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Title:
Television script - Off-shore drilling

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TELEVISION SCRIPT.

Station:	Duration:	Title: OFF-SHORE DRILLING.
Date: 16.8.67.	Type:	Key No:

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Video

In recent years the importance of oil and minerals on the sea-bed in off-shore areas has become very great indeed. In many areas, off-shore rich deposits of oil, natural gas and other minerals occur, and numbers of countries including the Commonwealth of Australia have signed a convention giving countries, signatories of the convention, ^{the} right to exploit the resources of the sea-bed to the edge of the continental shelf. This is a shelf extending for varying distances off-shore to the depth of 200 fathoms.

The State Governments of Australia have the right to make laws for the peace, order and good government of their citizens, and, within their boundaries, they have the powers to regulate oil and mineral exploitation.

PREMIER'S DEPARTMENT,
ADELAIDE.

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However, according to the letters patent founding the province of South Australia and the State of Victoria, the boundaries of those States is the southern ocean.

On the one hand, it could have been contended that the Commonwealth had sufficient power to pass valid laws controlling the whole of the offshore areas and, if this was correct, the States would be debarred from making effective laws of their own by [section 109 of] the Commonwealth Constitution. It could also have been maintained, with some force, that the States could not effectively legislate for and guarantee the security of authorities to mine in offshore areas without Commonwealth backing. On the other hand, opinions were not wanting that any Commonwealth legislation might be beyond its power, and that perhaps only States could legislate effectively.

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Now, it is of vital importance to this State and to all other States, that we have the right to administer oil and mineral exploitation in the areas off the shore of our State, and that we obtain royalties from any oil, gas, or minerals found. If we are to do this, we must be able to assure the people who are exploring for oil that they have a clear title which will stand up to challenge in a court of law. Otherwise, they could explore the off-shore oil area and then some foreign country could come along and put a rig down and test the legality of title of the person to whom the exploration licence had been given.

So, for four years the States and the Commonwealth have been trying to sort out a system by which legislation can be passed in the Commonwealth and in the States jointly so that any titles given have the support of both Commonwealth and State legislation, and therefore the utmost security of title. In

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addition, the States would be able to administer the scheme and obtain royalties from the oil. The Commonwealth, of course, will share in the royalties also.

This scheme, the importance of which to Australia cannot be over-rated, will be ready for presentation to Parliament very shortly.

One of the outstanding matters in the conclusion of the scheme was to agree the boundary off-shore between the State of Victoria and the State of South Australia. The letters patent founding the colonies did not take the boundary between the States beyond the shore-line.

Previously companies carrying out oil exploration have applied to Victoria for exploration permits in respect of areas commencing from the meridian line forming the extension of the boundary between South Australia and Victoria, and Victoria granted permits accordingly.

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South Australia similarly granted permits, upon application, up to the same meridian.

It is fair to say that at that stage neither State contemplated the present problem connected with the Australian Scheme.

South Australia has contended that the meridian line should be adopted as the boundary.

Victoria, on the other hand, has argued for the adoption what is called the median line, that is a line drawn off-shore so that at each point of survey the line is equidistant from the shore of the neighbouring States. This would have taken a considerable slice out of an area which South Australian investigations have already shown to have at least interesting possibilities for oil search.

Sir Henry Bolte offered to go to arbitration knowing that he could rely on generally accepted principles of international law. South Australia was not willing to go to arbitration because it appeared to us to be too great a gamble. We might have lost the lot, but in order to ensure the passing of the scheme we had to reach some effective compromise.

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and so there has been a lot of hard bargaining going on for some months. We have now reached a compromise in which I think both States have got a good deal.

The majority of the in-shore areas which contain areas considered on the surveys to be interesting for oil exploration go to South Australia. The portion, however, of an interesting in-shore area, which is connected to a structure in Victoria on which Victorian lessees are already drilling, goes to Victoria.

The majority of the off-shore areas in which it is considered that there are no interesting possibilities go to Victoria.

South Australia, therefore, has obtained from this compromise the majority of the areas in dispute which appear to have interesting possibilities of exploitation and the majority of

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the area in-shore where economic exploitation can take place. Victoria, however, has also got some interesting area connected with an interesting area on her side of what we had contended was the border.

This is a compromise which gives a good deal to this State in the face of what we might have lost through arbitration, and will enable us to proceed with the scheme essential for off-shore development in this State. As we are about to have a rig off-shore of Robe in the immediate future, it is vital for us to be able to give certainty of title to the explorers.

I think South Australia can congratulate itself that it has come out of this situation so well.

GOOD NIGHT.