

**PRIMARY INDUSTRIES AND RESOURCES SA**

**The Hon. A. BRESSINGTON** (20:16): I move:

1. That a select committee of the Legislative Council be appointed to inquire into and report upon the conduct of PIRSA in relation to issues that are affecting the livelihoods of those involved in the fishing industry and, in particular—

(a) ( i ) the licence fee structure;

( ii ) cost recovery process; and

( iii ) access to right of appeal process.

(b) The scientific data provided to PIRSA to determine allocations to ensure resource sustainability for the 2008-09 pipi quota for the Lower Lakes and Coorong cockle harvesters;

(c) The validity and accuracy of catch and effort data and the impact that has on scientific stock assessment to guarantee resource allocation; and

(d) The rationale of determining allocation for season quota 2008-09 and the impact that has had on individual licence holders and multiple licence holders.

2. That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.

3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council.

4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

I have moved this motion because the disallowance of the regulations for the cockle quota for the Lower Lakes and Coorong has caused an absolute furore in the industry. I have debated this matter with the Hon. Rory McEwen on radio on at least three occasions. I am, again, absolutely baffled at how a person can go to the public and give inaccurate information. I am not talking about what he can do as the Minister for Agriculture, Food and Fisheries: I am talking about the fact that he has stated that there were no alternatives put forward to him, when there were. The alternatives that were put forward to him would have ensured that the small-time cockle harvesters—and when I say 'small-time' make no mistake: their livelihoods still depend on this—would still be able to have a quota allocated to them that would have seen them able to sustain their small business.

The 60:40 quota put to the Hon. Rory McEwen showed that the big-time cockle harvesters (who would have received 60 per cent of the allocation of the quota) would still be making a bucket load of money. As a matter of fact, cockles harvested in the past two to three weeks have been fetching \$12 a kilo on the market. When cockle harvesting was first established it was paying only about \$1.50 a kilo. The quota system was being proposed for the sustainability of the resource, and absolutely nobody was against a quota system.

As a matter of fact, the people who are now literally pushed out of this industry were the ones who established the rotational sustainable harvesting of pipis. It was an accredited process. They were the ones who went out and got information on how to bring that about. They were the ones who went out and established best practice on this, and they are the ones who, I think, for about seven years have been practising that. It equates to about 70 per cent of the industry. But, they are the ones whose quotas have been reduced to the point where it is no longer viable for them to stay in business.

Rather than the minister looking at a slight shift to a 60:40 quota, instead of 68 per cent to the big guys and 32 per cent to the little guys, once those regulations were disallowed, he whacked them all over the head with his big ministerial stick and suspended licences, and suspended these people from even going onto the beach this year. However, they are still expected to pay the same amount in administration fees, even though they cannot go onto the beach, unlike the guys with 68 per cent of the quota who are currently making \$18,000 a week from the quota that they have been given—\$18,000 a week.

They are paying the same administration and licence costs as the guys who cannot go onto the beach and rake for cockles, who cannot now trade their licences, and who cannot trade the quotas. Those administration fees—make no mistake—are not small amounts of money. One of them told me that his administration fees will be over \$6,000 and are due at the end of January, but he cannot rake his cockles; he cannot go onto the beach. If he does not pay those administration fees, the information I have is that it is within the minister's power to revoke his licence to rake.

There is something very wrong with this system. We have been inundated with emails, letters and phone calls from the West Coast-Coffin Bay mud cocklers. They are also facing exactly the same situation with the regulations that I have given notice of motion to disallow. The West Coast mud cocklers' situation is a little different, but it is pretty much the same; there are slight differences. Rather than maybe 13 or 14 families being put out of business, as with the Lower Lakes and Coorong cocklers, in terms of the mud cocklers from the West Coast there are something like 150 people who will lose their livelihood.

We are talking in this state about the global financial meltdown. We are saying that we have no idea of the ramifications for this state. The Hon. Paul Holloway said today that it is like trying to estimate a tidal wave: we know there is a tidal wave coming but we do not quite know what the damage will be. But, through the actions of this one minister, we are now condemning probably another 200 people to the unemployment line. How can that be good for this state? How can it be good for their families? How can it be good for industry?

We all know that the ACCC believes that competition is healthy. The minister has tailed down these fisheries to the big six. For the Lower Lakes and Coorong cockle

harvesters there are, I think, three licence holders who now have 100 per cent of the quota, while the other small guys are literally up against the wall. The Hon. Rory McEwen tried to make out to his own party, the Liberal Party, to everybody else, and to me that this whole kerfuffle about the cockle quotas was all about one man: Mr Steve Alexander.

Mr Steve Alexander became the target of all this. He was the cause. I was told in a briefing that he was the only one who was dissatisfied. Not so! Steve Alexander was the one who was going to be hurt the most by this, but he was prepared to compromise. He was actually the one who, previously, I think, had recommended that a quota system was necessary to sustain the resource. He had no opposition to that at all, but his quota was cut down to 1 per cent.

It is all supposed to be based on previous catch history. He claims that his previous catch history was not recorded properly and not estimated properly, and therefore his allocated quota is inaccurate. Because he has been put out on the front line, this man spoke up and because he has been the one speaking up about this, it has literally become about this one man, but I guarantee honourable members that it is not about one man. His is just the absolute worst-case scenario that I have heard. This has absolutely broken this man. I spent probably an hour with him yesterday and his prospects are not great.

I believe that the government, through its actions, is able to divide entire communities and send them to war against each other, and that is what is happening in this industry. We have people from the south and west who have divided into two groups and who are now warring with each other over pipis, for goodness sake. What happened to conflict resolution? What happened to meeting both sides in the middle? What happened to taking that time?

The minister claims that a huge amount of consultation went into developing this pipi quota system and allocating the quotas, but I hear from one side that they were completely railroaded in the meetings chaired by the Hon. Rory McEwen and that, when they got up to speak, they were told to sit down. When he mentioned on Radio FIVEaa that they had a right to appeal, nobody appealed because these guys do not have the money to appeal this. It is a \$40,000 or \$50,000 process to take this through the courts to appeal it. Where do people who have had their businesses ripped out from under them get \$40,000 or \$50,000 to go to the courts and appeal? He knew that. They were also advised not to enter into the appeal process, so they did not.

In the meantime, they have taken advice from people who told them that they knew what they were doing. They tried to participate in the meetings with the minister. They claim that they have been bullied and intimidated. I was not there, so I do not know. The only thing that I can base my views on is the 2½ hour briefing that I went to with the Hon. Rory McEwen where I was sat down at a desk and told, 'Well, I've put up the regulations. You don't agree with it. Well, now you come up with a solution.' Excuse me! I am not the minister. It is not my job to come up with solutions: that is his job.

It is his job to find a medium ground where not everybody is going to be absolutely happy but where at least half or 70 per cent of the industry is not going to be bankrupted. That is poor government policy and poor government practice. That is not a government that is serving the best interests of all their constituents because there is no need for 70 per cent of this industry to be sent bankrupt. There is a solution.

Then the minister stated on radio that I had suggested that we just have an open Olympic scale system where it is a free-for-all on the beaches. At no time have I ever recommended in this place or outside that open slather be allowed. He still could have set the total allowable catch at 600 tonnes and let them go out there and whoever gets their quota first, well and good. He has misled listeners on the radio, and my staff have given me feedback that people have come up to them in social situations and said, 'Why would Ann Bressington want open slather on the beaches for pipi quotas? What is she thinking?' My staff have had to explain that that is not what I proposed at all. So, if the minister cannot win fairly and squarely, if he cannot get his own way, he is not above spreading a few furphies in order to prove his argument.

This inquiry started out about the Lower Lakes and the Coorong and the processes that are in place. Since yesterday, when word of this inquiry got out, we have had inquiries from bluefin fishers, and probably half a dozen others I have not even heard of before, about whether they can come forward and give evidence to the inquiry about the absolute dysfunction of PIRSA.

I know that there is a report out there relating to this quota and how it came about. However, if we simply rely on these reports written by bureaucrats, government department CEOs and whoever else and never truly listen to the constituents who are affected by this, tell me how we will know it is working for them, and tell me how will we know that we are getting it right.

I have moved this motion in order to get all this information on the table. The minister's departments will have an opportunity to present to this committee and tell their side of it. I have also been told that there is some pretty hefty evidence of the fact that there is an agenda involving a level of self-serving in the undertone of some of these decisions that have been made (not necessarily by the minister, I might add). I think that, if that is the case, it needs to be uncovered and reported on; if it is not the case, and there is absolutely no other way for this quota system to go ahead, then fair enough. However, we are causing too much hurt out there. I think I have previously said that sometimes we become a bit immune and make decisions but really do not see the outcome at the grassroots for a very long time.

There are not too many people in here who have not been involved in this whole process outside this place who do not understand the issues involved. I ask them at least to support the inquiry. It will not be a long dragged-out inquiry. At least then everyone in here will have the opportunity to examine a report that will give a perspective on the evidence it has received and perhaps make some useful recommendations to the minister.

Debate adjourned on motion of Hon. I.K. Hunter.

**PRIMARY INDUSTRIES AND RESOURCES SA**

**The Hon. A. BRESSINGTON** (12:47): I thank honourable members for their input into this debate. I have an eight-page response to the comments that the Hon. Carmel Zollo has just made about my contribution. I understand that there are two or three different points of view on this matter, and that is probably why I called for the select committee inquiry. What the minister is saying about people being satisfied with the outcome of the quota system, and about people not being put out of business over this, is in direct conflict with the information that we are getting from the constituents. The reason that I wanted it to go to a select committee inquiry was that I wanted to sit on that committee and hear the evidence—both sides of it—including PIRSA's evidence, and be well informed about this matter after the inquiry.

This is the same script that we heard from the government when we wanted the Families SA inquiry established: that it was a political stunt and political grandstanding. It seems that everything that the crossbenchers or opposition do in this place must be a political stunt. It could not possibly be that some of us are interested in hearing the truth from the people themselves who have been adversely affected by the decisions of this government!

I do not sit on the Legislative Review Committee any more, and that is why I have asked for the select committee. The Liberal Party has given its commitment to endorse and support that particular motion, and all the evidence that I have I will make available in the select committee, particularly as it relates to the comments of the Hon. Rory McEwen. I point out that the Hon. Rory McEwen seems to believe that, just because a member in here has disagreed with his point of view, that it is somehow misleading parliament. I have put information onto the record here in good faith, and I believe that saying it was misleading parliament would have to be proven.

I have responded to the letter sent by the Hon. Rory McEwen and have said that I will go through that and, if I find that I have misled parliament, I will be more than happy to correct the record. From the information I have received so far regarding that letter, I do not have the evidence that I have misled parliament. However, if I discover that I have then I would be more than happy to admit that I have been wrong.

The committee divided on the Hon. Mr Darley's amendment:

AYES (8)

Darley, J.A. (teller)	Gazzola, J.M.	Holloway, P.
Hunter, I.K.	Kanck, S.M.	Parnell, M.
Wortley, R.P.	Zollo, C.	

NOES (9)

Bressington, A. (teller)	Brokenshire, R.L.	Dawkins, J.S.L.
Hood, D.G.E.	Lawson, R.D.	Lensink, J.M.A.

Lucas, R.I.

Schaefer, C.V.

Wade, S.G.

PAIRS (4)

Gago, G.E.  
Finnigan, B.V.

Stephens, T.J.  
Ridgway, D.W.

Majority of 1 for the noes.

The Hon. J.A. Darley's amendment thus negatived.

The Hon. Caroline Schaefer's amendment carried; motion as amended carried.

The council appointed a select committee consisting of the Hons A. Bressington, J.S.L. Dawkins, I. Hunter, C.V. Schaefer and R.P. Wortley; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 17 June 2009.

*[Sitting suspended from 13:02 to 14:18 ]*