be. It is just a performance for the purposes of the press and the public. It is quite despicable. It is trying to put the responsibility on the Government and me, which is quite unfair and inaccurate and, in fact, if one looks carefully, the decision on this Bill did not rest with me but with a member of the Labor Party—the Hon. Mr Foster—and it would rest with any member who chose to cross the floor.

The Hon. J. R. Cornwall: Are you chickening at the last minute?

The Hon. K. L. MILNE: Chickening, like hell—you are. Do not give me that.

The Hon. J. R. Cornwall: Santa is here again!

The PRESIDENT: Order!

The Hon. K. L. MILNE: There has not been much chickening by me.

The Hon. J. R. Cornwall interjecting:

The PRESIDENT: Order! The Hon. Dr Cornwall has had his opportunity.

The Hon. J. R. Cornwall: How dare you stand up and accuse us of cant and hypocrisy.

The PRESIDENT: Order! If the Hon. Dr Cornwall persists I will take action.

The Hon. K. L. MILNE: He mentioned two bob each way. Can one imagine that at any time during the debate we would have had two bob each way?

The Hon. J. R. Cornwall: Every time you have been on your feet!

The Hon. K. L. MILNE: Never. The responsibility for this Bill is—

The Hon. J. R. Cornwall: You rotten old phoney.

The Hon. K. L. MILNE: Do not blame me. Anyone on the Opposition side could have crossed the floor. One member nearly did. Do not blame me, because it is entirely in your hands as well. The Opposition has to share it with us. Do not try and get out of it.

The Hon. J. R. Cornwall: I do not want to share anything with you.

The Hon. K. L. MILNE: You will have to this time.

The Hon. M. B. CAMERON: After that performance (not by the Hon. Mr Milne but by the Hon. Dr Cornwall) I find it difficult to say anything. It is certainly an amazing event that in this State, when we have the potential for a great project, we find a combined Opposition, which got a very small vote at the last election (in fact, the Hon. Dr Cornwall was so low on the ticket that one would not have thought he would get in)—

The Hon J. R. Cornwall interjecting:

The Hon. M. B CAMERON: The Opposition is continually telling us that we are not operating according to the promises that we made. If ever we had a mandate for anything it was for this project. Yet, the Opposition is going to knock it out. Why? It is because of some ideological plan they have within their ranks.

The Hon. K. T. Griffin: Contest.

The Hon. M. B. CAMERON: That is probably more the word. It is a contest that has been won quite convincingly just recently. It will be a sad day for South Australia if this Bill does not pass. It will also be a reflection on this Council that we can find ourselves putting out of this Parliament a Bill that can only bring benefit to the State. I appeal to members opposite not to take this step. I do not care whether it is the Hon. Mr Milne, the Hon. Mr Foster, or any other member.

The Hon. D. H. Laidlaw: In the old days people used to think about workers.

The Hon. M. B. CAMERON: Yes. They have the audacity to accuse us of using numbers in this Council in the past. However, they are going to use their numbers in a very serious way indeed and in such a way that they will not like the end result. The people of this State will see through the ploys they tried to put up tonight through the Hon. Dr Cornwall as an attempt to destroy the indenture Bill. A very sad day for South Australia is coming up if the Opposition wrecks this project for South Australia.

The Hon. G. L. BRUCE: It is amazing how everybody is getting up and trying to wash their hands of this Bill. If anyone is to blame on this Bill it is the Liberal Party opposite. It was not prepared to put up a select committee to do the homework and come back with a report which deals with every phase of uranium and the nuclear cycle. It did not take the trouble to go overseas and see how the process was working there. The whole of the select committee report is virtually locked into the nuclear cycle, and not uranium. So, if members opposite have not done their job and sold their policy to the people outside, they should not blame us for that. The people we represent are not convinced by their arguments, and have told us and our Party that we cannot support the Bill on the arguments put up by the Government. The Government should not wash its hands of the deal; it is as bad as the rest.

The Hon. L. H. DAVIS: Two weeks ago I went to Roxby Downs, and spoke to the workers, more than 100 workers of whom belong to unions. They wanted that project. There was no question that they wanted the project. I wonder how

many Opposition members have been up there and spoken to those people. How many of the Opposition members have been to Roxby Downs in the last month or two, gone down the mine and spoken to the men? At least the Hon. Norm Foster has had the guts to do that in the last two weeks, which is more than we can say for the Hon. Dr Cornwall.

As the Leader said in winding up the second reading of the indenture Bill, the Liberal Party had a mandate at the last election. We made it a strong plank of our 1979 election policy. We were unequivocal in saying that the Roxby Downs project would proceed under our Government. We have honoured that commitment by bringing to Parliament the indenture Bill. The Labor Party is in tatters following its convention last week—

Members interjecting:

The PRESIDENT: Order!

The Hon. L. H. DAVIS: —with people almost every day from the Labor Party saying that they should relook at the uranium Bill, and with people such as Mick Young and Laurie Wallis, who are respected within the Labor Party, making favourable comments about the project. Sadly, it does not appear to have sunk through to the Opposition in this Chamber tonight. However, they have one last chance: the third reading of this Bill. As the Hon. Martin Cameron said, it would indeed be a sad day for South Australia if this Bill is thrown out because it takes away the certainty of that project. It makes us a laughing stock in the eyes of other States and overseas countries.

Where does the project go from here? If we do not proceed with this project because of the action that the Labor Party has foreshadowed tonight, the Government will certainly not be to blame. The public of South Australia will be able to blame the Labor Party and, most importantly, those people who will be affected if this proposal fails will be the very people that the Labor Party purports to support.

The Hon. C. J. SUMNER (Leader of the Opposition): I did not intend to speak on the third reading, because I felt that everything had been said. However, I am somewhat disappointed by the contributions that have been made. For some reason, the Hon. Mr Milne decided to attack the Labor Party's position on this Bill, yet I understand that he intends to vote against the third reading. We have also indicated that we will vote against the third reading. For some reason, the honourable member decided to vote with the Government on the amendments which, I might say, had some merit, even according to members opposite. The amendments were put up in good faith on the basis that we did not want to see the joint venturers lose the possibility of tenure of the mining lease in the future.

We have grave doubts about the nuclear fuel cycle, as has been explained. The amendments were designed to ensure that the joint venturers could have tenure of the mining lease, that they could continue their feasibility study, and that they could continue the work that had been agreed to by the previous Labor Government. That is the position the previous Labor Government took, and that is the position we take now. The joint venturers were prepared to finish their feasibility study under the arrangement that had been agreed to by the previous Labor Government.

However, this Government has decided to introduce this indenture Bill; we were prepared to pass that Bill with certain amendments and, basically, those amendments would have given the joint venturers the tenure they required and would have provided provisions relating to safer mining and milling at Roxby Downs, in terms of radiological protection, and workers compenstion. Those amendments have been rejected: they would have left the final decision to the Government of the day. Somehow or other, the Hon. Mr Milne seemed to have a guilty conscience about the fact that he was intending to vote against this Bill, so he felt that he had to try to attack our position. We took a different position from him. He took a completely oppositionist role to the Bill and was not even prepared to vote for what, on the admission of the Liberal Party, were quite sensible amendments.

Once again, members opposite have decided to try to throw some kind of ideological accusation at members of the Labor Party. I dealt with that accusation at the second reading stage. I reject the accusation that somehow or other members on this side are playing politics on this issue or that politics is responsible for the defeat of the Roxby Downs (Indenture Ratification) Bill. If anything is responsible for its defeat, it is the deeply held feelings of a large section of the community and a large section of the Labor Party that at this stage we should not (and I mean emphatically not) enter the nuclear fuel cycle. That does not mean that at some time in the future we will not agree to uranium mining. Clearly, if the safeguard questions that have been discussed in this debate are resolved, the issue can be reassessed. I emphasise that the ore body will not go away. The uranium, gold and copper will still be there in 10 years.

The Hon. R. J. Ritson: The venturers might go away.

The Hon. C. J. SUMNER: We were prepared to give the joint venturers a tenure and, if the ore body was as good as they made it out to be, I suspect very much that the joint venturers would not go away. The opposition to the third reading of this Bill had its genesis, if you like, in the deeply held feelings in the community—not just the South Australian community but indeed throughout the whole world—about uranium mining. I do not believe that members opposite have dealt adequately with the threat of nuclear war that uranium mining presents, with the safeguards that are needed to prevent proliferation, or with other safety aspects of the nuclear fuel cycle.

Basically, I think that the feeling in the world community is based on a fear of the incredible devastation that could occur to the world. That feeling indicates to us at this point that we should not proceed with uranium mining but that over the next few years we should assess the safeguards in relation to waste disposal, and in particular in regard to the proliferation of nuclear weapons, and then reconsider the position. As I have indicated, I oppose the Bill.

The Hon. FRANK BLEVINS: The Government maintains that it has a mandate for this project and I agree with that completely. We also have a mandate. Labor Party members were elected in 1975 and in 1979 under a system that passed through this Council unanimously. It is the Liberal Party's system that keeps members in this place for six years, not the Labor Party's. The Labor Party could alter that system so that when there was a change of Government there would more than likely be a corresponding change in representation in this Council. Since it is the Liberal Party's system that is responsible for hanging Government members on this matter, they cannot complain.

The Hon. Mr DeGaris has made a long career out of saying what a marvellous place this is and about why there should be long terms for its members. In regard to why this Council should not be a creature of the Government, the honourable member has convinced me at last. There is an inherent difficulty with Upper Houses—there is no doubt about that. A Labor Government would resolve that problem; by abolishing this place so that following an election, a Party would have a mandate and would be able to carry out its policies.

We were all elected under a democratic system that went through this Council unanimously. Members on this side were elected by people who wanted us to oppose this Bill,

so we have a mandate in exactly the same way as the Government has. If the Liberal Party wants to do something about that, it should do something about this place and I will assist it in that. But the Liberal Party should not squeal if it gets hurt. The Hon. Mr DeGaris has been dishing it out in this place to Labor Governments and some Liberal Governments for 20 years; if members want to dish it out they must be prepared to take it. This is the first time that members opposite have had to take it.

Let me now deal with the question of jobs. There was reference to people making septic tanks—I think there were six of them—losing their jobs. Someone pumping water somewhere was going to lose his job. Let me point out that in Whyalla, the city in which I lived, at B.H.P. there were 400 fewer jobs in December 1981 than there were in January 1981.

The Hon. L. H. Davis interjecting:

The Hon. FRANK BLEVINS: Just pipe down or go back to sleep. There is not one word from the Government complaining about that loss of jobs—no action by the Government at all. If a factory closed down in Adelaide and 400 jobs were lost, that would make the front page, but nobody cares about the 400 jobs that went in Whyalla last year. Now the Government complains about these 200 jobs at Roxby Downs.

The increase in the level of unemployment in this State since the Liberals have been in Government is an absolute disgrace. If the Government did more about safeguarding the jobs we have here in the State at the moment, I would have a lot more respect for it. The Government does not care two hoots about the workers at Roxby Downs; workers are merely units to be exploited, and the Government could not care less what they do as long as it can make a profit from them. When the random breath test legislation went through, it was possible there that workers would lose their jobs, but the Government wanted them to lose jobs in the liquor industry. That was a bad side-effect of a good proposition, but the Government did not mind. As far as the Labour Party is concerned, if those 200 jobs go, then that is a bad side-effect of keeping a principaled position. We are not convinced that the technology within that industry or the question of proliferation is fixed. I am not one of these people who says, 'Leave it in the ground forever.' I am not on a holy war against uranium mining, but the Government should get its experts together on the same line, because on every issue that comes up there is an expert of equal ability and integrity to contradict it. All we are saying, and all the people who elected us are saying, is that at the moment it is far too dangerous; let technology catch up with the industry and we will be happy to go along with it.

The Hon. R. J. RITSON: I will be brief. I want to straighten out the Hon. Mr Blevins on this matter. It is true that members elected to this Chamber in 1979 were elected in a climate in which the present Government asked for and sought a mandate to mine uranium. It is also true that in 1975 the Government of the day had a broad uranium policy which did not change until 1976. I think that this Council does have a mandate both from 1975 and 1979.

The Hon. K. T. GRIFFIN (Attorney-General): Several weeks ago the slogan, 'South Australia. It is our State, mate' was changed by a group of people who believed in the future of South Australia to 'South Australia—great' They believed that South Australia was on the upswing and they were confident in the future that faced South Australia, but now we find that one of the significant developments in South Australia of this decade will be put on ice through the activities of the Australian Democrats and the Australian Labor Party. Make no mistake about it, Mr President, that it will be the responsibility of the Labor Party and the Australian Democrats that this has been put on ice. It is all very well for the Hon. Frank Blevins to be holier than thou about jobs, but when it comes to this job he tends to put the 200 or more jobs at stake and to one side and says, 'Too bad, mate, I have got a job, and I am not so worried about you.'

The Hon. L. H. Davis: I bet that he has not listened to the people of Whyalla.

The Hon. K. T. GRIFFIN: The people of Whyalla stand to benefit from it. I bet that he will not be game to go up to Roxby Downs and face the anger of the workers when this Bill is defeated, as the Opposition and the Democrats have indicated that it will be defeated.

The Hon. L. H. Davis: He did not speak in the debate.

The Hon. K. T. GRIFFIN: He has made his attitude quite clear, and his attitude is reflected in the other members of the Opposition. That is an attitude of trying to create an atmosphere of false security—false security for the people of South Australia and for the joint venturers.

What the amendments proposed by the Opposition really mean is that the Opposition wants executive control over the joint venturers in the development they undertake. What the Government has tried to provide in the indenture and, I believe, has done to the satisfaction of all reasonable people and most people in South Australia, is to provide a reasonable objective basis upon which the project can proceed. I will be most disappointed if, at the third reading stage, this Bill is defeated. It will represent a significant setback for all the people of South Australia, and I believe that the Opposition and the Australian Democrats will live to rue the day.

The Council divided on the third reading:

Ayes (10)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, and R. J. Ritson.

Noes (11)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall (teller), C. W. Creedon, M. S. Feleppa, N. K. Foster, Anne Levy, K. L. Milne, C. J. Sumner, and Barbara Wiese.

Majority of 1 for the Noes.

Third reading thus negatived.

CRIMINAL INJURIES COMPENSATION ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

FISHERIES BILL

The House of Assembly intimated that it did not further insist on its amendment No. 2.

CLASSIFICATION OF PUBLICATIONS ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

REGISTRATION OF DEEDS ACT AMENDMENT BILL

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

JUSTICES ACT AMENDMENT BILL (No. 3) (1982)

Returned from the House of Assembly without amendment.

ADJOURNMENT

At 1.43 a.m. the Council adjourned until Thursday 17 June at 2.15 p.m.