Legislative Council

Thursday, 7 May 1981

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS

Questions were taken at this stage.

THE HON. N. F. MOORE

Birth of Daughter

THE PRESIDENT (the Hon. Clive Griffiths): Honourable members, before we proceed with the next portion of the business of the House I should like to take this opportunity on your behalf, as well as my own, to extend our congratulations to the Hon. Norman Moore and Mrs Moore on the birth of their first child, a daughter.

Members: Hear, hear!

SETTLEMENT AGENTS BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), read a first time.

Second Reading

THE HON. G. E. MASTERS (West—Minister for Fisheries and Wildlife) [3.00 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to establish a settlement agents supervisory board for the purpose of controlling and supervising the activities of persons engaged in effecting settlements of real estate transactions and settlements of sale of business transactions.

Although settlement agents have operated in Western Australia for some years now, the major growth in their operations has taken place since 1970 at which time changes in the operations of the Land Titles Office placed greater responsibility for settlement of property transactions outside the Titles Office. In addition, public demand has expanded the business of settlement agents in Western Australia.

The agents' role is basically to carry out for clients details of property transactions which they are legally entitled to do for themselves.

It has been suggested by the Association of Settlement Agents that settlement agents effect approximately 75 per cent of the annual volume of settlements in this State. The figure has not been confirmed, but it is clear that settlement agents effect a substantial proportion of house property settlements.

The majority of the balance would be handled by solicitors and banks. However, it is important to realise that in settlements conducted by settlement agents, solicitors could be involved for advice and legal services in many cases.

Obviously, settlement agents have access to a significant amount of trust funds belonging to the public and it is pertinent to mention a recent defalcation by a settlement agent which was dealt with in the Supreme Court.

There is already legislative control over trust fund operations related to the activity of solicitors, real estate agents, and finance brokers, and legislation has been presented to Parliament this year for similar control over insurance brokers.

Clearly, in the public interest, there is a need for legislation to determine and control the activities of settlement agents. The Government is not keen to regulate unnecessarily, but it must respond to a situation which does exist, in which professionally unqualified persons are doing skilled work without any control, or specific protection of large sums of trust moneys.

In June 1980 the Government decided to adopt a draft Bill on the understanding that it would be circulated to interested parties for consideration and comment. The draft Bill was distributed widely resulting in numerous submissions being received, including those from—

the Law Society of Western Australia;
the Settlement Agents' Association;
the Real Estate Institute of WA;
the Associated Banks in Western Australia;
the Real Estate and Business Agents' Supervisory Board; and
the Finance Brokers' Supervisory Board.

In addition, many private submissions were received.

To examine these submissions, a working party was established and asked to report its findings to the Government. The working party comprised—

the Chairman of the Real Estate and Business Agents' Supervisory Board;
a representative of the Settlement Agents' Association;
a solicitor;
a licensed real estate agent; and
a representative of the Chief Secretary's Department.

This Bill has been based on the outcome of the working party's findings which are endorsed by the Government.

For some time, the Law Society of Western Australia has expressed concern over what is regarded by it as infiltration by settlement agents into an area of work which, traditionally, has been undertaken by the legal profession.

It is important to stress that the functions of a settlement agent, as detailed in the schedules to the Bill, are those actually being carried out now, and which have for some years been carried out, by settlement agents.

In a sense, the Bill is a recognition of the reality that a new type of business operation has grown up in this State, and for the reasons indicated it is necessary to impose a limited form of regulation upon it, particularly when it is realised that no pre-requisite academic qualifications are specified and a great deal of trust moneys is involved.

The Bill defines the role of a settlement agent and will ensure that there will be no erosion of functions which are properly the prerogative of the legal profession. In general, it can be said that a settlement agent will be limited to the settlement of sale transactions and the preparation and submission of documents in connection with the transaction.

Although it may be maintained that some of the work which will be permitted should be regarded as work requiring the skills or supervision of a legal practitioner, it is the view of the Government that the Bill strikes a reasonable balance between those areas where, for the sake of public protection, the training of a qualified legal practitioner is necessary, and those areas which have been established in practice as capable of being handled by settlement agents.

The Bill will establish a settlement agents' supervisory board, composed of five members, appointed by the Governor, as follows—

one—not a licensed settlement agent—as chairman;

one—not a licensed settlement agent—who is a solicitor;

one—not a licensed settlement agent—experienced in commercial practice; and

two who are licensed settlement agents elected by fellow settlement agents.

The board when first constituted will include two settlement agents nominated by the Minister.

Persons, firms, or bodies coporate engaged in the activity of settlement of real estate transactions or business transactions will be required to be licensed by the board.

"Real estate transaction" is defined as follows—

(a) Means the disposal by sale or exchange, and the acquisition by purchase or exchange of real estate; and

(b) includes any disposal by sale or exchange, or any acquisition by purchase or exchange of goods, chattels or other property relating to a real estate transaction of a kind specified in paragraph (a) of this definition.

"Business transaction" is defined as follows—

(a) Means the disposal by sale or exchange, and the acquisition by purchase or exchange of a business and any share or interest in a business or the goodwill thereof within the State; and

(b) includes any disposal by sale or exchange, and any acquisition by purchase or exchange of goods, chattels, or other property within the State relating to a business transaction of a kind specified in paragraph (a) of this definition.

But it does not include the sale, exchange, or other disposal or a purchase, exchange, or other acquisition of a share in the capital of a body corporate, or an option in respect thereof.

A "real estate settelment agent" is defined as—

Any person who arranges or effects the settlement of a real estate transaction for reward or who, whether for reward or otherwise, carries on business arranging or effecting settlements of real estate transactions and whether or not that business is carried on in conjuction with or as part of or associated with any other profession, trade, occupation, or employment, but does not include the exceptions specified in the Bill.

A "business settlement agent" is defined as—

Any person who arranges or effects a settlement of a business transaction for reward, or who, whether for reward or otherwise, carries on business transactions and whether or not that business is carried on in conjunction with or as part of or associated with any other profession, trade, occupation, or employment, but does not include the exceptions specified in the Bill.

The Bill exempts legal practitioners and stockbrokers from the meaning of "settlement agent" and they will not be required to be licensed under its provisions.

A bank, building society, or trustee company engaged in settlements will need to be licensed,

but will be exempted from the parts of the Bill dealing with monetary controls.

Separate licences will be issued to persons engaged in settlements of real estate transactions and persons engaged in the settlement of business transactions.

The functions allowed to be carried out by a real estate agent and a business settlement agent are detailed in schedules 2 and 3 to the Bill.

The board will have powers of investigation and inquiry into the activities of settlement agents and the Bill invests in the board both administrative and judicial functions, including power of licensing, disciplinary matters, hearing of complaints, and the establishment of a code of conduct.

The Bill provides for the proclamation of an appointed day, by which date all persons engaged in real estate or business settlements must be licensed.

Before the board may issue a licence it must be satisfied that the applicant is a person who—

is over the age of 18 years;

is a person of good character and repute and a fit and proper person to hold a licence;

has sufficient material and financial resources available to him to enable him to comply with the requirements of the Bill;

is ordinarily resident in the State; and understands fully the duties and obligations imposed by the Bill on settlement agents.

"Fit and proper person" includes being qualified in accordance with the first schedule to the Bill which provides that a person must have passed the prescribed examination and have had at least two years' experience in arranging and effecting real estate transactions immediately prior to his application.

The schedule provides also that until a date three years after the appointed day, a person who has had at least two years' continuous experience in effecting real estate settlements and who passes a written and oral examination set by the board, or is a person who has had at least five years' continuous experience immediately prior to the appointed day, may be granted a licence. Similar provisions exist in relation to a person applying for a licence as a business settlement agent.

Firms and bodies corporate are subject to similar provisions in respect of licensing but, in addition, where a firm or body corporate is constituted by no more than three persons, at least one of them must be licensed and the person in bona fide control of the business must be licensed and hold a current triennial certificate.

Where a firm or body corporate is constituted by more than three persons, at least two of them must be licensed and the person in bona fide control must be licensed and hold a current triennial certificate. A triennial certificate confers on the licensee the right to carry on business for a period of three years.

Settlement agents must carry professional indemnity and fidelity guarantee insurance. The Bill enables the board to enter into a master policy agreement with an insurance company or companies to provide a maximum cover of $250 000 in respect of each claim.

Each licensee who is the holder of a current triennial certificate must at all times remain insured under the master policy agreement under the Bill. The State Government Insurance Office is authorised to undertake liability under a policy of this nature.

For reasons of economy, a tentative arrangement has been made with the State Government Insurance Office to obtain the cover required under the master policy agreement, which indicates that the cost to each settlement agent would approximate $500 per annum. However, there will be no obligation on the part of the board to effect that master policy with the State Government Insurance Office if other satisfactory arrangements can be made.

A settlement agent has the right to take out additional insurance cover for professional indemnity and fidelity guarantee, over and above the master policy agreement. Settlement agents who conduct branch offices will be required to have another licensee as manager of that office.

The board shall, with the approval of the Minister, fix, by notice in the *Government Gazette*, maximum amounts of remuneration for services rendered by licensees.

The Bill provides that a licensee shall not effect a settlement of any real estate transaction if the land—

is not a lot or lots within the meaning of the Town Planning and Development Act 1928;

is leasehold, other than land under the Land Act 1933;

is comprised in whole or part of a business other than a business which is wholly for farming—whether or not the land is conveyed separately—or

comprise any mining or mining licence.

The Bill also provides that a licensee shall not effect a settlement of any business transaction if the business—

is comprised in whole or part of real estate not being an interest in leasehold, except an interest in leasehold from the Crown, whether or not the business is conveyed separately; or

comprises any mining tenement or mining licence.

A settlement agent may act for either the vendor or the purchaser in a settlement, but may not act for more than one party to a settlement except with the prior consent and knowledge of all persons involved.

Provision exists for settlement agents to maintain at least one trust account and the Bill specifies the manner in which deposits and withdrawals may be made. Trust accounts are subject to annual audit provisions which a qualified auditor must undertake, and he must deliver to the board a statement verified by statutory declaration.

A person aggrieved by any decision of the board has the right of appeal to the District Court.

The Bill provides for the establishment of a fund called the Settlement Agents Fidelity Guarantee Fund to which licensed agents will be required to contribute. The board will administer the fund and deposits may be made with a bank, building society, or on loan to the Treasurer.

The purpose of the fund is to reimburse persons who suffer pecuniary loss or loss of property by reason of any defalcation by a licensee during any period he was the holder of a current triennial certificate.

Provision is made for the establishment of a settlement agents deposit trust administered by the board. Settlement agents will be required to deposit to the credit of the deposit trust a prescribed percentage of the lowest balance of their trust account during the previous financial year.

Pending the withdrawal or application of moneys to the credit of the deposit trust, the board shall invest money with a bank, building society, or on loan to the Treasurer.

Profits[4] from investments on deposit trust moneys are to be directed, firstly, in payment of costs and expenses of administering the trust and, secondly, the balance thereof to the fidelity guarantee fund.

The board is required to publish an annual list of persons holding licences and current triennial certificates. In addition, the board is required to publish an annual report to the Minister by 31 October for the year ending 30 June.

The Government believes that in the public interest, legislative action is essential to formalise and control the activities of agents engaged in settlements of real estate and business transactions.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

SUPERANNUATION AND FAMILY BENEFITS AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Leader of the House), read a first time.

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [3.15 p.m.]: I move—

That the Bill be now read a second time.

This Bill proposes to amend the Superannuation and Family Benefits Act to end a practice which is contrary to the principles on which the fund is based and which could threaten the viability of the fund if present trends were allowed to continue. The practice in question is that of contributors being able to withdraw past contributions from the fund by reducing the number of units for which they had elected to contribute or by changing from the aged 60 retirement table of contributions to the aged 65 retirement table for which unit contribution rates are lower. For the benefit of members to understand the situation as it now stands, it is necessary that I provide some historical background on the matter.

When the superannuation scheme commenced operation in 1939, eligible employees who decided to become contributors were required to contribute for units of pension in accordance with an entitlement scale related to salary; that is to say, although membership was voluntary, those joining the scheme were required to take up their full unit entitlement as determined by their salary.

For many lower salaried employees, it was soon apparent that this meant a choice had to be made between joining the scheme and paying significant fortnightly contributions and, at the same time, denying themselves in the future the right to either the whole or part of Commonwealth social service benefits to which they might otherwise have become entitled, or electing not to join the scheme.

This situation was no doubt regarded as unnecessarily harsh on lower salaried employees

who stood to gain little from the scheme, and in 1945 the Act was amended to provide that contributors could contribute for any number of units between a minimum of two and a maximum, determined as previously, in accordance with salary.

To ensure that members who had joined the scheme between 1939 and 1945 and had been required to take up their maximum unit entitlement were placed on the same footing as new members, the amending legislation gave contributors the right to surrender any number of units in excess of two.

The amendment also conferred upon the board discretionary power to either refund the surplus contributions or apply them to meeting the cost of the units retained, that being the arrangement already applying in cases where a contributor's salary was reduced.

Since that time, the Superannuation Board has accepted the view that the Act, as currently worded, permits contributors to reduce their unit holding at any time and claim a refund of past contributions. It has therefore followed the practice of accepting such elections and, after applying any credit towards paying the full cost of the reduced number of units, refunding any excess as a cash payment.

It will be seen that the practice of contributors' reducing units of pension and receiving refunds has been going on for over 30 years. The question may then be asked why, after all that time, is it necessary to change the arrangement? The answer is that for many years the provision was little used by contributors other than in cases where changed family circumstances or hardship led them to seek to reduce the amount of their contributions.

However, in recent years increasing numbers of contributors are opting to adjust their unit holding, not because of unforeseen circumstances, but to obtain the moneys that result from such action and, in this context, they are blatantly abusing the arrangement.

To illustrate this fact, many contributors who have paid considerable sums of money into the scheme have been applying to reduce their units to the minimum of two, receiving a refund of most of their contributions and, on production of a medical certificate, repurchasing the surrendered units.

While this action results in the contributors paying a higher contribution rate, very little equity remains in the fund to offset the cost of death and disablement benefits which may become payable, and this in turn imposes a greater liability on the other members of the fund who do not engage in this practice.

The Superannuation Board has been concerned deeply about the financial viability of the fund if contributors retain the right to manipulate their superannuation in this manner and, particularly, about the increasing number of contributors engaging in the practice. Furthermore, the refunding of contributions while the member remains in service is contrary to the fundamental philosophy of superannuation schemes which imply that benefits should not become available until retirement.

It is important to remember that superannuation payments enjoy special treatment under the income tax laws, and we have an obligation to ensure that we do not support an arrangement that could bring the fund into conflict with the Commonwealth Taxation Department. It would be irresponsible of the board to jeopardise the position of genuine contributors by condoning apparent doubtful practices.

As a matter of interest, none of the superannuation schemes established by the Governments of the Commonwealth and the other States for their employees permit their members to withdraw funds from the schemes while they continue to be employed.

In the knowledge of the history of the Superannuation and Family Benefits Act it has been decided that the right of contributors to adjust their unit holding and/or their retiring age should not be changed as these rights conform with the philosophy of a voluntary superannuation scheme.

However, the Government decided to change the present legislation to provide that excess contributions arising from such elections should remain in the fund, accumulating interest at a rate decided by the board, until retirement.

In the course of examining the need to amend legislation, a doubt arose about the legality of approving the refunding of moneys in cases of reduction in units other than where salary reductions occurred. Doubts were expressed also as to whether the legislation permitted refunds to be made following retiring age variations, although the right to vary retiring age is not in question.

When the board received this advice, it resolved immediately not to process applications by contributors to reduce units and receive cash refunds from the fund or to refund credits occurring from decisions by contributors to extend the age of their retirements.

The Bill proposes to place beyond doubt the position of contributors and the superannuation board in regard to these matters and its specific intentions are to—

provide that where contributors elect to reduce units of pensions or amend their retiring age any resultant excess contributions are to remain in the fund;

empower the superannuation board to determine, from time to time, the rate of interest to be paid on such credits;

clarify the legal entitlement of pensioners to reduce the number of units for which they contribute;

validate the past practice of the superannuation board of refunding excess contributions; and

validate the recent decision of the board not to process applications currently before it to participate in these practices.

Members will note that the operational date of this amending legislation has been set as 13 April 1981, the date on which the superannuation board made it known it would not process any more of these applications. That decision was an unanimous one by the board which comprises three members, one of whom is a representative of contributors.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. K. Dans (Leader of the Opposition).

BULK HANDLING AMENDMENT BILL

Second Reading

Debate resumed from 6 May.

THE HON. J. M. BROWN (South-East)[3.22 p.m.]: As I explained last evening the Bill seeks to amend the Bulk Handling Act 1967-1969 for two purposes. The first is to extend the period given to Co-operative Bulk Handling to have the sole right to handle wheat and barley. The second is to ensure that where CBH acts as an authorised or licensed receiver the appropriate standards applied are the standards specified by the relevant marketing authority.

The remarks made by the Minister for Lands in his second reading speech were comprehensive, but I feel the explanation of the Bill did not go far enough. Indeed, I am greatly concerned about the control that will be exercised within the industry and amongst growers. I have made some endeavours to research the amendments, and have made inquiries within the State and outside it and within the industry.

I look forward to the contribution by other country members because this Bill will have consequences which I feel are grave. Co-operative Bulk Handling will have the standards specified to it by the Australian Wheat Board, and that concerns me. I will go to some considerable lengths to explain to members why I have a concern for the future of our wheat industry and why this amendment will have a detrimental effect on the grain growers of Western Australia. Firstly, a penalty was applied to grain growers who produced insignia wheat. The penalty is $3 a tonne and as a result of the penalty some $91 000 was deducted from the returns to grain growers in Western Australia. It was deducted from the returns to grain growers who declared they had grown insignia wheat; some growers may not have made the declaration and their wheat would have been received and paid for at approximately $130 per tonne for the first advance. What happened was that the industry was asked to declare honestly the types of wheat grown so that the dockages to be applied could be applied.

I am pleased to acknowledge the honesty and integrity of most grain growers; and as a result of the dockages that took place a meeting was arranged and held at Merredin. I could see from the number plates of the cars parked outside the meeting place that growers from many different areas of the State attended. The meeting was conducted by the Primary Industry Association of Western Australia and sponsored by its Merredin zone. We had speakers of great note, and I refer in particular to Mr Eric Bond, the Director of the Bread Research Institute of Australia; Mr Bob Cracknell, a senior wheat-quality adviser to the Australian Wheat Board; Mr Mat Padbury, the General Manager of Great Southern Roller Flour Mills; and Mr Jack Toms of the State Department of Agriculture.

At the meeting it was indicated quite clearly that, over all the years wheat has been produced in Western Australia, the standard of our wheat is not up to the standard of wheat grown in the Eastern States. It was said to be inferior to such an extent that I wondered why in the past we received a higher payment for our wheat than that received by Eastern States producers. It is because of the advantage we have of being close to our markets; I think everyone would be aware of the proximity of Western Australia to its wheat markets. We have gained the advantage over the years, but now we find with the application of varietal control we are to be penalised.

The first question one asks is: What has happened to the wheat research programme carried on within the State over all these years?

Foremost in the research has been the Department of Agriculture. It has made a most commendable effort. The Eastern States people came over and told us that our standard of wheat was inferior, and that the wheat we produced, which is insignia, would be of a poorer quality than halberd or gamenya wheat and wheat grown in the Eastern States. One wonders what we have been doing over all these years.

It is now explicit in the legislation that varietal control standards will be set by the Australian Wheat Board and any arbitration to take place will be referred to the Sydney division of the CSIRO.

Under the existing legislation the Australian Wheat Board, in conjunction with the Department of Agriculture, will set the standards. Whilst there may have been some disquiet on the part of producers because of the standard of wheat they produced, the system has worked very effectively over all these years.

The Hon. H. W. Gayfer interjected.

The Hon. J. M. BROWN: With reference to the department.

The Hon. H. W. Gayfer interjected.

The DEPUTY PRESIDENT (the Hon. R. J. L. Williams): *Hansard* did not hear the remark the Hon. H. W. Gayfer made and it may be of some significance.

The Hon. J. M. BROWN: In the future the standard will be set by the Australian Wheat Board. I tried to contact a Mr Flugge, who is the president of the wheat section of the Primary Industry Association.

The Hon. H. W. Gayfer: He does a very good job, too.

The Hon. J. M. BROWN: As the Hon. H. W. Gayfer said, he does a very good job. However, I have here an article in which Mr Flugge criticises CBH.

The Hon. D. J. Wordsworth: He is good when he is not criticising!

The Hon. J. M. BROWN: The article I am referring to has nothing to do with the Bill. I tried to contact the gentleman, but I believe he is overseas. Mr Flugge is in a responsible position, and I wanted to go outside the ambit of the zone council meeting and the problems the growers were facing. When he was unavailable, I contacted a member of the Australian Wheat Board, Mr Colin Mann, whom I know well. The Hon. H. W. Gayfer says Mr Flugge is a nice fellow, and I must say that Mr Colin Mann is a great ambassador for Western Australia, and a very good advocate of the Western Australian farmers. In my opinion he does an excellent job.

The Hon. H. W. Gayfer: Agreed.

The Hon. J. M. BROWN: The question that comes immediately to my mind is the role of the State Wheat Advisory Committee which was established in 1961. I am not criticising the calibre or the ability of the members of that committee, but I am concerned that we are introducing the concept of varietal controls and, as I read the Bill, this control is to be taken out of the hands of Western Australian growers and marketing authorities. The control of the varieties will be placed in the hands of the AWB—and as Mr Mann says, the AWB is composed of two members for Western Australia while the other States have eight representatives. On that basis Mr Mann said he would support any suggestions I put forward.

However, after I had some conversation with him, he agreed that the Bill was satisfactory, and that it will give some flexibility. I do not deny that that may be so, but I have a responsibility to express concern about whether the approach is appropriate.

Over the years the State Wheat Advisory Committee has recommended that the growers should not plant insignia wheat. This is the first time that this variety of wheat has attracted a penalty. While that might not be of concern to grain growers because they are endeavouring to adapt themselves to market requirements, the halberd variety is grown extensively and a dockage on this wheat could cause some concern if we take note of the representatives from the Eastern States. In this instance I am referring to Mr Eric Bond and Mr Bob Cracknell.

Mr Bond referred to the buyers in the South-East Asian markets and the fact that they were being very selective in the grains they purchased. The reason Western Australia holds such a share of this market is because of our proximity to it. However, Mr Bond pointed out that in a few years we could see a marked change if the quality—that is, the variety—remains the same. He believes the market could topple.

Mr Eric Bond mentioned also the extensorgraph tests which are designed to measure dough stretch. The flour millers' representative is Mr Mat Padbury, the Manager of the Great Southern Roller Flour Mills Ltd. He told us he was in Singapore recently and that the people in the industry indicated to him that he was the poor miller who had to use Western Australian wheat. One wonders when this denigration of our productions will cease, and

what the flour millers have been doing in the past. A major concern of the WA Flour Millowners' Association is the measurement of the dough on the extensorgraph machine—about 71 per cent for the Western Australian wheat and in excess of 75 per cent for the Eastern States wheat. So it is natural that concern is felt about the increase in profit with increases in measurement.

Naturally we asked why these firms did not take wheat from the north of Western Australia, and the representatives were quick to reply that this was because of the freight advantage of grain from the eastern wheatbelt. So one wonders whether the application of the WA Flour Millowners' Association was just a matter of the association putting forward its own case. It was quite correct to mention its concern, but I wonder how much the millers pay for wheat from the Australian Wheat Board when these dockages apply. Do they get the benefit of the $91 000? That would be a question I would like answered. Are they sold our Australian Standard White grain at discount rates? If they are, is it reflected in the price consumers pay, or is it like the quality—it just determines nothing?

The reason for additional concern is that we exported in excess of 120 000 tonnes of flour about 10 years ago, and now it is somewhere around 5 000 tonnes for the 1980-81 year. These figures where given to me by Mr Padbury. While we are not exporting the flour, manufacturers are using it locally. The main concern is for our established markets in South-East Asia.

I suggest Western Australia may be disadvantaged if we approve this aspect of the Bill. In fairness, I should say that Colin Mann, our Australian Wheat Board representative, disagrees with me. However, I have a responsibility on behalf of growers to express my concern as it relates to the Bulk Handling Act and as it is interrelated with the Wheat Marketing Act and the Grain Marketing Act.

I wish to refer members now to the amendments contained in the Bill. The definition of "authorised receiver" is set out in section 4 of the Wheat Marketing Act 1979. Clause 3 of this Bill contains amendments to the definition of "dockage". Under the exisiting Act, dockage is defined as follows—

> "dockage", in respect of grain tendered to, or received by, the Company, means the amount by which the grain is devalued by reason of its inferiority or the admixture of foreign matter;

This is what is referred to as "unmillable grain". Clause 3 provides the following new definition—

> "dockage", in relation to grain tendered to or received by the Company, means the amount by which that grain is devalued, as determined by the application of the standard or standards in accordance with which the Company is obliged by section six A to make that determination or cause it to be made, by reason of the inferiority or variety or the admixture of foreign matter of that grain;

The important words are "grain is devalued, as determined by the application of the standard or standards in accordance with which the company is obliged by section six A to make that determination".

Further in the Bill, we find that 6A is a proposed new section, which states—

> 6A. (1) Subject to this section, the Company shall, in relation to grain tendered to or received by it—
>
> (a) in its capacity as an authorized receiver, determine or cause to be determined the dockage or grade of that grain in accordance with the most recent standard or standards notified in writing to the Company by the relevant marketing authority in respect of grain of the type concerned after consultation with the Company;

That is the all-important amendment in the Bill. It relates to a problem with which the industry has been trying to come to grips; the industry is now in fear the dockage provisions will be extended still further. It is the contention of growers who grow insignia wheat in the drier areas and even in the marginal fringes that it is vastly different from the insignia wheat that is grown close to the coastline. No-one would deny its hardness, or its bagfilling qualities. It shows a far better return per acre than other wheats grown in the area.

I ask members who intend to contribute to this debate to realise this amendment affects not only producers but also consumers and exporters. It is not just a rural matter, but also a matter of great concern to our State.

Apart from the industry itself, the scientists of our State who in the past recommended various selections of grain have endeavoured to raise the standard of our product. We intend to refer later to what the industry has done and to what Co-operative Bulk Handling Ltd., as the handling authority, has done. What concerns me is that our standards are set by the Australian Wheat Board, but determined by CSIRO in Sydney.

Sitting suspended from 3.45 to 4.01 p.m.

The Hon. J. M. BROWN: I am concerned as to the lengths to which we shall go in the areas of wheat standards and varietal control. We have a $3 dockage; will that be extended to $10? It is debatable whether varietable control will extend to halberd of gamenya which is probably one of the better quality wheats grown in this State.

In the past, standards were set by the Western Australian Wheat Board, but the arbiter was the Department of Agriculture. However, in future the arbiter will be CSIRO in Sydney.

The Hon. D. J. Wordsworth: On varietal control; not on other matters.

The Hon. J. M. BROWN: That is correct. CSIRO will not be the arbiter on moisture, temperature, or the addition of foreign seeds; but it will be the arbiter on varietal control. That is why I have referred to the $3 a tonne dockage.

The growers in the central eastern wheatbelt do not believe this dockage should apply. They believe they have grown a standard of grain comparable with that of other grain produced in Western Australia. When the growers are referred to another grain, such as halberd, which has been approved by the Australian Wheat Board, it is suspect.

Clause 3(a) reads, in part, as follows—

> "authorised receiver" has the meaning given by section 4 of the Wheat Marketing Act 1979 . . .

Section 4 of the Wheat Marketing Act 1979 says that "'authorized person' means a person appointed under section 25 . . .". We turn now to section 25 of the Act which reads as follows—

> 25. Subject to section 29 the Board or the Chairman may appoint a person, or persons included in a class of persons, to be an authorized person or authorized persons, as the case may be, for the purposes of a specified provision of this Act.

We turn then to section 29 of the Act and I believe it is important to read the provisions as follows—

> 29. (1) Subject to subsection (5), in the execution of this Act, an authorized person may at any time—
>
> (a) enter any premises where he has reason to believe that wheat is or corn sacks are stored or any accounts, books, documents or papers relating to wheat, or to wheat products or to corn sacks are kept;
>
> (b) stop or detain any vehicle, vessel or conveyance on or which he has reason to believe wheat or corn sacks are being carried;
>
> (c) search for and inspect wheat or corn sacks;
>
> (d) require the production of, and if they are not produced, search for accounts, books, documents or papers relating to wheat, or to wheat products or to corn sacks;
>
> (e) inspect, take extracts from and make copies of accounts, books, documents or papers relating to wheat, or to wheat products or to corn sacks;
>
> (f) take possession of and remove any wheat that he reasonably suspects is the property of the Board or is wheat the delivery of which has lawfully been required by the Board under this Act; and any corn sacks that any such wheat is in or that are the property of the Board;
>
> (g) make any inquiry that he considers necessary as to wheat; or to wheat products or to corn sacks.

It refers then to subsection (2) and the final comment relates to the penalty of $500.

I want members to understand the importance of our having a stable wheat industry with control in Western Australia, not in the Eastern States. I am concerned that the Australian Wheat Board uses the CSIRO in Sydney. We have had problems internally; but we have been able to solve them in the past. The question was asked: Why do we not go to BRI and ask it? I refer to the Bread Research Institute. Mr Eric Bond is the director of that organisation which has its headquarters in Melbourne. Why did we not ask that organisation to be involved in this matter?

The Hon. D. J. Wordsworth: Is Melbourne any better than Canberra?

The Hon. J. M. BROWN: It concerns me that control should take place anywhere in the Eastern States. One has only to read the newspapers to find out what is happening there in relation to Western Australia, not only in regard to wheat, but also in relation to other matters. People in the Eastern States are not very aware of the position in Western Australia and it concerns me that they should be involved in what occurs here. We should be masters of our own destinies.

I attended a meeting at which representatives of the wheat industry and people from the Primary Industry Association were present. After

listening to their comments I felt ashamed that we produced wheat in this State. I certainly was not supported by the WA Flour Millowners Association. When I knew the Bill was to be introduced, I took a great deal of interest in it. I should certainly have been interested in the matter anyway, but it was alarming to hear what was mentioned at that meeting. The deductions amounted to $91 000 in 1980-81 and I ask: What will they amount to in 1990-91? Where are we going with the industry? Is the State Wheat Advisory Committee being denigrated? Is the Department of Agriculture being denigrated? Are the standards we have endeavoured to set, and the improvements we have made, being denigrated? The very vital question is: Are the people in the Eastern States the only ones who can grow grain of a millable quality?

The final arbiter is CSIRO; but I do not express concern for that reason alone. I would be expressing the concern of every grower in Western Australia as to whether this is a step in the right direction. Should we be taking the matter out of our own hands and giving it to the Eastern States? I am sure everyone would agree that is a cause for alarm. I have studied the Act and the proposed amendments. I have not concerned myself only with varietal control. I have looked at the skeleton weed eradication fund and its expansion as spelt out in the measure which tidies up the issue. We passed legislation in relation to the skeleton weed and resistant grain insect eradication control fund.

I have studied the responsibilities of Co-operative Bulk Handling and the Australian Wheat Board. However, the arbiter was the Department of Agriculture so Western Australia played a part in its own destiny.

The questions to be answered are: If we are producing this type of grain which has been discounted in payments to farmers, who is getting the benefit of the discounts? Are they being passed on to the millers? Are they being passed on to the consumers? Are they being passed on to the customers generally? Will the discount be extended further? What is the programme for the future?

I am not asking anyone to look into a crystal ball; but I know that, with a Minister for Agriculture resident in this State and a determination made by the Department of Agriculture, we would have a better chance of an equitable decision than if the matter is determined in the Eastern States. That is why I am alarmed and concerned. What sort of deal will the wheat producers of Western Australia get in the future?

It is possible the amendments are put forward with the best of intentions. However, the reason the meeting was called was that the farmers believed they were penalised for producing what they considered was grain of a standard which had been satisfactory over the years and which helped them to withstand the seasonal conditions which prevailed. They believed they were maintaining their reputation as good farmers. It is important that we review this type of amendment which is of great concern.

I want to refer to CBH which is mentioned in the Bill. It is proposed that the period given to CBH should be extended. We are aware the term does not expire until 1985 and it is proposed it be extended to the year 2000. Why has the year 2000 been arrived at? On Tuesday night we dealt with the City of Perth endowment lands which were extended *ad infinitum*. In the life of operation of any organisation 20 years is a minimal time.

The service CBH has given to the farming community is the envy of the rest of Australia and other countries. I am not saying this because the Hon. H. W. Gayfer is the Chairman of CBH. I am not saying it because the farmers acknowledge it. Indeed, I can remember when they wanted to increase the levy from 4d. to 6d. and the industry approved of it without dispute. We can imagine what the first advance was—10s. 6d., or $1.05.

CBH is attempting to justify that confidence with the expansion of a modern receival facility and terminal. I remember the legislation which was introduced during the time of the Tonkin Government to enable the establishment of Kwinana. The sum of $40 million was borrowed on very favourable terms.

When I look at a 20-year period for CBH I ask the quesion: Is that long enough? Why put a time limit on it? I cannot see that if the bulk handling situation is not satisfactory an amendment to the legislation would not suffice. I believe that there is reason for a great deal of concern about the varietal control and that there is reaon for monetary consideration with respect to the expansion of CBH to the year 2000. CBH is governed by the Bulk Handling Act and it is an organisation which is answerable to the farmers themselves because they elect their directors. Therefore, they can pinpoint any problems within their regions, so why put a curtailment on them? If the company is successful and progressive, as we all agree it is, why is it necessary to amend the time to 31 December 2000?

I do not know the reason that we cannot adopt the correct attitude and delete the date

specified—the 31st day of December 1985. Section 39 of the Act states that subject to this Act, the company has the sole right of receiving grain in bulk and handling, transporting, and delivering grain received in bulk and any person who, within the period limited by this subsection, does any of those things commits an offence.

Why do not we leave out the specified date and acknowledge the way in which CBH has assisted in the development of the grain industry in Western Australia?

THE HON. H. W. GAYFER (Central) [4.19 p.m.]: It had not been my intention to speak to this legislation, but Mr Brown has raised several points and I wish to comment on them. I say to Mr Brown that I could not agree with him more. He is probably surprised by that statement, but, then, I speak as an individual farmer and as one who knows some of the problems of varietal control. I know that there will be teething problems. After all a man who has lost all his teeth and has no chance of a replacement, does become worried: the very point made by Mr Brown.

Mr Brown mentioned a meeting which was held at Merredin not so long ago and at which the Australian Wheat Board and the wheat industry were represented, as well as the Department of Agriculture and various other organisations including CBH. Those people were assembled to consider the impact of varietal control.

Indeed, I cannot refute the statements made by Mr Brown about that meeting. I did not attend myself—I was engaged in another industry matter which is well known to the Primary Industry Association—but the report which was made to me was similar to the report by Mr Brown. It was a report which was not unexpected because I had been in attendance at the Farmers' Union conference earlier this year at the wheat section meeting of the industry. In fact, this very matter was discussed by an eminent farmer from the Merredin area.

The Primary Industry Association chose not to alter the path it was following in respect of varietal control. Indeed, members of the Australian Wheat Board—Mr Brown mentioned two members, one of whom he has spoken to and I know that if he had spoken to the other member he would have heard the same opinion—the Department of Agriculture, and others were of the opinion that we should follow the course which is to be adopted throughout Australia for varietal control.

It is a very vexed problem and I can remember the comments made by one gentleman at a meeting held in Merredin when exploration was being carried out into the prospect of varietal control. That was some two or three years earlier and that gentleman was considered to be a nut inasmuch as he was attempting to warn the industry of its possible effects.

Be that as it may, an industry which has the power of its democratic process to outline its policy has opted for varietal control. There is nothing surer that varietal control, having been the subject of Commonwealth legislation and individual States legislation, must follow and that there ought to be complete rationalisation on the subject. Therefore the Western Australian Bulk Handling Act will be amended.

I want Mr Brown to know that this is being done at the request of the industry. It is a large subject— too large in fact to take up the time of the House now with respect to the effects of the different grades of wheat and the advantages or otherwise that Western Australia may have with the South-East Asian markets or closer markets, either now or in the future.

Whilst the demand for our particular quality wheat exists we must ascertain whether it will continue to exist in the future. It is a field where experts are attempting to advise the industry of the course it should take. It may appear to work against many growers, but the growers themselves, in the majority, have accepted this as the way. I cannot argue against it although I do have some reservations about it.

Nevertheless, the industry has demanded that CBH co-operate and it has been written into the Bill so that there is nothing more the company can do than co-operate in the matter.

Western Australian growers were docked to the extent of $91 000; one other State was docked $100 000; two States were docked $4 000; and the fifth State was not docked at all. The question was raised at the Merredin meeting as to why a State should have no dockages at all and the answer was that the quality of that State's wheat—a northernmost State—was producing grain that was most suitable for milling; that is, it was to acceptable standard.

The subject of CSIRO handling the varietal test raised by Mr Brown is one with which I do not disagree, but then, on the other hand, it is one which is accepted as providing a central basis for the assaying of the varieties that come forward. I have no doubt that this will be closely vetted by everyone in the industry, and there has been some feedback which indicates that more acceptable wheat may be grown in Western Australia. However, I do not know much about that matter.

Mr Brown referred to Mr Cracknell going overseas and it being said to him that he must be a poor miller in that he must deal with the poor varieties which come to him. I think that the persuasive powers of the millers of Western Australia and the quality of bread they put out is underestimated as are the prices they are prepared to pay for the varieties they require. It is interesting to note that in the northern areas to Mr Brown's home town a great deal of grain is gathered for the purposes of milling.

Nevertheless I believe that the general standard of our wheat and the quality we are sending overseas could be improved. That is exactly what we are endeavouring to do. I repeat that I see problems ahead for the industry in this regard. I see problems ahead not only in the field of insignia, but also in the fields of tincurrin and egret and several other varieties that could possibly compound the situation.

I wish to add a few words in respect of the year 2000 being the cutoff point so far as the extension of the monopolistic powers granted to CBH is concerned in respect of handling wheat and barley. That is the way some opponents of CBH term it; they are people who do not exactly like this monopolistic power given to CBH. Nevertheless, the industry has to realise that if CBH is to continue with its present work it must have some degree of security into the future.

We must remember also that when the first Act was proclaimed—in fact when the Royal Commission was held into whether CBH should be set up and given the powers it has—no mention was made that the company should be given unlimited tenure into the future. In fact it was at that time that the year 1985 was written into the Act. The Royal Commission was conducted in 1934, and some very good submissions were made to it, some of which I have quoted in this Chamber before. One submission was made by a person whose name Mr Brown mentioned as being quite a benefactor of CBH. It would be well worth while for Mr Brown to read the remarks made by that person in 1934.

Nevertheless, the life of the agreement was pegged to 1985, and now it is to be altered to the year 2000. This will give CBH 19 more years of life with respect to negotiation. Certainly 1985 is getting a little close in respect of the negotiations undertaken by CBH for long-term borrowings. It now has closer to 20 years, which makes the situation a lot better.

The Hon. J. M. Brown: Why specify a year?

The Hon. H. W. GAYFER: Fair enough, but why was it specified in the first place? That is exactly the reason I commended to Mr Brown that he read the submissions made to the Royal Commission. I would be in favour of a simple deletion of the year. However, CBH is rather pleased that at least it has until the year 2000 to proceed with its work, that is so very important. The company now has a replacement value of somewhere in the vicinity of $600 million.

In the area of the Hon. Margaret McAleer alone the company has spent $16 million in the last 10 or 11 years. People often say that Kwinana is the only facility they have heard of provided by CBH, but the facilities it provides go far and beyond that. The Minister in charge of the Bill would know how much money has been spent in his area. In fact the growth of CBH has been so great that not only has it become the sole handling authority for most grain, but also it is recognised as being the biggest continual employer in the building industry in the whole of Western Australia, an honour it has held for many years. As such the company plays a vital role in the affairs of Western Australia.

I was rather amused during the afternoon tea suspension when several members came to me and said "I hope you will not drag out CBH and parade it all over the carpet." I do not intend to do that, but it would not be a bad idea if for a couple of hours I wearied the Chamber by telling members exactly what a magnificent company it is and what it has done for Western Australia.

The Hon. J. M. Brown: Right down to the last employee?

The Hon. H. W. GAYFER: Yes. Mr Brown raises a good point. CBH employs 2 200 people in the peak season, and it has a permanent work force of 1 170—all excellent people. Even you, Mr President, were employed by the company at one stage. No doubt the faults in the electrical system at Fremantle are not due to that.

It is well known that some members of this Chamber obtained employment from CBH at some time to help them through university; and I know other members whose sons obtain seasonal work with the company to help them with their finances. The company is well known in all areas, and it is a concern which truly should be given a great deal more credit than it has been accorded in the past and is accorded today.

I do not want continually to boast about Kwinana or any special part of CBH; nor do I want to boast about the fact that this year, in spite of the drought, the company is spending $11.2 million on country construction. Last year it spent $21.6 million in that area; and in the last 10

years it has spent $222 million on construction throughout Western Australia.

That is not the only thing for which CBH should be remembered. It should be remembered also for the service it provides to its shareholders. That is all the company has to sell—service. It cannot make a profit other than from its service to its shareholders. The profit made by the company is returned to its shareholders: any profits are ploughed back into the company to enable it to construct more buildings and to improve the one amenity it provides—service.

So, possibly Mr Brown is correct in his comments about the cutoff point of the year 2000; he said that is a short enough period in respect of the ideals of the company. I have spoken to members in the Chamber, even today, who know of avenues where CBH could provide facilities in their electorates. The Hon. Margaret McAleer wants work done at Geraldton, the Hon. David Wordsworth wants work done at Esperance, and the Hon. Tom Knight wants work done at Albany. Wherever we go we find CBH.

The Hon. J. M. Brown: What about Bunbury?

The Hon. H. W. GAYFER: A bit of movement is occurring in Bunbury, and that fact was criticised in another place so I will not refer to it.

The Hon. Peter Dowding: Did you know I worked for CBH as well?

The Hon. D. J. Wordsworth: That worries us.

The Hon. H. W. GAYFER: Could I ask for how long, Mr Dowding? We know many excellent Hale School boys came to work for us.

The Hon. Peter Dowding: I don't think Noddy Hassell ever did.

The Hon. H. W. GAYFER: Referring back to the matter of Bunbury, which Mr Brown raised, this is a situation which has received a great deal of criticism in the Press. CBH refused to continue at Bunbury, and it was perfectly right in so refusing. The company made the point that if the Government constructed a jetty and CBH later constructed facilities to be serviced by that jetty, then if the Government chose to pull down the jetty why should CBH and the farmers be required to build another jetty? That is logical, is it not, Mr Olney?

The Hon. H. W. Olney: Yes.

The Hon. H. W. GAYFER: Eventually a solution was reached, and Bunbury will now ship grain in due course.

I make the point that Mr Brown made in respect of the year 2000. I am sure the company would be delighted to see that restriction removed. I have no doubt that one of two things will happen. Firstly, immediately the Government changes, judging from the remarks of Mr Brown, the date will be removed from the Act; or, secondly—and this is the most probable—about 1990 a small Bill will be presented to the Parliament to extend the term. Probably the Bill will be presented to the Parliament a little earlier than this Bill has been; and by that time CBH will be handling Australia's biggest harvest and the Bill will be passed unanimously in the Parliament to enable it to carry on, just as I expect the Bill before us now will be passed unanimously in the spirit in which it was presented and in the spirit in which the company has conducted its negotiations in the past and the spirit in which it will conduct its negotiations in the present and future.

The company will carry on just as long as the Government gives it the confidence to carry on by not breaking agreements which have been reached. If the Government did that I am afraid it would be doing a disservice to the company, to our industry, and to our State.

I support the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [4.43 p.m.]: I thank members for their support of the Bill. It appears Mr Brown has attended his first lengthy farmer organisation meeting and has been subjected to a bit of farmer politics.

The Hon. J. M. Brown: No, we had one on transport a few weeks earlier.

The Hon. D. J. WORDSWORTH: If Mr Brown has attended such a meeting he will know that farmers talk long and hard to achieve what they want. Indeed, Mr Hetherington would be proud of them; they could have settled his technical school problems by talking long and hard on the subject.

One of the points raised by Mr Brown concerns the work of the Department of Agriculture in respect of wheat breeding. Members will appreciate that the breeding of wheat strains is a delicate matter of balancing production with quality. Together with most members of the Government parties I attended the department last week, and we were shown various tests. We saw dough being drawn out until it breaks, loaves of bread being baked, and biscuit qualities being tested.

The department tests the varieties that it breeds for disease resistance and other factors. Of course, the same variety of wheat will produce various qualities and quantities when planted in different areas. This is one of the reasons that we are talking about varietal control. Many members would have heard of the revolutionary Mexican

straw wheats which have been bred to give high yields, but of course they do not give the quality we are looking for.

I assure members that the Department of Agriculture is still breeding wheats for all uses. That is all the more reason for the changes we are making to the legislation. I might add that the growers are not always keen on trying to maintain the best quality. Some of them prefer to maximise their profits, and they are always trying to sneak in a variety with which they can gain more production. Hopefully, if it is mixed in with everybody else's wheat, the Australian standard will stay the same. While they think it is okay, there has to be a way to police this practice; and that is one of the provisions of the Bill. Often the growers are not allowed to deliver a particular variety of wheat as it is not considered good for milling, so they sneak it in as if it is one which provides higher production rather than quality.

Undoubtedly considerable problems will arise. The Chairman of CBH (Mr Gayfer) will be well aware of that because he will have difficulties in catering for the various grades and types. Undoubtedly the Australian Wheat Board will say that certain varieties can be delivered to various bins that CBH has built, and there will be pressure to separate the various qualities and types. However, they have handled such problems in the past; and I am sure they will do it again in the future.

Several questions were asked. Are farmers obtaining value for their dockages? Is the wheat miller being disadvantaged? Is this the reason we are selling less flour than before?

The Hon. J. M. Brown: That is not the question.

The Hon. D. J. WORDSWORTH: Are we obtaining the benefits of our being closer to the markets, say in Singapore? I believe this is all tied up with the matter of CBH being a monopoly, as Mr Gayfer quite rightly said. Not only has CBH a monopoly, but also the Australian Wheat Board has a monopoly. Those monopolies have occurred entirely at the choice of the growers.

Various committees have considered this problem. The most notable of those committees was the Rae committee, which pointed out various shortcomings with these sorts of monopoly organisations. However, the farmers have decided that they want them. Obviously the farming leaders have a responsibility to audit what they are doing. When I use the word "audit", I am not referring to balancing income with expenditure; but to whether they are giving deference to the fact that some people are closer to the markets. Are they balancing quality with quantity? The industry is well able to sort that out for itself.

The farmers in Western Australia particularly have great faith in marketing by boards, and in storage and collection by CBH. Undoubtedly members of this House would have been lobbied if there had been any problems with this. As it happens, I do not think there has been a single doubt. Undoubtedly the farmers have considered the benefits and the shortcomings of this legislation for some time before it reached the House. The Primary Producers' Association has given the legislation its backing.

I was asked why the year 2000 was chosen for CBH. Perhaps there is some benefit in security for CBH in having a defined year rather than in having its term extended forever. Perhaps a Government in the future might decide that it wanted to allow another organisation to store, say, oats; and the Government could then assess fairly easily the compensation because it would be worked out to the year 2000.

The Hon. J. M. Brown: Will that interfere with CBH borrowing over a 30 or 40-year period, on international markets?

The Hon. D. J. WORDSWORTH: I do not think so. Unfortunately, one cannot borrow money for those lengths of time.

The Hon. J. M. Brown: You have not built a house lately, then.

The Hon. D. J. WORDSWORTH: Mr Brown may obtain longer terms than CBH would. In other words, the loans are not given to it for longer periods than the security we are giving CBH.

I do not wish to delay the House any longer. The legislation has been well debated, considering particularly that both parties agree with it.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 5 amended—

The Hon. J. M. BROWN: I rise to acknowledge what has been said by the Minister concerning the dockage that will apply in determination of standards. I recognise what has happened in the past, and what will happen in the future. I am not satisfied entirely with the replies of the Minister in relation to varietal control.

Whilst no-one else has been lobbied, I can state that no-one lobbied me, either. My information is based on my research and knowledge of the industry. If one has to rely on lobbies to make a determination—

The Hon. D. J. Wordsworth: I did not say that at all. I said that if they did not require it, you would soon be lobbied.

The Hon. J. M. BROWN: The Minister puts it differently. Perhaps the pastoralists and graziers lobbied the Minister, but they did not lobby me. There was no need.

I am well aware that the Primary Producers' Association agreed to that at its meeting. I am aware also that the eastern wheatbelt producers agreed to 40 per cent for agricultural output in this State. That was said by the previous Minister for Agriculture.

I am speaking on behalf of a pretty productive region; and I mention the concern expressed, not only about the insignia grain, but also about other grades being brought forward.

I have taken this opportunity to mention matters applicable to dockages, and the determination of how they will be applied. I am not satisfied, despite what has been said, that the Primary Producers' Association agreed. Perhaps they might have had lobbies within their own association. I do not know. I know only what happened in the industry itself, and how much of that was discussed before.

As a result of the annual meeting of the wheat section of the Primary Producers' Association, we had an assembly at which the Chief Executive Officer of the Australian Wheat Board and the Director of the Bread Research Institute were present. We were advised we were very fortunate to have them in Western Australia, because they are in great demand elsewhere for the selling of the product. The meeting they visited was all-embracing.

I was expressing the concern felt by the growers whom I know. They know what the problem is, and why it exists. I do not want anyone to underestimate that.

I realise the Opposition is supporting this Bill; but everyone knows that I am concerned about the industry; and I take this opportunity to express my concern. Although the Primary Producers' Association agrees as an organisation, as a Parliament we do not always take notice of what the industry tells us. We make decisions as we see them in the best interests of our State. It is as simple as that.

I take this opportunity to express my support for the Department of Agriculture. The Minister for Lands said that I was criticising the department; but I did not interject to say I was not. I support the department, and I acknowledge what it has done.

When we are dealing with plant variety rights, I will be able to speak of the great research the Department of Agriculture is doing.

I am greatly concerned about the application of the dockages, and the control we will exercise throughout this State.

Clause put and passed.

Clauses 4 to 12 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

WESTERN AUSTRALIAN GREYHOUND RACING ASSOCIATION BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), read a first time.

Second Reading

THE HON. G. E. MASTERS (West—Minister for Fisheries and Wildlife) [4.48 p.m.]: I move—

That the Bill be now read a second time.

This Bill reflects the recommendations of a committee—comprising the chairman of the Totalisator Agency Board, the Chairman of the Greyhound Racing Control Board, and the Director of the Chief Secretary's Department—which was set up by the Government in June last year to report on the future of greyhound racing in Western Australia. Among other items, the committee was asked to report on the existing state of greyhound racing in Western Australia; the future of greyhound racing in Western Australia; and Government action necessary to put any recommendations into effect. The committee submitted its report to the Government in February this year.

For the information of members I will give a brief outline of the lead-up to the present situation. Greyhound racing commenced in Western Australia at Cannington Central in 1974. The Canning Agricultural, Horticultural

and Recreational Society established the course and erected buildings on land it owns at Cannington Central. To do this, the society borrowed approximately $2 million, financed by commercial bills, secured by a mortgage over the land. The complex at Cannington Central is leased from the society by the Canning Greyhound Racing Association.

The association pays rent to the society representing interest charges and repayment, together with a ground rent of $5 000 per annum. Currently, the association is faced with an annual rental exceeding $250 000 per annum.

The debt outstanding on the Cannington Central venue is $1.65 million. Financially, the association is in dire straits. Even with special assistance from the Totalisator Agency Board in the form of an allocation of $140 000 per annum from "favourite numbers" it has barely been able to meet the interest and charges in the 1978-80 financial year.

In its budgets for the current financial year and the succeeding three years the association does not expect to be able to meet any interest or principal payments on any of its debts without incurring further losses.

Since racing commenced at Cannington Central, full paid adult attendances have fallen from 100 000 to 66 000 per annum and totalisator betting on course has declined. Off course betting is now at the level of $100 000 per meeting.

Greyhound racing at Mandurah, which is conducted under licence from the control board by the Mandurah Greyhound Racing Association, does not suffer the same problems. They are not faced with burdensome repayments for capital works. Off-course betting at Mandurah now almost equates the turn-over at Cannington Central.

Despite this unsatisfactory situation, the committee in its report stated that current official Greyhound Control Board statistics show that at 30 June 1980 there were about 5 000 greyhounds registered with the board. In addition, 581 owners and 441 owner-trainers, 11 private trainers, 75 public trainers, and 37 attendants were registered.

In all, at 30 June 1980, 1 145 persons were engaged in the industry, mostly part-time. This does not include permanent and temporary staff employed by the control board and the associations. If the sport ceased, many persons apart from those mentioned above would lose their livelihoods. Businesses dealing in pet foods, special foods for greyhounds, and special supplies of leashes, muzzles, blankets, and the like, would lose custom.

The committee concluded that if greyhound racing was to continue then clearly two areas must immediately be restructured if the sport was to have any chance of surviving in the long term. The two areas are—

> the management and operation of the sport; and the refinancing of the capital debt of the Cannington Central complex.

The Bill now before the House will enable both these aims to be achieved. It cannot guarantee that those involved in the industry will be able to achieve the success the industry so badly needs, but it does give them a realistic chance to do so.

The Bill repeals the Greyhound Racing Control Act and abolishes the Greyhound Racing Control Board. It is emphasised that this move is no reflection whatsoever on the operations of the control board. The action is taken purely for reasons of economy, and as part of the overall plan to restructure.

The Bill establishes the Western Australian greyhound racing association which will take over the regulatory and control function from the control board.

The association will also be responsible for the conduct of racing at Cannington Central. To do so, provision is made for the association to take over the assets and liabilities of the control board and the Canning Greyhound Racing Association.

The net result of these actions is that there will be one body, located at Cannington Central, charged with the responsibility of all functions previously carried out by the Greyhound Racing Control Board and the Canning Greyhound Racing Association.

There will be an immediate saving on rented premises in the city, now the headquarters of the Greyhound Racing Control Board.

With the co-operation of the Western Australian Turf Club and the Western Australian Trotting Association, the Totalisator Agency Board is to invest $1.65 million dollars with the Canning Agricultural, Horticultural and Recreational Society to discharge the roll over bills being used to finance the existing debt on the Cannington Central complex.

The Totalisator Agency Board in return will hold first mortgage over the land and buildings at Cannington Central.

The Western Australian greyhound racing association will lease the complex from the Canning Agricultural, Horticultural and Recreational Society and pay rent for 15 years.

The basis of the investment with the society is that it will be interest free for five years, and then

attract 5 per cent per annum for the remaining 10 years.

The association will lease the premises for a rental based on the arrangement between the TAB and the society and will also be exempted from paying the $5 000 per annum ground rent presently payable for the first five years, and pay a fixed $5 000 per annum ground rent for the remaining 10 years.

This arrangement by the Totalisator Agency Board does not affect returns to the Government in any way. It does cause a reduction in payments made by the Totalisator Agency Board to the Western Australian Turf Club and the Western Australian Trotting Association. This will be offset to some extent by the discontinuance of the $140 000 previously paid under a special arrangement to the Greyhound Racing Control Board.

The savings on premises in the city, the consolidation of all greyhound racing functions at Cannington Central within the one body, and the rearranged financing of the capital debt on the Cannington complex, will give the sport the necessary impetus to achieve viability.

The Government's involvement is confined to the initial reorganisation which requires statutory amendment, and as a backer of last resort in the event of total collapse by the industry and the failure of all securities.

Whilst the Government has this interest in the progress of greyhound racing until it becomes viable, it is desirable that the committee of the new association be appointed by the Governor on the recommendation of the Minister. The appointment of a committee of five is provided for in the Bill.

Should greyhound racing prosper as a result of the new financial arrangements, it is envisaged that the new association at a later stage would have a committee of management elected by the greyhound fraternity, similar to the Western Australian Turf Club and the Western Australian Trotting Association.

However, it is pointed out that if the industry is not able to put its house in order under these new arrangements, no further approaches to Government will be entertained.

It is the intention of the Government that the Western Australian greyhound racing association take over the functions of the Greyhound Racing Control Board and the operations of the Canning Greyhound Racing Association by 1 August 1981.

The Bill lists the functions of the association as—

> To control, supervise, promote and regulate greyhound racing;
>
> to conduct greyhound racing and provide facilities to enable greyhounds to compete in trials and to be trained in racing; and
>
> to exercise and discharge such powers, functions, and duties as are conferred on the association by this Act or any other Act.

Provision exists for the existing staff of the Greyhound Racing Control Board and the Canning Greyhound Racing Association to be taken over by the new association.

Whilst no immediate staff reductions are contemplated, experience should prove that, in total, less staff would be required to conduct the consolidated functions of the new association located at the one headquarters.

Provision exists for the appointment of a chief executive officer and such other staff as the association may require. The person holding the position of Secretary of the Greyhound Racing Control Board will become the chief executive officer of the association.

The Bill in many respects reflects existing provisions of the Greyhound Racing Control Act, but also embodies the power to conduct racing as distinct from the previous regulatory role of the control board.

Provision exists for the Western Australian greyhound racing association to take over the conduct of racing in country areas if considered necessary.

The association may appoint an administrator to take control of the affairs of a club. This is only a precautionary measure because the current operations of the only country club at Mandurah are satisfactory.

The Bill provides for a maximum of 60 race meetings in the metropolitan area and for country clubs.

The committee to manage the functions of the association will be appointed by the Governor on the nomination of the Minister for a period of three years.

Schedule 2 of the Bill specifies the provisions to repeal the Greyhound Racing Control Act 1972 and the dissolution of the Greyhound Racing Control Board.

Schedule 3 contains provisions as to the take-over by the Western Australian greyhound racing association of the operations at the Cannington race course from the Canning Greyhound Racing Association.

The Government considers that under the very favourable financial arrangements provided with the co-operation of the Totalisator Agency Board, the Western Australian Turf Club and the Western Australian Trotting Association, coupled with the consolidation of the administration of the sport, there is every prospect that greyhound racing in this State can become a viable proposition.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Brown.

STATE TRANSPORT CO-ORDINATION AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.11 p.m.]: I move—

That the Bill be now read a second time.

This Bill repeals the State Transport Co-ordination Act 1966-1980 and provides for the new position of co-ordinator general of transport, setting out the responsibilities and functions of that position. It abolishes the Transport Advisory Council and the Transport Users' Board, establishing in their stead the concept of the transport strategy committee.

In June 1966, the then commissioner for Railways (Mr Cyril Wayne) presented to Government his *Overall Review of Transport in Western Australia*. The commissioner pointed out the need to ensure that Western Australia's transport policy, covering both public and private operations, should be focussed in a deliberate and co-ordinated manner. His suggestion was that a Western Australian transport authority should be set up with a director general of transport as its permanent head.

The commissioner envisaged quite widespread new powers for a new authority, including the active implementation of "policy control" over both private road transport and air operations, as well as the four Government transport agencies at that time: that is railways, the MTT, the Coastal Shipping Commission, and the Transport Commission.

In its wisdom, the Government decided to establish the proposed position of director general, but not to establish the proposed authority and not to give the director general the proposed significant powers of intervention in the affairs of the other bodies.

It is fair to say that there were three main reasons behind the approach the Government took. These reasons are at least as relevant today. Firstly, it was recognised that the responsibility for determination and execution of overall transport policy lies quite fundamentally with the Minister himself, and not with any permanent head.

The second reason was that the Government was not attracted to the idea of establishing an authority which might have an inbuilt bureaucratic tendency to grow, creating more problems than solutions.

The third and perhaps most important reason behind the Government's philosophy was a belief that each of the individual agencies within the Transport portfolio would benefit greatly from unfettered access direct to the Minister on all areas relevant to their own responsibility.

Most importantly, the permanent head of each agency should be clearly accountable for his own decisions and operations without the intercedence of a "supreme" permanent head who might act only as a filter and potential distortion of this direct accountability.

The director general then, as now, has no executive role. He ranks no more and no less than other permanent heads in the portfolio.

The present State Transport Co-ordination Act was set up in 1966, and in 1967 the director general (Mr J. E. Knox) took up office. In its time this Act was pioneering. It was not a faultless piece of legislation, but it is considered that the general philosophy it enshrined has stood the test of time well.

Partly as a result of the efforts of the Director General of Transport, major policy initiatives have continued to be taken across the whole transport spectrum and partly as a result of the Government's decision not to interpose a bureaucracy over the individual agencies, we have in Western Australia a collection of agencies whose competence, efficiency, and skill are the envy of other States.

Mr Knox is now approaching retirement. This, set against a background of continuing change in transport affairs, has offered an excellent opportunity to review the operation and effectiveness of the Act.

The Minister for Transport has personally studied the way in which other States develop and administer policy and, with the assistance of Mr Knox, other transport permanent heads, and

outside consultants, has given a great deal of thought to the matter. All possibilities have been carefully considered with an open mind and this Bill now before the House is the result.

Summarised, it is a Bill which builds on the experience with the Act it replaces, which affirms that the basic philosophy underlying the previous Act is correct, and which clarifies the manner in which transport policy should be initiated and developed.

It continues, or more importantly, it amplifies the direct accountability of each of the other permanent heads in the portfolio for his own day-to-day decisions.

The new co-ordinator general of transport will have no powers to interfere with these. Instead, the co-ordinator general's primary responsibility will be to acquire the necessary information, do the research, and offer sound advice to the Minister on the longer-term, co-ordinated development of policy so that the individual efforts of the agencies and the private transport operators complement each other; that resources are not wasted; and that the community gets the transport facilities and services it needs.

It recognises that decentralisation of responsibility is not only appropriate, but also essential if the benefits of direct accountability are to continue to flow through the portfolio.

However, it also recognises that this decentralisation does bring with it a particularly special need for independent development and co-ordination of long-term operational and investment strategies within the portfolio.

The Minister, in watching over all the diverse activities in his portfolio, needs the advice of somebody who can take a comprehensive and farsighted view of developments, and offer independent advice which the Minister, in his turn, is free to accept or reject.

The new position will be one particularly well qualified to offer that service. The co-ordinator general will represent an impartial specialist policy adviser. He will take a multi-model view of transport issues and offer expertise on a variety of matters which do not fall within the charter of other agencies. In addition, he will maintain strong links with the private sector.

In the last decade or so, transport has greatly increased in its complexity and it is anticipated that this process will continue. Much of the future welfare of our State will be determined by how well transport problems can be predicted and solved.

The so-called "energy crisis", the road toll, pollution and environmental concerns, congestion, the avoidance of massive transport deficits, the structure of our metropolitan area, the future of the central business district, the successful competition of our mineral, agricultural, and other products in export markets, and many other issues are largely dependent upon the success of our transport policies.

The co-ordinator general will be putting his mind to these types of issues.

There will also, of course, be a greater challenge to the agencies themselves. They will need to be able to plan for the future with increasing sophistication. The Bill provides for the co-ordinator general to give expert assistance in this planning area when required, as well as assisting the Minister to examine and evaluate the agency plans.

It will be seen therefore that the title of "Director General of Transport" would be something of a misnomer if it were to continue. As the title of the Bill suggests, the officer's duty lies in assisting to co-ordinate policy. It is not intended that he be a director in the accepted sense of the word.

The Government has given a good deal of thought to the best way in which the co-ordinator general should acquire the information he will need in order to formulate his ministerial advice. He will, of course, need some qualified personnel to assist him and the Bill provides for their appointment.

It is envisaged that he will require about the same number as the director general now has, which is a total establishment of 13.

The Bill also provides for the co-ordinator general to engage outside researchers, either Government or private, where appropriate.

Where the Minister has in mind a particular transport problem for which he is seeking a solution which is unlikely to readily come from his existing sources of advice, the Bill provides for the Minister to set up transport strategy committees, chaired by the co-ordinator general, with specific terms of reference and limited lifespans, comprising a flexible membership drawn from anywhere in the community where the appropriate expertise is available.

The concept of transport strategy committees is a democratic, flexible, and potentially efficient one.

These committees will enable the Transport Advisory Council and Transport User's Board which exist under the previous act to be abolished.

Both these bodies lacked specific terms of reference; both had a more or less fixed membership, and both have proven to be fairly ineffectual because of this.

The Transport Advisory Council now meets only about once a year. Six of its eight members are, *ex officio*, the permanent heads of Government agencies. Access of one permanent head to another is not something which needs to be formalised by a special council.

The Transport User's Board has been defunct for 10 years. The gravest problem in attempting to make this body work successfully was the selection of four members who could somehow represent the interests and needs of all the different types of transport user. Under the Bill, users will get a better deal because, wherever appropriate, user representatives will be able to be appointed to any transport strategy committee.

It may be of interest to members to know the reason that the responsibilities of the co-ordinator general and the Commissioner of Transport have not been amalgamated.

The Commissioner of Transport's primary role is the administration of policy, as determined by the Government. Therefore, the Act which governs his activities specifically gives him powers of direction over others, including some other transport agencies.

The long title of the commissioner's Act, the Transport Act, makes this clear when it says that the purpose of the Act is to "make provision as to the review, licensing and control of the transport of passengers and goods by road, rail, air and sea . . .".

On the other hand, from what I have already said, it will be realised the function of the co-ordinator general shall specifically not be to license, control, or otherwise direct or administer. Instead, his function shall be to act as the Minister's primary adviser on the desirable direction that overall policy should take.

There are obvious and good reasons in maintaining a distinction between a body which advises on transport policy and a body which administers the policy. The advisory body is preferably small, in close proximity to the Minister when he needs it, staffed with top-level professional personnel and, most importantly, entirely separate from the concerns of day-to-day operations or administration.

In practice, of course, the Minister will be perfectly free to seek advice from the Commissioner of Transport and any other permanent head on the portfolio where appropriate. That is what happens now, and it will continue to happen when the co-ordinator general takes up office.

But the co-ordinator general will be able to do further investigation where necessary, to assist in sorting out the most desirable decision if permanent heads should give differing advice, and to take a unique overall and long-term look at the ramifications for the entire Transport portfolio.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

GRAIN MARKETING AMENDMENT BILL

In Committee

Resumed from 6 May. The Deputy Chairman of Committees (the Hon. R. Hetherington) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clause 3: Section 33 amended—

Progress was reported after the clause had been partly considered.

The Hon. J. M. BROWN: The Hon. H. W. Gayfer sends his apology for not being present. He raised a question in regard to the proposed amendment to section 33 of the Grain Marketing Act. We consider that is in order and support the clause.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

CLEAN AIR AMENDMENT BILL

Second Reading

Debate resumed from 6 May.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.25 p.m.]: I thank members for their support of this legislation. I apologise for surprising the President when I adjourned the debate. There were a few matters on which the Hon. H. W. Olney requested some clarification. Rather than endeavour to answer without advice, I sought the adjournment of the debate.

One query relates to the increase in the number of members on the council. The Hon. H. W. Olney wondered why an extra member from the Confederation of Western Australian Industry was required. I think the Minister responsible, in wanting to add the extra member, was

endeavouring to keep a balance on the council which had been established since the Act came into being.

It will be appreciated that there was a representative of local authorities and a representative of the Department of Local Government on the council, but the representative from the department is to be removed and another representative from local authorities will be appointed in his stead. In other words, the membership has changed from departmental to local in regard to local government and the ratepayers concerned, the affected people, have an extra representative.

An extra person will be appointed from the Department of Conservation and Environment. In fact, we probably will see an extra ratepayers' representative plus a representative of the Department of Conservation and Environment, and, I think, it is therefore equitable to appoint an extra member from the Confederation of Western Australian Industry to the council to, say, balance the numbers. I do not feel it is a matter of conflict; I feel it is a matter, as I said before, of a balance of numbers.

Indeed, the manner in which the council has worked has shown us just how well those in industry have accepted their responsibilities. In no way have the representatives of industry been there to resist change. In fact, they have facilitated change amongst the industries they represent.

The matter of appeals was raised, and the Hon. Howard Olney asked why the Minister now should be able to handle appeals. That was the gist of his remarks. One of the reasons the proposal has come before the Parliament is that there was a need to put in order a deficiency as regards the right of appeal. Provisions exist for an applicant or licensee to appeal against a council decision in regard to a licence application or renewal. However, there is no provision in the Act to appeal against decisions relating to conditions which can be written on a licence. Members will appreciate that conditions can be written on a licence, which are different from decisions in regard to the granting or renewal of a licence.

If one looks at the parent Act, one finds section 26(2) provides for an appeal period before a condition can be imposed. In other words, as a time is given for an appeal, obviously it is recognised that one may appeal. And yet, there is no provision within the Act for an appeal. When considering this matter the Minister felt it was more appropriate for such appeals to be heard by him, and so included the alternative—one may appeal to the Local Court or to the Minister. That seems to me to be reasonable thinking.

The other matter raised by the Hon. H. W. Olney was that during my second reading speech I said there was a discretionary authority to allow a licence in an isolated area—I am thinking, for instance, of a smelter at Kalgoorlie—and the honourable member could not see where such a provision was written into the Bill. In line 13 of page 14 of the Bill, an amendment to section 53 of the principal Act reads as follows—

> (iv) by inserting after paragraph (g) the following paragraph—
>
> " (h) impose upon any person or class of person a discretionary authority. ".

That is the provision under which a discretion can be granted.

I believe I have answered the various matters raised, and I thank members for their support.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 8 amended—

The Hon. H. W. OLNEY: I rise to speak on this clause because it is the one that deals with the enlargement of the Air Pollution Control Council. I acknowledge the explanation given by the Minister as the reason for appointing an additional industry representative, and providing for an additional representative of local government. Apparently the local government representatives are to be equated with ratepayers—I do not think that is necessarily the case.

The Hon. D. J. Wordsworth: And the fact that there is now to be a representative from the Department of Conservation and Environment.

The Hon. H. W. OLNEY: I suppose it is as close as ratepayers ever get to representation—through their local authority. Of course, it is not really through their local authority; it is through their local authority's membership of the Local Government Association.

The Hon. D. J. Wordsworth: I think that is recognised.

The Hon. H. W. OLNEY: We will accept that as ratepayer representation. The change from the representation of the Local Government

Department is compensated for by the appointment of another departmental representative in the form of a representative of the Department of Conservation and Environment. The Minister said that the extra representative of the Confederation of Western Australian Industry will help to balance the numbers, and I suppose this is so to some extent. Nevertheless, if that is the case, it would have been better for those advising the Minister to have included a statement to that effect in his second reading speech.

My reading of the debate in another place seems to suggest there is no question of balancing numbers, but rather, the extra representative of the confederation was to give representation to a different branch of industry.

Be that as it may, I want to make some points about the constitution of this council. I do this as the representative of the South Metropolitan Province in which is situated the Cockburn Cement Ltd. works which are one of the rather more active polluters of the atmosphere. As does the member for Cockburn, I have a fairly busy practice in dealing with complaints from constituents who live in the area of the Cockburn Cement Ltd. works. Although I do not think it is the case at the moment, certainly for some time in the past it was the case that an executive employee of Cockburn Cement Ltd. was a member of this council.

I can assure the Minister that a number of residents who live adjacent to the Cockburn Cement Ltd. works felt that the council was loaded, and the representation on the council of the company which they thought was the villain of the piece to some extent sapped their confidence in the objectivity of that council.

I understand that no prosecutions have ever been launched against that company, despite an enormous number of complaints and an inordinate amount of investigation and preparation of cases for prosecution.

I do not wish to oppose this clause, but I think in forming councils like this which are set up essentially to protect the environment and to protect the individual welfare and health of the citizens of Western Australia, it would be good for the Government to keep in mind that the ordinary citizen sees the representatives on such a council as being representatives of the particular industry or the particular institute that puts them there.

When future changes are made not only to the composition of this council, but also to the composition of other councils, I ask that some consideration be given to direct representation of individuals residing in the areas affected—in this case, by air pollution. Of course some areas of the State are particularly affected, and my electorate in the southern part of the metropolitan area has the Cockburn Cement Ltd. works and the Kwinana strip providing a continual source of air pollution which affects the health, happiness, and welfare of many of my constituents.

I am sure that if the local residents knew the facts they would be happier than they are in their ignorance. Perhaps in the future some thought can be given to the representation of individual residents so that they will know whether the council is genuine in its efforts to administer the Act. I am sure that is probably the case, that the inclusion on the council of a representative of the residents' arch enemy—Cockburn Cement Ltd.—in the past did not give them very great cause for confidence.

Clause put and passed.

Clauses 6 to 22 put and passed.

Clause 23: Section 45 amended—

The Hon. H. W. OLNEY: I want to comment on the new avenue of appeal from decisions of the council in regard to the granting of licences, the imposition of conditions, and related matters. The point I tried to make, and I think probably made imperfectly during my contribution to the second reading debate last night, is that there has been a right of appeal to the Local Court included in this Act since its inception in 1964. The Government has now moved to create a second avenue of appeal, and the alternative avenue is to the Minister.

My real complaint is two-fold. Why is it that it is now necessary to provide for an appeal to the Minister? Is it that the existing provision relating to appeals to the Local Court has proved to be unsatisfactory? If so, I think we should be told that, and the right of appeal to the Local Court ought to be removed.

I repeat what I have said before: It is most unsatisfactory that there should be this option for a potential appellant to have two avenues through which to proceed. Obviously in some cases an appellant will feel that an appeal to the court would be the best way to achieve his ends and on other occasions he may think an appeal to the Minister would be more appropriate.

I do not know whether the appeal provision to the Local Court has ever been used—I would be surprised if it has. Indeed, I would be interested to know that. Whether or not it has been used, the Government is determined to have an appeal to the Minister, and as I said last night there is

plenty of precedent for such a move. That being so, perhaps the Government ought to remove the alternative right of appeal to the Local Court. We have been told nothing about the experiences in respect of judicial appeals, and perhaps I would concede it is not an appropriate matter to go to the Local Court. Perhaps it would be appropriate to go to a higher court, but be that as it any, I suggest the Government could do well to have a single right of appeal to one tribunal. If it is intent on having people appeal to the Minister, it should remove the other avenue.

The Hon. PETER DOWDING: I rise because I have a minor disagreement in emphasis with the views expressed by the Hon. H. W. Olney. However, I wish to express my point of view for the record.

There are precedents for this Government's establishing dual systems of appeal—one a political line of appeal and the other a judicial line of appeal. There are precedents also for this Government to create situations where the final decision rests with a political arbiter and then pressure groups in the community, for whom this Government finds favour, can utilise the sort of sycophantic way in which this Government acts.

In fact, I think the town planning appeal provisions would have to be the classic case in issue. Why on earth any developer would ever bother going to have his case determined by the tribunal when he knows there is a 90 per cent chance of the Minister being prepared to override the views of the local authority is beyond me. Yet it appears that Mr Malcolm, sitting on the tribunal, does have some things to do.

In this case, as the Hon. Howard Olney has pointed out, the Minister has been unable to supply us with information about the use to which section 45 appeals have been put, and the number of appeals which have either succeeded or failed. One would assume a responsible Government would have made an analysis of this situation before seeking to amend the legislation.

The Hon. D. J. Wordsworth: Why can you not assume the Government has made such an analysis?

The Hon. PETER DOWDING: Can the Minister tell us the result of that analysis? The Minister is saying it is wrong to make such an assumption. However, he moved the second reading of this Bill and heard what the Hon. Howard Olney said and as he was not prepared to get to his feet to tell this House whether or not an analysis had been made and—if an analysis had been made—what were the reasons for this amendment. I believe a member is entitled to assume that either the Minister does not know or care, or has not been told. In either case, in my view it is worthy of some censure of the Government.

The point the Hon. Howard Olney made is a good one: Why leave open two avenues of appeal? What are the criteria for the choice? Certainly, I disagree with having the Local Court as the arbitrator for the provisions of the Clean Air Act; however, that is a decision which has been made. Surely to leave it on the books that a person can seek either a political or a judicial solution will encourage people who are prepared to act in a sycophantic manner to seek a political solution and those people who do not have any access to the political joys and lollies handed out by the Liberal Party to seek a judicial solution.

The Hon. P. G. Pendal: What a lot of rubbish!

The Hon. PETER DOWDING: It is not a lot of rubbish.

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): Order! I warn all members that I will not tolerate interjections. The member is entitled to be heard in silence, and I will not tolerate interjections.

The Hon. PETER DOWDING: For any member, orderly or disorderly, to suggest it is ridiculous to criticise an amendment to this Act which creates two avenues of appeal without any stated criteria for the choice of one or the other avenue is a mark of that member's inability to read or his inability to cope, or his preparedness to say anything at any time, whatever the truth of it.

Whether or not the Minister likes what I say, he has not told us why the amendment has been introduced, nor has he justified it or explained its purpose.

The Hon. D. J. Wordsworth: Yes I have. It is a pity you were not here. I explained it in my second reading speech.

The Hon. PETER DOWDING: I suggest to the Minister that he has not explained it. When a person is seeking to overturn a decision already made by a local council, what are the criteria governing his selection of an avenue of appeal? What prompts him to choose a political rather than a judicial solution to his problem? If he thinks he can persuade the Minister, or if he has good contacts in the party, or is prepared to make a large donation to the party, no doubt he would seek a political solution; if he cannot donate money to the Liberal Party, or if he has no political contacts, no doubt he would seek a judicial solution. What are the criteria under section 45?

The Hon. D. J. WORDSWORTH: I object to the honourable member's assumption that the responsible Minister has not looked at this matter simply because he has not written down in his second reading speech how many appeals there have been. I am not in a position to say how many there have been, but the Hon. Peter Dowding cannot assume the matter has not been considered. It is quite usual in such legislation to provide an alternative avenue of appeal, and I cannot see anything wrong with that principle. As the honourable member himself pointed out, an alternative is provided in the Town Planning and Development Act. Perhaps, judging by the fees the Hon. Peter Dowding charges, an appellant might think he would obtain better value by an appeal to the Minister.

Clause put and passed.

Clauses 24 to 26 put and passed.

Clause 27: Section 53 amended—

The Hon. H. W. OLNEY: Members may recall that last night I referred to the following passage in the Minister's second reading speech—

> It is proposed that the council be given the power to exempt any person, premises or firm from compliance with the regulation where it is considered appropriate.

I asked where in the Bill I might find that provision and tonight I received the answer that it is contained in clause 27.

Clause 27 seeks to amend section 53 of the principal Act, which relates to the ordinary, regulation-making power which is contained in practically every Act of this type; it gives the Governor power to make regulations for the purpose of giving effect to the Act. Section 53 of the Clean Air Act, in part, states—

> and in particular make regulations for or with respect to—

There follows a whole catalogue of circumstances which justify the making of regulations.

The amendment contained in clause 27, to which the Minister referred tonight, is an additional head of regulation-making power. Section 53, as amended, will now read—

> 53. (1) The Governor may make such regulations as he deems necessary for giving effect to this Act and in particular make regulations for or with respect to— . . .
>
> (h) impose upon any person or class of person a discretionary authority.

Apart from being grammatically incorrect—I suggest the word "impose" should be "imposing"—the head of power simply relates to the granting of a discretionary authority to a person or class of persons. It has nothing to do with a smelter at Kalgoorlie or Mukinbudin, where it is considered unnecessary for strict compliance with the provisions of the Clean Air Act because of the locality in which it is situated.

I note from *Hansard* that the Minister for Local Government became very excited that someone remembered Bunbury would be becoming an industrial area to which it was hoped the provisions of this legislation would not apply strictly. I would dispute the validity of the thought that this regulation-making power will give the council the authority to exempt all industries or the occupiers of particular premises from compliance with the Act. I am not arguing against giving the council that authority, but I would point out that all this amendment will do is to give the Governor power to make regulations to impose upon a person a discretionary authority. Although that may have been the intention of proposed paragraph (h), it does not appear to achieve the end the Government hoped it might.

Once again, I point out that in the last five years there has been only one successful prosecution of a breach of the Act and no successful prosecutions for breaches of the regulations. One wonders whether anything has been done which will remedy that situation.

Clause put and passed.

Clause 28 put and passed.

Title—

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): I must report to members there is a typographical error in the title in that the word "amend" is incorrectly printed with a capital "A". I have instructed the Clerks to amend the title accordingly.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

TRANSPORT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

BILLS (2): RETURNED

1. Juries Amendment Bill.
2. City of Perth Endowment Lands Amendment Bill.

Bills returned from the Assembly without amendment.

House adjourned at 5.59 p.m.

QUESTIONS ON NOTICE

WORKERS' COMPENSATION BILL

Regulations and Conciliation Guidelines

254. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Labour and Industry:

(1) In the proposed changes to the Workers' Compensation Act, will the new commission appoint a senior person as the conciliator?

(2) Will regulations and guidelines be published for the processes of conciliation?

(3) How long after the passage of the Bill through both Houses of Parliament will the regulations be available for perusal, and will comment be sought prior to approval and gazettal?

The Hon. G. E. MASTERS replied:

(1) to (3) One of the functions of the workers' assistance commission is to co-ordinate arrangements for workers suffering injury in respect of which compensation may be payable. Clause 112 of the Workers' Compensation Bill 1981 states that the manager shall make all reasonable efforts to conciliate and bring parties to agreement where dispute has arisen concerning compensation claims. However, the commission can only explain rights and obligations and help in settlement. It is the function of the Workers' Compensation Board finally to resolve any unresolved dispute. There should not be any need to appoint a special conciliator in the office of the commissioner, as no doubt various senior officers should be capable of carrying out the conciliatory role. No regulations in that respect should be required.

RAILWAYS

Burning-off

255. The Hon. W. M. PIESSE, to the Minister representing the Minister for Transport:

Regarding Westrail's policy for fire control of railway reserves to be implemented in July 1981—

(1) Has a final decision been made on the policy as yet?

(2) Will the final policy be available to members of Parliament before Parliament rises this session?

The Hon. D. J. WORDSWORTH replied:

(1) No.

(2) No. The present review is expected to be completed during June. Westrail will then submit its recommendations for consideration.

TRAFFIC ACCIDENTS

Council Avenue-Read Street Intersection

256. The Hon. NEIL McNEILL, to the Minister representing the Minister for Police and Traffic:

(1) How many accidents involving vehicles have occurred at the intersection of Read Street and Council Avenue, Rockingham, since the installation of traffic lights?

(2) How many of these accidents have involved vehicles turning right out of Read Street?

(3) What consideration, if any, has been given to the installation of arrows in the traffic lights to facilitate safe right hand turning, and particularly in view of the proximity of the Rockingham Park Shopping Centre, and the imminent operation of the new bus station?

The Hon. G. E. MASTERS replied:

(1) I am advised by the Minister for Police and Traffic as follows—Four recorded accidents.

(2) Nil.

(3) On present indications, there is no justification for a special right-turn phase in the traffic signals at this location.

EDUCATION: PRIMARY SCHOOLS

Mirrabooka and Millen

257. The Hon. R. HETHERINGTON, to the Minister representing the Minister for Education:

(1) Is it a fact that ceiling fans will be provided in the Mirrabooka primary school in the 1980-81 financial year?

(2) Are ceiling fans to be provided generally for schools in the metropolitan area?

(3) In view of the fact that temperatures reach in excess of 40°C in Millen Primary School classrooms for most of the summer, will ceiling fans be provided for that school?

(4) If so, when?

The Hon. D. J. WORDSWORTH replied:

I am advised as follows—

(1) and (2) No.

(3) and (4) The regional education office, which is responsible for the minor works involved, will be asked to investigate and take any necessary action.

258. *This question was postponed.*

FISHERIES

Facilities

259. The Hon. MARGARET McALEER, to the Minister for Fisheries and Wildlife:

Would the Minister advise me what money has been made available for the provision of fishing facilities in the years 1978-79, 1979-80, and 1980-81?

The Hon. G. E. MASTERS replied:

1978-79	$1 958 000
1979-80	$1 219 000
1980-81	$1 220 000.

EDUCATION: HIGH SCHOOLS

Utilisation: Report

260. The Hon. R. HETHERINGTON, to the Minister representing the Minister for Education:

(1) Was the Deputy Principal of Bentley Senior High School, (Mr W. James) seconded to the planning section of the Education Department?

(2) Did Mr James prepare a report on the utilisation of high schools?

(3) Did that report suggest that Como Senior High School should have first priority for closure and/or conversion to a senior college?

(4) Did a senior official of the department say recently at the Tuart Hill Senior High School that he could see no reason why Mr James' report could not be made available to interested parties?

(5) Is it the intention of the Minister for Education to make that report available to the public?

(6) Will the Minister table the report in this House?

The Hon. D. J. WORDSWORTH replied:

I am advised as follows—

(1) and (2) Yes.

(3) to (6) The document referred to was an attempt to identify metropolitan high schools whose enrolments were dropping significantly and to suggest ways of tackling the matter. Many schools were considered and a variety of proposals, including large scale bussing of pupils, were discussed. As a very few of the schools mentioned in the paper are ever likely to experience a change of role, public release of the document would achieve nothing more than create unnecessary anxiety and unreal controversy.

TRAFFIC

Belgravia Street

261. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

(1) Have there been any traffic counts conducted in Belgravia Street, Belmont, between Great Eastern Highway and Frederick Street, during the last three years?

(2) If there has, could the Minister please supply details of each count?

The Hon. D. J. WORDSWORTH replied:

(1) Yes, in December 1980.

(2) Average Monday to Sunday, 24 hours, total of 11 445 vehicles.

TRAFFIC

Pedestrian Crossing: Belgravia Street

262. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Police and Traffic:

(1) Has there been any survey conducted into the need for a children's guard-controlled crossing on Belgravia Street for children attending the Belmont Primary School since 10 July 1979?
(2) Has the principal of the school recently applied for a further examination of this requirement by the schools crossing committee?
(3) If so, on what date was it received?
(4) On what date will the next examination by the schools crossing committee take place?

The Hon. G. E. MASTERS replied:

(1) The Minister for Police and Traffic advises that two further surveys have been conducted since 10 July 1979—one in October 1979 and another in April 1981.
(2) Yes.
(3) 16 March 1981.
(4) A further survey is being conducted today—7 May 1981.

QUESTIONS WITHOUT NOTICE

SEWERAGE

Point Peron Outfall Pipe

95. The Hon. I. G. PRATT, to the Minister for Conservation and the Environment:

(1) Is the Minister aware of the statement which has been made to the Press and other media by the Opposition spokesman for conservation and environmental matters regarding the proposed sewerage effluent outfall pipe to the west of Point Peron?
(2) If he is aware of these statements, do they contain inaccuracies?
(3) If so, would the Minister correct those inaccuracies?

The Hon. G. E. MASTERS replied:

I thank the member for some notice of the question, the answer to which is as follows—

(1) Yes. I am aware of the Press and media statement and I have a copy with me now.

The Hon. Peter Dowding: Dorothy Dix!

The Hon. P. H. Lockyer: Just ignore him.

The Hon. G. E. MASTERS: To continue—

(2) I have read the statement and I would say again, yes, the Press statement does contain tremendous inaccuracies.
(3) I have issued a Press statement which points out a number of inaccuracies, but I would like to make some comments in reply to the honourable member in order to explain to him the nature of the inaccuracies and the fact that some of the comments should have been made differently. I should like to say the claims made by the MLA for Rockingham are contrary to the best professional advice—

The Hon. Peter Dowding: They are quite correct.

The Hon. G. E. MASTERS: They are contrary to the best professional and technical advice currently available to the Government. I am most concerned about the claim, which is apparently a deliberate attempt to mislead the public, that the shorter outfall pipe from Point Peron would save only $4 million. Such a claim, if I take a charitable attitude, must have been made in complete ignorance. The extra cost saving is, in fact, $34 million or $160 for each person in the metropolitan area paying sewerage rates.

A longer pipeline would involve a trench through five fathom bank, with considerable environmental damage to the reef structure and marine life on it. The outfall is for domestic sewage—all that currently flowing through Woodman Point—not Kwinana industrial effluent as Mr Barnett has claimed. The heavy metals content of that sewage is below World Health Organisation levels for potable drinking water. The Government is accepting the best advice available, including that of a Government technical liaison committee headed by Dr Graham Chittleborough.

Several members interjected.

The Hon. G. E. MASTERS: This committee draws together experts from the Metropolitan Water Board, and the Departments of Public Health,

Fremantle Port Authority, Fisheries and Wildlife, Resources Development, and Conservation and Environment. Mr Barnett's claim that the piped effluent would affect the area named in system 6 as a proposed marine reserve is rubbish.

The reserve proposal covers inshore reefs up to 1.5 kilometres from shore. The sewerage outfall will be four kilometres into the sea or more than 2.5 km away from the marine reserve. In the Press report, the member talks of five fathom bank as though it were a brick wall. It is called "five fathom bank", because there is 30 feet of water over it to contribute to the excellent dilution and dispersion which international consultants have plotted will take place.

The Hon. Peter Dowding: You don't care about the environment!

The Hon. R. J. L. Williams: Why don't you shut up?

The Hon. G. E. MASTERS: Mr Barnett obviously does not bother to read the answers to the parliamentary questions he asks.

Several members interjected.

The PRESIDENT: Order! If members want the practice of taking questions without notice to be discontinued, the Hon. Peter Dowding is going the right way about it. If he does not behave himself, further questions without notice will not be permitted in this House.

The Hon. P. H. Lockyer: Hear, hear!

The PRESIDENT: Order! If the Hon. Peter Dowding wishes to make comments about the President, I suggest he stand up and do so. He should not whisper in tones designed to endeavour to indicate that he is deceiving the President, because he is not. If he continues to carry on in the manner on which he appears to have set a course, his time in this House will be very unpleasant indeed.

The Hon. PETER DOWDING: Mr President—

The PRESIDENT: Order!

The Hon. PETER DOWDING: I thought you, Sir, were inviting me to speak.

The PRESIDENT: Order! I was not.

The Hon. C. E. MASTERS: There is one more point I should like to make in answer to the question asked by the Hon. Ian Pratt. I would say the member who is reported in *The West Australian* obviously does not bother to read the answers to the Parliamentary questions he asks or he would know the truth about CSBP's gypsum waste. The licence which permits the company to operate a disposal site has strict conditions which prevent environmental damage of any kind.

Those are some of the inaccuracies which appeared in the report in the newspapers. It is unfortunate, but I hope, for the benefit of members, I have corrected some of those statements.

The Hon. P. H. Lockyer: A very good answer!

The PRESIDENT: Order! The same situation applies to the honourable member who is making interjections from the front bench.

CONSERVATION AND THE ENVIRONMENT

Warnbro Sound

96. The Hon. D. K. DANS, to the Minister for Fisheries and Wildlife:

Is it a fact that the greatest threat to the sea grasses and marine creatures comes from treated sewage?

The Hon. G. E. MASTERS replied:

I would not think that is necessarily the case. When the Leader of the Opposition refers to "treated sewage", I am not sure whether he is talking about the material which comes out at Woodman Point—

The Hon. D. K. Dans: Yes, I am.

The Hon. G. E. MASTERS: Yes, it would definitely affect the sea grasses, but not to the extent that has been suggested by the spokesman in the other place.

SEWERAGE

Point Peron Outfall Pipe

97. The Hon. I. G. PRATT, to the Minister for Conservation and the Environment:

This question is supplementary to the one I have just asked. The Minister

stated in his answer that the advice to the Government was given by a group working with Dr Chittleborough and, giving suitable cognizance to the loud interjection from the Hon. Peter Dowding which undoubtedly was heard and noted by *Hansard* that Dr Chittleborough tells the truth, will the Minister confirm that the interjection was in fact an accurate statement?

The Hon. G. E. MASTERS replied:

In answer I shall repeat the answer I gave previously which was: That the best possible information was given to Mr Pratt and those people on the other side of the Chamber who refute the fact that those comments are incorrect.

CONSERVATION AND THE ENVIRONMENT

Warnbro Sound

98. The Hon. D. K. DANS, to the Minister for Fisheries and Wildlife:

(1) I assure the Minister that I am not worried about what a member said in another place. I simply ask the question: What effect would the treated sewage have on the sea grasses in Warnbro Sound as opposed to the sea grasses in Cockburn Sound?

(2) As the Government made a decision to use the cheaper method rather than take the pipeline right out to sea, is it based on a question of cost or is it based on the fact that the shorter pipeline of four kilometres will give exactly the same result; and if not, why not?

The Hon. G. E. MASTERS replied:

(1) I thank the member for his comments. I think he is trying to ask: Will the effluent affect the sea grasses in Warnbro Sound if the pipeline goes where it is proposed. My understanding and advice is that there would be very little, if any, effect because the people who have advised the Government have made careful consideration of the matter. They have taken into account the sea currents and winds and they believe there will be virtually no effect on the sea grasses in Warnbro Sound and the same applies to Cockburn Sound.

(2) With regard to the cost of the shorter pipeline, most certainly there is a large cost saving for the people of this State. The pipeline is four kilometres and runs off Point Peron. The saving is something like $34 million, but that is not the sole reason for the decision to adopt a shorter route. It was decided that it would be better environmentally, as well as cost-wise. The reason for opting for the shorter pipeline is that the environmental damage will be no more and no less than if a longer pipeline had been adopted. There is plenty of water circulation in the area where the outfall should be. The problem with a longer pipeline would be that there would be a need to go through the five-fathom bank and that would damage the environment to a greater extent.

The support and sanction received from the technical officers suggests that the four-kilometre pipeline will do the job adequately and there will be no damage to the fishlife in Warnbro and Cockburn Sounds. There is certainly a cost advantage and all things being equal it is our responsibility to choose the cheaper proposition.

CONSERVATION AND THE ENVIRONMENT

Warnbro Sound

99. The Hon. D. K. DANS, to the Minister for Fisheries and Wildlife.

(1) My question is supplementary to my previous one. Did I hear the Minister correctly when he said that the outfall of the treated sewage in Warnbro Sound would have very little or no effect on the sea grasses in the sound and that the same applied to Cockburn Sound?

(2) Everyone is aware that most of the sea grass in Cockburn Sound has been killed, as was envisaged prior to the plant being placed there and the discharge of treated sewage into the sound. Is the Minister aware of the significant effect it has had on the sea grasses in Cockburn Sound?

(3) The Minister has said that because of the study of the currents and the circulation of the water, it will not occur. Is the Minister aware that it has now been admitted that miscalculations

were made in those studies and that Cockburn Sound does not scour to the extent those studies indicated?

(4) Is it a possibility that those same miscalculations could apply to Warnbro Sound, having regard to the features similar in both sounds?

The Hon. G. E. MASTERS replied:

(1) to (4) I have here a small map and I will arrange for a copy for Mr Dans because in effect the disposal area we are talking about is not in Warnbro Sound; it is in the ocean.

The proposal is to take the outfall four kilometres through Point Peron and the disposal from that pipeline will not have any adverse effect on Warnbro Sound or Cockburn Sound.

The Hon. D. K. Dans: I am aware of that.

The Hon. G. E. MASTERS: The studies have been undertaken by international companies, as well as by our own people who are headed by Dr Graham Chittleborough, a recognised expert in this field. He has been responsible for the report on Cockburn Sound and has been appointed by the Government to continue his work and to advise the Government of the best possible way to carry out this work.

SEWERAGE

Point Peron Outfall Pipe

100. The Hon. I. G. PRATT, to the Minister for Fisheries and Wildlife:

Is it not a fact that one of the reasons given in the Chittleborough report for the option of taking the pipeline out into the Indian Ocean to dispose of effluent was that the Indian Ocean off Western Australia was nutrient deficient and that it was expected that there would be no problems with the releasing of high nutrients into the ocean?

The Hon. G. E. MASTERS replied:

That was contained in the original report and Mr Pratt is correct.

SEWERAGE

Point Peron Outfall Pipe

101. The Hon. D. K. DANS, to the Minister for Fisheries and Wildlife:

I believe that the comment of the Hon. I. G. Pratt was correct and was patently obvious.

Which of the two schemes would the Government's advisers ,recommend, irrespective of cost? In other words, given an open cheque, which scheme would the Government adopt?

The Hon. G. E. MASTERS replied:

I have already stated that the advice we have received is not just from the Department of Conservation and Environment. It has come also from the Department of Health and the Metropolitan Water Supply, Sewerage and Drainage Board, as well as others. We will accept their advice and at this moment, although they have advised us to use the short method they are still continuing with their studies. I have received an interim report and at this stage it seems quite satisfactory.