HOUSE OF ASSEMBLY

Tuesday, August 15, 1967

The SPEAKER (Hon. L. G. Riches) took the Chair at 2 p.m. and read prayers.

SUPPLY BILL (No. 2)

His Excellency the Governor, by message, recommended the House of Assembly to make provision by Bill for defraying the salaries and other expenses of the several departments and public services of the Government of South Australia during the year ending June 30, 1968.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

CHOWILLA DAM

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That Standing Orders be so far suspended as to enable me to move the following motion without notice forthwith: That, in the opinion of this House, assurances should be given by the Governments, the parties to the River Murray Waters Agreement, that whatever action is taken by the River Murray Commission concerning the Chowilla dam or any alternative proposal, South Australia will be provided with water in dry years to the extent intended to have been assured by the Chowilla dam project.

I move this motion in order to be able, at the earliest possible time, to give the fullest information to members concerning the reports to the Government of the Commissioner for South Australia on the River Murray Commission, and also to give the House, at the earliest possible opportunity, the chance to express its unanimous support for the action of the Government in seeking assurances from the Governments of the other States, an action that I have already commenced by communicating with the Prime Minister to that effect.

Motion carried.

The Hon. D. A. DUNSTAN: I move:

That, in the opinion of this House, assurances should be given by the Governments, the parties to the River Murray Waters Agreement, that whatever action is taken by the River Murray Commission concerning the Chowilla dam or any alternative proposal, South Australia will be provided with water in dry years to the extent intended to have been assured by the Chowilla dam project.

On Friday evening last I was informed, by telegram, of a resolution of the River Murray Commission. The telegram I received, setting forth the effect of the decision stated:

In view of urgency to resolve tenders for Chowilla dam held by South Australian Government I feel I should advise you that today the following resolution was made by the River Murray Commission having regard to the changed relationship between costs and benefits of the Chowilla project since it was previously assessed in 1961 the River Murray Commission recommends to contracting Governments that the project be deferred pending further investigations further in view of the fact that the South Australia contracting authority is holding tenders for this work it be asked not to accept any tender currently held and arranged to reduce all expenditure on the Chowilla project to a minimum as rapidly as possible other contracting Governments have been so informed David Fairbairn President River Murray Commission.

A further lengthy telegram was received on Monday setting forth the statement of the President of the commission, the draft of which stated:

In 1962 the River Murray Commission investigated a proposal to construct a dam on the Murray at Chowilla with a capacity of approximately 5,000,000 acre feet their investigations showed that without this dam all States bordering the Murray would be subject to water restrictions in drought periods but that the construction of Chowilla would result in a very considerable reduction in the frequency and severity of these restrictions the estimated cost of the dam was $28,000,000 and the Commonwealth Government and the Governments of the States of New South Wales South Australia and Victoria—who all would be contributing equally to the cost—gave their approval to proceed with the project after detailed site investigations the design of the dam was completed by the constructing authority—the South Australian Government—and tenders were called in October 1966 the estimated cost at that time was $43,000,000 on receipt of tenders in April 1967 it became apparent to the commission that the actual cost of the dam would be in the vicinity of $70,000,000 in view of this greatly increased cost the commission decided to reassess the benefits to be gained from Chowilla taking into account the changes in basic data and operation procedures that had occurred since 1962 major alterations in data or procedure which were considered in this study included (*a*) a requirement to maintain certain minimum flows at Mildura to reduce the saline content of the river to an acceptable level for irrigation (*b*) the evaporation loss from Chowilla was now estimated as much greater than assumed in 1962 (*c*) the capacity of the Blowering dam on the Murrumbidgee River system had been increased from 800,000 to 1,300,000 acre feet very complete studies were carried out using a newly developed computer programme which gives a month by month

simulation of the river system for the last 50 years the studies showed that benefits equivalent to that received from the proposed dam could be derived from a smaller storage at Chowilla or possibly some other site in the Murray Basin. In these circumstances the River Murray Commission at its meeting on Friday August 11 resolved that:

> Having regard to the changed relationship between costs and benefits of the Chowilla project since it was previously assessed in 1962 the River Murray Commission recommends to contracting Governments that the project be deferred pending further investigations; further in view of the fact that the South Australian contracting authority is holding tenders for this work it be asked not to accept any tender currently held and arrange to reduce all expenditure on the Chowilla project to a minimum as rapidly as possible.

The commission is pursuing urgently its studies to provide the best solution to the problem of River Murray regulation. These will include further consideration of a storage at Chowilla in conjunction with other potential storages in the river basin.

On Mr. Beaney's return, he was asked to give a full report to Cabinet as to what had occurred. He reported on the resolution that I have just read to the House and the released statement is as follows:

The estimate of $68,000,000 that was made available to you—

that is, the Minister of Works—

and to the other Governments earlier this year caused some hesitation within the commission, and at the meeting on May 10 in Canberra, agreement was reached on further investigations. A direct quotation from the minutes reads:

> The commission generally agreed that a factor which had emerged from discussions was that the River Murray Commission would need to arrange for preparation of an up-to-date evaluation of Chowilla benefits and it accordingly resolved to proceed with a technical reassessment and justification study on the basis of latest information. The commission also resolved that it would immediately advise all contracting Governments of the revised estimate based on tenders as received. It would also report that the commission is making a reassessment of the benefits of Chowilla in relation to the new estimated price; and further that when the commission has studied such reassessment it would communicate its views to Governments. Before arranging for Chowilla to proceed concurrence would be sought to increase the amount at present appearing in clause 32 of the agreement. It was not expected that the reassessment would be available to Governments before the end of June.
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> Generally, it was agreed by the commission that acceptance of the contract by July 14 would not be possible. It was considered that the reassessment of the benefits, and arrangements for financing would not be completed to allow an acceptance of the tender before the end of September. With regard to the problem confronting South Australia concerning fixed dates for acceptance of tenders the commission decided that the constructing authority should negotiate with Soletanche and endeavour to make the best possible deal on the basis of possible date of acceptance, say, mid-September. The commission also decided that the constructing authority should formally advise tenderers 2 and 3 that their tender had not been accepted. Tenderers 1 and 4 should be advised that their tenders were still under consideration but that a decision was unlikely before the middle of September. It was realized that this deferment could involve possible further discussions with these tenderers on the effect of floods in relation to the submitted terms of their tender.

The new studies took advantage of a computer programme system that had latterly been evolved by the executive staff of the commission in association with the technical committee. This programme does not make a study of river behaviour any more effectively than the former manual processes, but it enables studies to be made rapidly (seven minutes machine time) against many hours formerly. As a consequence of this quite a large number of conditions were looked at in the new series, some 24 in all. Of the changed conditions introduced over the early studies, the most significant were: a revised scale of river losses (upper river); new storage capacities from tributaries (Menindee Lakes and Blowering); a new scale of releases for Snowy Mountains scheme; and increased evaporation allowance for Chowilla based on observations on Victorian lakes. None of these is regarded by me as greatly affecting the benefits from Chowilla, and all are logical and necessary for a realistic study. The greatest single factor was a new concept of river operation, and this is the provision of a base flow at Mildura at all times. The reason for this lies with the salinity problem that has started to show itself there over the last season or two, and this constant augmentation there must have some advantages to South Australia. It also acts adversely to the need for Chowilla as far as the upper States are concerned.

It is from the above conditions that the commission received the report of the studies which reads, in its conclusions (quoting in part only):

1. With Chowilla at a capacity of 1,500,000 acre feet—
   - (*a*) South Australia would never have been restricted under its present entitlement;
   - (*b*) The upper States would not gain significantly from any increase above this capacity.

This conclusion would still apply at some lesser capacity above 1,000,000 acre feet to be determined by further studies.

2. The benefits to the upper States from the construction of Chowilla could be largely

obtained by alternative means, mainly the elimination of unaccounted losses below Wentworth.

3. All States might benefit from conversion from a 5:5:3 basis of sharing in periods or restriction (clause 51) toward a 5:5:5 basis, regardless of whether Chowilla was constructed. South Australia would benefit by being less restricted in drought, whilst the upper States would be able to increase their normal annual demands without incurring more than 70 per cent restriction in the worst drought.

The commission has now requested that the whole river system be studied in a comprehensive series of computer runs, and that the results be assembled and analysed to see where the greatest benefits lie. There is a very strong desire in this to equate benefit against cost and not necessarily to take the greatest water gain as the criteria of the best scheme. New studies are requested covering the following, not only as alternatives but in a wide range of combined operations:

(1) A storage at Chowilla, allowing varying capacities.
(2) Upper river storages both on the Mitta and the Upper Murray, including the alternative Murray Gates and Dartmouth sites.
(3) A mid river storage at Euston, using Lake Benanee.

Variation in distribution between the 5:5:3 and the 5:5:5 formula, and with the permanent control of Menindee Lakes as a River Murray Commission storage have also been requested. I am having any proposal for a smaller Chowilla assessed to see what increased allocation could be made to South Australia from building it up to the full storage capacity.

The commission has asked that the two tenders currently held by the department be rejected. One is valid to August 15, the other to September 30. Appreciable extension beyond these dates would not be given by either organization, even without the wide publicity given the commission's report and both companies are now actively seeking other work.

Here was a particular difficulty that our commissioner faced. Members will know that, in order to let a tender, it was necessary that any decision of the commission be unanimous. A unanimous decision, however, could not be achieved to let a tender. In view of the reports which I have read to honourable members, the other States were not willing to let a tender. If we had then insisted that our commissioner vote against the motion, the result would have been an arbitration procedure that would have gone beyond the date at which tenders were still available to South Australia. Therefore, there was no alternative left to our commissioner but to try to see that he got the best possible result for his State, and that is what he did at the meeting of the commission. Mr. Beaney's statement continues:

To reject the tenders and close down our present activities, apart from considerable disruption of the department's general activities, will also require:

(1) The cancellation of the contract with Soletanche and negotiations with them of compensation for costs involved to date.
(2) Closing down site works. This should not be absolute, as certain investigations in association with our consultants are in progress and should continue.
(3) Formally advising the Victorian and New South Wales authorities to suspend further land acquisition, but to hold, under best terms available, all land purchased.
(4) Advise our consultants, Soil Mechanics Limited that the extension of the agreement beyond January 31, 1968, will not be made unless work is approved to resume on the project.
(5) The department to negotiate with the South Australian railways *re* steel skips made for Chowilla traffic.

Our commissioner can see no alternative to accepting this situation within the River Murray Commission at the moment because he does not think he can get a better result within the River Murray Commission under present circumstances. However, he is confident that a storage at Chowilla offers the greatest security to South Australia's share of Murray River waters, and he expects that this view will, in fact, be vindicated by the studies which the River Murray Commission has now ordered to be undertaken.

As to the size of the storage the commission may recommend, it is not possible at this stage (until the studies have been completed) to predict it. When the 1961 studies were undertaken, some degree of restriction to the South Australian allotment was accepted as likely to be inevitable, but the studies made then and the new series both show that full supply can be maintained. Any proposed system that fails to give that standard of supply will have to be rejected, and will be rejected, by South Australia. To recall the dam as a 5,000,000 acre feet storage could take six months from authorization, mainly involved in modifications to introduce economies now suggested in studies before the commission. However, to call a further modified structure (further modified than that) would, of course, take longer. The important thing is to assure South Australia that we are going to have the results to us from the River Murray Commission to which we originally got the River Murray Commission to commit itself by the building of the Chowilla dam. The essential thing to South Australia

is that we will not have a restriction in dry years that will put this State into difficulty in the divergence from the Murray River for which we have already provided in our planning. Anything other than an assurance of that future situation for South Australia could be disastrous not only to people living on the Murray River but also to the development of industry in this State. We are entitled to demand of the Governments which are parties to this agreement that they will now, since they insist upon these further studies, assure us that our future is guaranteed and that we will get the water.

In consequence of this, immediately after receiving the report from Mr. Beaney, I telephoned the Prime Minister, asking him immediately to convene a meeting, with himself and myself, of representatives of all Governments concerned in order to get an assurance of the kind to which I have referred. He said that, as he had just returned from Queensland, he was not fully informed on the situation but that he realized how difficult was the situation in which South Australia was placed. He said that, if I would set my views forth to him in writing, he would consider the matter immediately, inform himself on it, and let me have an urgent reply. Naturally, I wrote to him immediately the following letter:

Dear Mr. Holt,

I refer to the decision of the River Murray Commission to defer the Chowilla dam project pending further investigations. Widespread alarm has been voiced throughout South Australia following this decision because of its possible effects upon development not only in the Murray River areas, but upon industrial development generally in the State which will rely on adequate water supplies in dry years.

I therefore request you to convene a meeting of the State Ministers responsible, together with yourself and myself, in order to seek an assurance that the deferment of this major project is made with the intention of assuring to South Australia by some means, that the State will obtain its normal flow of River Murray waters during dry years. As this was one of the main reasons for the original Chowilla project, you will appreciate that without an assurance of this kind development in South Australia will be difficult to achieve because of doubts about adequate water being available. I will be pleased if this matter could receive your urgent consideration.

I believe that it is necessary for the people of this State to speak with a united voice on the matter, making it clear to the Governments concerned that we must receive these assurances, without which we are faced with grave difficulties. After the report that we have received from Mr. Beaney, I do not believe that, at this stage of proceedings, we can get a different vote in the River Murray Commission. It is apparent from the material that has been supplied to the commission that before the project proceeds there will be a demand for further investigation relating in many cases to factors that have arisen since the Chowilla project was originally assessed.

Mr. Coumbe: How long will that take?

The Hon. D. A. DUNSTAN: There are varying estimates. The commission's engineer estimates a matter of months. However, Mr. Beaney, quite frankly, is less hopeful that the assessment will take only that time. He considers that the results assembled for comparative analysis will take at least six months and in those circumstances it will be six months hence before a full re-assessment is available to the commission. It will be appreciated that time will then be taken to call further tenders if the 5,000,000 acre feet storage is to be agreed on.

If Chowilla is to be modified in some form, re-design will have to take place and further time will elapse before tenders can be called. We must impress on all Governments concerned the urgency to South Australia of getting finality in this area so that we know not only that we have an assurance (and that we must seek immediately) but also how that assurance is to be based. Consequently, I ask members to support me in the moves that I have made to obtain from the other Governments and the Prime Minister the assurance that South Australia will get the water that was originally assured to it under this project.

Mr. HALL (Leader of the Opposition): I am pleased that the Premier has seen fit to raise this matter today, because as you know, Mr. Speaker, I had already delivered to you a letter expressing the urgent feelings of the Opposition about the deferment of the proposed construction of the Chowilla dam. I am pleased to know that the matter has been raised in this House and in this manner, which enables members to express fully their opinions about the deferment of the project. This project has had a long history in South Australia. The damming of the Murray River from bank to bank has been mooted for some years as a project necessary to supply South Australia ultimately with sufficient water. However, the history began in this House in 1960, when His Excellency the Governor's Speech referred to a proposal that something be done about building a dam across the river at the site of Chowilla. In subsequent years references have been made in Opening Speeches

to this important project and to the vital importance to South Australia's future of its construction. Those members who were here in 1963 discussed and supported the agreement that enabled this project to proceed, and legislation was passed that year to provide the legal background to the Chowilla dam construction.

I am extremely disappointed about the motion before the House. I have drawn attention to the long history of the project for a particular reason. Since 1963 the dam has been a matter for consideration and action in this House. Time is running on. Members of this Parliament are satisfied (and I am sure the Minister of Works is satisfied) that this dam is technically feasible. After inspecting the site of the proposed dam wall and the preparatory work that has been done, and after listening to the engineer investigating the project, I am certain that this dam is a going concern on a technical basis and that there are no technical obstructions to its construction at this time.

The trouble concerns financial aspects: financially, the project is out of control. Are we to retreat from the position we have adopted for many years of completely supporting this proposal? I submit that, if we carry this motion without amendment, we shall be weakening to an extreme degree our position in negotiations with other States. I thank the Premier for having given copies of the motion to members. Even though he has been courteous enough to do that, we have nevertheless had only a short period of time in which to consider an extremely important motion. I submit that, on the first reading, the failure of this motion to hit home is apparent and that any negotiator in another State who opposed the construction of the Chowilla dam would welcome this motion, because it would enable him to use it as a basis for promoting alternative methods of supplying water to South Australia.

The wording of the motion is not good enough, and I, for one, do not turn my back on the project. We need from the House something far stronger than the Premier's motion and I am willing to give an alternative motion to the Premier so that he can negotiate with other authorities.

We know that the Murray River system is a very erratic source of water for those who rely on it. In 1914 the flow was 1,000,000 acre feet, whereas in the peak year of 1956 it was 43,000,000 acre feet. That shows the extremes in regard to the supply of water from the largest and most important river in Australia. One of my colleagues reminds me that in 1959 the supply was as low as 359,000 acre feet.

It is imperative to South Australia that this project be proceeded with, particularly in view of the action that has been taken in the last few decades by other States to construct additional storages on the tributaries to the Murray River. Examples are the Burrinjuck dam on the Murrumbidgee River, the Eildon weir on the Goulburn River and the Menindee Lakes storage on the Darling River. We know the present rate of use in the other States of water that would otherwise flow into the Murray, and we also know what the future use will be. Not only is the supply, particularly in such dry periods as this, important to those in South Australia who use the Murray River for domestic supply and for irrigation purposes: we are also faced with the important matters of the salinity and quality of the water. To rely on storages built in other States is not to do justice to ourselves. We want this water impounded not in Victoria or New South Wales but in South Australia.

We view with alarm this deferment that may add further years to the time taken for the construction of the dam. We have read expert opinions suggesting that 1970 could be the danger year, but we know that construction cannot be completed by then. In the next few years we hope copious rain will fall on the water shed of the Murray River, but this is not guaranteed. If dry years continue we can expect a further deterioration in the supply and quality of Murray River water. We are not arguing about the urgency of this matter: argument is about how resolute we are going to be. I have read with interest the public statements; I have applauded the Premier when he has said that we shall be resolute; and I have urged him to be resolute. Indeed, I have told him that he has the support of the Opposition in order to bring this matter to a successful conclusion, but the Opposition will not support him if he rejects this project. That is what the present motion will do if it is carried. We must impress on experienced negotiators in Victoria and New South Wales, such as Mr. Askin and Sir Henry Bolte, that we mean business and that the most favourable solution to South Australia must be found.

Mr. Hudson: That is what the motion states.

Mr. HALL: Sir Henry Bolte suggested building a dam 60 miles from Melbourne.

The Hon. Sir Thomas Playford: It would cost as much as Chowilla.

Mr. HALL: I do not know the figure, but we have to stand up to these negotiators and be hard-headed about the matter. We must not give away even one inch. This morning's *Advertiser* reports Sir Henry Bolte as saying:

It is expected that "shelving" of the Chowilla project could lead to an early move by the Commonwealth Government over the use of water from Victoria's proposed $60,000,000 Buffalo dam.

Why should we stop work on a project ideal for South Australia and accept a $60,000,000 project in Victoria for which we may have to contribute? This motion will have to be amended. The Opposition is not against the Premier: we are merely telling him to arm himself with a better motion.

Mr. McKee: Why don't you consider the State rather than the Liberal and Country League?

Mr. HALL: I would ignore that remark but that this dam was conceived by an L.C.L. Government.

Mr. McKee: We all know that.

Mr. HALL: It is good for the member for Port Pirie to admit it. The legislation that enabled this project to proceed was introduced by an L.C.L. Government, and if the member has the progress of South Australia at heart he should read that debate. As custodian of a plan originated by an L.C.L. Government, the Labor Government needs to be firm, as we would be if we were in Government. It should arm itself with a better motion.

Mr. Hudson: Let's hear it.

Mr. HALL: I shall give members a copy of my amendment.

Mr. Curren: Who wrote it?

Mr. Lawn: Sir Thomas Playford.

The Hon. G. G. Pearson: Who wrote yours?

Mr. Burdon: The Premier.

The SPEAKER: Order! Order! The Leader of the Opposition.

Mr. HALL: I have the technical details of how this motion should be amended.

The Hon. G. A. Bywaters: Can you recognize the handwriting?

Mr. HALL: I shall read the motion as I should like to see it amended so that members will not be confused by the deletions and additions. It should state:

That in the opinion of this House any assurances given by the Governments of New South Wales, Victoria, and the Commonwealth, the parties to the River Murray Waters Agreement, provide no adequate safeguard to South Australia, and early action is imperative to proceed with the Chowilla dam project as provided in the River Murray Waters Act.

I submit to the Premier that this motion is in line with his thinking, and that we should proceed immediately with the Chowilla project and have the financial troubles rectified. We are not willing to accept the assurances of Sir Henry Bolte and Mr. Askin.

Mr. Curren: You don't trust them?

Mr. HALL: Members must know from experience of two years of Labor Government that Sir Henry Bolte is an able negotiator on behalf of Victoria, and that he will do his best to represent Victoria efficiently in the councils he attends. We cannot afford to take heed of his murmurings about a Buffalo dam. We must do all we can to have Chowilla dam completed and alternative works should not be referred to in the motion. I hope that copies of my amendment will be circulated to members so that they can consider the differences between the two motions.

Mr. Lawn: Are you suggesting today that Sir Henry Bolte is a gangster?

Mr. HALL: The member for Adelaide is not known for his high level of debate. He has no reason to put words into my mouth, and if he has ears he may listen. By amending the Premier's motion, I intend to arm him with a stronger motion than the one he moved. His motion alarms me because it gives away the situation before he grapples with it. The fight is on for South Australia. Let us carry the amended motion and get on with the job of starting Chowilla dam.

For the reasons I have stated, I move:

To strike out all words after "House" and to insert "any assurances given by the Governments of New South Wales, Victoria and the Commonwealth, the parties to the River Murray Waters Agreement, provide no adequate safeguard to South Australia, and early action is imperative to proceed with the Chowilla dam project as provided in the River Murray Waters Act.

The Hon. G. G. PEARSON (Flinders): The Opposition, in common with the Government, is extremely upset over the developments that arose during the weekend. I was at my home when members of the press telephoned me early on Saturday morning and asked me to comment. Although I had not seen the morning paper at that stage, I made a comment on the spur of the moment to the effect that this was a tragic announcement for the State and, indeed, I believe that it is. We wish to do everything that we can to maintain the *status quo*. The Leader has commended the Premier

for raising the matter at the earliest opportunity, and I join in that commendation. However, I endorse the Leader's remarks in respect of the text of the motion: in fact, it does not represent the opinion of this House, because we on this side cannot subscribe to it in its present form. To admit weakness in a negotiation is to put oneself miles behind scratch at the outset.

This is not the way in which to commence undertaking a tough negotiation. The Act is in existence; it has been ratified by this Parliament, and it relates to an agreement that still stands. That agreement is the only thing on which we can rest in this matter. It is all very well to receive nice letters from people, but the Act is the only thing on which the House can rely when we are really up against it. Whatever merit the Premier may see in his motion, I think it is just not good enough. We had intended today to raise this matter at the earliest opportunity and you, Mr. Speaker, have received a letter from the Leader asking that you grant to us the right to move a motion of urgency.

The motion we had intended to move states that in the unanimous opinion of the members of this House (1) the construction of the Chowilla dam is vital to the future growth of South Australia; (2) there is no alternative proposal that could provide equal benefits to this State; and (3) discussions should commence immediately between the Right Honourable Prime Minister and the Premiers of South Australia, New South Wales and Victoria to consider and devise ways and means for the prompt resumption of this work. That is the sort of positive motion that the House should be carrying; it gives no indication that there is any possible alternative in our minds. It is based on the agreement reached in this House and with the Governments concerned, including the Commonwealth. As I have said, to debate anything else at this time is fatal to the success of any future negotiations.

If the Premier cared to consider our motion, I am sure arrangements could be made in respect of the procedures of the House to debate it. We are not necessarily egotistical in this matter; we are here to do what we can for the State. Why are we in this position today, finding it necessary to consider the Premier's motion? I believe there has been some error of judgment in these negotiations. We had previously seen reports to the effect that concern had been expressed by other Governments, notably the Victorian Government, about this project. It was asked in the House whether the matter should be referred to the Loan Council. The Premier answered that in his view that was not necessary; no official objection had been raised by any of the Governments concerned and, therefore, it was a proper presumption on the part of this House and the Government that the project was going ahead. Although I personally agreed with that view at the time, I point out that since then the commission has been considering the various technicalities of the proposal, and the matter apparently reached a crisis during discussions that took place last week.

The South Australian representative (Mr. Beaney), who succeeded Mr. Dridan on the commission, was apparently confronted with a situation that seemed to him to be the end of the road. As I believe the Premier explained to the House this afternoon, our representative believed that he would have to accept the decision of the commission that there was no other way around the matter. I believe this is where the negotiations went wrong: I think that, if Mr. Beaney had been aware of his responsibilities in this matter (and I am not suggesting for a moment that he was not aware of them, but he might not have been quite so experienced a negotiator in these matters as his predecessor), he would have contacted his Minister while the commission was still in session and would have pointed out what had happened. If he had done so, surely his Minister would have said, in effect, "You cannot proceed with this matter; you must ask the commission to adjourn its proceedings and allow you to come back and report to us, so that we can consider what attitude you can take in the face of this situation." If that had taken place, we would not have been confronted with the announcement that the commission had reached a certain conclusion. The matter would have been *sub judice* and under discussion, during which time the Premier and his Ministers could have considered this matter and received Mr. Beaney's report in Cabinet. This would have enabled them to clarify their views and to consider some other form of approach. After all, if one runs up against a brick wall on a head-on movement one can examine ways and means of getting around it. However, that was not done, and we were confronted with an announcement in the stop press editions of the morning press to the effect that the commission had passed a resolution calling on the South Australian

Government to cease work. I believe we need not have met with this situation. There is another reason why I say that: clause 6 of the agreement (which is a schedule to the River Murray Waters Act) provides that any decision by the commission on matters of importance shall be unanimous. The clause states:

The four commissioners shall be a quorum and the concurrence of all of them shall be necessary for the transaction of the business of the commission, except such business as the commission may, from time to time, prescribe as formal.

This is not a formal matter: it is a national matter which is of extreme importance to three States and to the Commonwealth Government. One may ask whether South Australia's representative concurred in the resolution calling for cessation of work and, if he did, what were his reasons for so doing and were they adequate? If he did not concur, what position are we placed in today? I do not know the answers to all these questions, but I know (and I am sure my contention is correct) that if, at the critical time in the negotiations, the commissioner had communicated with his Minister (which I have no doubt he did) and if his Minister discussed the matter with his Government, the situation with which we are faced today could probably have been avoided. Be that as it may, during my aeroplane journey from my district this morning, I studied the remarks of the Victorian Premier (Sir Henry Bolte). As the Leader has been at pains to point out, Sir Henry is no amateur in these matters: he is a long-experienced and skilful negotiator in matters of importance.

In contrast with the attitude adopted by the Premier in the House this afternoon, Sir Henry Bolte would never give away even an inch or suggest that he was prepared to move even an inch. One does not get anywhere in this tough life by indicating that one is prepared to compromise before commencing negotiations. Sir Henry is obviously promoting a proposition of his own, and I do not blame him for that. If he can write what he proposes into the River Murray Waters Agreement and can get the States to share the cost of it, it would be a victory of some note for him. I heard a member say earlier that one does not get anywhere by bucking the inevitable, but I remember when Sir Thomas Playford was Premier that we had a fight on our hands of equal magnitude in getting this agreement ratified by the Parliaments of the constituent States. There was teriffic to-do in Canberra on one occasion when the Minister for National Development (Mr. Spooner) was President of the commission. It required the intervention of Sir Thomas Playford with the then Prime Minister (Mr. Menzies) to get this matter straightened out and for weeks the matter was tossed to and fro. South Australia was said to be so far on the outer that it had no chance, but persistence paid off and we got the agreement. That was no less a fight than the one in which we are now involved, and Sir Thomas Playford showed what absolute determination could do. It has never been military strategy, so far as I know, for a general to give away ground just to have the pleasure of recapturing it again tomorrow. One does not give away ground at any time.

We have heard much about the salinity of the Murray River and the slug of salt water coming down. This could not have occurred at a more unfortunate time for South Australia. I do not know where it has come from. No-one seems to know.

The Hon. Sir Thomas Playford: It was produced by Victoria in the first place!

The Hon. G. G. PEARSON: I do not suggest that, but it has come at a most unfortunate time for South Australia. In fact, it could not have come at a worse time. This is not a regular occurrence and, as the Minister has told us time and time again, it is not just average salinity but a slug of salt water that has been released from somewhere.

The Hon. J. D. Corcoran: It came from Victoria.

The Hon. G. G. PEARSON: Yes, I accept that. I am not prepared to canvass at the moment whether it came from Victoria deliberately, but if anybody wanted to sabotage the Chowilla scheme at this moment, there could not be a better way to do it. This matter has alarmed the people of Mildura, and they are mainly Victorian people. I have no doubt that they are concerned about it and that they have exerted much pressure on their member of the commission to take this matter into full account, perhaps into overfull account. This kind of thing causes me much concern. On this occurrence seem to be based premises for the opinion that the salinity in Chowilla is now a greater problem than it appeared to be two or three years ago, but I cannot accept that opinion. It has also been said that Chowilla would interrupt the flow at Mildura. Why would it? It would not affect the pool level at Mildura by as much as one inch. There is no reason why, with the responsible

operation of the level at Chowilla, when saline waters released from Victoria at a time of fairly high river move down and dissipate, we cannot carry them through the river at the same time. We can maintain the flow at Mildura. It is only a question of sensible and responsible operation of the level at Chowilla, so any talk about reducing the flow at Mildura or about causing stagnation in the river cuts no ice with me. Admittedly, I am not an expert, but I was a party to the discussions on Chowilla in its initial stages, and I claim to have some knowledge of the very complex problems associated with the Murray River.

Every possible obstruction that could have been placed in the way of the Chowilla scheme seems to have been concentrated on discussions in the last week or so. I wonder what it all means. It seems that there is some determination on the part of other States to deny us what has already been agreed on by their Governments and us. In this morning's press the Chairman of the commission (Mr. Fairbairn, the Minister for National Development) is reported as saying that there was no doubt that the project would have been proceeded with if the cost had remained within reasonable limits. That is a most important statement and it can only mean one thing to me: the only matter in the discussion at the moment is the cost of the project and all these technical proposals which have been mentioned as supporting evidence for the cessation of work and which have been high-lighted as reasons for the same are not really reasons at all. The real reason is that someone else, having another project to promote, does not want to be involved in the cost, as apportioned to him, of the Chowilla project.

This project was the subject of lively discussion from the time it was first referred to in this House. The establishment of the dam was actively pursued by the Engineering and Water Supply Department and was supported by the House at every stage. The House voted substantial sums to engage consultants, the engagement of one consultant costing about $540,000. The previous Government, under Sir Thomas Playford, with the approval of the House, engaged that consultant to speed up work on the project. That sounds high-priced help, but that money was spent because people down-river, although realizing the need for the water to be provided, were concerned to see that the construction of the dam did not result in a sudden high level in the river in their areas because of some accident.

Until last Friday afternoon, everyone assumed that, although there might be one or two temporary delays, the project was viable and was going ahead. However, I believe that the project started to lose momentum in 1965 and that it has continued to lose momentum in the last two or three years. During that time the extraneous circumstances (the alleged technical difficulties and so on) have assumed bigger and bigger proportions until they have now become obstructions, and work on the project is to stop. Work must start again somehow and we must find ways and means to make this happen.

The basic problem with the Premier's motion is to see how it can be implemented. It is all very well to say that we want assurances from New South Wales and Victoria that in times of drought we should obtain a quantity of water similar to that which we would have obtained from the Chowilla dam. However, if those States can give us that water, then we do not need the Chowilla dam at all. The point is that those States cannot give us the water; if they do not have the water stored, how can they deliver it to us? In times of drought, if those States do not have water, how can they supply it to us? The Chowilla dam was to store 5,000,000 acre feet. Lake Victoria worked well as a storage during times when we were not making such heavy calls on the river. However, the fact is that we have completely out-grown Lake Victoria. The storage in that lake was based similarly, but on a smaller scale, to what was planned for the Chowilla dam.

Mr. Quirke: Did the water in Lake Victoria become saline?

The Hon. G. G. PEARSON: I have not heard that it did. It is wishful thinking to expect Victoria and New South Wales to give us water equal to that which we would have received from the Chowilla dam when they have not got the water to give us. Unless we store the water when the river is in flood, and store it as best we can (and the Chowilla dam is the best concept of storage we have ever been able to devise for a long, slow-flowing river with no sudden fall or places where reservoirs can be easily constructed), then we will be in difficulty. We must have a wide-spread sheet of water such as was intended at Chowilla.

If there is no water storage, then how can it be supplied? That is a fundamental weakness in asking so nicely, as the Premier's motion intends to ask, that water be supplied

in similar quantities to the water that would have been supplied by the Chowilla dam. Therefore, I submit that the only solid grounds on which South Australia can rest are the terms of the Act that has been passed and ratified by the various Governments concerned. To make any suggestion that we are prepared, at any point in negotiations, to depart from the terms of that Act will be fatal to the project on which we depend so much. We do not have to be reminded in this House that South Australia's urban and rural development will come to a stop if we cannot get more water down the Murray River in times of stress. I point out that a new 60in. diameter main is to be constructed from Murray Bridge to the top of the Onkaparinga River. A committee has reported to Parliament that owners of about 13,000 acres have made tentative approaches for water rights to the Murray River and the Government at present cannot consider those approaches. Incidentally, the Government has already agreed to approve licences for about 12,000 acres over and above the safe limit of about 90,000 acres that the committee recommended. Therefore, people are applying for licences for an additional 13,000 acres which, under present circumstances, the Government cannot grant.

These facts show that we are in trouble for water right now. We cannot afford to dilly-dally on this matter any more; we cannot afford to accept anything less than the project agreed to by all the parties concerned. The Leader's amendment had in mind the letter which we sent to you, Mr. Speaker, asking permission to debate a certain motion in the House. We wholeheartedly support the Premier's move to take positive action on the matter, but we cannot accept the motion as he has framed it. Therefore, we sincerely ask him to consider stiffening it in the way the Leader has outlined. I support the amendment.

The Hon. C. D. HUTCHENS (Minister of Works): I urge the House to support the motion. Members opposite have said, "We mean business." The Government means business. I submit that the amendment denies the other Governments the right to give us assurances to meet the emergency. One would think from the comments that have been made by Opposition members that the Chowilla dam had been abandoned, that no further consideration would be given to it. However, nothing is further from the truth. The River Murray Commission met for the second time to deal with tenders that had been submitted to the South Australian constructing authority. At a meeting before that, it had deferred the matter for two months in order to have investigations made. The Deputy Leader of the Opposition (Hon. G. G. Pearson) has suggested that the commissioner representing this State has some responsibility to South Australia, but I am confident that no man is more conscious of his responsibility than is Mr. Beaney. He discussed this matter fully with me last week before he attended the meeting. I knew that we would be faced with this problem, because, as the Deputy Leader has said, some States had seemed determined to move to deny us the Chowilla dam. The other States had first moved to delay the work for two months and then, on the second occasion, it was obvious that they would move for another delay that would put the tenders out of book, because the tenders no longer would have been current.

What then was the South Australian commissioner to do, having considered these possibilities and knowing that the other States would still have reached their objective? The other States would have deferred the project indefinitely, whereas the matter is now to be the subject of inquiry. In the meantime, the Government of South Australia asks Parliament for support in an endeavour to gain an assurance that South Australia will get the water that would have been supplied by Chowilla. We consider that nothing else will give the same provision as Chowilla, as has been said by our commissioner. However, the learned member for Gumeracha (Sir Thomas Playford) once advised the Premier, who was to attend a meeting of the Loan Council, "When you intend to ask people for something, don't knock them down before you get there."

Mr. McKee: Now the Opposition wants us to do just that.

The Hon. C. D. HUTCHENS: Yes. The Opposition wants us to say to the Commonwealth Minister for National Development and to the Premiers of New South Wales and Victoria, "We don't trust you at any price." That is not the way to negotiate, as members opposite know. It has been suggested that in 1970 we shall not be able to negotiate an agreement to get water from the Menindee Lakes. My Director, as commissioner, quickly took steps to ensure that that would not be the case. In fact, the commission gave an assurance in the reports—

The Hon. G. G. Pearson: It was written into the agreement. It cost us $340,000 a year.

The Hon. C. D. HUTCHENS: Yes. Now members opposite say we have nothing. Just how silly can one get?

The Hon. G. G. Pearson: You aren't stating the facts.

The Hon. C. D. HUTCHENS: The honourable member did not state the facts.

The Hon. G. G. Pearson: Provision about the Menindee Lakes was written into the River Murray Waters Agreement. You get this written into the agreement and then we will listen to you.

The Hon. C. D. HUTCHENS: The Premier of South Australia immediately asked the Prime Minister to arrange a conference comprising the Prime Minister, responsible Ministers from the other States, and himself, in order to get written into the agreement the provisions that ought to be written in.

The Hon. G. G. Pearson: The motion doesn't say that.

The Hon. C. D. HUTCHENS: I am sorry that the member for Flinders is so baffled that he cannot keep quiet. I am frightfully disappointed in him for reflecting on the commissioner.

The Hon. G. G. Pearson: I didn't.

The Hon. C. D. HUTCHENS: The honourable member did.

The Hon. G. G. Pearson: He was my officer a long time before he was yours.

The Hon. C. D. HUTCHENS: The honourable member said that the commissioner had his responsibilities and that he might be inexperienced. Is that not a reflection on a man who is qualified for his position? If the South Australian commissioner had not agreed to this proposal, as the Premier has shown conclusively, the matter would have had to be dealt with by arbitration. What could we expect from arbitration except a long delay and possibly the denial of the benefits of Chowilla?

Mr. Heaslip: What have we now?

The Hon. C. D. HUTCHENS: The statement that the Opposition would support the Government in any move to obtain safety for South Australia is sheer political hypocrisy. It is all right to have authority without responsibility, but the Government has responsibilities and is facing up to them. It has been said that we ought not to give away as much as one inch. Is it not only reasonable to be realistic? No member opposite has told us how we can overcome the difficulties that we all regret we are facing. We certainly agree that Chowilla will benefit South Australia more than it will benefit any other State. Nothing will take the place of Chowilla. However, I shall now refer to the commissioner's suggestion about a "reduced size" Chowilla. I have considered this matter. We would possibly save $2,000,000 in a half-size Chowilla, but we would lose several years in getting it. That proposition is not acceptable to South Australia.

The Hon. G. A. Bywaters: Nothing is acceptable other than Chowilla.

Mr. Lawn: We should speak with one voice.

The Hon. C. D. HUTCHENS: I remember when I was a member of a responsible Opposition.

Mr. Coumbe: You are an irresponsible Government.

The Hon. C. D. HUTCHENS: The member for Torrens should not say that: the present Opposition has been declared an irresponsible one but we will never be declared an irresponsible Government.

Mr. Coumbe: It won't be long.

The Hon. C. D. HUTCHENS: When I was a member of the Opposition it always gave unqualified support to the Government. What will New South Wales and Victoria say when immediately the Premier moves to try to obtain justice for South Australia there is a division in the House on a technicality?

Mr. McKee: The people of South Australia will know about this.

The Hon. C. D. HUTCHENS: This move does not help South Australia achieve its aim, but makes it more difficult for Chowilla to be completed. This Government is being prejudiced in its fight to solve this problem by the Opposition's action.

The Hon. T. C. STOTT (Ridley): This is a national emergency for South Australia and the other States, and it is imperative that the matter should be fully debated by this Parliament to give an expression of opinion to the other Governments, including the Commonwealth, of what South Australians think of this project. It is extremely important in the interests of people in the Upper Murray district that the building of Chowilla dam should be continued. Many aspects about the project have worried me and the people in that area. As I have been associated with the project from 1960, it has been my duty to watch its progress and give it my support. When it was

first mooted, the questions of cost, construction, rock formation, and salinity were all considered by experts. The then Engineer-in-Chief (Mr. Dridan) visited India and other countries in order to obtain information about this project, and no doubt these details would have been placed before the River Murray Commission, as he was the member representing South Australia. In 1960 the Government of the day received reports at Cabinet level about the prospect of building this dam.

It was considered that, if our water storage were not increased, we would not be able to plan future industrial development. Chowilla and Teal Flat dams were considered but, because of the flow and blockage of water that would flood some of the low-lying towns adjacent to the river, the Teal Flat site was discarded. The Chowilla site was then considered but, because of the increased cost, it was some time before initial planning began. I discussed the project with prominent people at Mildura and with others in the citrus industry who were hostile to the project because they considered that the large spread of water would increase salinity. I was concerned about this aspect and, not being an expert, I asked questions in this House and discussed the matter with the resident engineer at Chowilla (Mr. Dann). Apparently, the theory of increased salinity was discounted.

As I understand it, a 48in. main on the inside of the retaining wall will draw off saline water and discharge it four or five miles away from the river into an evaporation basin. This method was designed to solve the salinity problem, and I, like all members, should be guided by the experts. Whence do these slugs of salinity come and where do they go? The water eventually runs into the sea. When a drop in the Murray River occurs, the tributaries east of Mildura contribute to the river's increased salinity. Although the River Murray Commission fully controls the Murray River from bank to bank, it has no control over the tributaries that flow into the river. With the increase of salinity in the river, the matter of control should be remedied. Although we heard little about the salinity problem 10 or 12 years ago, it is of vital concern today; indeed, the people of Waikerie have been concerned with the high salinity of the river for some time.

The Chowilla dam was designed first to provide adequate water storage not only for irrigation purposes in the Upper Murray but also for continuing, and, in fact, expanding the State's industrial development. The Chowilla dam is one of the most important projects undertaken by South Australia in 25 years. It is vitally important that we proceed with the project. The costs have apparently increased from $28,000,000 to about $70,000,000, and the Victorian Premier is worried about that. However, I believe that, in spite of the increased costs, we must provide the money necessary for the project. Probably included in the Budget to be introduced by the Commonwealth Government later today will be a defence provision for F111 aeroplanes. Possibly the sum spent on only one of those aircraft would represent the Commonwealth's contribution to this scheme. We cannot arrest spiralling costs in this place today or by means of the Commonwealth Budget to be delivered this evening and, if the Chowilla project is to to be deferred, the cost will increase even more.

Why is the project being halted? Sir Henry Bolte has thrown a spanner in the works; he wishes to construct a dam of his own near Wangaratta at a cost of $58,000,000, and it has been reported in the press that he believes that his dam can be completed in three years instead of four years as originally planned. If the Victorian Premier prefers to see the Buffalo dam at Wangaratta proceeded with, we must take every possible action to ensure that he does not repudiate his part of the agreement to construct the Chowilla dam.

The Hon. G. A. Bywaters: He can't.

The Hon. T. C. STOTT: I point out that an escape clause is provided by the legislation and that, in the case of a difference of opinion arising, the matter may be referred to an arbitrator. The River Murray Waters Act Amendment Act, 1963, inserted the following clause in the agreement:

58. If a difference of opinion arises among the commissioners on any question, not being a question of law or prescribed as formal business, that question, unless the commissioners concur within two months after submission by a commissioner of a resolution thereon, shall, as provided in this clause, be referred for decision to an arbitrator, who shall be appointed by the contracting Governments. A contracting Government may give to the other contracting Governments written notice to concur in the appointment of an arbitrator and to refer that question to that arbitrator for decision.

If the appointment be not made within two months after the giving of that notice the Chief Justice of the Supreme Court of Tasmania or other person for the time being discharging the duties of that office may, at at the request of that contracting Government,

appoint an arbitrator, who shall have the like powers to act in the reference to decide the question as if he had been appointed by the contracting Governments. The decision of an arbitrator appointed to decide the question shall be binding on the commission and the contracting Governments and shall be deemed to be the opinion of the commission.

I am seriously concerned at the attitude of the Victorian Premier. We desire further negotiations on this matter and we want an urgent decision from the Commonwealth Government. I do not believe we can wait until this matter reaches the arbitration stage. Other sites have been mentioned, but what other sites are available to South Australia? Teal Flat is no adequate answer. The Victorian Premier has suggested that the Chowilla dam could be made smaller, but the same retaining wall across the river would be required if the smaller dam were constructed at the present site. I do not, therefore, see how costs would be reduced. Although the construction of a lower wall might reduce costs, the length of three to three and a half miles would be the same. Therefore, the saving in cost would not be very much.

The Hon. C. D. Hutchens: It would be minute.

The Hon. T. C. STOTT: Yes. There must be a terrific wall of great width and depth. Engineering difficulties have been referred to, but what about seepage? Several tests have been made by Commonwealth Scientific and Industrial Research Organization scientists, and I have seen tests involving bitumen sealing being conducted at Chowilla. A channel is dug and a boiling hot bitumen seal put into it. This has to be carried through to where the sealing is required. It is not put right through the retaining walls but only sufficiently to stop seepage.

This cessation of work could seriously affect the State's finances. The Government has already entered into contracts with various people to enable a railway to be constructed from Paringa (which is in my district) to the dam site. A considerable distance is involved there. That railway line has now been completed and is ready to be ballasted by the new machines that the Railways Department uses. To all intents and purposes it would be only a week or two before the railway line could be used to carry the necessary rocks and other materials to the site. In that respect, some compensation must be paid landholders. The owner of a property near the Bunyip Reach area, Mr. Gilbert Stoeckel, has already entered into an agreement for the payment to him of compensation. The huts and all the other equipment of the department are erected on this land.

What is the position regarding the payment of compensation to Mr. Stoeckel? What is the position about his giving access to land normally used for grazing purposes, to the departmental vehicles? He has co-operated to the fullest extent with the department in making those arrangements, because he realizes the great importance of Chowilla to the future prosperity and development of South Australia. However, what will be his position if the project suddenly falls through? How will all the other people who have been associated with negotiations for the railway line to go through their properties be affected? This will be a serious problem for them. Will the Government award adequate compensation to these people?

I admit that I am a little confused about the amendment to the motion. I think it would have been better if there could have been complete agreement between the Government and the Opposition on this matter. After all, Party politics are not involved here. Every member is anxious to get the Chowilla dam project under way. I am confused because I have not had time to study the motion. Where do we stand in regard to agreements already entered into? I should like to see the Leader's amendment further amended, so that the Premier and the Leader can get together again and reach an agreement something along these lines:

That in the opinion of this House, an assurance should be sought from the Governments of New South Wales, Victoria and the Commonwealth (parties to the River Murray Waters Agreement) to provide adequate safeguards to South Australia by providing that early action is imperative to proceed with the Chowilla dam project as provided in the River Murray Waters Act.

That would not depart from the intention of either the Premier or the Leader. Although I have not had time to study this matter fully, I know the facts involved in the agreement. This Parliament agreed in 1963 to the Chowilla dam project, and I do not want to see it depart from the terms of that agreement. Nor do I want to see an alternative at this stage. I think the Premier should be strengthened in his approaches to the Victorian Premier (Sir Henry Bolte), drawing his attention to the agreement and to the cost spiral, which is not the fault of this Parliament. In

any case, if the scheme goes ahead, it will be there not for only 10 years, but for 100 years or more. Therefore, the cost of about $70,000,000, which at first sight seems alarming, will repay itself many times over. If one looks at the increased production that can take place because of the greater use of water in the Murray River areas and through the Murray Mallee where I visualize in future years a greater supply of water to enable lucerne, as well as other pastures, to be grown. This would be a wonderful thing in such an area, which has a low rainfall and is suffering from drought.

If a main went through the area much water could be used to grow lucerne and to feed stock. Although the area receives only a light rainfall and farmers cannot produce many cereal crops, they could earn more from grazing stock by the use of lucerne. This is indeed a possibility if Chowilla is commenced, and I hope consideration will be given to it.

I realize that, at first glance, the cost is alarming, but we have to look years ahead when considering such a tremendous project. What has happened in the other States? In Western Australia there is the Ord River scheme and in Queensland, as a result of the recommendation of Mr. O'Connor, an engineer, water is being diverted from the Burdekin River and other rivers to inland areas. By such methods we can store water, generate hydro-electric power and generally increase production. Whenever a drought or flood occurs in New South Wales, or whenever a disaster like the Tasmanian bush fire occurs, the Commonwealth Government does not hesitate to provide financial assistance. If the Chowilla dam is not constructed, it will be a great disaster for South Australia, and this point should be made to the Commonwealth Government. The present situation has come about because of State representation in the House of Representatives: because of their larger populations, New South Wales and Victoria have more voices in that House. If the Chowilla dam were constructed, South Australia would be able to increase its industrial development and, consequently, its migrant intake, thereby increasing its population and its voice in the House of Representatives. The Commonwealth Government should realize that smaller States need greater assistance. Although I do not want to move a further amendment, because it would cause confusion, I sincerely hope the Government and the Opposition will get together and draft a motion along the lines I have suggested. I hope that the Premier and the Leader will achieve uniformity in the interests of South Australia. This project is important to everybody in this State.

The Hon. Sir THOMAS PLAYFORD (Gumeracha): The matter brought before the House by the Premier this afternoon is probably the most important matter that will be discussed in this Parliament this year. The future development of this State is completely wrapped up in the River Murray Waters Agreement. I join with other members in welcoming the opportunity the Government has provided to discuss the matter. I understand the Premier does not intend to curtail the debate but intends to listen to all that can be contributed. A number of things that have happened in the past have an important bearing on the matter. The present agreement providing for the Chowilla dam arose from the work being undertaken on the Snowy River project by the Commonwealth Government, the finance for which was provided completely by the Commonwealth Government. That enormous scheme was to provide for the inter-changeability of the waters of the Murrumbidgee River and the Murray River. Tunnels were constructed to enable water that normally came down the Murray and into the Hume dam to be diverted into the Tumut River and thence down the Murrumbidgee River. Therefore, those waters ceased to be Murray River waters within the terms of the River Murray Waters Agreement: South Australia thus lost all right and title to those waters.

Under those circumstances, the State Government issued a writ in the High Court to prevent the Commonwealth Government from proceeding with the works it was contemplating. Of course, that dropped a spanner in the works regarding that large national scheme. After a number of conferences with the Prime Minister, on behalf of the State I agreed to withdraw the writ if the Commonwealth would agree to assist South Australia to obtain adequate water for its future requirements. Incidentally, the Snowy Mountains scheme provided benefits entirely to New South Wales and Victoria but, along with other taxpayers, South Australian taxpayers contributed towards its financing. At that time, I proposed to the Commonwealth Government that it should share equally with South Australia the cost of a dam that would supply water to South Australia. We agreed to withdraw the writ, which we could easily have sustained because the water was undoubtedly being diverted from the Murray River contrary to the provisions of the River Murray Waters Agreement. Of course, that

position obtains today. Although it is generally agreed that the Snowy River waters will be shared about equally in the Murray River and the Murrumbidgee River, South Australia was never invited to become a signatory to the Snowy Mountains Agreement. Therefore, the Governments of New South Wales, Victoria and the Commonwealth at any time have complete inter-changeability between the headwaters of the Murray River and those of the Murrumbidgee River.

It was to overcome this problem that the South Australian Government negotiated with the Commonwealth Government for a catchment to be established at Chowilla. All we intended to ask Victoria and New South Wales was that, subject to our paying the necessary compensation, we should be able to inundate certain areas of mainly pastoral land. However, the Commonwealth Government said that it wanted this project to come under the River Murray Commission, the authority that dealt with the Murray River waters. Therefore, the fact that the River Murray Commission was the authority in this connection arose directly from the insistence of the Commonwealth Government that the project be a part of the River Murray Waters Agreement. In accordance with the request of Sir Robert Menzies, the matter was referred to the River Murray Commission for examination. At that time New South Wales was averse to the proposals and Victoria, at best, was only lukewarm. The commission made investigations and strongly recommended that the Chowilla dam was the only effective method of providing adequate storages on the Murray River for South Australia. Incidentally, the first conference convened had been called by the Premier of New South Wales at my request, and the Commonwealth sent only an observer. However, after the River Murray Commission had reported favourably, the Commonwealth called many conferences and gradually the present proposals were worked out.

New South Wales has remained averse to the scheme. There has been no change of face by that State, which has never been more than lukewarm about the proposal. New South Wales is much more interested in irrigation from the Murrumbidgee than in the development of the Murray. The immediate commerce from development of the Murray is enjoyed by Victoria. A question of the States arises and Victoria is able to tap the Murray from a commercial point of view much more than is New South Wales. The Commonwealth Government, in order to overcome objections by New South Wales, agreed to provide, in addition to the Commonwealth's share of the cost, and by way of loan, the amounts to which New South Wales would be committed under the project. Victoria's agreement was obtained because of the interchangeability that the agreement allowed for the supply of water between New South Wales and Victoria. New South Wales was able to supply from the Darling River some of Victoria's water and Victoria was able to supply to New South Wales other water to compensate. This interchangeability has been extremely valuable to those States.

We must not forget some of the provisions of the River Murray Waters Agreement. First, the objection of South Australia to transfers of water proposed under the Snowy Mountains scheme which had been the subject of a writ issued out of the High Court of Australia, was removed. For Victoria, it enabled the transfer of water with New South Wales, which was an extremely valuable concession to Victoria. South Australia did not proceed with the writ. We received an assurance about the Chowilla dam and we also received a slightly altered quota under the agreement. At best, that meant that South Australia was protected against a period of restriction up to about the quantity of water that this State would have got otherwise under the agreement. A solemn agreement was entered into by the Commonwealth and the three States, and there was benefit for each State. The contracting parties said expressly in the agreement that they would carry out the terms of the agreement. The third paragraph in the schedule to the agreement provides:

> Each of the contracting Governments so far as its jurisdiction extends, and so far as it may be necessary shall provide for or secure the execution and enforcement of the provisions of this agreement and any Acts ratifying it.

It is not competent for any authority to vary that agreement, except by consent of all parties. It is not competent for the River Murray Commission to say that the agreement shall not go forward.

The Hon. G. A. Bywaters: That is correct.

The Hon. Sir THOMAS PLAYFORD: The commission has the duty of considering the plans and specifications and estimates. However, it has no right to say that some other proposition shall be substituted for Chowilla. Chowilla has been approved after two investigations by the commission. The commission has no right to say that it intends to consult a

computer to ascertain whether the computer has another idea. The commission has a duty to carry out the agreement of 1963, which specifically provided for the dam.

Mr. Hall: There is no mention of an alternative.

The Hon. Sir THOMAS PLAYFORD: No. The works in the original agreement are set out in clause 20, which in 1963 was amended by paragraph 8 to include the provision of a storage in the agreement referred to as the Chowilla reservoir on the Murray River between Renmark and Wentworth, with a capacity of about 4,750,000 acre feet of water and with a roadway along the top of the containing dam, referred to in the agreement as the Chowilla dam, and with provision for vessels drawing 4ft. 6in. of water to pass. The commission is completely out of line when it talks about looking for substitutes, because it has no right to do that.

The Hon. B. H. Teusner: That is *ultra vires*.

The Hon. Sir THOMAS PLAYFORD: The Premier said, when reading a document, that the evaporation was more than it was when the agreement was ratified three years ago. Are we to assume that the commission has operated for so long without knowing the rate of evaporation? We have an agreement providing for certain work: it has been approved by the Governments concerned. South Australia made large concessions to the Victorian, New South Wales and Commonwealth Governments to get the work done, but now we are told that it is inconvenient to continue it. I believe that any assurance given by the Governments of Victoria, New South Wales, and the Commonwealth has no value to this State. The Commonwealth Government has no right to give any assurances, and the assurances given by Mr. Askin and Sir Henry Bolte would be of no value if the water did not exist.

During a period of no restriction we have the right to receive from New South Wales and Victoria about 1,250,000 acre feet of water a year, with each State releasing 625,000 acre feet. Before the agreement was passed we had the right to three-thirteenths of the water released from the Hume reservoir and from Lake Victoria. Under the present agreement we have the right to one-third of the water released from those places. We have no rights to waters of the tributaries of the Murray and Darling Rivers. One has only to consider the inconsistencies of the Murray River to realize that, in future, the periods of restriction will increase. Over the last 20 years about 9,000,000 acre feet a year has come down the river into South Australia, but during the next 20 years, notwithstanding the Snowy Mountains scheme, the quantity coming into South Australia will be under 6,000,000 acre feet, as a result of the diversions taking place in the upper reaches of the Murray River and its tributaries. During a period of restriction that flow of water is extremely important.

In 1960 the Engineer-in-Chief asked that money be provided to investigate the serious position that would arise in 1970. The money was made available and a project was investigated to divert the water of the Murray River into Lake Bonney and to raise the level of that lake to enable it to be used as a storage basin to assist South Australia. However, examination of the scheme proved that it would be costly and ineffective. Other projects were examined: one at Teal Flat and three sites at Chowilla. Mr. Dridan strongly suggested that the building of the Chowilla dam was the best and most practicable solution to the problem. It was to be a large dam that would provide not only for one year of low rainfall but also for up to three years of restriction. The Lake Bonney project might have tided us over one year, but it would have been of no value over the period that was necessary.

Occasionally, the Murray River has had dry periods for several years. This State made important concessions to enable the Chowilla dam project to be approved. For instance, we gave the Victorian and New South Wales Governments the right to interchange water. I think it is the general view that the Chowilla project has already been hanging fire for too long.

Mr. Millhouse: Hear, hear!

The Hon. Sir THOMAS PLAYFORD: It is now nearly four years since the agreement was signed and, to say now that the project will be deferred, is not in the State's interests; indeed, it is something that we should resist. Are we to believe that, in a period of restriction, both the Victorian and New South Wales Governments will allow South Australia to receive water from irrigation schemes in those States when we have no legal enforcement to obtain that water? I know, from reports made by our representative on the commission, that South Australia has been prepared to forgo some of its strict legal rights in order to assist

the other States but that was on condition that South Australia was not adversely affected. Indeed, I believe that Victoria and New South Wales would be prepared to do the same.

But could any member visualize the South Australian Government's making available to Victoria water controlled by the Renmark Irrigation Trust, when it had no legal obligation to do so? The Commonwealth assurance in this matter has no value whatsoever because the Commonwealth Government is a party to the agreement only to the extent of providing a President for the commission and a quarter of the cost of the scheme. It is the duty of this Parliament to ensure that the agreement is observed. Judging from past experience, I know that 85 per cent of the people of South Australia will this year depend on pumped water.

Mr. Shannon: From the Murray River!

The Hon. Sir THOMAS PLAYFORD: At least 60 per cent of the total quantity of water required in South Australia this year will probably have to be pumped from the Murray River, in addition to providing for the irrigation settlements along the river. The present Government has continued the policy of installing power lines and approving the expansion of irrigation schemes along the river. I am not sure whether the Control of Waters Act applies to the river below Mannum.

Mr. McAnaney: It will in a month or two.

The Hon. Sir THOMAS PLAYFORD: At present we have no record of diversions taking place below Mannum but we know that thousands and thousands of acres of new irrigation schemes have been commenced and that as soon as we encounter a period of restriction we shall be in serious trouble. That is why my Government negotiated with New South Wales, which had some surplus water when the Menindee Lakes scheme was implemented; surplus water could be made available to Victoria or South Australia for four years until, I think, 1970. However, we can obtain that water only when there is not a period of restriction of a certain type. Although Victoria and South Australia are paying the interest costs of the Menindee Lakes scheme, we must still leave for New South Wales a substantial quantity of water at a period of restriction, obviously in order to meet the quantities of water which New South Wales, by legislation, must provide for South Australia.

From 1970 onwards our water supplies will be completely at the mercy of the seasons. We are all right if it is a normal season and we get 1,254,000 acre feet. However, if it is a period of restriction we get only one-fifth of what is released from the Hume dam which has a capacity of 2,500,000 acre feet, and from Lake Victoria which has a capacity of about 500,000 acre feet. Restriction would not commence until the level of the Hume dam fell below 1,000,000 acre feet and that of Lake Victoria below 300,000 acre feet. In those circumstances, we should be entitled to one-third of that water, which would be about half South Australia's normal requirements.

This is an urgent matter on which this Parliament should speak with a strong voice. An agreement has been entered into with, and ratified by, the Commonwealth Government and the three States concerned, and it is our duty to see that the terms of the agreement are honoured. Indeed, it is the responsibility of the River Murray Commission to see that they are honoured. The commission has no right whatever to suggest or to investigate substitutes. It made investigations before the agreement was entered into. Our delegate on the commission should be told that he should accept nothing but the proper legal agreement which has been entered into. That is our right. I support the amendment.

The Hon. G. A. BYWATERS (Minister of Agriculture): I support the motion moved by the Premier. I congratulate the member who has just resumed his seat on a very fine contribution to the debate. There is no doubt that he has all the facts at his disposal, having served as Premier of this State for many years during which time, in my opinion and in the opinion of most South Australians, he did a colossal job on the conservation of water for South Australia. He has stated factually what has transpired in the past. I was present when the debates to which he referred took place. He has drawn members' attention to the prospect of litigation against the Commonwealth Government, a prospect in which I believe a former Leader of the Opposition (Mr. O'Halloran) concurred. Every Opposition member at that time supported all the moves of the then Premier. He had the wholehearted backing of the Parliament, because we knew very well that the future of South Australia, which is a dry State, depended entirely on the water we could take from the Murray River. City people would indeed have been hard pressed this year and in other years to obtain their full water requirements when the rainfall was insufficient to fill the reservoirs.

We have relied greatly on the water taken from the Murray River, which is an important river. As a result, this Government has been

concerned about the attitude of the River Murray Commission in its recent deliberations. I received a telephone call at my home last Saturday morning from a person who wanted to get my reaction to the announcement that had been made, and I believe the same question was asked of other members. My only reaction was one of shock, because any delay in proceeding with this project will set back the use of Murray River water in South Australia for a considerable period. It was apparent when the discussions were held before the Premier and other members of Cabinet that this was the opinion of every Minister. The Premier's actions were absolutely correct: he got in touch with the Prime Minister and expressed Cabinet's concern. For members opposite to suggest that there is a weakness in his attitude is false.

Mr. Millhouse: It is quite evident on the facts.

The Hon. G. A. BYWATERS: I am making this speech, and I will refer to the honourable member's statement in a moment. It is apparent to me that the correct approach in this matter is that referred to by the member for Gumeracha in his very constructive speech. When the Leader and his Deputy compare that speech with their speeches they should be ashamed of the statements they made. I believe any statement that comes out of this Parliament this afternoon should be the unanimous vote of members representing South Australia as a whole. The choice of words is not an important issue.

Mr. Hall: Nonsense!

The Hon. G. A. BYWATERS: It is all right for the Leader to say "Nonsense", but he is only trying to get political kudos, and that is unfortunate.

Mr. Millhouse: That is an unworthy statement.

Members interjecting:

The SPEAKER: Order!

The Hon. G. A. BYWATERS: The motion before the House is indeed serious and should have the support of all members. The wording of the motion is not the point at issue.

Mr. Hall: We don't agree with your selling out.

The Hon. G. A. BYWATERS: There is no intention to sell out. I will explain that to the Leader, whom I intend to enlighten because of his ignorance. The motion was moved by the Premier to give him an opportunity to explain to the House what had transpired. He did that and gave all the information conveyed to him in the last day or two. He gave members the opportunity to debate this matter as a united Parliament, as a former Premier (Sir Thomas Playford) did some years ago with the full support of the Opposition. That is how it should be when the State is united over an issue concerning its future. Members have been told today (rightly so, I think) that there is a Commonwealth Act of Parliament and three State Acts of Parliament which are unchangeable and which are in the Statute Books of every Parliament concerned. For these Acts to be changed, a Bill has to be introduced in the respective Parliaments. That would be the time for any criticism that the Government was at fault in any shape or form.

Mr. Jennings: The wording of the motion would not be important.

The Hon. G. A. BYWATERS: The important thing is that we raise our voices as we are doing now, on how South Australia feels about this matter. It would have been proper if the Government of today had rested on what it had done. However, the Premier believed he should enlighten the House on the facts, giving members the opportunity to stand in their places to support him in what he has to do. There is no sign of weakness in the motion. However, I suggest that a possible improvement might be to strike out the words "or any alternative proposal".

Mr. Shannon: That will be the amendment before the Chair.

The Hon. G. A. BYWATERS: I was not aware of that.

The Hon. D. N. Brookman: Will you support that?

The Hon. G. A. BYWATERS: Yes, that is obvious. This House should express its concern on this matter in a united voice. This afternoon, the Premier gave members an opportunity to debate the matter. Instead of offering a little advice on the wording of the motion (which might have been appropriate), the Leader of the Opposition and the member for Flinders criticized the motion by saying it was a sign of weakness. A sign of weakness would be to suggest an amendment to the relevant Acts concerning this matter. The Premier has already taken action on the matter and now the House has been given an opportunity to support him, as the member for Gumeracha supported him when he pointed out that legislation had been framed to which all parties connected with the matter had agreed.

Although I am merely a layman, I do not believe an alternative to the Chowilla dam exists. We have examined all possibilities before, as the member for Gumeracha said. South Australia needs an independent water supply so that it can be assured that it will not be at a disadvantage in dry years; that is why the Chowilla dam was suggested.

Members have referred to the opposition that exists on the River Murray Commission. We should examine the opportunities that that opposition had and what it could have done. As the member for Ridley said, in the case of a dispute the matter is referred to arbitration. The final wording of the relevant provision states that the decision of the arbitrator appointed to decide the question shall be binding on the commission and the contracting Governments and shall be deemed to be the opinion of the commission. Therefore, I submit that in this instance the thing that should have been done has been done. Realizing the situation, our commissioner took the only action that could be taken, which was to agree to further investigation. That is not to say that the Chowilla dam will not proceed: there is no suggestion of that. If there were such a suggestion, the Government would take up the fight, and I should hope that it would speak on behalf of the Parliament of South Australia. South Australia has little rainfall and its catchment areas are limited; in fact, they are just about all used up. Therefore, for the needs of an expanding State, we must fully use the Murray waters.

I trust that this debate will not get out of hand (as it threatened to do in the early stages), but will develop along the lines suggested by the member for Ridley, in a good speech, and by the member for Gumeracha, who had the facts at his disposal. On this issue, the Government and the Opposition should unite; there should be no suggestion of playing politics, which was the idea behind the suggestion that the motion was a sign of weakness. I support the motion. I suggest that the words to which I have referred could be deleted, and I believe the Premier will move in that direction. It is obvious to me, as a member of Cabinet, that this matter has the concern of the Premier. Those of us who have listened to him in debate will realize that he will make a worthy opponent indeed in this matter.

Mr. SHANNON (Onkaparinga): I cannot imagine taking any project to the point of calling tenders without having made an estimate of the cost. In order to call tenders, specifications must have been drawn up. Indeed, unless one knows what one is going to do, how does one prepare specifications? Therefore, in this case it is obvious that all the necessary preliminary work has been done. No department comes before the Public Works Committee asking it to agree to something which the department would like to do but about which it has made no plans or estimates of cost. A project must be worked out and details provided. The engineers who prepared estimates on the Chowilla dam arrived at a cost of $43,000,000, but the lowest tenderer quoted $68,000,000. In those circumstances, would it not have been possible for the South Australian Government, as the constructing authority, to say that it would do the job? I assume that the engineers in this State are competent. From my experience, I know that officers of the Engineering and Water Supply Department are held in high repute by all who have had anything to do with them. I dissociate myself from any possible criticism of Mr. Beaney, who is a first-class officer. He succeeeded Mr. Dridan who, again, was an outstanding officer. I do not know how an asset such as the Chowilla dam can be evaluated.

Mr. Casey: That has been proved with the Snowy Mountains scheme.

Mr. SHANNON: They went ahead with that regardless of consequences and, with a little maintenance, it will last virtually forever, as would the Chowilla dam. I should like to see how the overall costs are estimated. I recall that some years ago Mr. East, who was the Chief Engineer of the State Rivers and Water Supply Department of Victoria, had a formula for assessing how much money a Government could afford to spend on water reticulation on the assumption that the expenditure would increase productivity. Whatever expenditure might be shown to be warranted by the application of that formula to Chowilla dam, it would all come back eventually. South Australia is able to manage in years of normal rainfall but, unfortunately, we have no guarantee about the precipitation from the heavens and we are in difficulty in years of low rainfall.

Doubtless the commission knew that there was no alternative method of safeguarding South Australia's water supply in years of low rainfall. Otherwise, it would not have agreed to this proposal. Red herrings have been drawn across the trail about evaporation and

salinity. If those matters were not considered before tenders were called, I should want to know why. However, no doubt they were. This House ought to be unanimous in standing up for the rights of South Australia. That is not only desirable: it is almost essential. I agree with the Minister of Agriculture on this matter. I do not know how he stumbled on the same four words as I did, because I had not spoken to him about them.

Mr. Casey: It was a case of two great minds thinking alike.

Mr. SHANNON: I thank the honourable member. They were the only words in the motion that I was concerned about, because I was convinced that there was no alternative. Sir Henry Bolte has talked about the possible reduction of the size of the dam, but the Minister of Works has told us about that. All that that would do would be increase the cost. As for having a small dam elsewhere, no doubt Sir Henry Bolte has an axe to grind. The member for Gumeracha explained about our giving valuable concessions to New South Wales and Victoria and receiving a *quid pro quo* for water released through the Snowy Mountains scheme into the Murrumbidgee River. We have no riparian rights in the Murrumbidgee River but in terms of the agreement we have such rights in the Murray River. The size of the Chowilla dam is important to the overall protection of South Australia. Years of low rainfall occur just as the good Lord decides and no provision can be made for them. All that we can do is put water where it can be used. The commission's statement that South Australia need not worry, that this State will be assured of its water, is laughable. Where will the water come from? If one has not got something, one cannot give it.

Mr. Casey: So, there is no alternative.

Mr. SHANNON: No, other than a damming of the river to conserve some of the good flow in years of favourable rainfall so as to meet the requirements in years of low rainfall. I move:

To strike out "or any alternative proposal".

The Hon. C. D. Hutchens: That amendment will be accepted.

Mr. SHANNON: I do not consider that there is any alternative proposal, and the amendment overcomes any suggestion that we are not standing up for our rights. The member for Gumeracha has outlined the proceedings that led up to the agreement about the Chowilla dam, and legislation was passed by the Commonwealth and the three State Parliaments concerned. We have to regard our legislation as our Bible and adhere to that and nothing else.

The Hon. J. D. CORCORAN (Minister of Lands): I second the amendment because I consider that the wording of the motion might have led to a misunderstanding that we considered that there might be an alternative to the Chowilla dam. I assure the House that that was not the thinking of Cabinet. We were convinced (as we still are convinced) that Chowilla must proceed: we do not consider that there is any suitable alternative. I am grateful to the member for Onkaparinga for his suggestion, because it removes any doubt about whether the Government considers there is any alternative.

I join with the Minister of Agriculture in congratulating the member for Gumeracha on a speech that was a delight to listen to. It showed the honourable member's obvious knowledge of the subject. As the Minister of Agriculture has said, South Australia in future will be grateful for the honourable member's efforts in obtaining this agreement. It would be completely wrong for this Parliament or the Government to take any action that would undo the work that the member for Gumeracha did in connection with an agreement which was supported so strongly in this Parliament and which gave the State some guarantee about future water supplies. It is imperative that the House be unanimous about the amendment moved by the member for Onkaparinga. The motion thus amended will enable the State Parliament to be united in this matter.

Mr. MILLHOUSE (Mitcham): I support the amendment moved by my Leader and I am afraid that I cannot support the amendment moved by the member for Onkaparinga, because I do not think it goes far enough. The Premier's motion gives away our case twice: first, by the alternative to which the member for Onkaparinga has drawn attention (and I am pleased that the Government will accept that); and, secondly, by the use of the past tense in the last line, as though Chowilla dam were not going to be built. I object more strongly to these words than to the suggestion of an alternative, because it is a more objectionable concession to Victoria than is the mention of an alternative. It is ironical that, although both the Minister of Agriculture and the Minister of Lands congratulated the member for Gumeracha (and I do so, too), they did not say that the member for

Gumeracha supported the amendment moved by the Leader of the Opposition. The amendment of the member for Onkaparinga may assist with the first concession, but it seems that by the use of the past tense in the last line of the motion we are virtually conceding that the Chowilla dam is a thing of the past.

People considering what has been said in this House, or outside it, will look at the motion that is passed, and they will assume that it sums up our views. As it stands, I do not believe it does, and it does not sum up mine. I shall not canvass the technical aspects of the matter, because I am not equipped to do that. Last Wednesday I expressed alarm at the way the Treasurer had couched his reference to the Chowilla dam in the Loan Estimates. I leave aside the question of why the cost of the dam has increased so steeply since estimates were first prepared, although it warrants an explanation. Also, I leave aside the question of what contingency planning is being done about water resources after Chowilla has been completed. Even with Chowilla, we know that before the end of the century we will be short of water and that our development will be limited by the availability of water.

Undoubtedly, tough negotiations will be needed in this matter, based on the agreement concluded in 1963, and these negotiations have to be conducted by the Government on behalf of all South Australians. I agree with nearly everything the Premier has said about the situation that has arisen since last Friday, but I was perturbed at a report in yesterday's paper in which the Premier stated that we would be all right for 10 years. I understand that we will need Chowilla dam long before 1980. Apart from that statement, I agree with the Premier's sentiments, as does every member of this House, but I was disappointed when he moved such a weak motion. Twice it is tantamount to acknowledging that the dam is not to be built. We want it in South Australia and it is important that it should be built. The Premier should have learned how to conduct negotiations such as he will now have to enter, both in his profession and as a politician. One does not give away one's case before negotiations start, yet that is what this motion would do. Something once conceded is impossible to get back. The Opposition believes that nothing should be given away to Victoria or to any other State. That is not the way to beat Sir Henry Bolte who is not giving anything to anyone if the attitude as reported in this morning's paper can be taken as a true guide to his feelings. Why do we concede things which we do not need to concede? We are sitting on an agreement, binding on other States, which Sir Thomas Playford worked for many years to obtain. We should not give it away in a couple of hours. The agreement, which is the basis of this matter, is contained in the 1963 Act. Paragraph 8 incorporates the Chowilla works in clause 20 of the original agreement, and provides that they should be "works to be provided for under this agreement". The agreement, signed in 1963 on behalf of Victoria by Sir Henry Bolte, on behalf of South Australia by Sir Thomas Playford, and by the Prime Minister and the then Premier of New South Wales, provided by new clause 54 (which was put into the agreement by paragraph 18 of the 1963 agreement):

> The States of New South Wales and Victoria, so far as they can do so and may be necessary in pursuance of this agreement, will authorize and facilitate the construction and maintenance by the State of South Australia and the use by the commission of the Lake Victoria and Chowilla reservoir works mentioned and described in this agreement.

That is still binding on Victoria and New South Wales, and yet Sir Henry Bolte can say (as is reported in the paper this morning) that the matter is dead and gone. Surely we are not to concede that to him by carrying a motion that uses the words "South Australia will be provided with water in dry years to the extent intended to have been assured by the Chowilla dam project".

Mr. Clark: It hasn't been built yet.

Mr. MILLHOUSE: No, and if the spirit of this motion is accepted it will not be built, either, because we shall not have a chance in the negotiations that will have to be undertaken. It is entirely unnecessary that we should carry a motion in these terms—terms that we believe are not sufficiently strong and do not represent the feelings of all members on this side. I sympathize with the Government in a difficult situation that has blown up publicly—

Mr. Curren: And you are doing your best to make it worse.

Mr. MILLHOUSE: —in the last three or four days, although there have been hints of it for some time. The Treasurer hinted at it when he explained the Loan Estimates, and did not bother to deny it in answer to me last Wednesday. There should be unanimity in this House on the matter because it is vital to the State's future development and the welfare of all South Australians. We only want to strengthen

the Premier's hand in the matter and to ensure that when he goes to represent us as the head of the Government of the State he is in the strongest possible position. Frankly, we do not believe that his motion is sufficiently strong to put him in that position. It is a great pity that the Opposition was not apprised of the motion and its terms before the Premier rose in the House today. One would have thought that the least courtesy the Premier could pay to the Leader of the Opposition would have been to confer with him beforehand on the terms of the motion to be moved, if it were the Premier's genuine wish that it should be unanimously supported.

However, that was not the case; the first the Leader knew about this was, as with all of us, when the Premier moved the motion. That was not a good beginning for a motion that the Premier hoped would be carried by the House unanimously. The Leader has made his position in the last few days crystal clear: he has said time and again that he and the other members of the Opposition will support the Government to the hilt in this matter, and he has reaffirmed it this afternoon, as we all have.

Mr. Clark: Is that why the amendment came so readily to his lips?

Mr. MILLHOUSE: I ask the Premier, even though it may mean an acknowledgment by him that the Opposition's wording is rather better than his own (because it is rather stronger), to accept the Leader's amendment. I do not know of any reason why the amendment should not be accepted; it is in, I believe, a stronger form than the wording of the original motion, yet it does not put our position too strongly. I hope the Premier will accept the amendment, so that there can be unanimity in the House on what is a matter of common concern and of vital interest to all South Australians.

Mr. QUIRKE (Burra): First, I thank the Premier for raising this matter so readily in the House and for giving us the particulars of the deliberations that took place at the meeting of the River Murray Commission. We know perfectly well that even the most erudite of people and those who can draft the wording of motions with great facility can, under the stress or urgency of a matter, do one of two things: by tempering a measure with mercy, they can use too much mercy, or else they can be too heavy-handed. The address of the member for Gumeracha this afternoon that described the background of this matter was applauded by two Ministers, and rightly so. The honourable member showed that a binding agreement is in existence today and that there must be no faltering when it comes to applying and implementing that agreement.

The agreement is just as fixed as the laws of the Medes and Persians. There have to be far greater reasons for not continuing with this project than the nebulous ones we have heard not from the Government but from the commission. The reasons indicate that the authorities are frightened of the cost, but no-one can tell me that all the authorities that have investigated the project have not previously studied these points. We intend to spend almost $70,000,000. How do the terms for the conveyance of gas to Adelaide compare with our contribution to the cost of the dam? If we do not water this country or do not use the Murray waters to the greatest extent that they are available to this State, it is not much use bringing that gas to the city. This State, more than any other, is vitally dependent on water above all other things for an increase in population and industry. If we miss out on this opportunity to construct the dam, or if we allow it to go by because somebody wants to fade out of the agreement (whether it be Sir Henry Bolte or anyone else), that person or Government must not be given the idea that we will deliberately acquiesce in what is a default of the agreement.

It is imperative that we get this water. No satisfactory alternative to Chowilla has been suggested. If other alternative dams are built they will be smaller than the projected dam and, to that extent, they will be inadequate and will be difficult to put into operation. Some sites at Renmark and at places lower than Renmark have been examined. However, if they are proceeded with and if the lock pools are lifted by the construction of a dam, all the locks on the Murray River, as well as the low-lying country, would be under water. The only place where the dam could be built is above the locking system. Only minor works can be built lower down.

Members are aware of the problems associated with salinity and evaporation. As the member for Gumeracha said, everyone has known for years the rate of evaporation of every inch of the Murray River, whether it is 60in. or 72in. It varies in different areas according to the climatic conditions, but conditions have not altered so much in recent years that it is

going to cause a cataclysmic salination. Have we heard any complaints about Lake Victoria going saline? The answer is: "No we have not." This will be a shallow dam in many places and an evaporation rate of 6ft. would bring in the perimeter of the banks three miles in places, owing to the shallow nature of the dam. However, we must persevere with that and allow for evaporation, because it is inseparable from the storage of water on broad areas.

We will need an area that will give the maximum aggregation of water in one place. According to inquiries, there is no other place along the Murray River, except at Chowilla, where that can be done to benefit South Australia. The trouble with the river is that it falls only 800ft. from Hume to Goolwa, and it meanders around. When a person looks at it from an aeroplane he does not know whether it is running uphill or downhill, or whether it is on flat terrain. It is shallow in the main, and there are no storages on it. There are no mountain ranges and so we must use this kind of storage: we all agree on this. Whichever motion is passed here, I hope it will be passed unanimously. The Premier's motion states:

That, in the opinion of this House, assurances should be given by the Governments, the parties to the River Murray Waters Agreement, that whatever action is taken by the River Murray Commission—

the commission has no right to take any action, if the member for Gumeracha is correct: it is there to implement an agreement—

concerning the Chowilla dam or any alternative proposal—

the Government recognizes that that part of it is out—

South Australia will be provided with water in dry years to the extent intended to have been assured by the Chowilla dam project.

That is a weakness; if the Chowilla dam is not built, that is not possible, because there is no place where there is a storage to provide that quantity of water, and the Murray River is like any other river because it depends on water coming from the ranges above the Hume dam and on tributaries flowing into it. If these tributaries slow down, nobody can do anything about it, and it is when they slow down that we most need the dam.

As an alternative, I shall read the other motion; it states:

That in the opinion of this House any assurances given by the Governments of New South Wales, Victoria and the Commonwealth, parties to the River Murray Waters Agreement, provide no adequate safeguard to South Australia—

Is that not correct? Is there anything wrong with it? It is correct and we must admit that it is. They do not provide the guarantees. I repeat that the motion states, in part:

. . . provide no adequate safeguard for South Australia—

there is no adequate safeguard; this has been pointed out by two Ministers opposite—

and early action is imperative to proceed with the Chowilla dam project as provided in the River Murray Waters Act.

One motion fights with one hand and the other motion fights with two hands, and we do not want to go into action with one of our hands tied behind our backs. The Leader's amendment simply states two positive facts: one is that there is no assurance that the commission will be able to provide an alternative to the water that would have been impounded by the Chowilla dam; the other is that it proceed with the dam without further delay. I do not think that we want to quarrel about these things; nobody is infallible. If somebody else puts up an alternative idea, the person with the original idea should not take umbrage. If the Leader of the Opposition puts up a better idea, it should be accepted. It is as simple as that when we are considering such an important matter as this dam.

I like the Leader's amendment because it hits harder at the two fundamental features: first, we want water, and secondly, there is no guarantee that we will get it without the dam, and we want to get on with the dam without further delay. Consequently, I shall be impelled to support the amendment but, if there is any hint of a division in this House, I shall not take part in it; we must be unanimous in this, and any bickering because somebody moves an amendment is to be deplored. The amendment moved by the member for Onkaparinga is not nearly as good as that moved by the Leader of the Opposition because it still leaves a haunting doubt, and this must be avoided.

I support the amendment of the Leader of the Opposition and, because it is such a factual statement, I hope it will be accepted by the Government. Nobody will lose any face in accepting it (at least, I hope not). I hope that nobody will think about losing face because every man, woman and youngster in South Australia is affected by this question. Every farmer who is dependent on Murray water is affected by it, every fruitgrower, and every

householder in the metropolitan area. It is vital that we see that we get the best and purest water into our system but, if this dam is delayed we will not get that water, which will be so essential to this State in the future. We will have to seek alternative means; we know that there are other avenues that can be found later, but the Chowilla dam project is the best avenue we have. I trust that we will not allow anybody to foist other ideas on us because it is not such a direct and imperative need to him as it is to others. The Governments concerned have entered into an agreement, and this House's motion should be aimed at seeing they abide by it.

Mr. CURREN (Chaffey): I support the motion, and I commend the Premier for bringing this matter before the House in the manner in which he did. As a result, all members have the opportunity to state their views. I have listened with much interest to the views put forward by Opposition members. The member for Mitcham made a great play on the words "intended to have been assured" in the Premier's motion. As the dam has not yet been constructed and as the Government has no intention of agreeing to its not being constructed, I consider that that phrasing is in order and that it does not in any way mean that the Government has agreed to the Chowilla dam's not proceeding. However, the member for Mitcham was adamant that the only acceptable motion was that of the Leader of the Opposition and he therefore required complete capitulation by the Government. I believe the Government's approach is positive. As the motion is straight to the point, I fully support it. The whole argument put forward by Opposition members presupposes that the Chowilla dam has been written off as a practicable proposition. However, the Chief Engineer of the River Murray Commission said that it had been deferred only for re-assessment and further investigation and that it would be about 18 months before it would be possible to resume serious consideration of it. I hope that the problems facing the commission will be fully investigated and sorted out long before then.

Apparently a radio commentator in the Upper Murray district conducted a round-up of reactions to Saturday's shock announcement about this project. He said that the major reaction was that it was a political gang-up to do damage to South Australia. Although I do not want to go as far as that, reasonable grounds exist to assume something along those lines. The problems that have been faced in the investigation of the Chowilla dam site have been unique. In a report that I received from the Minister of Works in November last year, the Director and Engineer-in-Chief makes the following comments about the Chowilla dam:

> Investigation of the Chowilla dam site, particularly in regard to foundation conditions, has presented some of the most complex and difficult problems ever encountered. These investigations are nearing completion although the time occupied has been longer than first anticipated.

In summing up his report, he states:

> I wish to point out that—literally and metaphorically—the Chowilla investigation has meant the breaking of fresh ground. There is no undertaking in Australia bearing any marked similarity to Chowilla and in fact there are few projects in the world with many features comparable to those of Chowilla. However, all loose ends are now being gathered together and it is hoped and expected that tenders for the main contract will be called by March of next year (1967).

I have no doubt that the investigations carried out at that time revealed the problems. I have heard from the engineer on the site, and also from various people working there, about the foundation conditions encountered in the test drilling. I believe reasonable grounds exist for further investigations to be carried out to ensure that when the dam is built it will be so constructed that there will not be any possibility of collapse of the wall when the dam is full. It is a major consideration that we can retain the water in the dam and that there will not be a sudden breach that will cause great damage to settlements and towns on the river.

Although I am not canvassing any possible alternative to the Chowilla dam project (I realize that there can be no major storage to compare with it), it has been seriously canvassed in the Mildura district by the Sunraysia Salinity Committee. I know several members of that committee and the chairman, Larry O'Donnell, is a sincere and forthright gentleman. That committee advocates that Chowilla dam should not be constructed but that further storages should be constructed in the headwaters catchment area of the river and its tributaries. The committee mainly fears that, should Chowilla dam be constructed and South Australia's quota of water under the Murray River Waters Agreement stored in that dam, there would not be the regular flows past Mildura that now give the town a regular supply of good quality water for irrigation

and other purposes. That is quite a valid argument from the committee's point of view, but I believe that, even with the construction of Chowilla dam, the River Murray Commission will, in its management of the water resources available, ensure that not only Mildura but other settlements as well will receive their requirements of good quality water.

Although it is written into the River Murray Waters Agreement (which this State ratified in 1963) that the Chowilla dam be constructed as a River Murray Commission work, if that project were found by engineers to be impracticable then must we proceed and spend $70,000,000 of public money merely because it is written into the agreement? There must be some means of overcoming a situation like that. I agree that it is imperative that South Australia receive its fair allocation of water under the terms of the River Murray Waters Agreement but, although in 1963 it was considered that the Chowilla dam project was practicable, if further examination proves it to be impracticable, surely the mere fact that an arrangement is written into an agreement does not make it binding that we must go ahead?

If it is proved by engineers in the study they are undertaking that Chowilla dam is impracticable and uneconomical, the only alternative I can see is that more headwater storages must be constructed. Several such storages are under construction at present and, with the agreement of the other States, they could possibly be included in the River Murray Waters Agreement. In this connection, I refer to the Kiewa dam in Victoria, which is purely an undertaking of that State's Government. If the Victorians want to get out of contributing to the construction of the Chowilla dam, then they must, in turn, make some concessions regarding alternative sources of water supply. That dam has been built and contains water. Buffalo dam, the construction of which is due to commence some time next year, could be incorporated in the agreement. Also, Blowering dam on the Tumut River, which catches the water after it has been used through the Snowy Mountains scheme, can be used for irrigating in New South Wales. Possibly, part of that water could be used in the Murray River system. I commend the Premier for introducing this motion, and I accept the amendment moved by the member for Onkaparinga.

Mr. FREEBAIRN (Light): I support the Leader's amendment because of its real importance. Not often do Opposition members agree with the Government, but on this occasion every member has one object in view: to expedite construction of the Chowilla dam. Representing a Murray River district, I realize that this project is important to the people of that area. The weekend announcement shocked those people. With other members representing river areas, my telephone has been running hot from the inquiries I have received from people asking what is happening about this project.

Mr. Casey: How many people rang you?

Mr. FREEBAIRN: Many. Obviously, they would not ring the member for Frome, who is not interested in the Murray River industries, and they would not ring other Government members because they are disappointed with the Government's achievements.

Mr. Casey: Would you give their names and addresses?

Mr. FREEBAIRN: No, because I would not discuss my constituents' business with the honourable member in any circumstances. I believe many people complained. I do not know how many Labor members representing that area have received complaints, but L.C.L. members have received many. South Australia is the driest State in the driest continent, and every Government, whatever its political colour, should take an interest in conserving water. Even this Labor Government, which has no real interest in developing the State, should be conscious of that need. The great arterial waterway, the Murray River, by its nature is difficult to dam. No deep gorges line the river on the South Australian side of the border, making it difficult for low-cost dam construction.

The Chowilla dam, when completed, would have a low retaining bank and the area would be enormous. The booklet *Chowilla Dam—River Murray*, published by the Government Printer, states that the dam will be 18,000ft. long across the valley and that it is designed to retain about 35ft. of water depth over the flood plain and 55ft. in the channel. When completed and filled with water the dam will be the largest in Australia. I give these particulars for the benefit of the member for Frome, as he is casting doubts on the scheme. Many of his constituents receive their water from bores and rain catchments.

Mr. Jennings: We are getting something from a bore now.

Mr. FREEBAIRN: When the dam is completed the storage will be 4,750,000 acre feet, compared with Lake Eucumbene in the Snowy Mountains scheme with 3,860,000 acre feet, and the Hume dam, with the raised weir, a capacity of 2,500,000 acre feet. We realize the difficulties in South Australia when we consider that the flow of the Murray River has averaged 12,000,000 acre-feet a year over the last 60 years. During that period the actual discharge fell in 1914 to 1,000,000 acre feet, but, in 1956, 43,000,000 acre feet passed over the barrage. When Chowilla dam is completed we will have to consider building a dam at Teal Flat and, in future, we will have to cut off Lake Albert.

A press reference that is causing concern to fruitgrowers on the Murray River appeared in yesterday's *Advertiser*. The statement was poorly received in the Upper Murray, and I know that people in the District of Chaffey were upset about it. The Minister of Irrigation, under the heading "No panic", is reported to have said:

> The Minister for Irrigation (Mr. Corcoran) said the decision to defer the project would lead to a tighter control over Murray River water, but there was no need for the fruitgrowers of the Upper Murray to panic.

That seems like double talk to me. The Minister then contradicts himself by saying:

> It made more urgent the need to bring the whole of the river from Mannum down under control.

The Hon. R. R. Loveday: What's this got to do with the motion?

Mr. FREEBAIRN: I do not know why the Minister of Education gets cross. The last time I was speaking he interjected and he got cross, so I advise him to pipe down now. The report continues:

> The Government was already committed to supply irrigation water beyond the quantity the Engineer-in-Chief considered a safe limit.

The Minister contradicted himself in about 100 words. In the Upper Murray districts much concern and worry is evident about the future of Chowilla dam. It behoves this Parliament to do all that it can to expedite the construction of this mighty dam, which means so much to the people of South Australia and, in particular, to the industries based on the Murray River.

[*Sitting suspended from 6 to 7.30 p.m.*]

Mr. FREEBAIRN: I stress that in this vitally important matter it is necessary for the two Parties represented in the State Parliament to speak with one voice. I criticize the Government for not having been in touch with the Opposition before today so that the motion presented to this House could have had the undivided support of every honourable member. I support the amendment moved by the Leader of the Opposition to the Premier's motion and hope that Government members will see the wisdom of our speaking with one voice on this issue.

Mr. McANANEY (Stirling): I support the Premier's motion and the amendment to it moved by the Leader of the Opposition. This is a matter in respect of which we have a definite contract with other States to carry out a certain project. Until such time as it is proved that that project is not physically possible or feasible, I do not think this State should at any time indicate that it is prepared to accept something else. I am not sure of the legal details of the matter and stand to be corrected, but I think the idea of the Chowilla dam is that, when South Australia is not using its quota of the Murray River water or when excess water is coming down the river, it will be impounded by that dam to be available later for South Australia. If another dam is built and used on a tributary of the Murray River under the complete control of the Victorian State Parliament and excess water is impounded there, at times of drought when South Australia cannot get its quota, as originally agreed, unless a new agreement is entered into, the water impounded by that dam will not be available for use here.

I have lived for most of my life near the lower reaches of the Murray River and have witnessed dry periods when very little water has come down the river. However, in most years (even in semi-dry years) much water goes to waste in the ocean and I cannot follow this rigid system of licensing according to the water available in any given year. Fruit trees, for instance, must be watered every year or they will die, so we need some flexible system whereby when excess water is available licences will be obtainable for catch crops and even pastures, or this wastage of water will continue for a long time. At present the River Murray Commission works on a system of quotas, whereby South Australia is entitled to so much water each month. The river has to be flushed and, whether or not the water is being used, it comes down, builds up in the lakes and either evaporates or goes out to sea.

We have been asked by the Government at various times to get together on hot political questions. However, in the case of the fishing industry, we were in danger of treading on

the corns of the people. So, because of the political issues involved, it was up to the Government to make its own decisions there; but this is about the least political matter to come before us for a long time. In my view, we should all agree upon it and present a common front, asserting that this State relies on its legal rights. We should operate from a position of strength, with the River Murray Waters Agreement behind us, and not say, "We are prepared to give in in any way on this agreement; we will meet you half-way with another agreement, which may not be so much to our advantage." This motion by the Premier is a bad error in tactics: it should be strengthened so that we can retain the authority of the agreement that we already have. We in this House should get together, present a common front to the Commonwealth and the States concerned and ask them to carry out their obligations. That is the type of motion I would support, and I think the whole House would, too.

Mr. HEASLIP (Rocky River): This matter is of the utmost importance to South Australia if we are to progress. How dependent are we upon Murray River water today? I hate to think what would happen to South Australia if that supply was reduced to such an extent that we could not get enough water to industries in Adelaide and Whyalla and up through the North. If through lack of water the graziers and country people could not keep their stock alive, what a tragedy it would be for South Australia! From that point of view, it is important that every measure imaginable be taken to preserve our rights and enforce the carrying out of a contract which, in other walks of life, would be binding. If we want that contract carried out, it is no good our trying to apologize to anybody for its not being carried out. We have to fight and see that South Australia is in a position to progress. I agree that this matter should not be political. For the sake of the State, we have to fight and hit hard. We have certain rights under a contract that should be enforced.

I do not believe this motion is forceful enough, and I believe that we should have something that is more forceful and positive. The other States say that something has to be done, and we are apologizing instead of attacking. We should be attacking and enforcing something that is our right. The Minister of Works said that the Government was not prepared to accept anything but Chowilla, and I agree that it should not. The motion will not produce the Chowilla dam: it will produce anything but the dam.

Mr. Casey: Cut it out.

Mr. HEASLIP: It will mean any alternative proposal.

Mr. Clark: It specifically names Chowilla.

Mr. HEASLIP: It has been suggested that it may mean Chowilla dam, but it still is not positive, as it says that South Australia will be provided with water in the dry years to the extent intended to have been assured by the Chowilla dam project. This is saying that Chowilla will not be built: that there will be some alternative or something different. I am sure that anybody with a legal mind would read the motion as meaning that the Government is prepared to settle for something less than Chowilla dam, but I do not think we should be prepared to do that. An agreement has been reached that Chowilla dam will be built, and I am sure at this stage that finance is the only thing that is stopping it.

Mr. Burdon: What about a loan?

Mr. HEASLIP: We can find $40,000,000 for the gas pipeline, but what is the good of gas if we have no water? Water is important, but we want gas, too. If we can find money for gas we can surely find it for water, which is much more important than gas. It will cost a little more, but its value will be ever so much greater. The money that is spent will not cover only the next five, 10 or 20 years as gas will; it will be for as long as the Murray River flows. Amortization will be over a long period, and the annual cost will be reduced because of the length of service that the Chowilla dam will give us. The Leader's amendment is much more positive: it is an attacking motion, while the other is an apologetic one. For that reason, I support the amendment and I hope the Government will support it because I believe it is out for the best that can be obtained for South Australia, as we all are.

This amendment is far more effective and will bring about results much better than the motion will. If the amendment is defeated, I will support the motion because it is better than nothing at all. However, we have no guarantee whatsoever if we pass the Government's motion. If we have no water, we cannot give it away. For this reason, and because of the importance of this matter to South Australia, I support the amendment.

Mr. COUMBE (Torrens): Members on both sides want to make certain representations to the responsible parties to the agreement, but there is a difference of opinion about the way in which to do it and about the wording of the resolution. We are all sure that, above all things, we in South Australia have to be assured of an adequate water supply for the future. We believe that the Chowilla dam is the best way to assure us of this. The importance of the Murray River and its waters for irrigation purposes and for other industries along the river has been mentioned this afternoon. As a member representing a portion of the metropolitan area, I can assure the House that Adelaide householders want adequate supplies of water in the metropolitan area. However, it goes deeper than that, and we have to look to the future. The year 1970 has been mentioned many times today as the deadline beyond which we cannot expand unless we have assured supplies of water for the future. This affects the ability of South Australia to attract industries here because, unless we are assured of an adequate water supply, we cannot expect major industries, especially those that use much water, to come to this State. Apart from those industries that rely on water for their own manufacturing purposes, no industry will come here if it cannot be assured that we will have supplies of water adequate to support an expanding population. This is an important and cogent reason why this project must proceed.

Like other speakers, I was disappointed and shocked to hear of the delay that is to occur, and I know that every member wants the project to go forward immediately. We all know that we have reached an agreement binding upon all parties which is on our Statute Books and which was signed in 1963. We are trying to see that this project is not deferred indefinitely or that it is not deferred one moment longer than it has to be. I go even further and say that we are trying to see that it is not deferred at all. In his speech today the Premier gave a report of our commissioner (Mr. Beaney, the Engineer-in-Chief) of last Friday's meeting of the River Murray Commission. The commissioners representing the other States wanted to have the whole project shelved: at least, instead of saying they wanted it shelved, they politely used the word "deferred". That is not good enough. I believe the Premier considers that South Australia has to fight and fight hard to see that this project is proceeded with and that we retain the rights we have under this agreement so that South Australia will be assured of adequate supplies of water in the future and so that it can attract and keep industries in operation here.

Mr. Lawn: We wouldn't have had this trouble in Chifley's time.

Mr. COUMBE: It is typical of the member for Adelaide to bring politics into the debate. If there is one thing we can be assured of it is the honourable member's ability to drag in politics at any odd moment of the day.

Mr. Lawn: We have had it all day from your side.

Mr. COUMBE: If the honourable member wanted to bring politics into the debate he should have admitted that it was Sir Thomas Playford back in the years immediately preceding 1963 who was responsible for this agreement being made. All we are doing tonight is supporting a move to avoid further deferment of this project and to get the agreement carried out.

Mr. BROOMHILL (West Torrens): I move:

To strike out all words after "House" and to insert "the State of South Australia has a fundamental and legal right to the construction of the Chowilla dam without further delay, and that assurances must be given by the Governments, the parties to the River Murray Waters Agreement, that pending construction of the dam South Australia will be supplied in dry years with the volume of flow of water which the dam was designed to ensure.

I understand that the Premier has discussed this amendment with members of the Opposition and that the Premier and the Leader of the Opposition agree that the amendment would be acceptable.

Mr. LAWN (Adelaide): As the Minister of Agriculture said this afternoon, the Premier has the interests of the State at heart and is a reasonable man. Although his original motion is preferable, in my opinion, to the present amendment of the honourable member for West Torrens, the Premier, with the object of achieving unanimity in this Parliament, will accept the amendment. Therefore, I have pleasure in supporting it.

The Hon. D. N. BROOKMAN (Alexandra): As a member of the Opposition who did not speak earlier in this debate, I should like to express my agreement with, I think, every other honourable member of this House that the Chowilla project is vital to the interests of this State. I think everybody here agrees that there is no alternative that could be as satisfactory as the Chowilla dam to South Australia's future.

We have had a number of amendments during the day and a debate which I think has gone to show that everyone in this House considers a great injustice would be done to this State if in any way our future was jeopardized by a delay in the progress of the Chowilla scheme or a possible abandonment of it. Whilst we have disagreed on the verbiage to be used, it has only gone absolutely to drive home the point that everyone is finally agreed on that one vital point. We have had an opportunity briefly to examine this new amendment moved by the honourable member for West Torrens, and I think it will meet the situation. I think it will bring us all as close as possible to agreeing on a desirable resolution to be transmitted to the Prime Minister.

I hope that when this message goes to the Prime Minister it will be accompanied (in fact, I know it will) by the strongest respresentations the Premier is capable of making in any way he chooses to make them. He will be able to take that message, reinforced by the assurance that all shades of opinion in this Parliament are with him. I support the amendment.

The SPEAKER: I understand that the Leader of the Opposition is prepared to withdraw his amendment.

Mr. HALL: That is so, Mr. Speaker. I believe my amendment has achieved its objective, so I ask leave to withdraw it.

Leave granted; amendment withdrawn.

Mr. SHANNON: In view of the later amendment, I, too, seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

The Hon. D. A. DUNSTAN (Premier and Treasurer): Mr. Speaker, I very much appreciate the fact that after some debate we have at last reached unanimity on this matter. I am perfectly prepared to accept the amendment moved by the honourable member for West Torrens. The situation that faces the Government in South Australia is that no member of the Government believes that we do not have the right legally to the erection of the Chowilla dam. The provision is clear in the agreement, ratified by legislation in all the State Parliaments concerned, that the Chowilla dam is to be constructed and that the construction is to be facilitated by the parties to the agreement. However, we are faced with the situation that within the terms of the agreement there are certain discretionary powers of the commissioners which do not involve them in deciding upon letting a tender at this moment, and there are no means of our immediately enforcing the letting of the tenders with which we have been supplied.

I draw honourable members' attention to the provisions of the agreement, because these are the things that must concern us. Under clause 36 of the agreement, if, in the opinion of the commission, for the effective construction of any of the works provided for in this agreement it is necessary to exceed the amount set out in clause 33 of the agreement, the commission may pay to the Government constructing such work an amount in excess of that set out, and the amount of such excess expenditure shall be borne by the contracting Governments in the proportions set out in clause 32. It is quite clear from the tenders that have been presented to this Government, which is the constructing authority, that it would be necessary for the commissioners to assess an excess above the amount payable by the commission for the various construction works agreed, including Chowilla. That is in the discretionary authority of the commissioners.

This is the difficulty we face. Although under clauses of the agreement that honourable members have cited to this House we are entitled to demand of the other parties to the agreement that they will facilitate the construction, once an excess beyond that originally estimated and written into the agreement of some $36,000,000 is involved, there is a discretion in the commissioners as to the payment of the excess. This places us in some legal difficulties here. As the member for Gumeracha pointed out very cogently and very rightly, we obtained the agreement of the other Governments concerned to the erection of this dam to ensure that South Australia would get water in dry years and that we would be able to proceed with the development that is this State's right.

The Hon. T. C. Stott: Who has the final determination of the discretion on the allocation of the excess money? How is that determined?

The Hon. D. A. DUNSTAN: That is in the hands of the commissioners, and when there is a dispute it goes to arbitration. Precisely how the arbitrator decides is in the lap of the gods because there is nothing in the agreement on this matter. We have certain legal rights and we can cite certain clauses of the agreement. However, this is not something that is legally open and shut in the short term; I believe that in the long term we can insist on the construction of the dam. I believe that every member

of this Parliament should make it perfectly clear—and I am quite happy to do it in conjunction with members opposite—that we believe we have a right to its construction and that eventually we can insist that it be done. It is in the agreement; it is an obligation on the other Governments that they combine with us to see that the Chowilla dam is constructed, but in the short term—this is where the difficulty occurs—there is a discretion in the hands of the commissioners.

The Hon. T. C. Stott: We have reached agreement with the other States to the extent of $28,000,000, but not in excess of that?

The Hon. D. A. DUNSTAN: Yes, but the clause facilitating the construction has to be read with the others, and I believe that in the long term we can insist on an excess but in the short term we are faced with the fact that the commissioners have a discretion.

The Hon. T. C. Stott: We can insist on it without arbitration?

The Hon. D. A. DUNSTAN: I believe that in the long term we will be able to go to the law and insist on it.

The Hon. T. C. Stott: I hope you are right.

The Hon. D. A. DUNSTAN: I believe that in the long term we can insist on the construction of this dam but at present we are faced with the fact that in the short term the commissioners have exercised their rights (and these are undoubted rights within the agreement) that they will not at present let a tender, but instead they will have an investigation to see whether there are ancillary works that can assist with some modification of the project to assure water for this State. This has created a situation in which we must get an immediate assurance that we are going to have the water here in South Australia so that we can go on with our development. We must be certain of this and we must have it publicly stated by all the responsible Governments so that, whatever we do in the long term, it is clear in the short term to the people who will be depending on the river that they need have no fears: the water will be here.

The Hon. G. G. Pearson: Is this considered in terms of an immediate supply, because unless they have it stored they cannot supply it?

The Hon. D. A. DUNSTAN: The commissioners are suggesting, and I read this in the report of our commissioner, that as a result of their various studies they believe they can at present provide water for South Australia without restriction. Now, we want the assurance in the short term, if these people exercise their rights to have further investigations before they proceed, that we have the right to say that they shall proceed. We must have the assurance that we are going to get that water and that we are not going to be without water in the interim. This is why I have asked the Prime Minister to convene a conference to ensure that South Australia can go ahead with its development without any hindrance through what the commissioners have done in the short term. That is why I have asked for these assurances to be given publicly and immediately—so that we can say to the people who are developing on the river and to the people in the industrial areas of South Australia, "You have no fears".

The Hon. T. C. Stott: And that this dam will be completed before Bolte's Buffalo dam.

The Hon. D. A. DUNSTAN: Sir Henry Bolte says things from time to time; as members opposite have pointed out, he is a tough negotiator. However, with very great respect to him, I do not think he is always quite as familiar with the facts as honourable members opposite would have people in South Australia believe. I do not think Sir Henry was fully apprised of what his own Government was legally committed to when he made that statement. I shall have much pleasure in drawing his attention to what his Government is committed to.

The Hon. Sir Thomas Playford: It won't worry him.

The Hon. D. A. DUNSTAN: It may not, but I will not mind reminding him on behalf of members of this House and of the people of South Australia. He is committed to the erection of the Chowilla dam. He can say that he believes the project is shelved, but he has got to face up to some action to ensure that it is not. Consequently, I believe that the amendment moved by the member for West Torrens can meet the various viewpoints expressed by members of this House. I cannot accept the amendment of the Leader of the Opposition because I am asking in the short term for public assurances from the other States, and I cannot go to a meeting asking for these assurances (about which I have written to the Prime Minister) with a motion from this House stating that we do not believe they are worth the paper they are written on. How can I negotiate on this basis?

The Hon. G. G. Pearson: Does the Premier accept that we could not agree to his motion?

The Hon. D. A. DUNSTAN: I think we could agree to the first motion.

The Hon. T. C. Stott: But it is not before the House. It has been withdrawn.

The Hon. D. A. DUNSTAN: No; at present before the Chair are both my motion and the amendment of the member for West Torrens which, I say, I am accepting.

The Hon. T. C. Stott: I thought the Leader of the Opposition had withdrawn his amendment.

The Hon. D. A. DUNSTAN: Yes, but I have not withdrawn my motion. I believe that my original motion would have met the immediate short-term situation because there was no suggestion that we did not have the rights (which existed in the legislation of every State of the Commonwealth). We are going to insist on those rights. However, I wanted some basis on which I could say to industrialists and developers coming to South Australia: "All right. The commissioners have done something about postponing the Chowilla dam project while they are looking at various studies, but not only have we a legal right to get it but I have an assurance from all the Governments concerned that we are going to get it, so you don't have to worry." This is something that is necessary for the development of this State and I thank honourable members for their attention to this very important mattter. This should not be a matter for political play because it is vital to the development of the State, and I believe that we should be unanimous.

The Hon. T. C. Stott: We are now.

The Hon. D. A. DUNSTAN: I am glad that we are. I am happy to see that we can get unanimity among members on the things that are of vital importance to the future of South Australia. I am happy to say that I accept the amendment moved by the member for West Torrens.

Amendment carried; motion as amended carried.

QUESTIONS

HOSPITALS

Mr. LAWN (on notice):

1. Have any disbursements been made from the Hospitals Fund from moneys received as a result of the operations of the South Australian State lottery?

2. If so, how have these disbursements been made?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. A sum of $100,000 was disbursed from the Hospitals Fund in 1966-1967.

2. Grants were paid to Adelaide Children's Hospital, $50,000; Home for Incurables, $25,000; and Minda Home, $25,000.

WATER PUMPING

The Hon. Sir THOMAS PLAYFORD (on notice): On how many days during the months of June and July, 1967, did the pumps on the Mannum-Adelaide main work to maximum capacity for 24 hours a day?

The Hon. C. D. HUTCHENS: The pumps on the Mannum-Adelaide main worked to maximum capacity for 24 hours a day for 20 days during the month of July, 1967. No maximum capacity pumping was carried out during the month of June, 1967.

MIGRANTS

Mr. HALL (on notice):

1. How many migrants (assisted and unassisted) came to this State in each of the last three financial years?

2. What was the average length of stay per family in each of the Government hostels and reception centres, during each of these years?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The number of migrants who arrived in South Australia in each of the last three financial years is as follows: 1964-65—assisted, 17,467, full fare, 3,455, total 20,922; 1965-66—assisted, 18,474 full fare, 3,510, total 21,984; and 1966-67—assisted, 14,486, full fare (approximately), 3,000, total (approximately), 17,486.

2. The following was the average length of stay per family in Government hostels:

(*a*) Commonwealth hostels—The details for South Australia alone are not available but for the whole of Australia the average length of stay was 38 weeks in the year 1965-66, and 29 weeks in the year 1966-67. The information is not available for the year 1964-65.

(*b*) State immigration hostel at Elder Park—The average length of stay has remained fairly constant at about 10 days. This hostel is a transit hostel only.

ELECTRICAL ARTICLES AND MATERIALS ACT AMENDMENT BILL

The Hon. C. D. HUTCHENS (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Electrical Articles and Materials Act, 1940. Read a first time.

The Hon. C. D. HUTCHENS: I move:

That this Bill be now read a second time.

It has three purposes. In the first place it provides for the adoption by this State of what is known as the "one certificate system of approvals". In making the necessary amendments for this purpose the opportunity is being taken of improving the legislation, particularly the provisions dealing with the sale or hiring of proclaimed but unmarked electrical goods immediately following proclamation. In the second place the Bill provides for the prohibition, by notice, of the sale, hire or use of dangerous electrical articles or materials. The Bill also makes alterations in the nature of Statute law revision to the principal Act. Under the principal Act the Electricity Trust administers a scheme for testing and approving electrical articles and material. The scheme is part of an Australia-wide control over such goods. Under the principal Act goods are brought under control by proclamation. Goods of a proclaimed class must be submitted for approval and allotment of a mark. On the sale or hire of goods of the proclaimed class the goods must have the mark affixed.

I deal now in order with the three types of amendment made by the Bill. The first is the adoption of the "one certificate system of approvals". Under this system an approval by a State authority of an electrical article or material is accepted by other States. New South Wales, Queensland, Western Australia and Tasmania have all adopted the "one certificate" system and in Victoria the necessary amendments to adopt the system are being considered. In South Australia the position at present is that application must be made for approval of an article approved by an interstate authority notwithstanding that it has been so approved. The procedure is only a formality but it causes unnecessary inconvenience to merchants and others.

Clauses 4 and 6 make the necessary amendments to authorize the sale or letting on hire of an electrical article or material bearing an interstate mark without any formal approval of that mark in South Australia. Clause 8 (*b*) makes a consequential amendment to the regulation-making powers to authorize regulations relating to the fraudulent or improper use of interstate marks. For safety the right has been reserved for the trust to disapprove an article or material approved by an interstate authority (clause 6, new section 12 (2)).

In re-enacting section 12 of the principal Act (which is the main prohibition section requiring marks to be fixed to electrical articles or material) the opportunity has been taken to make improvements to this section, in particular to the provisions permitting sales or hirings of unmarked goods to continue after the declaration by proclamation of a class of electrical articles or materials for control under the Act. At present, under section 12 (3) it is not an offence to sell or let on hire an unmarked electrical article or material if at the time of the declaration of the class it was in the possession of the defendant for sale (paragraph (*a*)), or the article or material was delivered to the defendant in pursuance of a contract entered into before the declaration (paragraph (*b*)).

In other States there is no equivalent of section 12 (3) and the practice has been to delay the application of control over a class for a considerable period, while giving the trade due warning, and to adopt a uniform application date. South Australia has, for uniformity, followed the practice of the other States and often the proclamation fixes a date for the declaration to take effect considerably later than the day on which the proclamation is made. The presence of section 12 (3) in our Act has meant that in South Australia even more time has been allowed and this has permitted dumping in South Australia.

The alterations proposed are, first, to make the test under section 12 (3) (*a*) whether the goods were in the possession of the defendant for sale at the date of publication of the proclamation instead of the time when the declaration takes effect; and, secondly, disposal of goods delivered after proclamation to be limited to goods delivered within six months after publication of the proclamation in pursuance of a contract entered into before publication. In both cases the exemption will relate to the date on which the intention to control is made public. This seems a more appropriate date than the time of declaration, by which time a dealer who wishes to evade the control can acquire or order unmarked goods which he can sell later with impunity. These alterations still allow latitude which officers of the trust consider to be more than reasonable for the purpose.

I deal next with dangerous articles and materials. Over the years, from time to time the trust has found, or received a warning, that a certain electrical article or material or batch of electrical articles or material are defective so as to be dangerous to use. So far where this has occurred it has proved possible, through the co-operation of dealers and others enagaged in the marketing of electrical articles or material, to withdraw the dangerous goods from circulation before an accident has happened. The trust believes that there should be an emergency power to prohibit the distribution or use of electrical goods in circumstances such as these and that the trust should not have to rely merely on the willingness of dealers and others in order to withdraw goods from distribution or use.

At present the only possible legal course would be to withdraw the approval. This requires the publication of a notice in the *Government Gazette* with almost inevitably up to a week's delay and there is serious doubt about the effect of withdrawal of approval on articles already marked. Clause 7 inserts a new section 12a in the principal Act which follows in general form provisions contained in the legislation of Victoria and Western Australia and provides for the prohibition of the sale or letting on hire or use of electrical articles or material by notice given by the trust either generally or to a particular person.

Lastly, I refer to Statute Law Revision provisions. Originally the principal Act which was enacted in 1940 provided for the establishment of a committee called the Electrical Goods Approvals Committee which was to approve electrical articles and material declared by proclamation to be proclaimed classes for the purposes of the Act. The articles were to be marked with a mark authorized by the committee and provision was made for approval of marks affixed under the authority of a recognized authority of another State.

In 1943 the Electricity Act, 1943, established the South Australian Electricity Commission and section 19 of that Act provided that the commission should administer the principal Act in substitution for the committee provided for in the principal Act, and that the principal Act should be construed as if every reference to the committee were a reference to the commission. In 1946, the Electricity Trust of South Australia Act established the trust, and section 39 of that Act provided in its turn for the substitution of the trust for the commission.

The position now is that the trust has for many years past administered the principal Act, the principal Act still containing, however, provisions for the establishment of the Electrical Goods Approvals Committee and for the administration of the Act by that committee notwithstanding that subsequent legislation has rendered these provisions out of date. Clauses 3, 4, 5 and 8 make the necessary amendments to the principal Act to substitute the trust for the committee. It should be said that the trust is guided in its administration of the Act by an advisory committee consisting of representatives of the trade and others.

Mr. COUMBE secured the adjournment of the debate.

LICENSING BILL

In Committee.

(Continued from August 2. Page 1041.)

Clause 39 passed.

Clause 40—"Conditions precedent to application for licence for previously unlicensed premises."

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

In subclause (1) after "licence" second occurring to insert "or vigneron's licence".

This is a consequential amendment.

Amendment carried.

The Hon. D. A. DUNSTAN: I move:

In subclause (1) (*b*) to strike out "twenty-one" and insert "seven".

This amendment provides that within seven days of deposit a notice shall be given by two advertisements in newspapers. It is advisable that immediate notice be given by public advertisement.

Amendment carried; clause as amended passed.

Clause 41 passed.

Clause 42—"Application by unlicensed person in respect of previously licensed premises."

The Hon. D. A. DUNSTAN: I move:

In paragraph (*a*) after "footpath" to insert "a notice".

This is a drafting amendment.

Amendment carried; clause as amended passed.

Clauses 43 to 45 passed.

Clause 46—"Matters to be established."

The Hon. D. A. DUNSTAN: I move:

After "licence" second occurring to insert "or a vigneron's licence."

This is a drafting amendment.

Amendment carried; clause as amended passed.

Clause 47—"Objections to licences and renewals."

The Hon. D. A. DUNSTAN: I move:

After "licence" second occurring to insert "or a vigneron's licence."

Again, this is a drafting amendment.

Amendment carried.

The Hon. D. A. DUNSTAN: I move:

In subclause (1) to insert the following new paragraph:

(*f*) in the case of an application for a renewal of a full publican's licence restricting the sale and supply of liquor to all or any of the occasions or purposes mentioned in subsection (3) of section 19 the restrictions sought would leave a substantial public need uncatered for.

This is a desirable amendment to provide a further ground for objection in the case of a full publican's licence restricted in the cases mentioned.

Amendment carried.

The Hon. D. A. DUNSTAN: I move:

In subclause (2) (*h*) to strike out "a publican's licence restricting the sale and supply of liquor to all or any of the occasions or purposes mentioned in subsection (3) of section 19 the restrictions sought would leave a substantial public need uncatered for or in the case of an application for";

These words have been included in the preceding amendment, and are unnecessary here.

Amendment carried.

The Hon. D. A. DUNSTAN moved:

In subclause (2) (*h*) to strike out "as restricted"; before "licence" fourth occurring to insert "full publican's"; and to strike out "for other premises".

Amendments carried; clause as amended passed.

Clauses 48 to 54 passed.

Clause 55—"Removal of licence."

The Hon. D. A. DUNSTAN: I move:

In subclause (1) (*a*) to strike out "club".

This means that the exceptions apply only to packet or railway licences, and not to club licences.

Amendment carried.

The Hon. D. A. DUNSTAN moved:

In subclause (2) (*b*) to strike out "twenty-one" and insert "seven".

Amendment carried; clause as amended passed.

Clause 56 passed.

Clause 57—"Procedure on application for removal."

The Hon. D. A. DUNSTAN: I move:

In subclause (3) to strike out "prescribed"; and after "form" to insert "prescribed by the rules of court".

These are drafting amendments.

Amendments carried; clause as amended passed.

Clauses 58 to 65 passed.

Clause 66—"Permit for supply of liquor for consumption at club."

Mr. MILLHOUSE: I move:

In subclause (1) before "sale" to insert "keeping".

This clause bristles with all sorts of difficulties. I have several amendments on it, of which this is the first. Its purpose is to make it quite clear that a permit allows for the keeping of liquor on premises for some period of time. As the clause is drawn, it permits only the sale and supply of liquor. It may be that a club desires to get in liquor on the day before the day on which it is to be consumed. That is the reason for this amendment. I understand that in the old Act "keeping" does not appear: it has always been assumed that the wording includes permission to keep, but I think it is better to make the position perfectly clear.

Mr. HEASLIP: The position is awkward, particularly for country clubs where liquor is brought in and has to be taken away if it is not consumed at the closing of the club on that day. It cannot be left on the premises. In these circumstances, if three or four bottles are left over, instead of worrying about who is to take charge of them or who is to take them away people tend to stay there and drink them, which is not desirable. If "keeping" or some similar word was inserted here to allow the club to lock up the liquor on the premises and let it stay there rather than see that it was taken away, it would be an improvement.

The Hon. D. A. DUNSTAN: I accept the amendment.

Amendment carried.

The Hon. D. A. DUNSTAN: I move:

In subclause (1) after "will" to insert "except in the case of a permit granted to a licensed club for the sale supply and consumption of liquor in its licensed premises".

This amendment means that permits in relation to licensed clubs will not be restricted in the way that unlicensed clubs or conditionally licensed clubs will be restricted in the purchase of liquor. Unless some specific condition had been imposed by the court on an unconditional club licence as to the supply of liquor locally, it would be able to purchase its liquor without this particular restriction.

The Hon. Sir THOMAS PLAYFORD: The clause states that the court has authority to grant a permit or licence, but putting in the

words "including Sundays" is an open invitation to people to engage in Sunday activities, even if they were not previously doing so. I do not think any honourable member would wish to see the commencement of a great deal of Sunday trading or Sunday consumption of liquor. It seems to me that we are pointing out to the court that we approve of its granting permission in this respect.

Even without those two words, the provision is wide enough to give the court discretion to do anything it thought justified. Can the Premier say what is the purpose of making it an invitation to these clubs to start Sunday trading?

The Hon. D. A. DUNSTAN: It is not a question of starting a great deal of Sunday trading. The plain fact established before the commission was that there was in both licensed and unlicensed clubs a good deal of activity on Sundays which it would be impossible effectively to prohibit and that if it were prohibited in law the law would not be complied with. The view of the Government was that it should endeavour to hold the situation as it was, and therefore that this should be confined to existing clubs.

In the meantime, the Government has asked church organizations in South Australia for their view of what should happen in Sunday activity generally. However, at this stage we do not believe we should go further than what has already been established. When this clause was originally drafted we wanted so to hold the matters that it confined itself to activities such as could have been proved by existing clubs to have existed over two years. Many members objected to that situation and said that that was unfair, that people who had been proved to be breaching the law for a period of two years could get a permit and that other existing clubs that had been complying with the law could not do so. We have confined it to clubs existing at the date of the passing of the Act in order to see to it that there is not a proliferation of activity, and we are endeavouring to confine the activity as much as possible to existing clubs.

The existing activities on Sundays, according to the evidence given before the Royal Commission, are very widespread. We wanted to make it clear that it was not the intention of the Parliament that there be read into this section what occurs in many other sections of the Act, to an exclusion of activity on Sunday. That is the purpose of the words. They are there in an endeavour to see that the court is clear that the existing activities of clubs on Sundays can be catered for but that we do not go beyond that. I believe that inevitably the attitudes of the community on this subject will change in due course. However, I believe that the general attitude of the community at the moment is that the Bill should go no further than it has done.

The Hon. T. C. STOTT: This clause may cause some concern to some clubs in country areas. What is the position of a community club in a town?

The Hon. D. A. Dunstan: The club would have to apply for a permit to trade outside of normal trading hours.

The Hon. T. C. STOTT: Would a bowling club be able to buy from a community club not holding a full publican's licence?

The Hon. D. A. Dunstan: No.

The Hon. T. C. STOTT: Then the position would be most difficult in my district.

The Hon. D. A. DUNSTAN: The report of the Commissioner is that existing licensed clubs should be deprived of their off-licence sales. What the Government has done in amending the Bill that was brought in as far as possible in accordance with the Commissioner's proposals is to provide that existing licensed clubs be permitted to have off-licence sales to their own members, but beyond this clubs were not to go because they are not there for the purpose of making a profit out of general liquor trading: they are there to provide a facility for their own members.

General liquor trading is the business of publicans, who are required under this Bill to provide facilities in the future far in excess of what has been required of them previously. Therefore, the profitability of their trade must be protected, and other people should not be allowed to make inroads on the activity of publicans. It is not reasonable for a community club to engage in general liquor trading other than with its own members. Such a club may provide off-licence sales to its own members for taking away by the members from the club premises, but they must not be supplied to the members on the club premises. Future community clubs will not have off-licence sales to their own members. The supply of liquor to outside organizations is the business of people who are making their livelihood from the purveying of liquor, and we ought not make inroads upon their trade.

The Hon. T. C. STOTT: There are still some anomalies in the clause. In my district there is a community club and a bowling club, but no hotel. The bowling club will have to make arrangements on the Saturday or Sunday it plays to get its bottled beer carted from 20 miles away. As the community club is only across the road, the position is a little absurd. The licensed community club gets its liquor supplied on a weekly or a monthly basis, but the bowling club across the road would get its liquor supplies from that community club. If we insist on this amendment, it must go to Loxton or some other place about 20 miles away in order to get beer to supply the bowling club, when beer is available in the licensed community club just across the road. This situation occurs at Lyrup and Moorook; there is no hotel at either place. I agree with the Premier in principle, but these anomalies occur. Can we not provide that the court can in special circumstances permit such facilities where there is no hotel within 20 miles? Otherwise, the small club will be forced to pay excessive transport charges to get beer from a hotel.

The Hon. D. A. DUNSTAN: We have no amendment on file to cope with this situation, and I point out that this Bill has now been on the file for a long time and we have endeavoured to cope with every situation that has been presented to us and to examine amendments proposed by honourable members and by local organizations. Regarding the situation described by the honourable member, I find it hard to see why the bowling club cannot arrange to obtain its liquor from a licensed outlet in the same way that the community club will do, and at the same time as the community club. If there is still a difficulty in regard to this matter and if the honourable member likes to consult with the Parliamentary Draftsman, we shall consider whether the clause should be recommitted.

Mr. MILLHOUSE: If I understand it aright, the amendment that the Premier is now inserting will mean that a licensed club which desires a permit to sell outside the normal trading hours or on Sunday will not be covered by the proviso, either. So, in fact, it cuts down the ambit of the proviso.

The Hon. D. A. DUNSTAN: Yes.

Mr. MILLHOUSE: It means that in future the proviso will apply only to unlicensed clubs that have a permit to sell at any time.

The Hon. D. A. DUNSTAN: Yes; of course, a similar proviso might have been applied to a licensed club under the conditional licence provision.

Mr. Millhouse: But it will not apply now?

The Hon. D. A. DUNSTAN: It could still apply if the court has proposed it under the other provision.

Mr. MILLHOUSE: I just wanted to make sure of the effect of this amendment because, as the Premier will agree, this clause has now become quite complicated and it may become more so. It seems to me that the amendment goes some way toward meeting some of my objections to the clause, although I am still not at all happy with it.

The Hon. Sir THOMAS PLAYFORD: I understand this clause imperfectly, but I assume it applies to liquor that is sold by a club. Will it apply to prominent clubs already in existence, such as the Commercial Travellers Association club?

The Hon. D. A. DUNSTAN: The proviso does not apply to licensed clubs unless they have conditional licences.

The Hon. Sir Thomas Playford: If they have a permit, it would apply to them.

The Hon. D. A. DUNSTAN: No.

The Hon. Sir Thomas Playford: It is quite wide.

The Hon. D. A. DUNSTAN: My amendment is that the following words be added:

Except in the case of a permit granted to a licensed club for the sale, supply and consumption of liquor in its licensed premises.

Amendment carried.

Mr. MILLHOUSE: I move:

In subclause (1) after "club" fourth occurring to insert "or from the holder of a retail storekeeper's licence".

This proviso still contains many difficult clauses and, even in its slightly amended form, it will have a deleterious effect upon the business of at least two firms which I shall mention in a moment. I should like to refer to the vagueness of some phrases in this clause. First, what on earth will be the court's interpretation of the phrase "in the vicinity"? The proviso states that the liquor must be purchased from the holder of a full publican's licence in the vicinity of the club. This phrase, of course, has no precise meaning at all. In the case of the city of Adelaide I do not know whether it will mean "within 300yds. of the club", and in the case of a small town in the Upper North I

do not know whether it will mean "within 30 miles". There is no guide to anybody as to what is meant.

Secondly, there can certainly be a difference of interpretation of the phrase "the holder of a full publican's licence". This can either mean a named publican in the vicinity (as I assumed it meant earlier in the discussions on this legislation) or it can mean, but not necessarily, any publican in the vicinity who may be nominated by the court. However, this is not the exclusive meaning. It is open for the court to say, "You will buy your liquor from the *Rose and Crown* and from no other hotel." This is not good because it confers a monopoly upon one hotel or a number of hotels within the vicinity, and we do not know what the vicinity is. Further, there is nothing to guide the court as to the satisfaction it must feel that this provision is being observed. All the clause says is:

. . . unless the court is satisfied that it was in existence at the date of the commencement of this Act and is further satisfied that liquor will be purchased . . .

How on earth is the court going to be satisfied of some action by the club in the future? It can take an assurance from the club, I suppose, but what guarantee is there that that assurance will be honoured? In my view the clause is undesirably drawn. Clause 66 is a good deal better drawn than the original clause 61, which had the two-year provision in it. That clause was unacceptable to everybody, and the Premier changed it. The clause we are now discussing is so difficult of interpretation that I am afraid it will break down. I would prefer not to see the proviso there at all. I have a strong specific objection to giving a privileged position under this clause to the holder of a full publican's licence. My meaning on this was accepted by the member for Frome.

Mr. Casey: Never.

Mr. MILLHOUSE: In fact, this gives a monopoly to a publican or publicans in the vicinity, whatever "vicinity" may be. It is meant to cut out any other source of supply for a club that is operating under a permit. I understand this is done deliberately to protect the publican.

Mr. Casey: So it should.

Mr. MILLHOUSE: Well, as I mentioned the other day, there is a firm in my district that has done a big trade with clubs, hotels, bowling clubs and other clubs and it will now, by virtue of the proviso, lose its business. That company is Williams Beverages Proprietary Limited. What I said was accepted on that occasion. A total of 53 per cent of the company's turnover comes from the sale of liquor under its Australian ale licence. It will lose a very large chunk of this business if this proviso goes through in this form, because it is selling now by retail in exactly the same way as a hotel sells and on the same terms. It is providing (and this is why it is liked) a service to the clubs by way of delivering, which may or may not be provided by a hotel. Why should business that has been conducted no better and no worse than the business of a hotel with regard to these clubs be taken away from it?

Mr. Casey: You cannot compare them.

Mr. MILLHOUSE: Why not?

Mr. Casey: A hotel covers a multitude of people and your club covers only one.

Mr. MILLHOUSE: Why should the holder of a re-seller's licence not be allowed to sell to clubs in the future as he has done in the past? I desire now to refer to another retail firm that is in almost exactly the same position as Williams Beverages. It is P. & C. J. Hearne, 20 Albert Street, Goodwood. Mr. Hearne has been to see me and to see the member for Unley.

Mr. Langley: And he has been well looked after.

Mr. MILLHOUSE: I had never heard of Mr. Hearne until he came to see me. Having been to see the member for Unley and not being satisfied, he came to me. Mr. Hearne's position is that at the moment he has an Australian wine licence and a storekeeper's licence. He conducts a grocer's shop at the premises. He tells me that his turnover for 1966-67 was $91,412, of which about two-thirds came from his liquor sales and one-third from grocery sales. Of his total turnover, $24,800 was with Returned Servicemen's League clubs and bowling clubs (clubs which are not at the moment licensed). He has given me a list of the names he serves. He sells by retail only and he observes the lower limit under his storekeeper's licence. He cannot sell in lots of less than one dozen beer or one gallon of spirits, but under the wine licence he can sell single bottles. He paid $20,000 for the business 10 years ago. He gives a full delivery service to the clubs and more, and he maintains a number of vehicles to do this.

His business now with the clubs is mainly in kegs of beer, but also wines and spirits. He tells me that he paid as a licence fee for the current year $2,443. If this proviso goes through in its present form he will lose a very substantial part of his business. First of all, he is afraid that he will lose the business of the clubs, which get a licence and which will not be restricted in their dealings at all. He is afraid that many of them will go direct to the brewery. With the clubs which do not get a licence but which trade in future under a permit, he will be excluded altogether from this business. It is all very well for the Premier to say, "Well he won't have any limit in future. He will be able to sell in single bottles." It is no good giving him this extra privilege if there is no market to be served.

The Hon. J. D. Corcoran: How do you know there is not?

Mr. MILLHOUSE: To use his own words, he will have to start again from scratch to build up his business with other clients, because the people with whom he has been dealing predominantly now will, by the proviso, be prevented from dealing with him in the future. He is in exactly the same position as Williams Beverages.

The Hon. J. D. Corcoran: He will be all right.

Mr. MILLHOUSE: It is all very well for the Minister, who has a nice comfortable income, to say of somebody else, "He will be all right. We are going to take away his business but he will build up another one." That is cold comfort to a man who has done nothing to deserve to suffer under this clause. That is the point I make with regard to Hearne and it is the point that I made with regard to Williams Beverages Proprietary Limited. I am sure the member for Unley will support me.

Mr. Langley: I don't have to go to those extremes.

Mr. MILLHOUSE: I do not have to go to extremes, either. Both Hearne and Williams Beverages will suffer under the proviso and they have done nothing to deserve this extra penalty.

The Hon. J. D. Corcoran: They have done nothing to gain extra privileges either.

Mr. MILLHOUSE: What has anybody done to gain a privilege or to attract a penalty? People who have dealt in liquor and people who have had a drink anywhere cannot be said to have observed the law over-scrupulously. Surely to goodness when the object of the new Bill is to legalize what has been going on and to liberalize (and we had an eloquent explanation of this from the Premier a while ago), there is no case at all for penalizing people and ruining people's businesses without cause, and yet that is what this proviso will do if it is included in its present form. Not even the Minister of Lands will deny that. All he says is that this man will be all right because he will be able to build up his business again, but it will not be all right because there will not be a market for his goods. People will not want to go to him.

The Hon. J. D. Corcoran: Why?

Mr. MILLHOUSE: Let me put it to the Minister another way. How many single bottle sales does the Minister think Mr. Hearne will have to make to make up for the kegs he can no longer sell to clubs?

The Hon. J. D. Corcoran: He can sell in any quantity.

Mr. MILLHOUSE: Yes, but I notice that the Minister does not give a direct answer to the question I asked, and the reason is perfectly obvious. My amendment will allow the holder of a retail storekeeper's licence anywhere to supply clubs.

The Hon. B. H. Teusner: It mantains the *status quo.*

Mr. MILLHOUSE: Yes, substantially. I hope I have said enough to explain my amendment.

The Hon. D. A. DUNSTAN: I am disposed to be helpful to the honourable member but not in the form in which he has moved his amendment, because that would restrict the purchase to a full publican's licence in the vicinity of the club and to a retail storekeeper's licence anywhere.

Mr. Millhouse: That is what I meant to do.

The Hon. D. A. DUNSTAN: Let us be fair about this. The purpose of providing for permits and conditional licences was to allow clubs to go ahead, provided they were not taking away from local retail sales at the normal licensed outlet, and to obviate objections from licensed publicans as to the granting of permits or conditional licences. If we allow for the purchase of liquor elsewhere than in the area of the trade of the particular publican or retail storekeeper, then in that case the thing is as wide as the State, regardless of the objections of the local licensee. I cannot agree to that; we have to protect the local licensee. In this case we are

allowing for what had been previously illegal activities. Certainly, some people got away with them. but they were always subject to the difficulty that if somebody complained the licensing squad went to the area and pulled in the offenders. Here they are getting the legal right to continue with their activities, but surely those activities should not take away from the trade of those people in the area who live by the purveying of liquor.

Mr. Millhouse: As these two firms do.

The Hon. D. A. DUNSTAN: Yes, but in this case, so far as they do, they must purvey liquor to local people and not over a wide area of the State. If the honourable member likes to insert his amendment after the word "licence", in the line before that in which he has moved it, I will be prepared to accept it. I have examined this situation in the interim and I am satisfied, on the representations of the members for Unley and West Torrens, that there are particular cases where local hotelkeepers have refused to supply and where local possessors of both a wholesale and a retail wine licence have been purveying to the clubs. It would be interfering severely with such businesses if they were not able to continue to do so. The whole tenor of this measure has been to endeavour to protect existing practices where there are no objections from other people and where they are not interfering with existing interests. If the full publican's licence is to be restricted to sale in the vicinity, then I do not think it fair to allow people to buy from a retail storekeeper anywhere in the State, because this is differentiating between the two classes of licence in a way that I do not think is justified at all.

Mr. MILLHOUSE: I am afraid that what the Premier has suggested does not go nearly far enough for this reason: I wonder how many full publicans' licences there will be throughout the State? There will be dozens, if not hundreds.

The Hon. B. H. Teusner: There will be 500.

Mr. MILLHOUSE: The number of retail storekeepers' licences will be far less than that.

The Hon. B. H. Teusner: It will be about 90.

Mr. MILLHOUSE: That is about one-fifth. The problem is to understand what is meant by "in the vicinity". I do not know what it means and the Premier (even though he is the chief law-giver in the State) does not know, either, because it is an ill-defined phrase. Let me give an example to show how difficult it will be if the amendment is inserted where the Premier suggests. Williams Beverages is at Mitcham and has been supplying the Blackwood Golf Club which is now at Cherry Gardens, a distance of about 15 miles away. That club is not at Oodnadatta or Whyalla, but it is a substantial way from Mitcham. I have had representations made to me by the Blackwood Golf Club, quite independent of Williams Beverages, that it should be allowed to trade with Williams Beverages.

The Hon. J. D. Corcoran: Why?

Mr. MILLHOUSE: Because Williams Beverages gives a good service to the club.

The Hon. J. D. Corcoran: What else does it give the club?

Mr. MILLHOUSE: I do not know what the honourable member is implying.

The Hon. D. A. Dunstan: What discount is it giving?

Mr. MILLHOUSE: I do not know. Mr. Williams is a retailer, and he tells me he sells at retail. Would a court decide that Williams Beverages at Mitcham was in the vicinity of the golf club at Cherry Gardens? I cannot believe it would, so that club would be cut out.

The Hon. Sir Thomas Playford: Would it say the Clarendon Hotel was in the vicinity?

Mr. MILLHOUSE: I do not know. Hearne's at Goodwood supply establishments in Mitcham, Westbourne Park, Keswick, South Park, Reade Park and Hawthorn. Are they "in the vicinity"? With fewer retailers engaged in this trade it is more difficult to define "in the vicinity" than it is for a hotel. My amendment placed in the position suggested by the Premier would reduce the business of these people and would be too restrictive.

Mr. CASEY: A great difference exists between a retail storekeeper's licence and a full publican's licence: the publican provides more amenities and his licence costs more. In many cases the retail storekeeper conducts his liquor business in conjunction with another business.

Mr. Millhouse: What does "in the vicinity" mean?

The Hon. J. D. Corcoran: In the locality.

Mr. CASEY: This can be overcome by the courts.

Mr. Millhouse: They have to go by what we tell them.

Mr. CASEY: A retail storekeeper's licence cannot be placed in the same category as a full publican's licence. It is the duty of

Parliament to prevent an open go. Under the amendment every retail storekeeper with a licence would be able to supply clubs anywhere, and he could hawk his goods throughout the State. We do not want that to happen.

Mr. Millhouse: Why not?

Mr. CASEY: Because the licences are not on the same footing. Why not classify it on the same standard as a full publican's licence so that a retail storekeeper would have to provide the same conditions as the publican was asked to do. The Premier's suggestion clarifies the position.

Mr. HEASLIP: This concerns many country clubs that will have to buy supplies from a hotel in the vicinity. In many country towns, two or three hotels are situated. Will the court require the club to purchase from a particular hotel, or can the club obtain its supplies from any hotel in the town?

The Hon. D. A. Dunstan: The club can go to any hotel in the town.

Mr. HEASLIP: If that is so, it removes many of my objections to this clause. It often happens that in a country town one particular hotel does a lot for a certain club. Naturally, the club getting assistance from a publican will want to continue trading with him. It is essential that a club be free to trade with any hotel within the town. The Premier's assurance removes much of my objection to the clause. If a club decided to become fully licensed, it could then buy direct from a brewery?

The Hon. D. A. Dunstan: If it were not a conditional licence, yes.

Mr. Heaslip: What is a conditional licence?

The Hon. D. A. DUNSTAN: A conditional licence is one granted under an earlier clause. One can obtain an ordinary club licence, or an ordinary club licence subject to conditions, which may include the condition that a club can trade only during certain limited hours appropriate to its activities, and that the club buy from the holder of a full publican's licence in the vicinity. The purpose of the conditional club licence is to obviate the objections of publicans in the area to the creation of club licences. The proliferation of general club licences may make considerable inroads into a publican's trade and, therefore, he would be liable to enter an objection before the court but, if a bowling or golf club went to court and asked merely for a licence subject to conditions, and those conditions prescribed that it had to purchase from the holder of a full publican's licence within that vicinity, the local publicans would not object to the setting up of and licensing of such a club, because it would mean no derogation from their trade.

In these circumstances, the various sporting bodies that wanted to trade during certain limited hours for their particular activities could get club licences of this kind. For the most part, they do not want to provide the general facilities necessary to a full unconditional club licence, where there are social facilities and extensive places for the accommodation of members of the kind that the ordinary bowling, golf or football club would not want to provide.

Mr. HEASLIP: You said "a full publican's licence within the vicinity". Would two miles be regarded as being within the vicinity?

The Hon. D. A. DUNSTAN: That depends upon the view of the court in the area. Obviously, in a country area where the population was more sparsely settled, the neighbourhood or locality would be taken to be a much wider area than a closely settled area.

Mr. Heaslip: What about the metropolitan area?

The Hon. D. A. DUNSTAN: There, it would be in what is generally a local suburb, most of which contains at least two or three publican's licences.

Mr. Heaslip: But some do not have a publican's licence.

The Hon. D. A. DUNSTAN: There are not many in a city area that do not contain publican's licences. There are one or two, but not very many. Therefore, the court would have to look more widely, but I imagine that after the introduction of this Act those areas of the metropolitan area not served at all with publican's licences will have applications for them where it is felt they are necessary to serve the public; but where, of course, the public is already over-served, the chance of getting an additional publican's licence will be remote.

The Hon. D. N. BROOKMAN: I support the member for Mitcham in what he is trying to achieve. In effect, he is saying, "Let us try to continue the general purpose of the Act in carrying on a practice that existed at the time of the passing of the Act, provided it does not give offence to other people." That is about what the Premier has stated at different times and what I think most members of the Committee would like to see. The member for Mitcham is particularly concerned

about some people who will hold retail storekeeper's licences, who are doing business at present with certain clubs and wish to continue that business. I do not think he is trying to achieve a situation in which those people will greatly expand their business. On the other hand, he definitely does not want to see them lose their business. The existing clubs, which are able to ask for a permit under clause 66, do not want to do business with anybody else. Therefore, I propose to move the following amendment to the honourable member's amendment which will somewhat restrict its effect and remove the objections of the Premier and others to it:

After "licence" to insert "if the court is satisfied that the club was purchasing liquor from the holder of that licence immediately before the commencement of this Act".

I think that would prevent an expansion of the business beyond what the member for Mitcham desired, safeguard the position of those clubs that are now trading with the people who presumably will be the holders of a retail storekeeper's licence, and protect the business of those people.

Mr. MILLHOUSE: I appreciate what the honourable member is trying to do to help, and I think we might possibly be able to do something along these lines if the Premier is agreeable. However, the amendment makes the position, if anything, worse, because it freezes the thing to present customers who are in the vicinity. This makes it even more restrictive than it would be if I accepted the Premier's suggestion. Perhaps what we could do (and with great reluctance I would be prepared to go as far as this) is put the amendment where the Premier suggested and then make this an alternative, so that in future the customers would have to be in the vicinity, but it would allow the alternative of supplying to present customers, wherever they may be.

The Hon. D. N. Brookman: Why would it restrict it to the vicinity?

Mr. MILLHOUSE: Because the honourable member's amendment will freeze the fellow's clients. That seems to me to be a severe restraint on business, which is quite unjustified. If the alternative were inserted, I would be less unhappy than I am at the moment. It is still a considerable restraint, because we must remember that these people now carry on their business by having a delivery service, using vehicles to go beyond what I think the court would regard as "the vicinity". This is the essence of the business now. They do not go as far distant as technically they have the opportunity to do, but they go beyond the vicinity. Few, if any, hotels supply in this way with a delivery service.

Mr. Langley: There are plenty.

Mr. MILLHOUSE: They would be in the minority.

Mr. Langley: No, nearly every hotel does it.

Mr. MILLHOUSE: Well, I am wrong. Anyhow, this is the way in which these particular businesses have been built up. They give a specialized service at a special price. If the Premier would be prepared to accept an adaptation of the member for Alexandra's amendment, perhaps we could settle for that. It is certainly not what I want, but it is much better than the Premier's suggestion, which restricts the thing to "the vicinity". In the two specific cases I know of, it would be of little help, if any.

The CHAIRMAN: As a matter of procedure, the Committee will have the opportunity of considering the amendment of the honourable member for Alexandra if and when the amendment of the honourable member for Mitcham is accepted by the Committee.

The Hon. D. A. DUNSTAN: I am prepared to go along with the compromise the member for Mitcham has suggested. I agree that there are considerable difficulties about the amendment moved by the honourable member for Alexandra. However, I do not think the compromise that the member for Mitcham has suggested will have the difficulties that his present amendment has, and on the other hand it will not make great inroads on what is proposed to be provided for the protection of full publicans' licences in the future.

This will mean that existing practices to which nobody has raised objection before the Commission can be retained. However, they will not be extended except where there is an application by clubs in a particular vicinity. Of course, there will be an opportunity for people to compete locally amongst the full publican's licence and the retail storekeeper's licence in that area, but if there is any undue undercutting that can be coped with under other provisions of the Bill.

If people are just going to go in for unreasonable discounts which provide an utterly uneconomic competition, given the requirements of the service to be given by full publican's licence, naturally enough they are then going to run into trouble, because we

cannot have that kind of undue competition if hotels are to continue to provide a reasonable service. However, that will be coped with under other clauses of the Bill.

Mr. Quirke: People like Williams probably will pay a bigger licence fee than any hotel.

The Hon. D. A. DUNSTAN: Yes, if they are going in for this widespread retail trade, and if they are going to give up their brewer's rights.

Mr. Quirke: We should not kick them in the teeth too much.

The Hon. D. A. DUNSTAN: I think we are being pretty generous to them under this provision. We are agreeing to a continuation of what in the past has been in effect an illegal trade.

Mr. SHANNON: At a rough guess I would say that more than half the members of the golf clubs do not reside in either my district or that of the member for Mitcham; most come from the city. These people could receive a service from their own publican in their own suburb but the golf clubs nearer the city have no vacancies for members. Consequently, golf clubs like the one I have in mind receive most of their support from people who cannot become members of the older clubs. I am inclined to agree that a publican has some right to protection. This is a sideline for most of the other people. I do not know whether it is a sideline for Williams Beverages but I guess it would not be a full-time matter.

An extra 10 miles is a mere bagatelle to a truck that is already on a journey, if there is business to be done at the end of those extra 10 miles. Given an open slather we would have a fair amount of competition in this field. This provision is full of all sorts of possibilities and, if we are not careful, we may open the door too wide.

Mr. MILLHOUSE: I thank members of the Committee for their forbearance. I think I have my amendment right now, so I shall explain it and then seek leave to withdraw the amendment at present before the Chair. I move:

In subclause (1) after "licence" to insert "or from the holder of a retail storekeeper's licence".

This is what the Premier suggested originally that I should insert. Also, I move:

In subclause (1) after "club" fourth ocurring to insert "or from the holder of a retail storekeeper's licence if the court is satisfied that the club was purchasing liquor from that licensee immediately before the commencement of this Act".

The Hon. J. D. Corcoran: The member for Mitcham has put one over us.

Mr. MILLHOUSE: No; I hope I have it right. It is exactly what the Premier suggested I should say.

The Hon. D. A. Dunstan: This must apply to both kinds of licence.

Mr. MILLHOUSE: What I had in mind when I thought we were accepting the amendment was that in future any new customer must come from the vicinity, and this is what the honourable gentleman wanted to restrict me to. However, present customers—wherever they happen to be—need not be in the vicinity.

The Hon. D. A. DUNSTAN: If this is extended to storekeepers, it will have to be extended to full publicans as well.

Mr. MILLHOUSE: I am prepared to do that. All I want to do is to protect the people who are trading now; if it protects publicans as well, that is all right.

The Hon. D. A. DUNSTAN: I should like to move that this clause be postponed and taken into consideration after clause 210, but I have been told that I cannot do that at this stage. Frankly, I think we had better have a careful look at the amendments before we agree to them. We have tried to accommodate members, but it is not easy when amendments are continually changed. I suggest that we agree to the clause as so far amended, and I will give an undertaking that I will recommit this particular clause to enable other amendments to be moved.

Mr. MILLHOUSE: Would it not be possible to put in the amendment that I have read now on the same undertaking?

The Hon. D. A. DUNSTAN: I think the honourable member will find that members will vote against it if he insists at this stage.

The Hon. Sir THOMAS PLAYFORD: The Premier has suggested that we agree to the clause as amended and that at a later stage he will resubmit the clause for consideration. I do not oppose it, provided that I have the Premier's assurance that the clause will be recommitted for full consideration, because as it stands, quite apart from the matters which the member for Mitcham has been arguing about, there are other features in the clause that I propose to oppose very strongly, to the

extent of dividing the Committee on the clause because of the provisions it makes with regard to Sunday closing.

The CHAIRMAN: Order! The Chair will give the assurance. Once a clause is recommitted the whole clause is recommitted for the consideration of the Committee.

Mr. MILLHOUSE: I am prepared to go along with the Premier's suggestion if I can get an assurance from him that the spirit of my amendment will be preserved in the meantime. I hope he will not go back on the spirit of the compromise we have reached on the matter.

The Hon. D. A. DUNSTAN: Let me make it clear to the honourable member that I am afraid that we do not appear to have achieved a compromise. The matter that I put to the Committee previously is not in this amendment and numbers of members on this side are not happy with the proposal. All I can say to the honourable member is that he will have an opportunity to move his amendments and to argue them at a later stage if he agrees to the course I have suggested. If he does not agree, then he must persist with his amendments and they must suffer their fate before the Committee. If I were the honourable member, I would not be too sanguine about them in the present circumstances.

Mr. MILLHOUSE: The Premier is wielding a big stick in this matter: he has just told me that if I move my amendments now they will be defeated. However, I can see that I shall simply have to hope for the best, as will those people in Unley, West Torrens and Mitcham who are affected.

The CHAIRMAN: Does the member for Mitcham withdraw the amendment he has moved?

Mr. MILLHOUSE: I am afraid the Premier has left me no alternative.

The CHAIRMAN: The Chair wishes to know whether the honourable member will withdraw his amendment, otherwise it will have to be put to the Committee.

Mr. MILLHOUSE: I ask leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Clause as amended passed.

Clauses 67 to 69 passed.

Clause 70—"Certificates to sell liquor on goldfields."

The Hon. D. A. DUNSTAN: I move:

In subclause (1) before "publican's" twice occurring to insert "full".

This is a drafting amendment.

Amendment carried; clause as amended passed.

Clauses 71 to 83 passed.

Clause 84—"Licensing of clubs."

The ACTING CHAIRMAN (Mr. Ryan): Does the member for Mitcham wish to move his amendment on the file?

Mr. MILLHOUSE: It would be useless to pursue this amendment because of a previous Committee decision, and I do not wish to proceed with it.

The Hon. D. A. DUNSTAN: I move:

In subclause (1) to strike out "in no case shall any liquor" and insert "except as provided by subsection (3) of this section, no liquor shall".

This is a consequential amendment providing for the carrying away of liquor. A later amendment to subclause (3) will allow for off-licence sales by new clubs where it was not possible to provide off-licence sales through some other liquor outlet in that area. Some proposed clubs are to be established in remote areas, and it is reasonable to allow them off-licence sales, which would not interfere with the trade of existing publicans.

The ACTING CHAIRMAN: As the member for Mitcham has an amendment preceding that moved by the Premier, does he wish to proceed with it?

Mr. MILLHOUSE: It is not on my list.

The Hon. D. A. Dunstan: We have already provided for it in clause 66, so we do not need it.

Mr. Heaslip: But would not this overrule that.

The Hon. D. A. Dunstan: No; it is subject to clause 66.

Mr. MILLHOUSE: This is an amendment like the insertion of "keeping" in clause 66. As the clause stands at present, it is a prohibition upon a club keeping liquor on the premises unless the club has been duly licensed.

The Hon. D. A. Dunstan: But it is subject to clause 66; it is already provided for.

Mr. MILLHOUSE: I see the Premier's point so I will not pursue it.

Amendment carried.

The Hon. D. A. DUNSTAN: I move:

In subclause (1) after "in" fifth occurring to insert "the licensed portion of"; and after "from" to insert "the licensed portion of".

Amendments carried.

The Hon. D. A. DUNSTAN: I move:

In subclause (1) after "club" sixth occurring to insert ":Provided that no liquor shall be carried away from any club registered at the time of the commencement of this Act in a container of a capacity of more than one-half gallon".

The point is that off-licence sales should be restricted to containers of that size. It is not intended that clubs at present licensed for off-licence sales should provide kegs to members off the premises.

Mr. MILLHOUSE: I oppose this amendment. I understand the Premier's object in moving it but I point out certain circumstances in which this will be inconvenient; and this inconvenience can so easily be avoided that it is hardly worth while inserting this proviso. I am told that a certain club has a cricket team that has a match every Saturday and an annual picnic; and that, as a matter of course, the club supplies each week to its members a keg. A keg is taken on its annual picnic. That facility would be removed but, of course, there would be no prohibition on the club's getting a keg from a cold store, because that would not come within the proviso; it would not then be carried away from the club so, instead of being able to take a keg from the club premises, as at present, a keg would simply have to be delivered by the brewery to a cold store and then taken from that cold store, which would be inconvenient for the club concerned.

I cannot believe that the Premier wanted to cover that particular set of circumstances by his amendment but he does, perhaps inadvertently in aiming at something else to which I have no objection, cover it. Will the Premier have another look at this in order to cut out something that will simply be a nuisance?

The Hon. D. A. DUNSTAN: I shall certainly have a look at covering the loophole the honourable member has mentioned.

Mr. MILLHOUSE: That is rather a double-edged thing. Does the Premier mean that he intends to sew up or cover the loophole so that these people cannot even get the liquor from a cold store in future, or does he mean that he intends to write in something here that will allow these practices to continue in the future?

The Hon. D. A. DUNSTAN: No, I do not intend to allow for these practices to continue in the future. The purpose of allowing off-licence sales to clubs is to provide for those clubs that are at the moment licensed and whose finances depend on the continuance of normal off-licence sales to members attending at the club premises and wanting to take some liquor home with them from the club premises. It is not intended to provide a means for the club supplying liquor to members generally off the premises.

Mr. MILLHOUSE: Let me quote from the letter I have received on this point to make it quite clear what I am driving at. I think members will see that what is going on now is not an objectionable practice, and there is no reason in the world why it should be taken away. Having quoted the proviso that the Premier is going to put in, the writer goes on to say:

This is not onerous in normal circumstances, but would preclude the club, for example, taking an 18-gallon keg of beer off the premises for use at our annual picnic and cricket match.

Mr. Casey: They will drink it at the picnic or the cricket match.

Mr. MILLHOUSE: It will not be sold on the site of the picnic or cricket match. The letter continues:

Furthermore, a member might be giving a party in his home and wish to order a 10-gallon keg of beer from his club.

The Hon. D. A. Dunstan: That is specially what we want to cut out.

Mr. MILLHOUSE: The writer continues:

The proposed amendment would preclude this, although the anomaly arises that we could arrange for the brewing company to deliver the kegs to a cold store and have them picked up from there without contravening the Act.

As I say, we are moving to put in a proviso that will be perfectly useless. It will be easy to get round it in the way I have just mentioned by quotation from the letter. This will simply be a nuisance. It means that the keg will have to go to the cold store; it can be ordered by the club, sent to the cold store, and then be picked up from there and taken to the club member's home. What on earth is the purpose in putting in an amendment that can be circumvented so easily?

The Hon. D. A. DUNSTAN: I admit that the amendment as drafted has a certain number of loopholes in it, and I assure the honourable member that I intend to close them up. The purpose of the amendment is to allow only for the sale of liquor to members on club premises, and then only in limited containers.

Mr. Millhouse: That is not what is going on now.

The Hon. D. A. DUNSTAN: Then I agree with the honourable member's objection that we have not sewn this up sufficiently. I intend to sew it up sufficiently, and I will see to it that we do.

Mr. Millhouse: Are you going to do it now?

The Hon. D. A. DUNSTAN: No; I intend to move amendments that will go a considerable way towards doing so, and I will see to it that other amendments are dealt with in due course.

Amendment carried.

The Hon. D. A. DUNSTAN moved to insert the following subclause:

(3) The holder of a club licence in respect of a club which was not registered at the time of the commencement of this Act may apply to the court to be authorized to sell liquor to members of the club to be consumed otherwise than upon the licensed portion of the club premises, and the court, if it is satisfied that the members of the club are unable, without great inconvenience, to procure supplies of liquor from a source other than the club, may authorize the licensee accordingly.

Amendment carried; clause as amended passed.

Clause 85—"Conditions of licence."

Mr. MILLHOUSE: I move:

In subclause (1) (*e*) to strike out "Without limiting the generality of the foregoing no club shall be licensed or continue to be licensed where its activities include catering for functions or any other form of trading for or with the public whether on or off the premises of the club."

This amendment removes the prohibition contained in clause 85 (1) (*e*) against a licensed club catering for profit by having private parties. I have on many occasions attended the Mount Osmond Golf Club, which for many years has catered at its premises for private parties, and I am reminded, too, that our wives went there to entertain Her Excellency Viscountess Slim on one occasion. These functions have been a source of income to the club and its premises have provided a venue for very pleasant parties. As far as I and the club's members know, these functions have never done any harm to anyone, and yet arbitrarily and without any reasons being given, the club is to be prevented from continuing its catering business. This will mean a very serious financial loss to the club, because some thousands of dollars is earned annually through this catering, and members' subscriptions will have to be raised. I hope that the Committee, having been given these facts, will reconsider this prohibition. It will be a burden on that club, and possibly on others as well. I hope that the Committee will be prepared to agree to my amendment.

The Hon. D. A. DUNSTAN: I do not accept the amendment. If it were carried it would be possible for clubs in the future to run a catering business, which is not the purpose of clubs. The purpose of licensing clubs, which will now not have to be subject to local option, is to provide a social facility for their members, as was pointed out by the Commissioner. It is not their purpose to engage in the purveying of liquor to other people. The provision of a liquor facility should be for the social purposes of the clubs and their members and for nothing else. I know that there are various clubs, other than the Mount Osmond Golf Club, that have been endeavouring to gain money from their members by having a general liquor trade right outside the purpose of their club. That is quite improper, and it is a gross invasion of the trade of licensed publicans, which we are seeking to protect in these provisions. I am rather doubtful that the activities, to which the member for Mitcham has referred, have been legal in the past, but I hope that they will not be legal in the future.

Mr. McKEE: What type of licence will small country bowling clubs with small membership be required to operate under, and what will be the fee? They would not be on a full licence. Will they operate under a conditional licence?

The Hon. D. A. DUNSTAN: If they were on a conditional licence they would come under clause 27 (3), and the fee would be $50.

Mr. Quirke: Anything not listed would incur a flat fee of $50?

The Hon. D. A. DUNSTAN: That is unless the total turnover entailed a higher figure. The court could grant a series of permits over a period, but it would have to be satisfied that that rather than a conditional licence was proper in the circumstances.

Mr. HEASLIP: I am sorry the Premier does not agree to the amendment. Catering facilities are not available in many country hotels, so people must hire either the local hall or the clubhouse, and the latter is often more convenient. Clubs will now have to buy liquor from hotels, which will mean that they will not make a profit on liquor sales. In the past, the use of the clubhouse by people other than members has helped to keep down the fees of members.

Mr. MILLHOUSE: I hope that we can do something about this. It seems to me to be utterly fantastic that a few years ago we could send our wives to these places, where they could have a decent party in the most acceptable surroundings, and that we can now through the lips of the Premier say this was absolutely illegal and utterly undesirable. I cannot believe that the Premier really thinks that a club such as Mount Osmond, which has been catering in this way (and has catered for us) should be prohibited from doing so in future. I ask the honourable gentleman whether he cannot see his way clear to allowing those clubs, such as Mount Osmond, which have done this in the past, to continue to do it in future.

The instances given by the member for Rocky River show that in many cases in country districts it is desirable that clubs should be allowed to cater to meet the convenience (as well as for any other reason) of local people. If we cut this out we will be open to a strong charge of hypocrisy. We will also have on our hands thousands of irate club members who will see their subscriptions rise for no reason at all but that the Premier thinks that clubs such as Mount Osmond should not go on doing what they have been doing and what we have enjoyed.

Mr. QUIRKE: Real reasons have been advanced why some people should not trade in opposition to publicans, but if a golf club caters for a function what harm is being done? What is the position of country organizations catering for civil functions at which liquor is supplied?

Mr. Casey: They do not supply it; it is left to an outside body to do that.

Mr. QUIRKE: What about a show society?

The Hon. D. A. Dunstan: It can get a permit under clause 66.

Mr. QUIRKE: If the Mount Osmond Golf Club caters for a function who is being hurt? Why should we prevent the club from doing this? This Bill increases prohibitions which have existed for many years and which caused much illegal action, because it was difficult to find reasons to take punitive action. Who is being hurt and deprived of legitimate business by the Mount Osmond Golf Club catering for functions? We should not impose penalties on these people and prevent them from doing things that have been done for years and against which there has been no protest. There can be no protest at the way in which these things have been done, causing no offence to anybody or depriving anybody of the legitimate income that we would expect a publican to get.

The Hon. D. A. DUNSTAN: The member for Burra and the member for Mitcham have made a great case of the Mount Osmond Golf Club. They ought to look at the general situation in Adelaide. Some of the newer licensed clubs in Adelaide have proceeded to use the ability to cater for the general public as a means of trading in liquor and in catering services generally to raise money for their members. That is not what they are licensed for. They are licensed to provide facilities for their members, to provide that while their members are engaged in the functions of associating together they can enjoy the social glass; but there are in Adelaide some catering services which, through full publican's licences and the like, rely for their living on this business.

Mr. Quirke: If you want to get one, you have to book up to two years ahead.

The Hon. D. A. DUNSTAN: I can give the honourable member a list of places where he can get a good catering service overnight Where places are licensed to provide facilities for members in association with their club functions, time and time again these people have used the club licence for a general purveying of liquor, thus intruding upon the livelihood of people who have to pay large sums to set up in business. That is not what they are there for. The commissioner recommended that far greater restrictions be placed upon existing clubs than we are placing under these provisions. The amendment would allow not only existing clubs but all future clubs, licensed not under local option but because of the need for providing facilities for members in a local area, to then turn themselves into wholesale purveyors of liquor to the public. That is not what this Bill intends. That is doing something directly contrary to the basic principles that the commissioner set forth to this Chamber, and it would be completely inapposite to the kind of protection we are trying to preserve for licensed publicans, who are being required to give far greater facilities under this Bill than hitherto, without any guarantee of added sales.

Mr. HEASLIP: This Bill seems to be giving protection to people who do not need it. About 22 per cent of the hotels are owned by the breweries, and all we are doing here is protecting the breweries. This is supposed to be something to protect the ordinary people, such as members of clubs who go along to

those clubs for healthy enjoyment and sport. Apart from giving protection to the breweries, the Government is now going to protect the catering people.

Mr. Casey: It is the business of those people.

Mr. HEASLIP: Why should the Government set out to protect those people? Only a few days ago we had a Bill in this House that provided for competition between insurance companies because the Government said there was not enough competition, but now it wishes to close up avenues of competition. Why is the Government not consistent?

Mr. Hudson: There is nothing to prevent you from setting yourself up in business.

Mr. HEASLIP: In this Bill there is plenty to prevent any of these clubs from selling more cheaply to their members. It costs plenty to belong to these clubs.

Mr. Casey: Because they are exclusive clubs.

Mr. HEASLIP: I am speaking of the ordinary bowling or tennis clubs. It costs about $20 to join these clubs, and after that the subscriptions are $25 to $30 a year. Other expenses are involved. It seems that this Government is protecting the breweries and the catering businesses at the expense of the members of these clubs. It is wrong for a Labor Government to protect these big people at the expense of the little people who pay fees to these clubs in order to indulge in healthy enjoyment. I cannot understand the attitude of the Government in not allowing this amendment.

The Hon. Sir THOMAS PLAYFORD: Although I can see what the Premier is trying to achieve, the clause goes much further than anything he is talking about regarding the sale of liquor. Trading with the public is not necessarily confined to anything to do with liquor: it is any trading with the public at all, not necessarily on the premises of a club but anywhere.

I do not know what earthly reason the Government has for thinking it is necessary to stop people from trading in ordinary matters. When certain people form a club they are prohibited from doing something, but if those people were a registered company they could do it. I doubt very much whether under this provision the clubs could even sell their empty bottles. Does anyone know anything so ridiculous as a provision of that description? If the provision said that they could not cater for the public or provide liquor without a permit, I could understand it. Surely this legislation is confined to matters relative to the sale of liquor. However, it goes completely outside that. Under this provision, a golf club would be considerably restricted. If the Premier takes the trouble to look at the provision, he will understand why I ask how on earth we can have a clause as general as this. No club could carry out its provisions, if they are interpreted literally.

The Premier has said that it is desired to stop clubs from selling liquor to the public, but it goes much further than that; it extends to any sort of catering anywhere. Why should not a golf club cater for the public if it wants to do so, provided it does it properly? I can recall five occasions on which we have entertained distinguished visitors at the Mount Osmond Golf Club because similar facilities could not be provided elsewhere in the State. I doubt whether the club made any profit at all on these occasions. We have become sick of hearing talk about protecting hotels. We hear much about restrictions on trading and business practices, yet this legislation is introduced that will not benefit the community.

The Hon. D. N. BROOKMAN: I support the amendment of the member for Mitcham. More than one club is involved; many clubs have been in the habit of holding functions attended by the public. There is a new club near my district—the Flagstaff Hill Golf Club. It is a magnificent club and would compare very favourably with anything in Australia. It cost considerable money to build and it is looking for members, as it does not have a full list at present. The club depends largely on catering for public functions, and it has been designed in such a way that it can do that. If the amendment is not accepted, that club will suffer. The Commissioner has said that there is no substantial evil in the club system at present; his only concern was with the proliferation of clubs that might come, as in New South Wales. There is no suggestion that under this provision that will happen here. I think the Government is making a serious mistake if it does not accept this amendment.

The Hon. Sir THOMAS PLAYFORD: I asked the Premier quite civilly what was the purpose of extending these provisions beyond the control of liquor, but he has not seen fit to give me the courtesy of a reply. A provision in a Bill that cannot be explained is a bad provision. Anyone else can cater for the public, provided they do not provide liquor,

or if they do, they have to obtain a permit. That would be a simple provision to make here. If a club caters to other than its own members it should obtain official approval. Why are we putting these restrictions on a perfectly desirable activity?

The Hon. D. A. DUNSTAN: It is not intended that clubs licensed under this Bill be trading associations. They are not there for that purpose. The purposes are set out in the rest of clause 85. A club is for the society of members together; it is not for trading with the public—to carry on some sort of undertaking in trade. I should think that the members of the Adelaide Club would be horrified that the club should carry on trading functions. The purposes of the existing licensed clubs are within these particular functions. Those clubs are not there to cater for the general public in purveying liquor; they are not there to cater for the public in purveying liquor in association with some other trading function, because that is the function of the people who are required to provide far more facilities at far greater expense.

Mr. Casey: Such as restaurants; it does not apply only to publicans.

The Hon. D. A. DUNSTAN: Yes. It is not intended that clubs (as contended by the member for Rocky River) should reduce the subscriptions of their members by means of becoming trading associations purveying liquor to the public.

Mr. Heaslip: How do they provide their facilities?

The Hon. D. A. DUNSTAN: They provide them from the subscriptions of their members and from the work of the members together.

Mr. Heaslip: Not many people will be able to be members because of the high fees.

The Hon. D. A. DUNSTAN: I am a member of many clubs, none of which require a subscription of the sum referred to by the honourable member. The Commissioner recommended this provision quite clearly.

Mr. Millhouse: Where?

The Hon. D. A. DUNSTAN: If the honourable member goes through the report, he will see that the Commissioner made perfectly clear the limitations that were to be placed on clubs. He proposed far greater limitations than we have proposed on clubs. In no circumstances was it intended that clubs should go in for general catering services. The matter of clubs catering for the public was one of the cases which the Hotels Association raised before the Commisisoner and on which he held for it.

Mr. MILLHOUSE: I cannot find any reference to this matter in the Commisisoner's report at pages 14 and 15 under the heading of "Clubs" or in Appendix H at page 61. I can see no complaint by the Commissioner about the activities of a club such as Mount Osmond. I should be glad if the Premier would give me the reference. It is quite obvious that this clause is aimed at activities other than those that have been carried on for many years by clubs such as Mount Osmond.

It is not beyond the wit of the Committee or of the relevant authority to reframe this particular subclause so that we prohibit the things that the Premier complains about and allow the activities of a club such as Mount Osmond that have been carried on for many years to everybody's convenience. I suggest that the way to do this is the way suggested by the member for Gumeracha: that, if there were to be catering by such a licensed club as Mount Osmond, a permit should have to be obtained. This is the case now if liquor is to be served. Unless the Premier agrees to a compromise I will persist with my amendment. On no occasion has the Premier tried tonight to say that the activities at Mount Osmond are wrong.

Mr. SHANNON: Are there clubs at present with a licence that will be delicensed if this provision is passed and, if that is so, why?

The Hon. D. A. DUNSTAN: Existing clubs will not be de-licensed by this section. I draw honourable members attention to page 14 of the Commissioner's report, which states:

I am certain that the crux of any proper law relating to clubs is that any group of persons should be able to form any club for any lawful purpose whenever they please, and, if they can satisfy the Licensing Court that they have a proper case, add to their other activities the sale and supply of liquor to their members for consumption upon club premises and at times and under conditions comparable with similar times and conditions in hotels. Then they will merely be having in their clubs what they could have as citizens in a hotel, and there will be neither temptation nor opportunity for the exploitation of the club as a special kind of co-operative liquor outlet;

Mr. MILLHOUSE: The Premier is beginning to use the report a bit like the Bible. He can get what he likes out of it. On the same page the report states:

I am firmly of the opinion that there does not exist in South Australia at the present time, any substantial social evil arising out of

the conduct of clubs or their members in relation to the sale, supply and consumption of liquor.

Does the honourable gentleman still maintain that the report justifies the Government's action, or is he saying that the Commissioner was not aware of what was going on at Mount Osmond?

The Hon. D. A. DUNSTAN: The honourable member knows that the Commissioner pointed out that what was to happen was that clubs were not to be subject to local option polls. As they could proliferate, he thought certain specific restrictions should be placed on them so that they would not develop as clubs have developed in New South Wales.

The Hon. Sir THOMAS PLAYFORD: I do not need a Royal Commission's report to make up my mind. I am not in the happy position of being able to accept the Commissioner on one page of his report and reject him on another, which seems to be the case with the Premier. One moment the Commissioner assumes some value but in the same clause we can do something with which he totally disagrees. He directed his remarks, rightly, to matters within the Licensing Act—the sale and consumption of liquor; but this provision that the Premier has tacked on to the Licensing Act deals with matters entirely outside the normal scope of that Act.

If a person does not have a club licence he can cater for the public in respect of a hundred and one things prohibited here. He can deal with the public but, if a club has a licence, it is forbidden to do what everyone else can do without let or hindrance. That is unreasonable. If the Premier inserts a provision that a club shall not purvey liquor to the public I can understand it but, when we say that it cannot have any contact with the public by any trading at all either on or off the premises, that is completely unreasonable and serves no public purpose. It only harms well conducted and efficient organizations serving a social purpose.

The Premier has gone out of his way to point out that one of the functions of a club is social activity. This clause contains the definition:

The club must be a body, association, or company associated together for social, literary, political, sporting, athletic, or other lawful purpose.

Why on earth should it not be allowed to trade with the public on ordinary matters? Why the dictatorial policy of the Government in whose interests I do not know? Whom is the Government trying to protect—the consuming public? It would be interesting to know. This provision must be here to protect somebody. Under the Acts Interpretation Act we are informed that all Acts shall be remedial. What remedy is this proposing? Whom are we protecting? What is the purpose of prohibiting a club from dealing in matters outside the Licensing Act?

The Hon. D. A. DUNSTAN: I have already explained this matter until I am blue in the face. If the honourable member will not listen to my explanations, I cannot go any further.

The Hon. Sir THOMAS PLAYFORD: The Premier has not given one yet. I want to say a few words on this matter because evidently the Premier has not realized that we are here imposing, as we have done in a previous clause, all sorts of little restrictions in the interests of somebody.

Mr. Casey: That is not true, and you know it.

The Hon. Sir THOMAS PLAYFORD: We have been imposing little restrictions to the effect that a club must deal with certain people, that it must do something else and now, having been saddled with the restriction that it has to deal with certain people in the vicinity and it has no right to deal with anybody else, in this clause we deprive it of the right to do something that anyone else can do without any approach to the Licensing Court. When I asked the Premier who it was we were proposing to protect, he said that he was sick and tired of explaining the provisions. However, I point out that he has not given one explanation tonight except in connection with licensing matters, such as the consumption of liquor. He has given no explanation of why a club cannot sell a piece of cake.

Who is it that the Government believes should be protected by clamping down on what is a normal activity? I could set up a restaurant tomorrow and cater for the public without going to the Licensing Court, but a club cannot do that, even though it would be operating completely outside of the Licensing Act. It would be difficult to imagine anything more embracing than this provision. If the Premier had said that a club shall not sell liquor to anyone except club members without a permit, or if he had said it shall not sell liquor at all, except to club members, I could understand that, because that is a matter within the ambit of the Licensing Act, but this embraces matters that are nothing to do with the Licensing

Court or the Licensing Act whatever. When I have asked the Premier why we are doing this he has referred to the position regarding liquor. He does not explain the purpose of the wide scope of the provision, and until he does do so I shall have a few words to say on the matter.

The Hon. D. A. DUNSTAN: It is quite obvious that the honourable member is determined to filibuster this Committee and prevent this clause from passing, although the explanations have been properly given. The honourable member just stands there in his place and repeats hour after hour the same petty phrases. The honourable member is not stupid; he can read the clause in front of him, and he ought to be able to understand the explanations that have been given in this Committee, because he is not a dolt. However, he obviously does not want to understand: he wants to hold up the passing of this measure. He just repeats and repeats things, in the way that has become his absolute wont in this Chamber, just like a broken record.

The purpose of this clause is to see that those clubs that are now able to obtain licences very much more freely than previously shall be restricted to certain kinds of activity, and that is the proper association of their members together for the enjoying of their common society. They are not there for trading. It is not proposed that trading societies obtain club licences. This is there only for the social association of members, and it is intended to provide for facilities for members and not for the general public. Any other provision will allow a trading society to provide facilities for its members in a way that will interfere with the ordinary trading facilities of people who have to make their livelihood by providing liquor and catering for the public and who are having inroads made upon their existing rights. They are entitled to protection.

The central point in the Royal Commissioner's report is that, in order to maintain a reasonable service to the public, the people whose livelihood is the purveying of liquor must be able to do so profitably, because otherwise we will achieve not an improvement in service but a deterioration. We have heard about trading in golf balls! I do not know what other trading facilities the honourable member believes are provided. What does he suppose the Democratic Club, the Naval and Military Club, the Adelaide Club, and the C.T.A. Club do? They do not trade with the general public. The purpose of the clause is to restrict the facility of a liquor licence to clubs whose purpose is the association of members and not that of carrying on some general trading activity with the general public to reduce members' subscriptions in the way suggested by the member for Rocky River. The protection provided by this clause should be supported.

Mr. MILLHOUSE: I cannot allow the Premier to make such an intemperate attack on the member for Gumeracha. The Premier's explanation is obviously wrong. Any club, provided it does not want a licence, can do these things. This shows that what the Premier has just said will not hold water at all. The member for Gumeracha made his point several times, because the Premier would not answer him, that this provision prevents a club which has a licence from trading, quite apart from trading in liquor of any description. That is what I complain about.

It is useless debating this any longer because the Premier has driven himself into a corner. What I complain about and why I persist in my amendment is that this clause is drawn in such a way as to forbid activities that have been carried on for many years without any complaint from anyone, and, as far as I can see, without any complaint from the Royal Commissioner.

The Hon. D. N. BROOKMAN: The Flagstaff Hill Golf Club is part of a subdivision made by the Hooker organization, and it is very highly thought of by the town planning authority. Its premises are probably the finest of their type in the State.

The organization provided the golf club with very fine premises, and now houses are being built and sold around it. It now has the job of getting members to take over the financial responsibility of this golf club. One of its main ideas was that the premises could cater for weddings and dances. There are no other licensed premises for many miles that would aspire to compete with these premises. This is going to be denied the club, and the public will be denied one of the finest settings in South Australia for wedding receptions, etc. This should be provided for. I support the amendment of the member for Mitcham.

The Hon. Sir THOMAS PLAYFORD: The Premier was entirely incorrect when he said that I had set about this evening to impede the passage of this Bill. Although there were a number of clauses that were particularly

abhorrent to me, I did not debate them. I would not have debated this clause at any length, except that the Premier decided that it was not necessary for him to give an explanation. When he eventually gave an explanation, it was not applicable to the clause, and he then said that the Commissioner had recommended it. When I looked at what the Commissioner had recommended, I could not see that the clause had any semblance to the Commissioner's recommendation.

The Friendly Societies Act enables friendly societies to be formed for certain purposes, but we do not say to them, "You shall not take part in a pharmacy for your members." The Government has introduced a Bill to give the societies increased facilities to provide drugs for their members. Why should a licensed club not be permitted to do things normally permitted of any other person without a licence—things which are desirable and which have no bad effects on the community? If the Premier limited his restriction to catering for the public or providing the public with liquor, I would have said nothing. However, when it is so wide as to deal with trading with the public on any matter anywhere, then I cannot accept it. No public purpose will be served by it, and I cannot see whom it protects and from what it protects them.

The Committee divided on the amendment:

Ayes (15).—Messrs, Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse (teller), Nankivell, and Sir Thomas Playford, Messrs. Quirke, Rodda, Shannon and Teusner.

Noes (19).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan (teller), Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Pearson, and Ryan.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed. Progress reported; Committee to sit again.

ADJOURNMENT

At 11.46 p.m. the House adjourned until Wednesday, August 16, at 2 p.m.