

SUPREME COURT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th April.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [2.58 p.m.]: We on this side of the House agree with the Bill in principle and detail. It is merely a machinery measure, and we hope it has a speedy passage through the Chamber.

The Hon. N. McNeill: Thank you.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

BUSINESS NAMES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 31st March.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [3.00 p.m.]: The Opposition agrees with this Bill in principle and in detail. I would, however, like to make a suggestion to the Minister and say that when he is moving the second reading of Bills of this nature it would be far better if he could give us more background in his second reading notes, instead of merely telling us that a certain course of action is being taken because this is what has been done in other States. It would be a far greater help if we could be given more background, particularly with Bills of this kind.

The Hon. N. McNeill: Could you give me some idea of the background you have in mind? We referred to the Standing Committee of Attorneys-General.

The Hon. D. K. DANS: That is one aspect, but I could let the Minister know privately what I have in mind.

I have already said that we support the Bill and I do not wish to delay its passage through the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

House adjourned at 3.04 p.m.

Legislative Assembly

Thursday, the 6th May, 1976

The SPEAKER (Mr Hutchinson) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): For the information of members I advise that questions will be taken at an appropriate time after the afternoon tea suspension.

STATE HOUSING ACT

Disallowance of Regulation 24A: Petition

MR B. T. BURKE (Balga) [2.17 p.m.]: I have a petition signed by 867 residents of Western Australia which reads as follows—

To—The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled:

We, the undersigned residents in the State of Western Australia do hereby with pray that Her Majesty's Government of Western Australia will not support the continuance of Regulation 24A of the Housing Act Regulations published in the *Government Gazette* No. 82 on the 12th December 1975 and as further amended by publication in the *Government Gazette* No. 6 on the 30th January 1976 and which contains the words—

"24A. An owner, mortgagor or lessee of any land, house or building that is subject to a mortgage, contract or sale or lease pursuant to the Act shall pay to the Commission a management fee of \$60 per annum by instalments of \$5.00 per month which are respectively due and payable on the first day of each month commencing on and as from the 1st February 1976".

Your petitioners view the imposition of this "so called" management fee as an immoral charge of which kind there is no parallel, known to us, imposed by any Housing Act law of any other State in Australia.

Your petitioners therefore humbly pray that your honourable House will give this matter earnest consideration and your petitioners as in duty bound will ever pray.

The petition conforms to the Standing Orders of the Legislative Assembly, and I have certified accordingly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

The petition was tabled (see paper No. 212).

LAND AT KALAMUNDA*Reservation for Public Use: Petition*

MR THOMPSON (Kalamunda) [2.18 p.m.]: I have a petition as follows—

The Hon. Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled:

We the undersigned residents in the State of Western Australia do hereby pray that Her Majesty's Government of Western Australia will refrain from subdividing and releasing for residential development all that Crown land immediately to the north of Reserve No. 18718 and bounded by East Terrace and Kalamunda Road in the township of Kalamunda and to preserve the same for the public utility convenience and enjoyment of present and future generations.

Your petitioners thereby humbly pray that your honourable House will give this matter earnest consideration and your petitioners as in duty bound will every pray.

The petition contains 855 signatures, and I certify that it conforms with the rules of the House. I have signed accordingly.

The **SPEAKER**: I direct that the petition be brought to the Table of the House.

The petition was tabled (see paper No. 211).

AGRICULTURE AND RELATED RESOURCES PROTECTION BILL*Personal Explanation*

MR OLD (Katanning—Minister for Agriculture) [2.19 p.m.]: I seek leave of the House to make a personal explanation regarding a typographical error in the second reading speech notes on the Agriculture and Related Resources Protection Bill.

The **SPEAKER**: The Minister for Agriculture seeks leave to make a personal explanation regarding a typographical error in the introductory speech to a Bill he introduced.

I think all members are aware that if there is a dissentient voice he will not be able to make the explanation. Is there a dissentient voice? As there is no dissentient voice, leave is granted.

Mr OLD: The correction concerns the section dealing with the validity of the actions of the authority, procedures at meetings, and records of proceedings. In the reference to voting power the notes on the Bill read—

It is important to note that members only will have a deliberative vote at meetings and the chairman, who is an APB officer, will have a vote.

The notes should read—

... the chairman, who is an APB officer, will not have a vote.

BILLS (6) INTRODUCTION AND FIRST READING

1. Liquor Act Amendment Bill.

Bill introduced, on motion by Mr O'Neill (Minister for Works), and read a first time.

2. Dog Bill.

3. Local Government Act Amendment Bill (No. 3).

4. Alsatian Dog Act Repeal Bill.

Bills introduced, on motions by Mr Rushton (Minister for Local Government), and read a first time.

5. Building Societies Bill.

Bill introduced, on motion by Mr P. V. Jones (Minister for Housing), and read a first time.

6. East Perth Cemeteries Act Amendment Bill.

Bill introduced, on motion by Mr P. V. Jones (Minister for Conservation and the Environment), and read a first time.

LAND TAX ASSESSMENT BILL*Third Reading*

SIR CHARLES COURT (Nedlands—Treasurer) [2.26 p.m.]: I move—

That the Bill be now read a third time.

In doing so, I want to advise the House that I have received a number of requests in regard to tabulation of the points made in debate during the second reading and Committee stages about the method of interpreting clause 22, relating to exemptions and the commissioner's discretionary powers, including appeals to the Treasurer, and clause 38, relating to deferment of tax by the commissioner in special cases.

I have therefore arranged for a short document to be prepared by the commissioner which will be available to members as a ready reference instead of their having to go through *Hansard* to pick up the points, which is not easy to do. When the document has been prepared I will eventually approve it myself and table it both here and in another place as quickly as possible, hopefully on Tuesday next.

Question put and passed.

Bill read a third time and transmitted to the Council.

FACTORIES AND SHOPS ACT AMENDMENT BILL*Second Reading*

MR GRAYDEN (South Perth—Minister for Labour and Industry) [2.29 p.m.]: I move—

That the Bill be now read a second time.

This is a Bill to amend the Factories and Shops Act, the main purpose being to alter the week-day ordinary trading hours in petrol stations so that they can close at 6.00 p.m. on Monday to Friday instead of 7.00 p.m. as at present. This will be on a trial basis for 12 months and should it provide inadequate service to the public a reversion to the present hours would be considered. However an increase in the number of roster stations operating outside normal hours may help to alleviate the situation without undue inconvenience to the motorist.

Petrol buying patterns have shown some change in the metropolitan area and operators are now finding it uneconomic to open between 6.00 p.m. and 7.00 p.m. on week days, particularly as that hour involves overtime rates of pay. The WA Automobile Chamber of Commerce made strong representations on behalf of its members for the change to be made. Although this Government is keen to see flexibility and extension in general trading hours, it would be ludicrous to force service stations to remain open during a period in which very little petrol is sold. Roster stations will take up the difference as they will come on roster at 6.00 p.m. instead of 7.00 p.m. as at present. As the current rosters do not expire until the 18th July, 1976, it is intended to introduce the altered times from the 19th July, 1976.

Clause 5 of the Bill will amend section 92 of the Act to make the change and in addition it will provide in future for the Minister to publish notice in the *Government Gazette* of details of the rosters. This will relieve the Governor-in-Executive-Council of the necessity of having to deal with those arrangements, the formal procedures of which are time consuming, whereas it can be expeditiously and appropriately handled at ministerial level.

Sections 6 and 7 of the Act will be amended by clauses 3 and 4 respectively to overcome a situation in the Act which makes it impossible for the Minister to vary or revoke an exemption granted for a trade fair to be conducted out of normal hours. Quite a few exemptions are granted during the year for this purpose. However, in one case exemption was granted in December, 1975, for a trade fair at the Claremont show grounds to commence on the 21st May, 1976. Certain conditions were attached to the exemption. The organisers now find a need to vary the conditions which are acceptable to me, but legal advice received shows that the Act is so rigid it precludes me from varying the conditions. The amendment is designed to allow the situation to be corrected and clause 2 will provide that the change will take effect as soon as the amending Bill is assented to, if passed by Parliament.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Skidmore.

COMPANIES (CO-OPERATIVE) ACT AMENDMENT BILL

Second Reading

MR O'NEIL (East Melville—Minister for Works) [2.32 p.m.]: I move—

That the Bill be now read a second time.

Although the Companies Act, 1943, was repealed in 1961, the provisions of that Act relating to co-operative companies remained in force.

Section 382 of the Companies Act, 1961-1975, states that upon the commencement of this Act the provisions of the repealed Act shall continue to apply to co-operative companies or proposed co-operative companies to the same extent as those provisions applied before the commencement of this Act and as though this Act had not been enacted, and the repealed Act may be cited as the Companies (Co-operative) Act, 1943-1959.

Members will be aware that several amendments have been made to the Companies Act, 1961-1975, to protect the investing public, but none of them has been applied to the companies incorporated since 1962 under the Companies (Co-operative) Act or to co-operative companies still governed by that Act which were incorporated before 1962.

The purpose of the Bill now before the House is threefold.

Firstly, it is to enable the registrar, now the Commissioner for Corporate Affairs, to refuse to register or accept a prospectus seeking funds from the public if the prospectus discloses or intimates that all or any of the moneys raised would be used for carrying on business of a building society nature.

Although the Building Societies Act prohibits the formation or incorporation of a company for such objects except under the Building Societies Act, on two occasions companies have obtained incorporation under the Companies (Co-operative) Act for the purpose of carrying on a business having these objects.

The documents lodged to obtain incorporation of those companies were typical of an investment company, and it was not until the directors of one of the companies concerned attempted to register a prospectus that the Commissioner for Corporate Affairs was in a position to see that the company did, in fact, intend to carry on business as a building society.

At that stage the company's solicitors argued that there was no provision in either the Building Societies Act or the Companies (Co-operative) Act which entitled the commissioner to refuse to accept the prospectus simply because the company intended to carry on such a business. It is proposed to rectify that situation.

In addition, it is intended to extend to prospectuses issued by co-operative companies a provision which has appeared in the Companies Act, 1961-1975, in one form or another, since the coming into operation of that legislation.

This provision prohibits the commissioner from accepting any prospectus if he is of the opinion that it contains any statement or matter that is misleading in the form or context in which it is included.

This new provision will require co-operative companies to meet the same standards other companies have to satisfy in relation to misleading statements in prospectuses issued by them.

In the absence of such a provision in the Companies (Co-operative) Act, promoters of co-operative companies cannot be compelled to delete or amend a statement in a prospectus which is misleading or likely to mislead the public. Secondly, it is to ensure that no company, society, or association shall be registered with the word "co-operative" in its title unless the written consent of the Minister has been obtained.

The purpose of this amendment is to enable greater control to be exercised over the companies which seek to obtain the benefits of incorporation under the principal Act, bearing in mind that the obligations imposed on such companies and their directors, and the offence provisions of the principal Act, are very much less than those now contained in the Companies Act, 1961-1975. Incorporation under the Companies (Co-operative) Act ought to be restricted to what might be termed "genuine" co-operatives, rather than allowing a company to avoid the more stringent controls contained in the uniform companies legislation simply by using the word "co-operative" in its name, and complying with the other requirements set out in the Companies (Co-operative) Act.

This new section may also help to avoid a situation to which I have already referred; namely, the difficulty of finding after the event, by reference to a prospectus and so on, that a company has been incorporated under the Companies (Co-operative) Act in contravention of the Building Societies Act.

Thirdly, the Bill seeks to insert in the principal Act a new section which will empower the Commissioner for Corporate Affairs to destroy documents lodged under the Act after a reasonable period. The new section will empower him to destroy annual returns or balance sheets after seven years; other documents—excluding those relating to the memorandum or articles of a company—not still required after 15 years; and documents of defunct companies after 15 years.

I commend the Bill to members.

Debate adjourned, on motion by Mr Bertram.

THE CONFEDERATION OF WESTERN AUSTRALIAN INDUSTRY (INCORPORATED) BILL

Second Reading

MR O'NEIL (East Melville—Minister for Works) [2.38 p.m.]: I move—

That the Bill be now read a second time.

The Western Australian Employers' Federation (Incorporated) became the Confederation of Western Australian Industry (Incorporated) in October last year, and the Western Australian Chamber of Manufactures (Incorporated) is currently in the process of amalgamating with that body.

As both these groups had statutory representation on certain other bodies, the purpose of this Bill is to maintain the same number of representatives, but under the name of the confederation.

The Bill has been drafted so that if it becomes an Act, it shall come into operation on a date to be fixed by proclamation.

This is at the request of the parties, and for the reason that the Western Australian Chamber of Manufactures has yet to be formally dissolved.

The Confederation of Western Australian Industry, and the Western Australian Chamber of Manufactures have taken an active part in the preparation of the legislation, and are in full agreement with its terms.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

EDUCATION ACT AMENDMENT BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

NATIONAL PARKS AUTHORITY BILL

Second Reading

Debate resumed from the 1st April.

MR A. R. TONKIN (Morley) [2.40 p.m.]:

Mr Speaker, the Opposition is very concerned that the natural beauty of our State should be preserved and protected to a much greater extent than hitherto. The Opposition is also concerned that the fauna of our State should be more adequately protected. Of course, we realise that that is a tremendous job to do in a State such as Western Australia because of its sheer physical size and sparsity of population. We believe in a greater protection of the flora of this State, which is unique and has long been considered to be a glory of Western Australia. Indeed, perhaps we are better known for that than for almost any other feature.

We believe in protecting the genetic diversity of the State because from that great bank the present has evolved and from such a bank the future will evolve. Genetic diversity leads to greater health. We realise that one of the great problems associated with agriculture is the pest problem. This occurs particularly in a monoculture where there are few plants and perhaps only one main species. So genetic diversity is a very important aspect and national parks are one way of protecting genetic diversity rather than levelling the wilderness and turning it over to some form of monoculture such as an agricultural crop.

We believe that the future population of Western Australia, which will be greater than it is today and will have a greater amount of leisure than it does today, should have an adequate amount of recreation. We see the national parks as a way in which various kinds of recreation can be provided.

We believe in scientific research and areas of this kind can be very useful for all types of scientific research. I want to emphasise at the outset that we are very much in favour of a better looking after of our national parks and a better presentation of certain national parks. Of course, some national parks are not "presented" in the crude sense of that word but are largely wilderness areas. We are concerned that more areas should be reserved and it is for this reason alone—our desire for a better quality of national park and national park management—that we view the present Bill with dismay.

This Bill contains some of the shoddiest drafting one could see. We believe the Government should withdraw this Bill, look at it again and do a decent job commensurate with the importance of the subject. This Government has had more than two years to look at this matter; it has had a report from a review committee established by the Hon. H. D. Evans when he was Minister for Lands; and it has had more than two years to draft the Bill. That indicates something very wrong with the Government, or a section of it, because, as I shall point out, there are very serious deficiencies.

I say that because I have examined very closely comparative Acts in every other Australian State and for the Commonwealth of Australia. So I am not saying this just from my own views, but from a comparison with some very good Acts. I shall cite two Acts from the Liberal Governments of Victoria and New South Wales which I think the Government could have looked at more closely.

Before I go on to the shoddy drafting and the reason I believe this Bill should be withdrawn, I should like just to pose an alternative way in which the Bill could have been approached, without being dogmatic and without saying that the alternative approach is necessarily superior.

When we see practically every other State and the Commonwealth pursuing a certain line, I think we need very good reasons that we should go in the opposite direction and not follow suit. In the legislation in Victoria, New South Wales, South Australia, Tasmania, and for the Commonwealth of Australia there is a director and not an authority, as laid down in this Bill. It is really a greater score than that because in the only other State concerned, Queensland, national parks are controlled by the Forests Commission, so that State does not have a national parks service at all.

Really I am saying that every State and the Commonwealth have decided to have a director in charge and not a board, but I am not saying that, because of that, we are wrong in doing it this way. I am saying that the Government, in departing from what all the other States have embraced, should have given cogent reasons that we are not following suit. Those reasons have not been forthcoming from the Government.

In each of the States and the Commonwealth the director has an advisory council to advise him. That is one big difference between this Bill and the Acts in the other States and in the Commonwealth. That does not prove that we are wrong. I certainly would not want to see us slavishly follow the other States, which we often do, but the Opposition wants to know why we should depart from what every other State is doing. The other States have abandoned the system that is adopted in this Bill. I want to know why we are sure that an authority is better. Later I shall look at the composition of the authority itself which I believe leaves a lot to be desired, even if we decide to have an authority.

Another major difference between this Bill and the Acts in the Eastern States is that we have a national parks service whereas under the New South Wales, Tasmanian, South Australian and Australian legislation there is a national parks and wildlife service. Once again, I am not saying that that makes it right. Indeed, in this case, in contradistinction to the previous one I mentioned, reasons have been given in the review committee's comments as to why national parks and a wildlife service should go together. I have not had time really to look at the document very thoroughly, but I understand the argument is that the Department of Fisheries and Wildlife and the Wildlife Authority have recently been established, and very strongly established, and are doing an extremely good job. Therefore there is no need to upset the applecart, as it were, by throwing the whole matter into the melting pot and starting again from scratch.

That may be a reasonable argument. I have an open mind on the question, but I would make the comment that it is very

difficult to separate wildlife from its habitat. In a sense this Bill is doing that because much of the wildlife in the State will be in national parks and many of the national parks will contain wildlife which is dependent upon its habitat.

I just point out those two differences between our legislation and the legislation in the Eastern States. I believe we should consider whether we are doing the right thing or whether in the light of experience in the east and the experience we will gain here in a few years' time we will decide to scrap this concept and have a combined national parks and wildlife service with a director and an advisory committee rather than an authority.

The authority is to have nine members. A president will be appointed by the Government. The Conservator of Forests is to be a member as are also the Director of Fisheries and Wildlife, the Director of the Department of Tourism, the Surveyor-General, and others.

I want to query whether heads of departments who are on innumerable committees and are responsible for a department and answerable to a Minister should be on such an authority. We are to have these four extremely busy men who will be able to give only part-time consideration to their duties on the authority. I do not say that in derogation of those men, but most senior civil servants would agree that such officers serve on far too many committees although this will not be a committee, but an authority. It will be the controlling body and I am not sure that these four busy men should be on it.

The Bill contains a curious anomaly. The authority will have on it the Conservator of Forests and the Director of Fisheries and Wildlife. They seem fairly logical appointees. Also on the authority will be the Director of the Department of Tourism, a less logical appointment to some extent. I consider that the appointment of the Surveyor-General is not logical at all, although I suppose there will be technical aspects involved in the surveying of national parks. Nevertheless, those four men are to be on the authority, but the director, who is in charge of the department and is the permanent head of that department, will not be on the authority. Why should the director not have a vote? He will attend the meetings of the authority of course and will speak there, but he will not be able to vote. Why should he be excluded in this way? After all he is probably the most senior person in this State with a professional knowledge of national parks, and yet he is to be excluded from voting. That seems to me to be a strange anomaly.

There is the argument of course that on a board of this nature one should not have civil servants at all, but that they should merely tender their professional

advice when it is needed. It is found that on many authorities and boards the civil servants are far too much of a match for the part-time people; that is, a farmer perhaps, or a shire councillor. What really happens is that the bureaucrats on the authority or board really control it and the part-time members who do not have the expertise or perhaps time and are certainly not serviced by a department find it very difficult to match them and so the control is exercised by two or three bureaucrats.

So the argument is often advanced—and I think it has some strength—that the experts should be available to provide technical reports and for consultation at board or authority meetings, but that they should not be members of the boards or authorities.

However, if an authority is to have four bureaucrats on it, as is the case with the one under discussion, how is it that the director, who would know more about the whole subject than anyone else, is not a member?

We have serious reservations about the authority so far. The next member I wish to discuss is the representative of primary industry. The Bill does not say that the appointee will be someone from primary industry, but someone with primary industry experience. What special interest does primary industry have in national parks? The obvious one is that many national parks are in farming country. It is also true to say the city dweller has a special interest because he goes to national parks for recreation. He goes to a national park when he wants to escape on holiday, when on long service leave, and so on. In that case why should there be a representative of primary industry and not a representative of city industry, such as a person from the Federation of Labour or the TLC?

Also on the authority will be a representative of local government. If we are to have an authority I think such a member would be desirable. But then we are to have two people chosen by the Minister who have a knowledge or experience of conservation. That is in the Minister's opinion. It means that the Minister can choose any two people out of the approximately one million inhabitants we have in Western Australia. This is most undesirable.

When the Tonkin Government introduced the legislation to establish the Conservation and Environment Council it was intended that there should be representation of conservation interests. However, appointments are made to that council without any consultation with the environmental movement. They do not represent any environmental body and therefore do not report back to one. Therefore there is a tremendous breakdown in representation between the members purporting to

represent the environmentalists and the environmentalists they purport to represent. The members are not delegates from the environmentalists and are not chosen by them and therefore they do not report back to them.

It could be that one representative will be a woman who at one time wrote a letter to the newspaper on conservation matters.

We agree with the provision in the Victorian Act. As recently as 1975 the Hamer Government indicated that there should be representation from the Conservation Council of Victoria, and that council submits a panel of three names from which one is chosen by the Minister so the person appointed to represent conservation interests in Victoria has actually been nominated by the Conservation Council of that State. He is a member of that body and reports back to it so that there is communication between it and the Victorian organisation. If it is felt in Victoria that the National Parks and Wildlife Service is not operating very well, the environmental movement has a voice on the advisory council to the director of that service. Also in Victoria a representative is chosen by the Minister from a panel of three names submitted by the National Parks Association of Victoria. Once again the Minister is choosing a person from three whose names have been chosen by that association.

We do not have such an association in Western Australia, but we do have similar bodies. National parks associations would not represent the average mum and dad who drive to the Stirlings, for instance, once a year, but represent more the bush-walking types who go camping at Easter, and so on. This being so, the Youth Hostels Association of Western Australia would be an appropriate body to submit names of suitable people to be appointed to the authority.

An alternative is the Community Recreation Council, which is responsible for recreational interests in Western Australia, such as football clubs, bush-walking clubs, scouts, and so on. Perhaps that council should be represented since we do not have a national parks association in Western Australia.

We take very seriously what the Government gives only lip service to; that is, consultation with environmental groups. I do not believe the Minister for Conservation and the Environment should appoint to a body someone purporting to represent environmental interests without consulting those environmental interests. He would not dare take the same action with regard to farmers without consulting their representative body. However, in the case of environmental groups there will be no official representative. I believe those involved in the environment are very upset, as they have a right to be.

Sir Charles Court: Have they made representations to the Minister about the contents of the Bill?

Mr A. R. TONKIN: In answer to the Premier, I do not know. I really was referring to the Environmental Protection Act and whether those who will represent the environment will represent environmental interests. Last year the Minister indicated that he had not consulted environmental groups in making appointments, and I am suggesting there should be consultation.

Under the provisions of the Victorian Act a teacher of biology, or earth sciences, is appointed. I think a professor or a teacher of biology or earth sciences should be a representative. He would have a considerable knowledge of and ability in these matters, and he should be on the advisory committee or, in this case, on the proposed authority. I believe the Government agrees with that principle because the Environmental Protection Act was changed to include a representative of tertiary institutions.

In Victoria the Act also provides for a representative of municipal organisations. The proposal in the Bill before us sets out that the person to be appointed, in that particular capacity, shall have experience in local government. I suppose that anyone who pays local government rates, or who even uses a road, is associated with local government. A panel of three names should be presented to the Minister and he should select the person to represent local government. I do not know why Governments do not seem to go the whole hog and allow the local governing bodies to elect their own representative. But it seems that a person selected in that manner could be unacceptable to the Government so selection is often from a panel of three names. So much for the authority.

I do not understand why the director should not be given membership and a vote on the authority when so many other people, with far less expertise, will have that power.

The Bill has some very serious omissions. I have already indicated that I thought the Bill was remiss and quite shoddy. I believe there should be references in the Bill to section 300 of the Local Government Act, which reads—

300. A council has the care, control and management of public places, streets, ways, bridges, culverts, fords, ferries, jetties, and drains, which are within the district, or, which although not within the district, are by this Act placed under the care, control and management, of the council, or are to be regarded as being within the district, except where and to the extent that under an Act, another authority has that care, control, and management.

That section sets out that a council has the care, control, etc. of roads in an area unless there is a specific reference in another Act taking that care and control away from the council. There should be a specific reference in the Bill now before us so that the care and control of roads will be the responsibility of the national parks authority. I consider the authority should have control over the roads which pass through its parks. This has been a matter of grave concern to the present National Parks Board and it will also be of concern to the proposed new authority if this Bill is proceeded with.

Recently the Premier opened the new Brand Highway and he would realise that the construction of a road through a park very often determines the fate of a very fragile ecological system. The location of roads has an important bearing on bush-fire control, accessibility for picnickers, and a very important bearing on fauna. Surely the proposed authority should have control over the roads in its areas. Of course, the authority may want to have easy access to a park and the construction of a road would be fair enough in that case. However, under a management plan the authority may not want the park to have such access ways and in such a case the whole nature and preservation of the park concerned could be jeopardised.

I suggest the Minister should have close consultation with the people dealing with the administration of the authority because the omission to which I have just referred will make proper management and care of our parks very difficult. I urge the Minister to look into that omission for the sake of our national parks.

Section 27 of the Victorian Act provides that the local governing authority has to have permission from the director before it can construct a road. The provision is clearly set out in the Victorian Act so that the director has proper control over parks.

Another serious omission from the Bill is that it does not indicate the manner in which alleged offences shall be notified to offenders. As a consequence, it is not clear at all that an offender will be able to be prosecuted under the provisions of this Bill if it becomes an Act.

By way of example I turn once again, by coincidence, to the Local Government Act. It was found by the Tonkin Government in 1972 that the Local Government Act was deficient because it did not spell out the means by which an infringement notice should be presented.

If members look at section 665B of the Local Government Act they will find it states the infringement notice must be identified by a serial number, it must identify the person to whom it is given by his name and place of abode, it must state in general terms the offence the person has been found committing, the alleged

offender must be informed that he can pay an on-the-spot fine or go to court, and so on. That is a detailed prescription in the Local Government Act.

I am not saying that is the way the matter should be dealt with in this legislation. With the limited amount of research assistance available to Opposition members it is not always possible actually to draft a provision, nor should it be necessary for them to do so when the Government has resources at its disposal. I am not saying we should copy that section of the Local Government Act but I am saying that kind of provision, with appropriate changes, could be incorporated in this legislation because we will have the situation where people commit an offence and the court does not uphold an action because of this omission. This legislation will not get by with such an omission any more than any other Act would get by.

I would like to make a plea for the rangers. Because of this omission from the Bill they will be powerless, as they are now, to a large extent. At various times the Government has indicated its concern that protection be given to the Police Force. It has been pointed out that the police have a very onerous task and are sometimes hundreds of miles from Perth, working under great stress.

The rangers are even less protected than the police. They do not have any of the powers the police have. They could be at Stirling Range, Cape Arid, or Hamersley National Park, and they need to be given the tools so that the parks can be protected. We take the matter of protection of the parks very seriously and, with the use of the motor vehicle today, it is very easy for undesirable types—louts and larrikins—to go into national parks and create a nuisance. If we do not give rangers power to deal with them we are placing an unfair burden on them, and they are a sincere and dedicated group of people. Not only that, but we will also prevent the carrying out of the very purpose for which this Bill has been brought into Parliament; namely, the protection of our national parks.

A third major omission from the Bill is the lack of provision for advisory committees. The Opposition believes in consultation with and participation of the public. Let us take, for example, the Stirling National Park, which is surrounded by farmland. I know many of those farmers, having climbed every peak in the Stirling Range. The farmers in the area are very co-operative and very proud and jealous of the beauty and quality of the Stirling National Park. Why should their views on the way in which the park should be managed be ignored? Why should there not be consultation with those people by way of an advisory committee?

I mention in passing that section 14 of the Victorian Act and section 11 of the New South Wales Act make provision for advisory committees. There are similar provisions in other Acts but I have not had time to jot down the references.

There should be consultation, and this is a serious omission. One of the problems with national parks is that they are remote from civilisation and people who want to vandalise them can go undetected. We need as many people as possible to look after the parks. It is very unsatisfactory to have only one ranger in a huge area covering perhaps 300 000 or 400 000 hectares.

If we can get some local people on side to take a pride and interest in their national parks we will have a larger number of people who are concerned to ensure that vandalism and damage do not occur. One way to encourage them to take an interest is to listen to and respect their views. It is of no use saying, "When the director is down there he will probably pop into a farmhouse and ask how things are going." The matter should be formalised with the establishment of an advisory committee to whose views the director or someone else in authority will listen.

The Bill provides for management plans, but a State as diverse as Western Australia and covering one million square miles—I believe it is larger than Europe—must have very diverse management plans for very diverse eco-systems. Local knowledge and expertise exist and should be tapped. One way to ensure a local management plan is consistent with local needs and problems is to set up a local advisory committee which would meet and comment on a management plan. This is an important point which the Government should not ignore.

When we are talking about management plans, not only should there be consultation with a local advisory committee but there should also be full public participation. Not only do we believe that one way to ensure the management plans are in conformity with local problems and needs is to encourage the local public to take an interest and pride in protecting the park, but we also believe in the principle of the right of the public to participate and have some say in what happens to national parks in their area or national parks, generally.

I draw attention to the procedure in relation to management plans which is laid down in the Australian legislation. First of all, there must be a public notice of the intent. Secondly, the director indicates that a management plan will be drawn up and representations can be made to him. Thirdly, the notice indicates the matters to be considered, and the Act specifies the kinds of matters which should be considered in a management plan.

Fourthly, there is a public notice to say that a plan of management has been prepared, it is available for comment, and it is possible to look at it. Then anyone may make representation to the director with respect to that management plan. So then we would have an interest by the local population and I believe local populations throughout Western Australia would be interested in making such representation. Of course, the plan must be made available for public inspection; the director then submits the plan to the Minister; the Minister may accept the plan or he may refer it back to the director; and eventually the plan is laid before both Houses of the Parliament and disallowance of the plan is possible. So there we would have public participation, to which the Premier gave lip service in his policy speech but which we have not seen to a great extent so far. We believe there should be public participation as of right, as not all wisdom resides in the Government. The arrogance of the Premier towards Joe Blow is well known.

Mr Barnett: Hear, hear!

Mr A. R. TONKIN: It is not lost upon the public when there is no provision in a Bill such as this for public participation. We believe there should be such a plan. I mention in passing that in New South Wales the revocation of all national and State parks, as well as historical sites must be by Act of Parliament. I wonder whether we should amend our Land Act so that revocation of all reserves must be achieved by Act of Parliament and not just revocation of Class "A" reserves. There is no provision in this Bill, and no provision in any other legislation in Western Australia, for wilderness reserves, and yet I suppose we have the greatest wilderness in Australia. With the growth in population upon which we seem most intent, there is likely to be a great attack upon our wilderness areas. So I suggest to the Government that there should be a provision for wilderness areas as there is in other parts of Australia, and furthermore, there should be a requirement that if a park is designated a wilderness area it should be kept as a wilderness area without adding such things as sites for barbecues and so on.

I referred earlier to the shoddy drafting of the legislation, and I have already commented about very serious omissions. However, there is a provision that policies should be prepared in regard to national parks generally as well as to each national park. The policies must be prepared by the director who will submit them to the authority, which then submits them to the Minister for his consideration. What does the Minister do with them? I would have thought that a properly drafted Bill would have gone on further. It starts off the process—the director formulates a policy, it is forwarded to the authority, and then to the Minister for his consideration—but that is the end of it. The legislation does

not say whether the Minister may then wrap his lunch in the plan, implement it, reject it and send it back to the authority, or what happens to it. That is how it ends. It is an extraordinary piece of drafting, Mr Speaker, and the words in the subclause read—

... and forward them with appropriate comments to the Minister for his consideration.

That is where it finishes. If the Minister is a good Minister, he will consider the policy carefully, but what does he do with it then? Sloppy drafting of this type brings into disrepute the institution of Parliament because it indicates that the Government has not done its homework. We are left in mid air with this hiatus. The procedure goes to a certain point but then there is a precipice and nothing else happens.

When I spoke before about shoddy drafting, I do not believe I was being unduly negative or critical of the Government. I find it extraordinary that the only misdemeanour for which an offence is prescribed in the Bill is that a sign may not be destroyed, damaged, or defaced. That is the only misdemeanour spelt out. Why did the Government pick out that one? Look at what Bell Bros. did some years ago in the Fitzgerald River Reserve; a road was simply cut through the reserve. This was vandalism and it showed a complete lack of care or concern by Bell Bros. However, if someone puts his initials on a sign, he is liable to a penalty of \$500. No penalty is prescribed in the Bill, for someone who burns the forest, chops down trees, shoots game, or rips up plants for his own garden.

It is true that regulations can be prescribed with respect to such actions, but the maximum penalty for an offence set out in the regulations is \$250 only. Bell Bros. could decide to build a few more roads through the wilderness and the fine would be no more than \$250. Is that likely to be a deterrent? If one puts one's initials on a sign, one is liable to a penalty of \$500. Towards the end of the Bill we see a list of matters in respect of which regulations may be made and that list includes constructing roads, destroying the environment, and other actions that can be taken in a park remote from civilisation. Why was this one offence picked out? I agree that the action of defacing signs should be an offence, but why was this included in the Act when no other offences were?

Mr Speaker, I do not think you will believe I was too harsh when I said that the Bill is the result of shoddy draftsmanship. If it has been decided that everything should be in the regulations, this offence should appear there also. Let us have a sense of perspective. In some of the Eastern States a fine of \$5 000 is prescribed for offences in relation to national parks. An alternative to the fine of \$5 000 for an

offence is \$1 000 a day for each day that the offence continues. Obviously one would not incur a penalty of \$5 000 for putting one's name on a sign. However, a few years ago in Western Australia the Government was simply ignored and a national park was desecrated. For an offence which has a permanent and lasting effect on a national park, a \$5 000 penalty would be reasonable.

I am not a man who believes in harsh penalties, but I do believe in penalties that will deter. A penalty for an offence set out in the regulations is \$250; it does not matter whether or not there are successive infringements, the maximum fine is still \$250. Is that decent drafting? We include penalties in legislation to deter. If we are serious about our national parks, let us pass decent legislation. If we are not serious, let us leave the position as it is and forget about it. However, we should do one thing or the other.

Look at the damage that can be done to the environment by the use of beach buggies and four-wheel drive vehicles. A tremendous amount of damage can be done, especially in sand plain country where one tyre mark can cause a blow-out to occur which may not be repaired for 100 years. Apparently that is not nearly as serious as defacing a sign.

I believe there are two basic things in a national park that should be protected. The first is the actual resources of the park—the scenery, the forest, the limestone formations or whatever is there. The other basic thing that should be protected is the entitlement of people to enjoy the park. We see the Government is not going on with the off-road vehicles legislation.

Sir Charles Court: Who said we were not?

Mr A. R. TONKIN: People's enjoyment of the open air is being destroyed by the use of off-road vehicles. The tremendous noise they make has on its own probably the greatest effect. On weekends the continual noise is driving people silly. Suppose we have a national park and people go off the tracks in these vehicles and race through the park causing tremendous damage; why should defacing a sign be considered a more heinous crime than that?

What about the taking and the killing of fauna? Surely that should be dealt with harshly. What about the destruction of flora, in whatever manner it occurs? What about the dumping of cats and dogs on reserves? It is known that feral cats have caused tremendous depredation amongst certain species of birds. That is a serious problem. It is not just a question of dumping cats, it is a question of the whole delicate nature of national parks. We live in a land which is far more delicate than it is in Europe and North America, because it sustains damage very easily.

What about the taking of dogs into a national park to hunt fauna? Probably all these things are more damaging to the essential nature of a national park than the destruction or defacement of signs. What about the destruction of or damage to buildings or installations in these areas? Not all of them will be national parks; some will have buildings such as toilet blocks, and so on. What about the erection of unauthorised structures, such as beach shacks?

Mr Thompson: Are you saying there should be no erections in national parks?

Mr A. R. TONKIN: No, I did not say that; national parks, after all, are for recreation!

I am not saying the defacement or removal of a sign should not be regarded as an offence. What I am saying is that we as parliamentarians and legislators look a little ridiculous when we apply a heavy penalty for defacing or removing signs in national parks, but apply no penalties for other actions which can destroy the whole concept of national parks.

I have already mentioned the lack of power of rangers. The Minister, as the head of a department employing these men, should have a great deal of respect and loyalty towards rangers. In my opinion we owe the rangers a great debt because they have battled against great odds. Only about 50 of them are employed in a State which is bigger than Europe and has national parks of 300 000 and 400 000 hectares in size, and often these parks have only one ranger and sometimes none.

The rangers have no power to confiscate anything, and that is a very serious omission. I believe they should be given powers similar to those in section 49 of the Police Act. If a ranger comes across a person who has been shooting and has taken several animals, the ranger cannot confiscate those animals as evidence. Therefore any charge against the person would be difficult to prove. In Victoria where there is a Liberal Government an Act was introduced only last year, and section 36 of that Act contains power to confiscate. Should rangers have the right to prevent entry onto a reserve of someone who obviously is not going to abide by the regulations?

For example, suppose the ranger meets a camper who has not got a shovel or similar implement. He knows very well that when the camper attends the toilet no proper provision will be made. Obviously normal standards of hygiene and decency require that people who go camping should have a shovel or some kind of implement to deal with that problem. A ranger cannot refuse entry to such a person; nor can he refuse entry to a person who is carrying firearms or other

weapons. He cannot confiscate weapons, although he can ask for names and addresses.

He does have powers of arrest, similar to those contained in section 50 of the Police Act, but I think he also should have the power to confiscate, as contained in section 49 of the Police Act. He should have power to prevent entry into a park of people who obviously are not going to abide by the rules. We have to consider whether we are seriously going to protect our parks and provide assistance to the rangers, upon whom this burden falls.

It is easy for an officer in Perth to administer these things; it is easy to push paper around; but the man in the field needs protection.

A further matter to which I would like to draw the attention of the Minister is in respect of the Mining Act. We have to reconsider our attitude to mining, which we regard almost with veneration. I know it is a very important industry in Western Australia, and has been ever since the 1890s; but because it is important does not mean to say that we cannot evaluate the competing claims.

Section 4 of the Victorian Act states that the Mining Act in that State does not apply unless the director decides it is okay to mine. However, even then mining can be disallowed by the Parliament. So the director can say it is fair enough to mine or explore, but the matter has to be tabled in Parliament and either House can disallow it. Therefore the Mining Act is not of such paramount importance in Victoria as it is in Western Australia.

The argument generally used is that mining is so important in Western Australia that it must be paramount. However, I do not think that is so at all. It may be that in the public interest mining should take place in one of these parks. I am not saying there should be no mining at all; what I am saying is that there should be a proper precaution set by Parliament to protect these parks in the public interest.

In other words, while I recognise the great importance of mining in our economy I believe it should not be regarded with veneration as being something we should not be prepared to examine. We should consider the benefits which would accrue from such mining, *vis-a-vis* a particular park, and decide which is more important. At the moment, the Mining Act applies, and the director can throw his hands up in horror and say as much as he likes, "Mining should not take place in this park, because the area is unique"; but his voice cannot be heard effectively because of the paramountcy of the Mining Act.

While talking about providing protection for the rangers, I draw the attention of members to the Fauna Conservation

Act, which provides much better protection for wildlife officers than this Bill will provide to wardens. For example, section 20 (2) (a) states—

A warden . . . may . . . take possession and control of—

any weapon, instrument, illegal device or other thing or means which the warden, on reasonable grounds, believes has been used, is being used, or is about to be used, by the offender in the commission of the offence;

These officers have been given the power of confiscation. The wildlife officer can also take possession and control of "any fauna which the warden on reasonable grounds believes to be involved in the commission of the offence". That Act refers to "fauna" because it is the Fauna Conservation Act. However, I suggest it would be proper when referring to this legislation to talk in terms of fauna and flora.

That Act provides that the wildlife officer must deliver those things confiscated into the custody of a member of the Police Force. He has the authority to stop, detain and search any vehicle if he has reasonable grounds for suspecting an offence may have taken place. The section goes on to deal with other powers granted to these officers.

I believe the wardens should have a much greater protection given to them. If this were the case, we would be far more effective in protecting our wildlife. I am prepared to accept the Minister's sincerity as a *prima facie* case; I believe he really is concerned to protect national parks and to enhance their management.

However, I suggest this Bill has been hastily drafted, for a reason I cannot determine. It contains grave imperfections which should not be allowed to stain our Statute book. We will all be judged—not just the Minister, but also the Opposition and all members opposite—by the quality of this legislation. If it contains serious and obvious omissions—section 300 of the Local Government Act is an example—it will reflect on us. I have already mentioned how the legislation specifically refers to the defacing of signs, and not to other more serious offences.

Sitting suspended from 3.45 to 4.03 p.m.

Mr A. R. TONKIN: I believe we have a responsibility to turn out first-class legislation. Of course, we will make mistakes from time to time but, if we are aware of serious deficiencies in the Bill, I do not think we should be prepared to pass it. We should be proud of our legislation; we should be proud of the kind of work we do here. I believe this Bill has many deficiencies which could be corrected; it is not a difficult area. There is excellent legislation in other States on which we can model our legislation if we wish to do so.

No doubt that legislation is also not perfect, but it certainly would be an improvement upon this Bill.

I believe one of the problems facing us here is the lack of a standing committee system. In this House there are several people who could have looked at these problems during the last 12 months and who would be therefore competent to talk about national parks and the need for adequate legislation. But because the Premier refuses to agree to a standing committee system we do not have the tool with which to inform ourselves.

I wish to emphasise once again that the Opposition is being constructive. We have pointed out the deficiencies and how they can be overcome. We are concerned that there should be better national parks legislation. The present legislation, which is really only a collection of regulations pursuant to the Parks and Reserves Act, is insufficient and a Bill should be drafted to create either a national parks service or a national parks authority. We are not in any way decrying the importance of this area; in fact we are emphasising it. Such legislation is long overdue. I suppose the Government is to be congratulated in that it has looked at the matter and has tried to do something about it. That is to its credit, but I respectfully suggest that this Bill should be re-examined by the Government and that a much tighter Bill should be brought in during the second half of this session to meet these criticisms.

I know that Governments are sometimes obdurate because egos are involved and they do not like to be told by someone else that what they have done is no good. Members may rest assured that if this Government is obdurate this matter will become a campaign issue at the forthcoming election. The obvious and glaring deficiencies will be brought home to the people. An increasing number of people are interested in conservation. A few days ago I was talking to a member of a conservation organisation which has 500 members. It is not one of the biggest in Western Australia. A few years ago that kind of organisation was unheard of. It has been estimated that in Australia there are far more members of conservation bodies than there are of political parties. An increasing number of people are actively involved in conservation bodies and there are many who are not actively involved but who are interested.

I suggest that this Bill should be re-examined for the sake of the State, for the sake of our fauna and flora, for the beauty of our State, for our own professional pride as parliamentarians and for the sake of the Government. If the Government does not want to be hit over the head with a poor Act at the next election the Minister should very seriously consider withdrawing the Bill and discussing the matter with his colleagues and with

the Premier so that we can produce a better measure, which is quite within our competence. I believe there is no reason that we cannot produce a better Bill which is equal to or better than any of the legislation in the Eastern States. Indeed, I believe that this is the kind of thing for which a committee, consisting of Government and Opposition members, should be established by the Parliament to look at the legislation, the problems and the needs throughout Western Australia so that a good, all-party and bi-partisan Bill on which we can all agree will be brought to this House.

Surely that is what government is all about, not to squabble and disagree but to be constructive, to try to find areas of mutual ground and to see whether we can legislate together for the benefit of Western Australia. We need to do this not only for the Western Australia of today but also for that of the future. Some of our options are closing. In 30 years time people will not have the same opportunities that we have at the present and so it is important that we legislate wisely and well for people of the future. I believe that in this Parliament there is enough goodwill and intelligence for a bi-partisan approach to this question so that the Government and the Opposition can agree on a uniform policy.

The Premier would show that he was being statesmanlike if he said, "Yes, I think that is a good idea. We should have a committee comprising Government and Opposition members which would look into this question to see whether we could bring forward to Parliament a Bill which would be worthy of us as a sovereign State and worthy of the people of Western Australia."

Debate adjourned until a later stage of the sitting, on motion by Mr Clarko.

(Continued on page 824.)

BILLS (2): RECEIPT AND FIRST READING

1. Occupational Therapists Act Amendment Bill.
2. Perth Medical Centre Act Amendment Bill.

Bills received from the Council; and, on motions by Mr Ridge (Minister for Lands), read a first time.

QUESTIONS (28): ON NOTICE

1. RETRAINING AND RELOCATION OF WORKERS SCHEMES

Lists

Mr HARMAN, to the Minister for Labour and Industry:

- (1) Will he list the retraining schemes initiated by him and introduced since 7th April, 1974?

- (2) Will he list the relocation of workers schemes initiated by him and introduced since 7th April, 1974?

Mr GRAYDEN replied:

- (1) The following adult training courses have been conducted since 7th April, 1974:

Second course of brick laying trade, late 1974;

Wood machining trade, May, 1974;

Cabinet making trade, May, 1974;

Upholstery trade, late 1974;

Aboriginal brick laying trade, late 1975.

The rural training scheme is currently being established with 1977 as the target date for introduction.

Consideration is being given to several other schemes.

- (2) Relocation of displaced workers in Kalgoorlie and Mt. Magnet has been arranged.

Many apprentices have been relocated when their employers have been unable to continue the training.

2.

IMMIGRATION

Carnarvon Plantations: Workers

Mr HARMAN, to the Minister for Immigration:

- (1) Did he raise the question of migrant workers entering the plantations at Carnarvon at the recent meeting of Australian and State Ministers for Immigration?
- (2) What decision was reached?

Mr GRAYDEN replied:

- (1) The matter was raised with the Federal Minister in a discussion in my office on 5th April.

I also discussed the matter privately with the Federal Minister at the conference and subsequently wrote to him on 29th April regarding certain specific cases.

- (2) Following the discussions referred to in (1) I made a news release, a copy of which is submitted for tabling, outlining areas of agreement reached.

The news release was tabled (see paper No. 213).

3. TRADE PRACTICES COMMITTEE

Submission

Mr HARMAN, to the Minister for Consumer Affairs:

- (1) Does he intend to make a submission to the Trade Practices Committee established by the Australian Government?

- (2) If so, will he table the submission?
- (3) If not, why not?

Mr GRAYDEN replied:

- (1) to (3) The Government has been invited to make a submission and the matter is under consideration.

4. MOTOR VEHICLES

Loads: Refusal to Weigh

Mr McIVER, to the Minister for Traffic:

- (1) In view of the difficulty being encountered by the RTA patrol officers when drivers refuse to allow their vehicles and loads to be weighed as outlined in his second reading speech, would he give full details in numbers of the vehicles so apprehended both State and interstate since January 1976?
- (2) What are the main reasons for refusal to have their vehicles and loads weighed?

Mr O'CONNOR replied:

- (1) No refusals in 1976 because offenders have been advised that they may be arrested under section 49 of the Police Act.
- (2) Refusals have resulted in payment of a lesser penalty than that payable for the overload, together with the inconvenience of off-loading the excess.

5. EDUCATION

Slow Learning Children: Special School

Mr TAYLOR, to the Minister representing the Minister for Education:

- (1) Did a senior officer of his department, when addressing a conference of the Slow Learning Children's Group in Perth during November 1974, advise those present that a special school for slow learning children would be established at Rockingham by 1977?
- (2) If "No" to (1), did such an officer make a like statement with respect to Rockingham but mention a different year?
- (3) If "Yes" to (1) is it still intended to comply with this timetable?

Mr GRAYDEN replied:

- (1) to (3) World authorities support the integration, where possible, of physically and mentally handicapped children in their local school. The Education Department now shares this view. As a result, plans to build special schools have been revised and there is no immediate intention to build a special school in the Rockingham area.

6. STATE HOUSING COMMISSION

Land at Coolbellup: Dedication

Mr TAYLOR, to the Minister for Housing:

With respect to the proposal to dedicate certain lands, presently owned by the SHC, being an extension to Albert Road and lying generally between Torquill and Waverley Roads, Coolbellup, as a road reserve, will he advise whether such dedication procedures are in hand and by what date dedication is expected to be completed?

Mr P. V. JONES replied:

The State Housing Commission has approved release of the subject land and right of entry for road construction purposes.

Currently, the commission awaits response from the Metropolitan Region Planning Authority with respect to compensation. Formal dedication procedures are not contemplated until agreement is reached. Consequently no firm date for dedication can be given at present.

7. JOHN FORREST HIGH SCHOOL

Collapse of Gymnasium

Mr HARMAN, to the Minister for Works:

Will he outline the present position in respect of the gymnasium at the John Forrest High School and in particular—

- (a) action taken against the former builder/architect or other persons;
- (b) what has been the result of such actions;
- (c) what are the future plans for a gymnasium?

Mr O'NEIL replied:

- (a) The builder and architect have been advised that they are being held responsible.
- (b) Both parties deny responsibility. The department is working closely with the Crown Law Department and it is intended to take legal action for recovery of costs if prior settlement is not reached.
- (c) The gymnasium is to be completed using a redesigned roof frame. This is at present being prefabricated. Immediately this component is available work on site will recommence.

8. CONSUMER PROTECTION

Credit Systems

Mr HARMAN, to the Minister for Consumer Affairs:

What action has been taken by his department to ensure that credit systems are easy to understand so that customers know what they are doing?

Mr GRAYDEN replied:

The provision of uniform consumer credit legislation for all States is a subject being actively studied by the Standing Committee of Attorneys-General.

Substantial progress is being made and senior officers of the Bureau of Consumer Affairs are involved in the study.

Legislation which could emanate on this matter should substantially assist consumers in credit transactions generally.

9. COAL

Exploration Programme

Mr MAY, to the Minister for Mines:

- (1) What companies are currently exploring for coal in Western Australia in areas approved by the Mines Department?
- (2) Since March 1974 have any new areas of potential coal deposits been reported?
- (3) If so, what are the locations?
- (4) Has the Mines Department carried out any exploration for coal during the past two years?
- (5) Is it the intention of the Government to arrange a comprehensive drilling programme in the Collie coal basin with a view to determining an accurate assessment of the basin?
- (6) If not, why not?

Mr MENSAROS replied:

- (1) Amax Iron Ore Corporation, Cladium Mining Pty. Limited, Dampier Mining Company Limited, Ferrovanadium Corporation N.L., Griffin Coal Mining Company Limited, Texasgulf Australia Ltd., Theiss Bros. Pty., Western Collieries Limited, and Western Collieries Limited and Peabody Pty. Limited.
- (2) No new areas of potential coal deposits have been reported since March, 1974; but additional information has been reported on several previously known prospective areas.
- (3) Not applicable.

- (4) No direct exploration but assistance has been given to coal explorers and also a detailed study of the Perth basin with an assessment of the coal prospects has been made which is under print.

- (5) No.
- (6) It is considered that company and Government drilling has defined the potential of the Collie coal field and has shown that at least 390 million tonnes of coal is available for extraction under present economic conditions. Detailed drilling of the site is required when a new open cut or colliery is to be established but this is the responsibility of the company concerned.

10. NUCLEAR PRODUCTS

Waste: Statement by Mr Tamaki

Mr A. R. TONKIN, to the Premier:

- (1) Is he aware of the statement allegedly made by Mr Kazuo Tamaki within the past two days in which he states that he has been misunderstood and that no nation is expected to receive and store nuclear waste?
- (2) If this is an accurate representation of Mr Tamaki's statement, how does this alter the original concept as indicated in *The West Australian* newspaper of 29th April?
- (3) Does this mean that re-processing in Western Australia will be considered but waste storage in this State will not?
- (4) If so, where is it intended that the waste storage will take place?
- (5) Does this reveal as inaccurate the paragraph in *The West Australian* of 29th April, 1976 which states—
"This would give Japan a re-processing facility but Japan would have to take back the waste"
which implies that in the case of Western Australia the waste would not be taken back to Japan?
- (6) If the answering of the above is considered to jeopardise national security will he undertake to give a briefing to the Opposition?

Sir CHARLES COURT replied:

Until finality has been reached about the suggested Japanese group's programme—including matters to be discussed and places to be visited, both here and in other parts of Australia—no good purpose is to be served in answering the member's questions in detail.

Suffice to say the Government will welcome such a visit if satisfactory detailed arrangements are made, because it can only lead to a better understanding of the nature and extent of possible developments and problems associated therewith.

The member can be assured that careful consideration would automatically be given to all aspects of any proposal, including the matters raised in his questions.

Also, he can be assured that the welfare of the people of Western Australia would be a paramount consideration in any deliberation on this matter.

11. NUCLEAR PRODUCTS

Waste: Japanese Scientific Delegate

Mr A. R. TONKIN, to the Premier:

- (1) Is an academic scientist part of the delegation led by Mr Kazuo Tamaoki, which will visit Western Australia for the purpose of discussing the establishment of a nuclear cycle in this State?
- (2) If so, what is his name and what are his qualifications including the discipline in which those qualifications have been obtained?
- (3) If "Yes" to (1), will he include in the team to represent Western Australia an academic scientist?

Sir CHARLES COURT replied:

- (1) to (3) See answer to question 10.

12. NUCLEAR PRODUCTS

Reactors, and Acceptable Tolerance

Mr A. R. TONKIN, to the Premier:

- (1) What particular nuclear reactors is it envisaged will be serviced by any re-processing facility that may be established in Western Australia?
- (2) What percentage tolerance will be acceptable as residues in waste products for each of the several fission products which are found in spent nuclear fuel?

Sir CHARLES COURT replied:

See answer to question 10.

13. SHIRE OF BAYSWATER

Councillor Cook: Resignation

Mr A. R. TONKIN, to the Minister for Local Government:

- (1) Has Councillor R. Cook of the Shire of Bayswater resigned?

- (2) Will he table the text of the recent communication sent by Councillor Cook to the Shire of Bayswater in which there was reference to the matter of his resignation?

- (3) What is the total period of time for which leave of absence has been granted to Councillor Cook?

Mr RUSHTON replied:

- (1) According to advice from the Shire Clerk, Shire of Bayswater, Councillor Cook has not resigned.
- (2) I do not have copies of any correspondence between Councillor Cook and the Shire of Bayswater.
- (3) According to advice from the Shire Clerk, Councillor Cook has been granted leave of absence for six months.

14. SHIRE OF BAYSWATER

Slabs: Audit Check

Mr A. R. TONKIN, to the Minister for Local Government:

- (1) Have the Local Government Department's auditors been giving special attention to the Shire of Bayswater and in particular to its dealing with Slab House?
- (2) If so, what are the details of the inspections and the reasons for the concern?
- (3) Will he table those reports?
- (4) Is it a fact that slabs provided by Slab House to the Shire of Bayswater were examined for quality at the University of Western Australia and found to be deficient?
- (5) If so, what are the details?

Mr RUSHTON replied:

- (1) Yes.
- (2) On two occasions since August, 1975, a Local Government Department audit inspector has made a close examination of transactions involving the Shire of Bayswater and Slab House.
- (3) No. Inquiries have not been completed.
- (4) The Local Government Department inspector's report indicates that this is so.
- (5) I do not have details of the deficiencies but understand the products did not comply with standards laid down in the contract.

15. SCHOOL OF MINES

Future Role

Mr T. D. EVANS, to the Minister representing the Minister for Education:

Having regard to the predictable and widespread concern being experienced by the Kalgoorlie region

including union, industry and education leaders in the matter of that part of the Partridge Committee report concerning the W.A. School of Mines, when is the Government expected to announce a decision on the future role of the School of Mines?

Mr GRAYDEN replied:

As has been stated before, the Government intends to refer this matter, along with other recommendations of the Partridge Committee report, to the proposed Western Australian Post Secondary Education Commission.

It is hoped that legislation to provide for the establishment of the proposed Commission will be introduced shortly.

The Government is aware of the concern expressed by Kalgoorlie people and will ensure that the question of the future of the School of Mines, and the Graylands Teachers' College, are treated as matters of urgency when the Commission is established.

16. KALGOORLIE RAILWAY PLATFORM

Bricks for Upgrading

Mr T. D. EVANS, to the Minister for Transport:

- (1) When plans and specifications were being prepared for upgrading of the railway platform at Kalgoorlie to accommodate interstate passenger trains, was consideration given to using locally manufactured bricks?
- (2) Why were bricks from the metropolitan area chosen for refacing the inside of the platform?

Mr O'CONNOR replied:

- (1) Yes.
- (2) Clay bricks were required for durability and appearance and also to be architecturally sympathetic to materials used in the existing old building and the future landscaping of the area. Only cement bricks were available locally.

17. HIGH WYCOMBE SCHOOL

Library-resource Centre

Mr MOILER, to the Minister representing the Minister for Education:

- (1) Have plans and specifications been drawn for a library/resource centre for the High Wycombe Primary School?
- (2) If "No" will the Minister give consideration to having such plans and specifications drawn?

Mr GRAYDEN replied:

- (1) No.
- (2) Documentation can only be undertaken if there is a likelihood of funding to undertake the project. In the present situation there is little likelihood of funds becoming available in the immediate future.

18. LOTTERIES COMMISSION

Allocations from \$1 Million Lottery

Mr BATEMAN, to the Premier:

- (1) Have plans been made for the distribution of profit from the first million dollar lottery?
- (2) With the prospect of the million dollar lottery continuing has the commission adopted special criteria for the distribution of huge and continuing profits expected to accrue?
- (3) If "Yes" who are the beneficiaries?

Sir CHARLES COURT replied:

- (1) to (3) Income from all lotteries is gathered collectively and distributed in terms of the Lotteries Control Act.

19. SCHOOLS AND HIGH SCHOOLS

Water Cooling Units

Mr CRANE, to the Minister representing the Minister for Education:

- (1) What are the criteria used to establish a priority for the installation of water cooling units in schools with regard to the severity of climatic conditions?
- (2) What are the number of schools fitted with water cooling units south of Jurien Bay and south of latitude 30° 15' S in Western Australia?
- (3) What are the names of these schools?
- (4) What schools are fitted with more than one unit?
- (5) What is the number of units fitted in each of these instances?

Mr GRAYDEN replied:

- (1) Those schools furthest north and east are given priority, provided they make application and funds are available.
- (2) to (5) Statistics of this nature are not kept by the Education Department.

20. **WATER SUPPLIES**
Lot 192 Grenville Road:
Connection

Mr MOILER, to the Minister for Water Supplies:

With reference to the proposed subdivision into two equal parts of lot 192 Grenville Road, Stoneville, and his department's requirement for payment of \$1 075 for headworks only to provide a water supply to the two lots, will he provide an itemised costing of the headworks necessary to provide water to the proposed two lots?

Mr O'NEIL replied:

This subdivision creates an additional lot which will contribute to the necessity to up-grade the limited headworks capacity.

In the Stoneville area, a standard headworks charge of \$2 500 per hectare is made and the amount of \$1 075 is based on the area of the new lot created, viz. .43 of a hectare.

21. **SCHOOL DENTAL HEALTH SCHEME**

Capital and Recurrent Cost

Mr DAVIES, to the Minister representing the Minister for Health:

- (1) What is the anticipated capital and recurrent cost of the School Dental Health scheme for the year 1975-1976?
- (2) Under the original proposals, what share could normally be expected to be met by the Australian Government?
- (3) Have there been any changes made?
- (4) If so, can he detail these please?

Mr RIDGE replied:

- (1) (a) Capital: \$3 115 141.
 (b) Recurrent: \$2 413 393.
- (2) (a) Capital: Commonwealth Government Share: \$3 115 141.
 (b) Recurrent: Commonwealth Government Share: \$2 077 414.
- (3) and (4) No.

22. **COMMUNITY HEALTH CENTRE**

Mandurah: Meals on Wheels

Mr DAVIES, to the Minister representing the Minister for Health:

- (1) What was the cost of equipping the kitchen at the Mandurah community health centre for the provision of meals on wheels?
- (2) How many meals are prepared and despatched from the kitchen each day?

Mr RIDGE replied:

- (1) \$3 838.
- (2) None.

23. **POLICE**

Aboriginal Affairs: Lectures

Mr DAVIES, to the Minister for Police:

- (1) What are the names of persons who since January 1975 have lectured to police officers or trainees on Aboriginal affairs?
- (2) What groups received such lectures?
- (3) How many lectures were given and on what occasions?
- (4) What was the average length of such lectures?

Mr O'CONNOR replied:

- (1) Mr K. Colbung, Mr R. Walster, Mr I. Bennell, Mr Abdulla, Rev. Mason, Rev. Jacobs, Pastor Grant, Mrs Tilbrook.
- (2) Recruits in training at Police Academy;
 Sergeants attending In-Service courses;
 1/c Constables attending In-Service courses.
- (3) and (4)

Name	Lectures and duration, (mins.).	Date.
Mr K. Colbung	1 x 50	17/2/75
Mr K. Colbung	1 x 60	29/5/75
Mr R. Walster	2 x 45	21/8/75
Mr I. Bennell	2 x 45	21/8/75
Rev. Mason	2 x 50	4/9/75
Rev. Mason	2 x 45	17/10/75
Mr R. Walster	2 x 50	9/1/76
Mr Abdulla	2 x 50	9/1/76
Rev. Mason	2 x 45	19/1/76
Rev. Mason	2 x 45	2/4/76
Pastor Grant	2 x 45	2/4/76
Rev. Jacobs	2 x 45	2/4/76
Mrs Tilbrook	2 x 45	6/5/76

24. **POLICE**

Aboriginal Affairs: Lectures

Mr DAVIES, to the Minister for Police:

- (1) Who selected Mr Rob Walster to lecture police cadets on Aboriginal matters?
- (2) What form of contract was extended to him?

Mr O'CONNOR replied:

- (1) Mr R. Walster was recommended to lecture Police recruits after a request by Assistant Commissioner Taylor for an experienced lecturer on Aboriginal Affairs, by Mr F. E. Gare, Chairman, Aboriginal Affairs Co-ordinating Committee.

- (2) Verbal agreement to lecture to Police Training Courses as required.

25. AGRICULTURE PROTECTION BOARD

Cost of Operations

Mr H. D. EVANS, to the Minister for Agriculture:

- (1) What amount has the Western Australian Government paid towards the operations of the Agriculture Protection Board in each of the past five years?
- (2) What has been the total operational costs of the Agriculture Protection Board in each of the past five years and of this amount how much was spent on—
 - (a) vermin;
 - (b) noxious weeds;
 - (c) pastoral areas?
- (3) What is the anticipated annual cost to the Western Australian Government for the management, control and prevention of certain plants and animals under the Agriculture and Related Resources Protection Act, 1976.
- (4) Will he supply a map showing the zones into which the State has been divided for the purpose of Protection Board administration?

Mr OLD replied:

I ask that the answer be tabled.

The answer was tabled (see paper No. 214).

26. UNEMPLOYMENT

Bunbury

Mr HARMAN, to the Minister for Labour and Industry:

How many people were registered as unemployed at the end of February, 1974, 1975 and 1976 in—

- (a) the Bunbury district;
- (b) Bunbury Town?

Mr GRAYDEN replied:

- (a) Bunbury District—

February, 1974, 684;
February, 1975, 1 031;
February, 1976, 1 434;
- (b) Bunbury Town—

February, 1974, figures not available;
February, 1975, 409;
February, 1976, 541.

POLICE

Rifle in Swan River: Connection with Murder

Mr MAY, to the Minister for Police:
Will he advise if the rifle recently recovered from the Swan River during a fishing competition has any connection with the unsolved Shirley Finn murder?

Mr O'CONNOR replied:

The rifle has no connection with the Shirley Finn murder.

28. LOTTERIES COMMISSION

Allocations to Institutions

Mr JAMIESON, to the Minister representing the Chief Secretary:

- (1) What institutions, other than hospitals, have received finance from the W.A. Lotteries Commission—
 - (a) in the last financial year;
 - (b) in the current financial year?
- (2) What institutions north of the twenty-sixth parallel, other than hospitals, have received finance, and how much, from the W.A. Lotteries Commission—
 - (a) in the last financial year;
 - (b) in the current financial year?

Mr O'NEIL replied:

I ask that the answer be tabled.

The answer was tabled (see paper No. 215).

QUESTIONS (4): WITHOUT NOTICE

1. KALGOORLIE REGIONAL HOSPITAL

Additions

Mr T. D. EVANS, to the Minister representing the Minister for Health:

Apropos the matter of major developments and additions to the Kalgoorlie Regional Hospital, would the Minister please undertake to stress to the Hospitals Development Programme Committee before its meeting on the 13th May, the great concern of the Kalgoorlie community and, indeed, of the region, over the delay in the above works being undertaken?

Mr RIDGE replied:

The Minister for Health has asked me to inform the member for Kalgoorlie that he is aware of the concern being expressed by the residents in the district and that

he will undertake to ensure that the committee in question is informed of this concern before it meets on the 13th May.

2. EDUCATION DEPARTMENT FILE

Confidential Information: Disclosure

Mr BLAQUIE, to the Minister representing the Minister for Education:

- (1) Can the Minister advise how the member for Swan obtained confidential and private personal information noted on an Education Department file?
- (2) Is it proper for a member to disclose private and confidential information?

Mr GRAYDEN replied:

- (1) Illegally.
- (2) No, certainly not.

3. BRIDGE OVER SWAN RIVER

Documents: Students' "Stunt"

Mr CLARKO, to the Minister for Urban Development and Town Planning:

It was reported in the *Daily News* of Wednesday, the 5th May, 1976, in an article dealing with a "stunt" carried out by university students involving a bridge that they suggested was shortly to be built crossing the Swan River from Point Resolution to Point Walter that "Documents shown to residents explaining where the interchange and bridge were to be built had the official Road Planning Authority seal".

Were these official documents of the Metropolitan Region Planning Authority or were they complete fakes?

Mr RUSHTON replied:

I have not seen the documents referred to. However, the map published in the *Daily News* of Wednesday, the 5th May, 1976, is superimposed on a copy of the Metropolitan Region Planning Authority letterhead. I am aware of the text of one other document; neither is an official document of the Metropolitan Region Planning Authority and both are complete fakes. The official seal of the authority has not been affixed to any documents in relation to an interchange and bridge or property at Point Resolution.

4. LAND AUCTIONS

Young Labor Movement: Threats to Disrupt

Mr NANOVIK, to the Minister for Urban Development and Town Planning:

- (1) Is it correct that a group of people from the Young Labor Movement have threatened to disrupt the next land sale by the Rural and Industries Bank?
- (2) Will any steps be taken to prevent such disruption?

Mr RUSHTON replied:

- (1) and (2) In answer to the honourable member for Toodyay, it would not surprise me what antics or gimmicks the members of the Labor Party would perpetrate—recently we had the spectacle of members of the Labor Party parading along a public street carrying an empty coffin to attract the attention of the media.

Should members of the Labor Party seek to disrupt any of the numerous auctions of the large number of urban lots which will give prospective home builders a choice of sites and prices, it will be seen by the public as irresponsible and as a direct attack against the collective efforts of all concerned in bringing an increased and adequate supply of urban lots onto the market.

NATIONAL PARKS AUTHORITY BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

MR BARNETT (Rockingham) [4.32 p.m.]: I rise to support briefly the remarks of the member for Morley, who is the shadow Minister for Conservation and the Environment. At first glance this measure appears to be one which the public of Western Australia has been looking forward to for some time: a Bill for an Act to establish the national parks authority of Western Australia, and to provide for the vesting and management of certain areas as national parks or reserves.

I would like to direct a couple of questions to the Minister which are of a parochial nature. Several reserves are in my area, and they include Lake Cooloonup, Lake Walyungup, and Lake Richmond. These areas are currently vested in the local shire council but I am not at all satisfied with the way in which they have been managed. For example, the surrounding area of one lake is being used by a large number of motorcyclists and they are causing considerable disruption to the wildlife on that lake. I would like the Minister to advise me whether the provisions of this Bill will

provide for the vesting of national parks to be taken from shire councils and transferred to the proposed authority.

The next area I wish to mention may not be covered by the department under the control of the Minister, but for some time we have been actively engaged in an effort to have the Warnbro sand dunes area declared a national park. It is an area of particular interest, not only to the people of Rockingham, but also to the people of the metropolitan area because it is the only range of sand dunes which can be seen for some 40 miles south of Perth. I was wondering whether, with the setting up of the proposed authority, the area will be declared a national park in the near future.

As the member for Morley quite rightly said, at first glance the Bill appears to have some tremendous advantages. However, at second glance, it can be seen that there are areas which need to be tightened up although I would not go so far as did the member for Morley and say that the Bill was sloppy. A measure as important as the one now before us should have been allowed to stay on the file for a much longer period of time.

Mr P. V. Jones: How long would you like?

Mr BARNETT: Long enough for the general public to have a good look at it.

Mr P. V. Jones: It has been on the file since the 1st April.

Mr BARNETT: Yes, one month. However, most environmental organisations meet only once a month and to enable those organisations to discuss the contents of the Bill they would want a period of three, four, or six months. In my opinion the Bill should have been left on the notice paper in order to allow for proper public comment and criticism.

The Government would be well advised to adjourn further debate on the Bill—when I have completed my remarks—so that the general public will have an opportunity to study the proposal.

The proposed authority will comprise nine members: the president, nominated by the Minister, and the other members already listed by the member for Morley. I am concerned that the last two-mentioned members of the authority will be nominated by the Minister and the only qualification they will need to have is a knowledge of the environment. I do not think that is satisfactory.

Mr P. V. Jones: That is not what the Bill sets out.

Mr BARNETT: It does. Perhaps the Minister can explain the provision further, but that is the way I read it. I believe a panel of three, four, or five names from interested environmental

groups should be submitted to the Minister. The Minister, in selecting two of those nominees, would really get closer to the people.

The Conservator of Forests will be one of those appointed to the authority but whereas members of Parliament have no hesitation in approaching him, the majority of the public feel a person in that position is unapproachable. For that reason, there should be representatives on the authority whom the general public feel they can approach. That would tend to bring Government much closer to the people.

Another provision which concerns me is that covering fines. If this matter was not mentioned by the member for Morley it should have been. From my examination of the Bill, the only offence which carries a specific fine is for defacing signs. The fine for that offence will not exceed \$500. However, there is no mention whatsoever of fines for damage caused by arsonists, bulldozers, people shooting game, or people removing plants. Fines for those offences have been left for the proposed authority to set by regulation, to a maximum of \$250. In my opinion, offences such as those I have mentioned are far worse than the defacing of a sign—although the defacing of a sign is bad enough. I was also surprised to learn that rangers will have practically no powers at all. It surprises me mainly because I was concerned that a Bill which was introduced by the Government in the last session allowed wildlife officers to enter upon private property, to go through gates, over them, break them, or whatever, and to seize and remove from private property anything they thought might be contraband. I am not by any means condoning that provision, but that is the type of power which was given to those officers.

Yet under this Bill rangers are left with no powers at all. They have no power to confiscate anything. If someone goes into a national park and shoots 100 kangaroos with a .22 rifle, the ranger can only ask, "What is your name?", and the other person can say, "Joe Blow. What's yours?", and drive off. The ranger has no power whatsoever. I think the Minister should consider at least giving rangers the power to prohibit entry to national parks by undesirable characters.

Mr P. V. Jones: For what powers are you specifically asking?

Mr BARNETT: At least the powers to prohibit entry to a park by undesirable characters, and to seize weapons, and so on, which can reasonably be considered to have been used or be about to be used to commit an offence: powers similar to those of wildlife officers, but not the power to enter upon private property.

The last point about which I want to ask the Minister is the provision which states the Mining Act shall apply. I

want to know what provision will be made to prevent mining in national parks. Are we to be left with a situation such as that mentioned in a letter I received recently from a mining magnate who said mining should take precedence over environmental protection?

I hope when the Minister rises to reply to the debate before we reach the Committee stage he will answer the questions I have asked.

MR H. D. EVANS (Warren—Deputy Leader of the Opposition) [4.42 p.m.]: Once again we come to a piece of legislation which to a large extent had its genesis in the Tonkin Administration, and on that basis we are very happy to see it has been brought before the House.

The intention of the Tonkin Government was to establish a separate authority or commission to control national parks in Western Australia, and to that end it had formulated fairly clearly and conclusively the procedure which was to be followed. It commenced with the appointment of a director of national parks. Up to the time of the Tonkin Government there had been no professional director of national parks. As a consequence, national parks in this State had been somewhat of a poor sister.

If a department, authority, or commission does not have at its head a person who is sufficiently competent to undertake all the duties and give all the advice which is required of a professional person, it will not properly fulfil its function or have the necessary leadership. This was the situation in relation to national parks in Western Australia. In the first instance Dr Chittleborough, who had received world acclaim for his researches, was appointed. Unfortunately he did not remain in the position, which was subsequently advertised and filled by Dr Smith, whose reputation had been established on research into flora, especially in the south-west of this State. Dr Smith has been able to proceed from that time.

While a director needs professional expertise, he also needs other qualities, not the least of which is a personality and forcefulness which will enable him to ensure that when the Budget is being drafted he can make out a case for the funds which are required in his area. That is a most important factor and one which has possibly led to the success of the National Parks Commission in New South Wales.

In addition to that, the director must have the administration and framework against which he can operate to fulfil all his functions. It was stated at the time the position was advertised that the responsibilities of a director of national parks were many and varied and, in some respects, intangible as in the matter of personality.

The director is required to work with the National Parks Board in the development of an overall policy for Western Australia. He must be responsible for keeping under review the adequacy of national parks from the point of view of number, location, and size, and for the security and overall management of the parks. Measures for the overall management of national parks must be laid down, and as far as I can see the provisions in the Bill before us do not satisfy that requirement. The member who has just resumed his seat dealt to some extent with the administration of the regulations relating to infringements. By way of interjection the Minister asked, "What do you suggest as being a suitable penalty in this case?"

Mr P. V. Jones: I asked what powers the honourable member had in mind.

Mr H. D. EVANS: I presume national parks will be designated in certain categories for specific purposes. Their management must, of course, be in accordance with the purpose for which they are designated. Some national parks will obviously be wilderness areas for the biological preservation of their vegetation and retention in an undisturbed state as far as possible. The management of such wilderness areas will obviously be greatly different from the management of picnic sites which will be continually used and provided with facilities to enable picnickers to enjoy the particular aspects of the park area. In between the two extremes of constant public use and total exclusion of the public there will be a variety of usage patterns which must be determined.

It should be pointed out that this facet of national parks has become most obvious in America and Australia. The report on the Ayers Rock National Park reveals that the constant use of the park was so deleterious to the object of interest which was to be preserved and enjoyed that some rather stringent restrictions had to be imposed. The village which existed in close proximity to the park was removed and the number of visitors per week has been restricted. There was good reason for this. It was found when a road was put through on the higher side it would have a damming effect so that the lower side received insufficient water and the drought which was caused by the lack of run-off resulted in the loss of vegetation. So these aspects of national park management are fundamental to the situation.

It was shown also that a sandhill—from which it is so advantageous to take a photograph of Ayers Rock, particularly in the sunset—had dropped about 18 inches. The constant jostling of tourists to obtain the best position for photographs was detrimental to the management of the park. These are factors which must be considered when legislation is introduced. I am rather fearful in my own mind that the detail

has not been spelt out sufficiently, and that there are some omissions in the Bill presently before us.

My initial aim was to show the progress of the legislation on the Statute book of Western Australia. In 1972 a report was brought down to the Tonkin Government and it required an examination of the alternatives which were available immediately for implementation. Four alternatives were presented, and it is probably apposite to record these as a matter of interest. I will not comment on these alternatives because I felt that none of them were eminently suitable or satisfactory. The members of this committee were sound men, and they made a detailed analysis of the situation. The first alternative was for the control of national parks to be taken over by the Department of Fisheries and Fauna. On the face of it, that recommendation is sound, quite reasonable, and it could have been quite acceptable purely on an administrative basis. However, that is not a major consideration as I see it.

The second alternative was the separation of fauna and fisheries, and the amalgamation of fauna and national parks to form a national parks and wildlife service. Such a situation would approximate what pertains in New South Wales and Tasmania.

The third alternative was the retention of the National Parks Board as a policy-making body with the Forests Department as the executive authority. This idea would have been suited eminently to the forest areas of Western Australia, but of course, the forests cover only a very small percentage of our total land area. On those grounds alone, this idea had deficiencies that would have made it completely unacceptable.

The fourth alternative was the creation of a department of national parks under a professional director responsible to the Minister and with an advisory national parks authority. These were the four recommendations considered, and it was on that basis that draft legislation was prepared and examined. However, the legislation was not preceded with because, as you know, Mr Speaker, a small accident occurred several years ago which prevented the plan being prosecuted to its ultimate. However, as I said previously, I am pleased to see that our successor is proceeding with the task. We will look to see how well it succeeds, to what extent we agree with its interpretation of the requirements of the State, what deficiencies we can see in the proposals, and what suggestions we may endeavour to place before the Government.

That briefly was the approach and attitude of the Tonkin Government, and the extent to which it had proceeded. Incidentally, the draft legislation was discussed

fairly briefly with several of the conservation bodies and I do not think they were wholeheartedly in agreement with our proposal.

Mr P. V. Jones: If I may just ask you, as this was 18 months prior to the commencement of the life of this Government, what happened in that 18 months? That was the drafting period.

Mr H. D. EVANS: From the time the report was brought down?

Mr P. V. Jones: Yes.

Mr H. D. EVANS: A director was appointed, and members will appreciate that this took some time. The position was advertised on a world-wide basis, and several months elapsed before an appointment was made. The first director held the position for several months and then resigned. We then had to call for applications again and another director was appointed. So the 18-month period available to the Tonkin Government was eroded fairly seriously when we bear in mind that a professional director was part of our programme. The draft was proceeded with, and as I recall, it was discussed briefly with conservation groups. However, we then ran out of time.

Mr O'Neill: That slight accident to which you referred?

Mr H. D. EVANS: Yes.

Mr P. V. Jones: There were several drafts?

Mr H. D. EVANS: Yes, but that is not the point.

Mr P. V. Jones: No, I was just thinking about the time period.

Mr H. D. EVANS: Hopefully no accident will interfere with passing a suitable piece of legislation.

Mr O'Neill: If I were on that side, I would have regarded that slight accident as a catastrophe.

Mr H. D. EVANS: The Deputy Premier may have an opportunity to reflect from this point of vantage in the not-too-distant future. A little levity has crept into the debate, but I think this measure is a most important one and should be considered seriously. It is one of the most important Bills in this field ever considered in Western Australia, and it merits deep consideration. The legislation should be subjected to detailed analysis and interested organisations should be invited to comment on it, if they have not already done so.

I appreciate the fact that the Minister has allowed this legislation to remain on the Table for some weeks. However, at the same time I point out that his explanatory notes were not sufficiently comprehensive to allay the fears felt by many people. I hope he will be able to answer the queries that arise and that

he will be able to explain the logic and the rationale behind several of the decisions made.

If I may, I would like to refer to the present Conservation Through Reserves Committee Report and all it implies because the two seem to have become enmeshed and entangled to some extent. On the one hand we have the recommendations in the reports, and on the other we have the proposals contained in the Bill. For this reason it is probably wise to look at the situation as set out in the CTRC report. I am not in any way critical of that report—the committee has performed a tremendous service to Western Australia if for no other reason than the fact it has encouraged consideration of the matter by persons or organisations which otherwise would not have troubled themselves to consider the matter. Although there appears to be some deficiencies in the CTRC report at the moment, no doubt in due course many of the committee's recommendations will be introduced in this House.

By way of illustration I use an area which I happen to know fairly well because of my involvement with it. I refer to the section of the southern coastline that extends roughly from Walpole to the Scott River and the town of Augusta. It was proposed initially by the Institute of Foresters that there should be a stretch of coastline extending over about 90 kilometres, and with a depth of something like five miles. Difficulties were experienced with this; but the reservation of this extensive area is a most desirable feature of that concept, and it is something that should be introduced in Western Australia.

If one reflects briefly and compares this area with places such as the Mediterranean, one finds that in the latter place public property on the coastline is virtually unheard of and most beaches there are private. In the Eastern States large sums of money have been expended in purchasing back areas of private land. So it can be seen how fortunate we are that as the metropolitan area expands there will be a region on the south coast that, firstly, will provide the recreational facilities that will be demanded and, secondly, will preserve relatively intact one of the most interesting areas of our State.

Something like 12 per cent of private property is involved in this area, and that is not a great amount. We are fortunate to have the opportunity to preserve for posterity an area such as this both in respect of magnitude and concept.

It has been suggested that in the course of purchase and acquisition some of this land can become part of the reserve when it is established. The management of

that area is seen to involve certain completely excluded sections, and some fragile coastal dune country will require total exclusion. There will be areas reserved for leasehold for people wishing to construct huts and weekend cottages for fishermen; but as this will be on a leasehold basis, in 200 years the Crown will still have access to these very important points along the coast.

There are not many of these places. If members know the coast and follow it around from Perth south to Mandurah, Bunbury, Busselton, Augusta, Denmark, Albany, and, to a lesser extent, Walpole, they can see that these areas have virtually become extensions of urban areas and have become real estate propositions. There are other areas of a more minor nature which could be included; these are smaller areas that are coming into prominence at this stage but which are still providing weekend recreational facilities. There are other areas which could possibly be designated as camping regions, with permanent facilities provided on a leasehold basis. There are only about four areas like this on the southern coast, and they include Broke Inlet, the area around the mouth of the Gardner River, Windy Harbour, and the area alongside Black Point; and also the mouth of the Donnelly River could come into this category.

There are some other areas—for instance the area around Fish Creek—which could be used as camping areas for overnight stopping, and there are further areas which could be used by day trippers, and these would take in portions of Walpole and the mouth of the Donnelly River. However, without referring to a map it is difficult to appreciate what this means.

The essence of it is that where roads to these areas are managed for a specific purpose, the areas can be preserved intact. This, of course, must be an ongoing situation, and the Government must have full control over it for all time.

Reverting to the recommendations brought down, this is one section that was examined by the CTRC and it made recommendations. These recommendations were passed back to the bodies and organisations which were involved. The shire council, the Cattleman's Association, and the progress associations in three of the areas all showed a great degree of interest. I am sure the Department of Conservation and Environment appreciates the local feedback it received. I give full marks to the department for the manner in which it brought out the report. It hit with the force of ignorance in some cases, and it required some detailed explanation before it was accepted and before meaningful discussion took place.

These submissions have now been sifted by the EPA and finally a review has been made of recommendations for reserves on the south coast and south coastal areas.

Mr P. V. Jones: It was not by the EPA, but by a review committee.

Mr H. D. EVANS: I am sorry; the committee was under the auspices of the EPA. The recommendations of the EPA to the Government will be made on the basis of the comments on this second report.

Mr P. V. Jones: And the original comments; they will have the review plus the original comments.

Mr H. D. EVANS: The original report, the original comments, the subsequent review, and the further comments will form the basis of the report that goes to the Government, and policy will be determined on that.

Mr P. V. Jones: That is right; the public have those additional chances to comment.

Mr H. D. EVANS: There is no doubt in my mind that this has been effective.

This brings me to the point of how all this interrelates. I will not go through the recommendations contained in the report, because there are quite a number of them. However, they have an influence upon the national parks legislation.

Mr P. V. Jones: It is the other way around, but I will tell you about it when I reply.

Mr H. D. EVANS: There will be an interrelationship. I suppose the first comment that arises is in respect of to what extent the local knowledge that has been so valuable and so readily desirable will be used. The local knowledge has given the Government a very balanced document with which to work, and upon which it can base its policy with confidence. Under the terms of the national parks legislation, when the new authority is established I understand the voices of these various areas will be excluded. I see provision is made to enable control of national park areas by local authorities and other bodies; but is provision made for the voice of the local residents who know the areas and use them? I think the involvement of local residents is most important.

Advisory bodies can be cumbersome for administration, and they can also provide abrasiveness, but at the same time they can help administration to do the job it was instituted to do. The greater the involvement of local government and local knowledge the better the overall administrative procedures will be.

I can see this fundamental concept has been ignored in the composition of the authority. The Bill does not give a voice to the conservation bodies that have been established on a voluntary basis throughout the State. I am not for one moment applauding that action, but there are councils from which very useful advice can be obtained and a useful channelling of communication with the public at large established.

Under the new composition of the authority we will have the Conservator of Forests—it would be almost impossible to leave him off the new authority—the Director of Fisheries and Wildlife, the Director of the Department of Tourism, and the Surveyor-General, all of whom are absolutely essential to the successful functioning of an authority of this kind.

I question the wisdom of excluding the director who, after all, is a professional man appointed for his experience and expertise. I am certain that the success of the New South Wales body in no small measure has been due to the personality of the director who was appointed. He has subsequently left that body to accept a slightly more elevated post.

This situation came about because the New South Wales Minister for Lands brought out an American to conduct a survey into the requirements of national parks in New South Wales, and the result of that examination and recommendations was the establishment in that State of a structure which still exists today. New South Wales certainly has led the way in Australia in this field. It acquired funds in various ways, but largely from Government resources, which enabled the proper functioning of that body.

One achievement of the Tonkin Government to which I did not refer was the establishment of a suitable headquarters for the authority; a building programme to the extent of about \$450 000 was initiated.

Mr P. V. Jones: Yes, a very good move.

Mr H. D. EVANS: This was seen as one of the prerequisites to introducing specific legislation relating to national parks, and their conservation.

In addition to the members of the new authority to whom I have already referred, there will be four persons nominated by the Minister to represent the interests of the public. The first is to be a person knowledgeable and experienced in matters relating to primary industry.

I am at a loss to understand how primary industry intrudes into the subject of national parks, unless it is a question of preventing vermin such as kangaroos and rabbits from hopping out of the national parks and into agricultural areas, and the control of noxious weeds. This has always been a source of contention between agricultural interests and people concerned with reserves and national parks. However, I question whether somebody representing primary industry is the most suitable person to be a member of an authority of this kind.

The second person to be nominated by the Minister will be a person knowledgeable and experienced in local government matters. This proposal does have something to recommend it, especially if we involve the entire Country Shire Councils' Association. If we have the support of

organisations such as this, it can only auger well for the long term success of this authority.

In addition, the Minister will nominate to the authority two persons, being persons who are not employed under and subject to the Public Service Act, but who have special knowledge or experience in conservation or community service matters relevant to the concept of national parks. These people will represent individuals and bodies having related interests.

I cavil at this proposal, for a very good reason. In the past it has been established practice when setting up boards or authorities to obtain from the relevant bodies and other interested parties a panel of names from which the Minister makes a selection. This system has worked well and is the most fair and democratic way of selecting the members of an authority, because it ensures that whoever is selected to sit on the particular body has a direct interest and relationship with that body and its aims.

I do not see any reason that the councils of the various conservation groups should not submit a panel of names from which the Minister could make a selection. I have no doubt that such a practice would result in more acceptable personalities being appointed to the authority.

It is possible that this could result in the appointment of people whose views are not continually in harmony with those of the Minister or the authority, but it is only by debate and discourse of this kind that the ultimate benefit finally will be passed on to the community.

I realise that it certainly would be much easier and more comfortable to choose a person who was known to be nonaggressive, and who would be prepared to go along with the establishment and not make waves. I am not suggesting for a moment that this is at the back of the Minister's mind—far from it; however, it is a possibility which could arise.

It is important that any person appointed to this authority to represent the views of various bodies and people in Western Australia should feel free to voice his feelings and protect the interests of those who nominated him for the position. I believe the Minister should take pains to answer this query.

Mr P. V. Jones: I will.

Mr H. D. EVANS: I hope so, because I am at a loss to understand why the successful procedure of the past has been overturned on this occasion.

Mr P. V. Jones: Where does it say that we will appoint a farmer to the authority?

Mr H. D. EVANS: I did not say the Minister will appoint a farmer; the Bill states that it will be a person experienced in matters relating to primary industry.

Mr A. R. Tonkin: I have a few chooks at home—will I do?

Mr H. D. EVANS: I am not at all happy with this provision.

Mr P. V. Jones: I will expand on this in a moment.

Mr H. D. EVANS: The other two appointees will represent interested organisations, but each will be selected by the Minister. The Minister should call for a panel of names from interested bodies, from which he could make a selection. Surely that is reasonable and fair.

There must be hundreds of people in Western Australia who are genuinely interested in this matter and this would give them the chance of voicing their views. However the Minister will deny them this opportunity by the method of selection laid down in the Bill. This is wrong, and the authority will lose because of it, because people will be appointed to the authority who are not involved in the matter to the extent to which they should be.

As the Minister knows, it is only when people are involved that one gets the greatest service from them. It does not matter whether it is a sporting organisation, a political party, or any other body; it is only when the rank and file members feel they are involved that they come forth with the greatest effort, and are of the greatest use to the organisation.

The SPEAKER: The member has six minutes remaining.

Mr H. D. EVANS: Thank you, Mr Speaker; I am a little sorry it is only six minutes.

Mr Davies: You will get your chance in Committee.

Mr H. D. EVANS: The principle of selecting members from a panel of names is followed in other States, particularly Victoria and New South Wales. I think the composition of advisory bodies as they exist in the Eastern States is highly desirable, remembering that in some of those States—at least in New South Wales and Victoria—the national parks and the wildlife services are combined. I do not think we need to emulate that pattern completely, but I see a need for advisory consultations without which there will be so much friction and abrasion that any Government and the proposed national parks authority will never be free of the criticism that will be levelled at them through the only channels which are left to those people who desire to maintain a genuine and sincere interest. This will happen through the media and in many other ways unless there is opportunity for proper consultation.

I shall contain my remaining remarks to some of the further discrepancies that are evident. Before he resumed his seat the member for Rockingham mentioned penalties. This matter is indicative of what

appears to be a weakly drafted Bill. It appears to contain a number of deficiencies. In clause 41 a penalty of \$250 is mentioned. In this day and age that is not a very large amount of money. Yet that would be the only amount of money that could have been levied against, for instance, the firm that ran a road into the Fitzgerald Reserve without authority and then sank a couple of shafts looking for manganese. An amount of \$250 would have been the only penalty whether that firm had shot a kangaroo or had sunk a 200 foot shaft in the middle of one of the most desirable wilderness areas.

Mr P. V. Jones: That would depend on the regulations. It could have committed more than one offence against the regulations. In relation to the example you have given, the penalty could have been considerably more than that.

Mr H. D. EVANS: Not only in multiples of \$250—

Mr P. V. Jones: That is the point I am making.

Mr H. D. EVANS: In multiples of \$250?

Mr P. V. Jones: It could have been considerably more than \$250 for the incident to which you refer.

Mr H. D. EVANS: There would need to have been a long list of charges to get anything equal to the magnitude of the offence on that occasion.

The SPEAKER: The member has two more minutes.

Mr H. D. EVANS: A comparison with that is clause 26 (3) which prescribes a penalty of \$500 for defacing a sign. When one looks at the two examples in juxtaposition one must admit that there is an incongruity which should not be found in properly drafted legislation.

I mention also the need for a clause to deal with the manner in which offenders are charged. This is most important. It is specified in the Local Government Act. Unless there is a format by which offenders are charged by rangers, when the offences reach a court there will be so many legal loopholes in the law that the whole Bill will look farcical. Only a small percentage of offenders will be caught because sufficient manpower to police the whole proposed Act in every area that is desirable will not be available. When offenders are apprehended they need at least to be charged in a manner that obviates any possibility of a loophole acquitting them of the crime for which they will be brought before the court.

I shall avail myself of the opportunity during the Committee stage to speak to a number of clauses, but I think the Minister needs, firstly, to look at the weaknesses which have been pointed out and, secondly, to examine the whole situation in conjunction with what the Environmental

Protection Authority is proposing. He may be precipitous in going ahead with this legislation at present. If he is not, he needs to explain precisely what the intentions are and just how they will not give rise to the confusion that I can foresee.

MR BLAIKIE (Vasse) [5.26 p.m.]: I desire to speak to this Bill which, as previous speakers have said, has some merit. I believe it will give real objectives for the utilisation of national parks and reserves as we know them at present in Western Australia, and it prescribes a new style of management. I think it is important that there should be adequate public access to national parks and reserves. It is far more important in this day and age that the concept we have previously had of a national park being something that is locked up from the community be thrown away altogether and that accessibility be improved; and in this matter the appropriate methods of management are also most essential.

Some time ago I made a speech in this House concerning a system of caves in my electorate. I said that 70 years ago 12 caves were accessible and available to the public. At that time the Act under which they were administered made that possible but with a different Act and a different method of administration only four of the caves are accessible today. The others were completely burned out and destroyed. The systems which are accessible today are the ones which are under private control. I think it is as well that the Minister realises the apprehension at the establishment of bureaucratic bodies, which are certainly very important provided they carry out the real and proper functions for which they are intended. Seventy years ago the system of caves was fully developed but with another Act and another method of administration the whole system was virtually destroyed.

The member for Warren mentioned that this is important legislation which needs detailed analysis. I certainly agree with his remarks. He also referred to the Conservation Through Reserves Committee report. I intend also to refer to this report and to a subsequent report which has been released only recently, because they are both vital and important in the consideration of this Bill. This measure will be the vehicle by which the recommendations will be adopted and we are talking now about how those recommendations, when they are finally approved, will be carried out.

I have spoken previously in the House about the original report, which is the green book, and I have been highly critical of the very technical and academic exercise with regard to reserves as they are affected, certainly in my electorate.

Although there is a high degree of technicality in the preparation of the report—I do not condemn the members of the committee for their technical ability—I am very critical of the lack of practical expertise in the recommendations. This caused very grave concern not only for me but also for many people in my own area.

Mr A. R. Tonkin: That is the CTCRC report?

Mr BLAIKIE: That is the CTCRC report; I shall refer to it as the green book. Subsequently there has been a further report which has considered the recommendations of the former committee.

I shall refer to this publication as the brown book. It is entitled "A Review of Recommendations for Reserves in the Southwest and South Coastal Areas of Western Australia".

I realise that this is again a report which has yet to be considered by the Government, and it has yet to be decided whether or not it shall be qualified. My concern is related to the introductory remarks at page 1. They are as follows—

The Committee endorses the majority of CTCRC's recommendations, with one important exception. This refers to their recommendation that clear felling should be excluded from the Shannon River Basin for the fifteen years of the first license period of the Wood Chipping Industry Agreement Act, 1969-1973.

One area of controversy is that the CTCRC recommendations related to the wood chipping industry, and they sought to exclude the Shannon River basin from the concession area. However, now it has made a different recommendation.

My concern is that despite the objections that had previously been raised, the same recommendations still apply. I am extremely thankful for the courtesy which the Minister has shown me and the constituents of my electorate. He has paid a visit to the area, explained the recommendations, and outlined the methods by which the recommendations will be considered by the Environmental Protection Authority before they are presented to the Government, and included in Government policy. The Minister has given an undertaking that he will return and have consultations with a joint meeting of the local authorities, and for that I thank him.

I want to place on record the fact that in spite of the very grave concern that has been expressed on the recommendations contained in the green book to which I have referred, virtually the same conditions apply in the next publication. Probably the most critical of the recommendations is the acquisition of land. In the electorate I represent, system I is a

very critical area. It seems to be one which the EPA or the people making the recommendations to the Government see as being one of the best prizes for further addition of national parks and for the conservation management and planning programme. However, the recommendations still contain the acquisition of land. I ask that consideration be given to not proceeding with these recommendations.

I now turn to the Bill, and I would like the Minister to clarify this point. The purpose of the Bill is to provide an Act to establish a national parks authority of Western Australia, and to provide for the vesting and management of certain areas as national parks and reserves. I would like the Minister to give us a detailed explanation of the powers that are contained in clause 7 (c). This states—

1. There is hereby established an Authority which shall—

(c) subject to the provisions of this Act, be capable of, purchasing or otherwise acquiring, holding and managing, and disposing of, any property, real or personal, for the purpose of carrying out its functions under this Act, and of doing or suffering all such other acts and things as bodies corporate may lawfully do and suffer.

Contained at page 25 of the brown book to which I have referred are recommendations on the area known as the Leeuwin-Naturaliste Ridge. One recommendation is as follows—

that should the integrated public-private land National Park be considered feasible, it first be tried on Cape Naturaliste. Once any problems have been resolved it should be extended to the whole of the Leeuwin-Naturaliste Ridge.

I make the point that if these recommendations are to be implemented, the legislation before us will be the machinery by which the provisions will be administered.

When we consider the proposition of a public-private national park what is envisaged is not the acquisition of land, but the management control of private ownership. It has been explained to me, and I hope I am right, that if the land is declared to be a public-private national park then the owner may do certain things, provided they are done under agreement, I would expect, with the proposed national parks authority.

When replying to the debate I will ask the Minister to give me an assurance that persons owning land in the area will be given adequate protection, and that their views will be heard. With those remarks I await the reply of the Minister with interest. At this stage I am prepared to support the Bill

MR DAVIES (Victoria Park) [5.37 p.m.]: I do not wish to go into any great detail on the provisions in the Bill, because they have been covered very well in this debate. In his reply I would ask the Minister to explain to us the relationship of the Parks and Reserves Act and the Bill before us after it becomes an Act.

I notice that the existing board is to be abolished, and that all the by-laws and regulations which have been established by that board will be taken over and will continue to be applied by the proposed trust, until such time as it is able to frame by-laws of its own. I note that the Bill contains a provision for the new body to take over the employees and assume the responsibilities of the existing board.

It seems to me that the Bill should contain some provision to repeal the Parks and Reserves Act; and perhaps the Minister can give us some explanation why such a move is not being made on this occasion. I assume there is quite a logical explanation. I would have thought that to tidy up these matters it would be necessary to repeal that Act once the new authority comes into being. I realise there has to be a period during which the Parks and Reserves Act will have to continue to operate.

Very often we get legislation which indicates that at a certain time the old legislation will be repealed, and at other times we get legislation which contains a provision indicating when the Act will be proclaimed.

I rise to speak only because last night we had a situation in this House where some members were slightly critical of the Minister for not being exactly frank. This might be a good opportunity for him to explain the position clearly.

MR P. V. JONES (Narrogin—Minister for Conservation and the Environment) [5.39 p.m.]: Firstly, might I thank all members who have contributed to this debate, because they have rightly indicated the importance of the legislation we are considering. Certain of the arguments are somewhat strange in that the Government has been accused of introducing a Bill which does not permit of adequate participation by the public, local government, and so on; but on the other hand the Government has also been accused, and in some instances by the same members, of not making the legislation tight enough.

As the member for Morley quite rightly indicated in his introductory remarks, the legislation is designed for the protection of the natural heritage of this State with particular reference to certain aspects of flora and fauna. The long title of the Bill sets out very clearly what are the purposes of national parks. They are not nature reserves, and some of the criticisms made indicated that not everyone is quite clear that a national park

is not a nature reserve. Similarly not all nature reserves are open to the public. Not all national parks, and not all parts of each national park, will be open to the public. I am referring not only to present national parks, but also to future areas which will become vested in the authority. There will be different criteria in each case and there will be different by-laws in each case.

The whole discipline built in to the legislation is designed to provide sufficient flexibility so that particular aspects of each national park can be catered for.

Reference was made to legislation in other States. All other legislation in the States of the Commonwealth, New Zealand, and the United States was considered during the preparation of the Bill, as was also the report to which the member for Warren referred. That was submitted some years ago, but it, too, was considered when we were deciding whether it would be better to have a national parks and wild-life service which was one of the original suggestions made by the committee of review. However, this recommendation was rejected and the reasons were those touched upon by the member for Morley. I think he said he still had an open mind on this subject.

We have the WA Wild Life Authority which manages nature reserves. It is an advisory body of which the Director of the Department of Fisheries and Wildlife is chairman, and he will be a member also of the national parks authority. Because of the interrelation between the two bodies, it was felt no justification existed to merge the two. Problems would also be associated with the staff, and so on.

Reference has been made to and examples given of the legislation which currently operates in Victoria. I would like to refer back to the remarks I made regarding the flexibility in the Bill before us. There would probably be no more important factor than that one. Victoria comprises a small area and the regions vested for national parks, nature reserves, conservation, or what-have-you are no great distance from the centre of government.

The situation is entirely different in this State in a demographic sense. Therefore we have provided for sufficient local participation, despite the remarks of the member for Warren. In my second reading speech I said—

It is the Government's intention to utilise local experience and expertise in the day to day management affairs of national parks.

Some delegation of power to local government will ensure that in some cases the local authority will be the manager of its local national parks.

Mr A. R. Tonkin: Why is it not in the Bill?

Mr P. V. JONES: It has been suggested that provision for the delegation of the powers of the authority to local groups is not in the Bill, but members can find such provision in clauses 15, 16, and 20. Those clauses were included for the express purpose of making sure that local knowledge, to which the member for Warren has referred in relation to the Conservation Through Reserves Committee report, will be available. It is certainly the intention of the Government to ensure that where practicable local committees will advise the authority on the management of national park areas within their particular regions.

I will give two examples. The first concerns Exmouth in which is situated the Cape Range National Park. The Government has accepted the recommendation of the EPA regarding the future of that park, which is to be extended gradually in area. However, we would be looking for local inputs where that is concerned. The other is the one to which the member for Vasse referred. Whilst it is in an entirely different geographical situation and involves a different conservation issue, the same principle prevails, and the need exists to ensure that local participation occurs.

While on this point I wish to refer to landowners. I assume the honourable member is referring to the situation which is becoming widespread in the United Kingdom; that is, multiple ownership. Within the framework of the legislation before us such aspects and management plans of that nature can be incorporated as the State progresses.

The member for Morley and other speakers referred to the composition of the authority. First of all I would like to say that the Government is not interested in having what is termed an advisory body, whether it be a committee, a council, or what-have-you. We are establishing a national parks authority. We want it to have the powers of an authority and to act like one. The composition of the board has been designed with a view to the very difficult job it will have to do. I think we can all agree on that, and it is a task which will not become any easier in the broad framework of conservation.

No problem has been raised concerning the appointment of various Government persons. However, with regard to the four Civil Service appointments, the Government felt there was a need to ensure that the views of various groups within the community could be at least heard; but, by the same token, it is impossible to give representation to every single section of the community. The problems encountered in the Perth metropolitan region will be considerably different from those encountered in the Pilbara or the Kimberley. For this reason we will have available to us those who have a specific interest in the usage of national parks.

Reference was made to the Community Recreation Council. It was the opinion of the Government that the appointment of a person from that council onto the central authority was not warranted, but his involvement within the Perth metropolitan region is certainly warranted. Nevertheless it was not felt desirable that he should occupy a place on the board at the present time, because the board would become too large.

Mr A. R. Tonkin: Why add a representative of the Perth metropolitan region?

Mr P. V. JONES: That is not the only one. It is given as an example of the greatest difference between the pressures of the people usage of parks within the Perth metropolitan region and those in the Kimberley. It will be greater in the Perth metropolitan region for recreational purposes than in the Kimberley. Simply put, that is the basis.

Reference was made to the appointment of a person experienced in matters relating to primary industry. The reason for this appointment is very simple. It was designed for two reasons: firstly, to give the Government the opportunity to appoint to the authority a person from outside the metropolitan area.

It will be suggested it has always had that opportunity, which is quite true, but this will ensure that where it is possible to obtain the services of a person who is knowledgeable and who understands primary industry he will be appointed. It has to be remembered that tremendous areas of parkland are situated in the pastoral section of this State, or adjacent thereto. The difficulties associated with managing parks in agricultural or pastoral areas will be considered.

In relation to that matter, it is certainly not the intention of the Government to invite nominees from primary producer bodies for that purpose. We are not looking for a person who will represent the view of the Farmers' Union, or any other body. We will be looking for a person who understands the problems of agriculture and the pastoral industry in areas adjacent to national parks.

A similar situation prevails where local government is concerned. The word "representative" is not mentioned in the definition of the person who will hold office. In other words, he will not be charged with the responsibility of reporting back to the Country Shire Councils' Association or the Local Government Association. The provision will ensure that on the proposed authority there will be a person who has knowledge and experience of the difficulties under which local government works. The provision will also ensure there is some understanding by local government of the difficulties facing the proposed authority, and the responsibilities with which it will be charged.

Questions were raised regarding the operation of the authority and its powers in discharging its functions and I will refer to one or two of them. Perhaps others will be raised during Committee. Referring to roads through national parks, it is considered that the powers which exist at present, by way of regulations, are more than adequate. It is necessary to bear in mind that there is more than one type of road. For example, there are more than 40 miles of major highway through the Kalbarri National Park, and that road is controlled by the Main Roads Department.

Many other parks have through them roads which are controlled by the local authority, and they are not necessarily in the same situation. It is clear that certain provisions contained in clause 41 provide adequately that the by-laws of the authority will be paramount where roads through national parks are concerned.

There was also some discussion regarding wilderness areas and the member for Morley suggested that wilderness areas did not appear in the legislation. That is perfectly true, and neither do the areas referred to by the member for Vasse appear in the legislation; namely, caves areas. Clause 7 simply provides for the authority to manage whatever is vested in it. It does not require a definition. At this stage it is simply left at that. I would like to clarify the doubt raised by the member for Morley regarding resumption of land, and I appreciate it is a sensitive area.

Mr Blackie: The member for Morley, or the member for Vasse?

Mr P. V. JONES: I am sorry, the member for Vasse. He said that at a public meeting in Busselton, recently, doubt was expressed that the provisions of clause 7 would, in fact, allow the proposed authority actually to resume land. That is not so. The resumption of land resides with the Public Works Department under the provisions of the Public Works Act. The Bill now before us contains no powers for the resumption of land. It simply charges the authority with accepting the land which is acquired, by whatever means, for purposes of vesting in the authority. There is no power for the proposed authority to initiate the resumption of land.

Off-road vehicles and their operation in national park areas were also mentioned. Again, there is no need to define the use of off-road vehicles in this legislation because the Government is proceeding with other legislation to cover off-road vehicles. In any case, with regard to that aspect—and other aspects also—environmental protection legislation overrides other legislation. In this particular aspect, if destruction is caused by off-road vehicles it is possible to control these through other legislation.

The destruction of fauna was also mentioned. I have indicated that national parks are not necessarily fauna reserves, but where an area is also gazetted as a fauna reserve the powers of the wildlife officers, referred to by the member for Rockingham, will cover the point raised. Officers who are employees or rangers under the control of the proposed authority will also have powers as fauna wardens, who have now become wildlife officers. As such, they will be able to cope with the point raised.

Mr A. R. Tonkin: But what about when an area is not a fauna reserve?

Mr P. V. JONES: Can the member give me an example?

Mr A. R. Tonkin: Is the Minister saying that every national park is a fauna reserve?

Mr P. V. JONES: No, it is the other way round. I said that just because an area is a national park it is not automatically a fauna reserve.

Mr A. R. Tonkin: That is quite right.

Mr P. V. JONES: Therefore, I am saying there is no need in this legislation to define the powers of wildlife officers who are charged with their responsibilities under the fauna conservation legislation.

Mr A. R. Tonkin: But you will need to give power to the wardens under this legislation.

Mr P. V. JONES: But that is assuming that a national parks ranger will not be a wildlife officer.

Mr A. R. Tonkin: Are you to make every ranger a wildlife officer?

Mr P. V. JONES: Why not? The point is there is no need to repeat the provision in every Act. For instance, the fisheries inspector at Karratha is also a wildlife officer. He essentially works as a wildlife officer but he still has the powers of a fisheries inspector. But we do not have to write that into the fauna conservation legislation.

The member for Rockingham raised the matter of vesting specific reserves and I think I have adequately covered that point.

Where land is made available we are not spelling out and identifying in this legislation specific reserves or types of reserves, be they wilderness or caves areas. The object is to establish the authority and clause 7 allows the authority to receive whatever is vested in it.

The member for Warren raised the point that the work being done by the CTCRC in the review in relation to the south coast is very relevant to this legislation. That is the authority which would become the managing body if the Government accepted the final recommendations, when they

are made. But we have no need to spell out and identify specific areas in this legislation.

It is relevant to mention the aspects raised by the member for Warren regarding the CTCRC interview. It is quite true that the authority will be a very important legislative vehicle, regardless of the final decision of the Government, in relation to those systems within the State where no final decision has been made. There are already systems which involve the Government's accepting 143 recommendations which will place considerable work on the new national parks authority, additional to the work previously done by the National Parks Board. It is only a continuing process.

Although, again, we are not identifying areas, we are recognising that the recommendations of the EPA, all of which have been accepted, identify a specific role for the national parks authority. The EPA also made special recommendations in regard to mining. There is no problem in regard to mining. I refer members to the Environmental Protection Act, 1971-1975, and the new Mining Bill which outlines the existing powers. As far as that is concerned, the recommendations made by the EPA in regard to mining in national parks will apply; so there is no conflict, as has been suggested.

The member for Victoria Park raised a point regarding the existing Parks and Reserves Act. That Act established the National Parks Board which we are now seeking to replace, but it also did other things. At one time it was associated with a stall at the Barrack Street jetty. The East Perth cemetery and other reserves were associated with that Act.

The member for Victoria Park on another occasion mentioned the appointment of three members to the National Parks Board when it had been announced that the board would be going out of existence. If he is familiar with the Parks and Reserves Act he will know it does not establish a fixed number of persons for the National Parks Board. It was the Government's intention to utilise that provision in order to appoint the Director of Fisheries and Wildlife, so that when this legislation completes its passage the board and the authority will have the benefit of the services of the Director of Fisheries and Wildlife in advance of the legislation being enacted.

Mr Davies: I do not think I criticised those appointments.

Mr P. V. JONES: The honourable member in fact complimented us on making them.

I would like to conclude by referring to a matter which was raised by several members; that is, the position of the

director. As I indicated in my second reading speech, the position of director, as chief executive officer, is the most important position on the authority. It is the considered opinion of the Government that the director's position in relation to the new authority needs to be stronger and more secure than that of the director of the existing National Parks Board. With that in mind we have clearly defined the powers of the director and given him a position of considerable responsibility.

It is also the intention of the Government to put beyond doubt, by amendment in another place, the question of the director's access to the Minister. Although in the opinion of the Government's advisers it is clearly indicated in the existing legislation that the director has direct access to the Minister, it is intended in another place to add some words to a particular clause which will establish his right to have access to the Minister regarding the operations of the authority.

It has been indicated by the Opposition that there will be further discussion of this Bill in the Committee stage, and I would like to leave any further remarks I may have until that time.

Question put and a division taken with the following result—

Ayes—22

Mr Blaikie	Mr Nanovich
Mr Cowan	Mr O'Connor
Mrs Craig	Mr Old
Mr Crane	Mr O'Neill
Dr Dadour	Mr Ridge
Mr Grayden	Mr Rushton
Mr Grewar	Mr Sodeman
Mr P. V. Jones	Mr Thompson
Mr Laurence	Mr Tubby
Mr McPharlin	Mr Young
Mr Mensaros	Mr Clarke

(Teller)

Noes—16

Mr Barnett	Mr Fletcher
Mr Bateman	Mr Harroan
Mr Bertram	Mr Hartrey
Mr Bryce	Mr Skidmore
Mr B. T. Burke	Mr Taylor
Mr Carr	Mr A. R. Tonkin
Mr Davies	Mr J. T. Tonkin
Mr T. D. Evans	Mr McIver

(Teller)

Pairs

Ayes	Noes
Mr Watt	Mr T. J. Burke
Mr Coyne	Mr H. D. Evans
Mr Sibson	Mr May
Mr Stephens	Mr T. H. Jones
Mr Shalders	Mr Moller
Sir Charles Court	Mr Jamieson

Question thus passed.

Bill read a second time.

House adjourned at 6.10 p.m.