Clause 52: Power to make by-laws—

Mr DAVIES: I do not think we need to give the corporation the right to make by-laws. Clause 25 says it cannot do anything which is inconsistent with any Act. Clause 40 specifically states that the corporation shall not do anything inconsistent with the Local Government Act, the Metropolitan Region Town Planning Scheme Act, and the Town Planning and Development Act.

We have been told the corporation will be a type of board of directors which will get people together and show them the way to go. As there is specific mention of the Acts which could cause concern, I do not think there is any need for the corporation to have the power to make by-laws. All kinds of things could happen which are not in accordance with what the Minister said, but if this clause is passed it will strengthen our opinion that the corporation will become a "Big Brother" organisation.

Mr RUSHTON: The corporation will not intrude upon the powers of the local authority or any other authority, but it may from time to time need power to make by-laws relating to the conduct of the centre. That is the purpose of clause 52 —to allow for necessary by-laws from time to time in the carrying out of the management of the centre.

Clause put and passed.

Schedule—

Mr TAYLOR: The powers of the corporation contained in the legislation refer largely to the schedule, which defines the area of land. In the light of clause 38, under which the corporation must keep the plan under review, is it possible for the schedule to be changed from time to time if the Government of the day considers it necessary, so that the provisions in the Bill would apply to any new area which may be defined in the schedule?

Mr RUSHTON: If there is to be an amendment to the schedule the Chamber will be able to make its comments upon such amendment when it comes before the Parliament in due course.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

As to Third Reading

MR RUSHTON (Dale—Minister for Urban Development and Town Planning) [10.48 p.m.]: I move—

That leave be granted to proceed forthwith to the third reading.

Question put and passed; leave granted.

Third Reading

Bill read a third time, on motion by Mr Rushton (Minister for Urban Development and Town Planning), and transmitted to the Council.

House adjourned at 10.49 p.m.

Legislative Council

Wednesday, the 13th October, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (3): ON NOTICE

1. PRE-PRIMARY CENTRES

North Province

The Hon. J. C. TOZER, to the Minister for Education:

(1) In North Province—
  (a) what pre-primary centres have been constructed for the Education Department;
  (b) what pre-primary centres have been formally taken over by the department;
  (c) what provision is made for the development of pre-primary centres in the financial year 1976-1977; and
  (d) what forward planning decisions have been made in respect to pre-primary education generally?

(2) Specifically, in the absence of any allocation of funds in the General Loan Fund Estimates of Expenditure for the construction of a permanent structure, is it proposed to erect a transportable pre-primary centre at the Derby District high school for the commencement of the 1977 school year?

The Hon. G. C. MacKINNON replied:

(1) (a) Karratha, Double Unit;
  (b) Dampier,
  Karratha,
  Tom Price I,
  Tom Price II,
  Wickham—operating in temporary primary school premises;
  (c) nil;
  (d) pre-primary centres will be provided as part of Stage I of all new primary schools. Pre-primary facilities will be provided at established schools according to need and the availability of funds.

(2) Yes.

2. ROYAL PERTH HOSPITAL
Orthopaedic Appliances: Technician

The Hon. CLIVE GRIFFITHS, to the Minister for Health:

(1) Would the Minister advise in respect to the newspaper advertisement of the 4th September, 1976 calling for applicants for the position of orthopaedic appliance technician for the Orthotics Department at the Royal Perth Rehabilitation Hospital at Shenton Park—

(a) how many applications were received;

(b) (i) has anyone been employed as a result of the applications; and

(ii) if not, what is the reason?

(2) Is it a fact that there are many patients at the subcentre at Princess Margaret Hospital who have been waiting for appliances for up to five weeks, thus causing unwarranted delay in necessary specialised treatment?

The Hon. N. E. BAXTER replied:

(1) (a) One late application was received, two weeks after closing date.

(b) (i) No.

(ii) The applicant's qualifications are being evaluated.

(2) At present two patients have been waiting five weeks and three have been waiting four weeks. Last week the staff at Princess Margaret Hospital were authorised to work overtime to bring the work up to date.

3. ROYAL PERTH HOSPITAL
Orthotics Department: Job Security

The Hon. CLIVE GRIFFITHS, to the Minister for Health:

Would the Minister ascertain and advise the House what is being done by the Royal Perth Hospital administration with regard to the growing dissatisfaction within the Orthotics Department since the administration change-over from Princess Margaret Hospital on the 1st July, 1975, in respect of the employees' job security and status now and in the future?

The Hon. N. E. BAXTER replied:

Immediately prior to the change-over in administration, the classifications of all staff transferred had been the subject of a Public Service Board re-classification review. Appeals lodged as a result of these re-classifications have yet to be heard. No staff taken over by the Royal Perth Hospital from Princess Margaret Hospital have had classifications reduced. Supervisory staff and surgical bootmakers have since received higher classifications following review by the Public Service Board. No staff have been terminated nor are any retrenchments of existing staff contemplated.

CONDOLENCE

The late Senator I. J. Greenwood: Motion

THE HON. R. J. L. WILLIAMS (Metropolitan) [4.41 p.m.]: I seek leave of the House to move, without notice, a motion of condolence.

The PRESIDENT: Leave granted.

The Hon. R. J. L. WILLIAMS: I move without notice—

That this House desires to place on record its sincere appreciation of the services rendered to Australia by the late Senator the Hon. Ivor John Greenwood, who was at the time of his passing a Senator in the Parliament of the Commonwealth of Australia, formerly Minister for Environment, Housing and Community Welfare, and that the House expresses its deepest sympathy with his widow and family in the irreparable loss they have sustained, and that the President convey the foregoing to his widow and family.

The Hon. N. McNEILL: I second the motion.

Question put and passed.

POINT WALTER CAMP

Future: Ministerial Statement

THE HON. G. C. MacKINNON (South-West—Minister for Education) [4.42 p.m.]: I regret that I have done this several times and it is becoming a habit, but I seek leave to make a ministerial statement, this time on the future of the Point Walter camp.

The PRESIDENT: Leave granted.

The Hon. G. C. MacKINNON: I express my real appreciation to the House for that permission.

As members will know, the Melville City Council and its predecessing local authorities have pressed for many years to have this area vested in the local authority.

In June this year, Cabinet decided that the land should be vested in the council for recreational purposes from 1980.

At the same time, it was considered that the camp should be retained for recreational purposes, and also that if this was not possible, then a suitable alternative should be found.

Unfortunately, many people decided to read into the Cabinet decision, ogres that did not exist, and what I had presumed to be a matter that would have the support of both sides of the House took on all the appearances of a political imbroglio.

I was moved to think it would be non-political because of the correspondence on file in my office from representatives of the other side of the House. This correspondence in 1974 asked that the reserve be vested in the Melville City Council.

I am now happy to announce that a working plan has been arrived at through negotiation with the Melville City Council that will allow retention of the camp for recreational purposes.

Today at noon I met with the Mayor of Melville, (Mr J. Howson, OBE), the Deputy Mayor of Melville (Cr M. Day), and the Town Clerk (Mr R. Fardon).

They informed me that the council had met last night and had agreed to lease the camp to the Community Recreation Council for a peppercorn rental from 1980 or such other time as is mutually acceptable.

The camp will thus be retained for use for youth and other groups, and the administering authority under the proposed lease will be the Community Recreation Council.

Negotiations will continue between the Community Recreation Council and the Melville City Council on the actual machinery of the leasing arrangement. The committee also comprises a representative of the Minister for Works, a representative from the Education Department, and a representative from the Community Recreation Council.

A common bond of interest and agreement exists.

The transfer of equipment and other resources of the camp will be the subject of negotiation between the Community Recreation Council and other bodies such as Graylands Teachers College.

I wish to say how delighted I have been with the attitude of the Melville City Council during these negotiations.

Like myself, the council members well know the value of the camp as a recreational resource, and though they were at times subjected to provocation from other areas, they continued their negotiations with myself and my officers with a positive approach which would enable the land to be vested in the council and the camp to be retained for recreational purposes.

I contrast this co-operative attitude with that of other people who were motivated by purely political ends and attempted to make vote-catching publicity out of what was a relatively simple matter, and one which, until Mr Barry Hodge of Melville stepped into the matter, I had believed was nonpartisan.

Even then, I would have had some understanding of Mr Hodge's motives if he had confined himself purely to the political arena, but I now find that he has been using youth education officers of the Education Department in his campaign.

I have no complaint about teachers being involved in politics, but I do complain when the teacher's position is used to further party politics.

I refer to a circular sent out to youth education officers by Dave Prichard, the Youth Education Officer of the Hampton Senior High School.

This circular starts: "Barry Hodge, the endorsed A.L.P. Candidate for Melville, has asked me to draw your attention to the impending loss by the young people of Western Australia of the Point Walter camp site on the Swan River."

There is a petition to myself attached to the circular and towards the end of the circular we read: "Further information is available from Barry Hodge." and referring to the petition I quote: "Further copies will be sent on request to Barry."

I really consider that both Mr Prichard and Mr Hodge have overstepped the mark on this matter.

Mr President, in conclusion, I would like to say that the matter has not been influenced one iota by the sound and fury of Mr Hodge and his supporters, because right from the start of negotiations with the Melville City Council it was always my aim that the Point Walter camp should be retained, and this has been achieved.

May I repeat my thanks to the Mayor of Melville (Mr J. Howson, OBE) and the councillors of the City of Melville.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL

Third Reading

THE HON. N. McNEILL (Lower West—Minister for Justice) [4.49 p.m.]: I move—

That the Bill be now read a third time.

I wish to make a brief explanation in regard to queries raised by members. It confirms the advice I conveyed at the time. The notes I have been given indicate that the reason for the amendment to section 16 is to overcome the doubt expressed by the Crown Law Department with regard to the board's power of control of underground water situated in proclaimed water reserves and catchment areas. The existing legislation provides adequate control of surface water and was promulgated when this source was a primary concern.

The amendment does not enlarge the powers of the board for the proclamation of water reserves or catchment areas as already contained in section 13 of the Act. The doubts expressed by the Hon. G. E. Masters have no foundation in the areas of his concern—that is, the "hills" type water reserve and catchment areas—and no powers additional to those already existing are contained in the amendment.

Question put and passed.

Bill read a third time and passed.

SECURITY AGENTS BILL

Report

Report of Committee adopted.

PSYCHOLOGISTS REGISTRATION BILL

Second Reading

Debate resumed from the 12th October.

THE HON. N. E. BAXTER (Central—Minister for Health) [4.52 p.m.]: I thank the Hon. Grace Vaughan and the Hon. R. J. L. Williams for their contributions to the debate last night. Mr Williams gave a very clear explanation of the Bill. He had studied it fairly closely and he covered many of the points raised by the Hon. Grace Vaughan, some of which were not really applicable to the measure.

As I stated when introducing the Bill, it does not set out to deal with psychological practices. Indeed, the Hon. Grace Vaughan has agreed it is difficult, if not impossible, to define exclusive psychological practices which only a registered psychologist will be permitted to perform. If one attempted in a Bill of this nature to define "psychological practice" and apply the definition according to strict rules, we would have such a mess it would not be funny.

The honourable member does not, however, show a similar insight in regard to the need for the exemptions set out in clause 4 or the need for clauses 52 and 53 of the Bill. These clauses have been found to be necessary because it is not possible to define exclusive practices in psychology without cutting across the legitimate functions of other persons. I will now endeavour to deal with those clauses in detail.

It was the provisions of clause 53 which led to the need to include clause 4. Clause 53 (1) makes it an offence for any person who is not registered as a psychologist under the legislation, to hold himself out to be a psychologist, or to practice research or teach psychology, unless doing so under the supervision of a registered psychologist, or under other special provisions which may be laid down under the legislation. Hence, not only does the Bill specify the conditions under which a psychologist may "hang up a shingle", but it also specifies that those who claim to be carrying out psychological practices are committing an offence unless they are registered to do so.

Persons other than psychologists do claim to offer psychological services, but they would not qualify for registration under the legislation. Medical practitioners are one group. Should the medical practitioner in an isolated country town be debarred from holding himself out to be a practitioner of psychology because no registered psychologist is available? Of course not. The isolated medical practitioner uses his skills to the best of his ability. He may be required to be doctor, dentist, surgeon, anaesthetist, nurse, custodian, confessor, hypnotist, and psychologist all in one day. He is subject to very considerable regulations through the Medical Act and other Acts and regulations, including his strict code of professional ethics, which lays down that he will not practise beyond that level of competence to which he is trained.

Twenty-five years ago this State contained virtually a handful of psychologists. Today there are nearly 300. Who undertook psychological work before psychologists arrived on the scene? A good deal of it was done by doctors.

How adequate is the current work force of psychologists in the health field alone? A recent survey suggests that the profession of psychology is something like two-thirds under strength. In the meantime who copes with the case load? The doctors do. Gradually the medical profession is being relieved of this work as the task force in psychology grows.

However, it will take many years to reach optimum proportions and in the meantime the medical profession handles a large proportion of the psychological case load. Furthermore, no matter how adequate the task force in psychology, there will always be those conditions where there is a psychosomatic intertwining of physical and psychological symptoms and the doctor will always have a role in psychological medicine. To seek to delineate arbitrarily the role of psychologist and medical practitioner is impossible, and hence the total exemption of doctors from the provisions of the Bill appears to be highly desirable. As I said before, doctors have their own systems of accountability for the protection of members of the community.

The matter of ministers of religion has been taken up in several quarters. They are defined as persons who are authorised to perform marriages, and under the law of the Commonwealth they must be registered for this purpose. They are therefore clearly identifiable. Without such a provision, any person could claim to be a minister of religion.

We have only to consider the number of religions which have cropped up over the years in America and the people who have claimed to be ministers of religion. Some of these so-called religions have spread to Australia and even Western Australia, and members can imagine what a chaotic situation would exist if there were a proliferation of these so-called religions and people who called themselves ministers of religion were able to practise psychology without control.

The Hon. R. F. Claughton: Nobody thought much of Jesus and his desciples in their time, either. It was thought they were a lot of ratbags.

The Hon. N. E. BAXTER: Some people claim to be ministers of religion when they have no status of any kind. Therefore, it would be highly inconsistent to exempt these persons from the Act entirely as, after all, both hypnosis and the professional practice of psychology warrant the setting of some specific standards. However, a minister of religion would be protected under the provision of exemption from a practice which involves the blending of psychological and religious counsel.

To illustrate the point, the Mental Health Services has a chaplaincy department. Some severely disturbed patients are referred to priests and ministers of religion by psychiatrists for spiritual counsel, which is the preferred form of psychotherapy.

There are also special psychological techniques which have arisen from the application of psychological therapy, specifically designed to be utilised by ministers of religion and priests. The work of the eminent American psychologist, D. H. Mowrer, in respect of this has been used in pastoral counselling in this State for nearly 15 years. There is a need to make it clear that the status of ministers of religion to undertake this work is recognised under the Bill.

The honourable member also questioned why the Bill should exempt doctors entirely, ministers of religion with qualifications, and teachers and students in certain instances, but not other groups such as occupational therapists, physiotherapists, social workers, and teachers. It is certainly not the intention that the Bill should restrict such persons in the normal course of their professional practice. However, while I recognise the call on medical practitioners—and to a lesser extent on ministers of religion—to perform psychological practices, I believe all the duties that the social worker undertakes should be firmly held out to the public as the practice of professional social work, not professional psychology; and the same applies to other allied professions. As long as a person does not publicly state he is a psychologist he will have no worries.

There are, however, certain exemptions to be considered in respect of the training of members of these professions. There is no question that social workers need a substantial knowledge of social psychology as a field of particular relevance to their profession. The subject matter of social psychology is legitimately taught by teachers of social work who are not psychologists and, hence, would be exempted under clause 4(3). The same general case may apply to all professions whose members have need of a special knowledge of psychology, but not to a level which would constitute a professional qualification.

The attention of the honourable member is also drawn to clause 5, which empowers the Minister to grant additional exemptions if he is satisfied the public interest will not be prejudiced. This provision is included as a further recognition of the difficulty of arbitrarily defining psychological practice and is intended to provide for further flexibility if such is needed in the light of experience. Psychology is a growing profession, the perimeters of which are yet to be determined. The same may be said of all the other helping professions; hence an Act which may set limits or extend exemptions is considered to be the most appropriate mode of community protection at this stage.

The Hon. Grace Vaughan would have the clause relating to control of the practice of hypnosis deleted from the Bill. Again I reiterate that there is a very real need for such controls, and that it would be most extravagant to set up a separate Act and a separate board. The three States which have so far registered psychologists have included in their Acts similar provisions for the control of hypnosis.

I see a psychologists' registration board as being very appropriately equipped to deal with such a provision, particularly as registered medical practitioners and dentists are exempted and, anyway, have their own machinery to deal with persons who practise outside the range of their competency. I see no cogent reason for altering the provisions of clause 52 which deals with this matter and which, in my opinion, is a most important provision for community protection, as was emphasised yesterday by the Hon. R. J. L. Williams.

I cannot agree with the Hon. Grace Vaughan that it is sufficient for us to have a board which will say who may or may not call himself or herself a psychologist. We must also say that those who, without being registered, hold themselves out to be psychologists or imply that they are offering professional psychological services are committing offences; that is, provided they are not allied professionals who have a legitimate need to use applied psychology in professional practice and who are accordingly exempted under the Statute.

In respect of her reference to marriage counsellors, these persons will most certainly be exempted under clause 5 if that is found to be necessary. It will be noted that clause 5 includes a provision that such exemptions may be subject to terms, limitations, and conditions. This may provide further machinery to control, in the interests of the public, the range of services which exempted persons or groups of persons may perform.

For instance, we would not want a situation where marriage guidance counsellors were permitted to practise psychoanalysis without recognised training. Psychoanalysis is a highly specialised form of

treatment requiring many years of study and supervised practice. I am sure the Hon. Grace Vaughan would realise this.

The honourable member made a very good point when she asked, "How does a person know if he is breaking the law if we do not define psychology?" I think I can clarify this for her by hazarding a definition of "psychology" and "psychological practice". Psychology is the science of behaviour, and psychologists are those persons who study this subject.

Persons who will be registered under this Bill as psychologists will have completed sufficient study of the science to know the dimensions of its subject matter, its methods of inquiry and development, and how the subject matter may be applied in the service of community and individual needs. They will be required to undertake, or to have undertaken, two years of approved experience in professional service before being eligible for full registration, unless they are otherwise eligible under the grandfather provision.

A person will know he is breaking the law if he holds himself out to be a psychologist without being registered, or if he performs acts which he holds out to be acts of psychological practice and which his client accepts as a service of such.

With those comments, I hold that the Bill should stand as it is.

Question put and passed.

Bill read a second time.

EDUCATION ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 12th October.

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.08 p.m.]: The main provisions of this Bill relate to special education, and it contains a number of other minor amendments, one of which I regard as being rather important. The Labor Party has no objection to the provisions of the Bill. In another place we proposed some amendments which we thought would improve the legislation. One of these was accepted by the Government and is the subject of further amendments detailed on the notice paper today.

I can see very little change taking place in respect of the treatment of the children who are the subject of these amendments as a result of their practical application. The main difference is that now there is to be a panel of selected persons who will be qualified to make assessments and recommendations regarding the type of special education these children should receive.

I do not see there will be a great deal of change in the process of referring these children from schools. I know in the past some difficulties have occurred as a result of parents attempting to obtain special education for children with special problems; but there is no doubt that there are now more facilities for this education than there were when I came to Parliament in 1968. Since that time a great deal of emphasis has been placed on remedial education in the schools, and now there is a wider range of special schools available for these children.

One problem which remains is that very often the parents do not recognise the condition of their children. I believe it is of great importance that the child's difficulties be recognised in the very early years, because this assists the child to adapt to the school situation. So often have we seen in the past a child with a problem that remained unrecognised for year after year until it became almost impossible to assist the child. I have known children who have experienced that.

However, nowadays there is a difference, and I think it lies in our better recognition of the different sorts of problems that can occur. Quite a deal of discussion has occurred in respect of the problem that is generally termed dyslexia, to call it by its broad name. Within that broad field there are quite a deal of different types of conditions. Also, whereas in the past children were termed as "slow learning", we are now aware of different categories of this. Often it is the child with a speech or hearing defect who is most seriously affected, because it is not always possible for the teaching staff, or even parents, to recognise these defects. Relatives of mine had a child who experienced many unhappy years at school before his problem was finally recognised.

That is the reason I say it is more important that careful examination be made of children in their early years of school to ensure that such problems are recognised as soon as possible.

The changes to section 20 of the Act are still directive changes. They give authority to the Minister and the department to do certain things. However, the place of the parent is not specially recognised, and the purpose of some of the amendments moved by the Opposition in another place was to obtain a little more recognition. As I said, I feel the procedures are the important thing; that is, the facilities available in the education system to deal with these problems.

I take special pleasure in the repeal of sections 32C and 32D, because on a previous occasion when the Act was being amended in this Chamber I drew the attention of the Minister to those sections and suggested the time had long come for us to relax our strong feelings in respect of safeguarding the English language within our education system.

At one stage I think perhaps we might have felt that other people may have taken over the country, but I think there is no danger of that occurring today. Accordingly to remove this section is to recognise the many large groups of mainly European people who now co-reside with us in Australia and for whom the possibility of being able to instruct in their own language is an important feature.

The Hon. G. C. MacKinnon: I mentioned the Aborigines specifically because we have one or two bilingual programmes for them and, in actual fact, we are running something that is illegal.

The Hon. R. F. CLAUGHTON: I was thinking more of the European people.

The Hon. G. C. MacKinnon: You are quite right.

The Hon. R. F. CLAUGHTON: In fact they would have been running illegal schools in which the language of instruction was not English.

However I am pleased the Minister reminded me of that aspect as well. The Aboriginal people have a great difficulty in appreciating the concepts contained in the English language and instruction in their own tongue, particularly in their early years of schooling, helps very much to bridge the gap from their own concepts contained in their own language and to match them with those in our more complicated European language.

It is of vital importance, if the Aboriginal people are to advance, that this process of instruction in their own tongue be available, particularly in their early years at school.

There are other amendments proposed to the Act which are more consequential and of a machinery nature, in connection with other changes which have taken place.

With those words I support the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. Clive Griffiths) in the Chair; the Hon. G. C. MacKinnon (Minister for Education) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 13 amended—

The Hon. G. C. MacKINNON: As the amendments are aimed to achieve the one end result perhaps you would allow me, Mr Deputy Chairman, to make an explanation on all of them before I move them separately.

The principle involved in the addition of subsection (5) to section 20E in clause 8 of the Bill is acceptable to the Government. At the time of drafting the original Bill the issue of what would happen to a direction if an appeal were lodged was considered. It was felt it would be highly unlikely that a Minister would enforce compliance with a direction while an appeal was pending. I still believe this to be true and, in practice, the provisions sought by this subsection would be followed.

Indeed Mr Claughton pointed out that in many ways the practice will not be greatly different from what has happened in the past. Nevertheless it is considered desirable that these changes take place.

However, if it is felt that the usual expectations of a Minister in this situation might not always be followed and that it is necessary to write into the Act some provisions to cover the case of what happens while an appeal is waiting to be heard, a new subsection (5) to section 20E could be included.

I have had the suggested amendment examined and I am advised that the substitution I am now proposing sets out the action to be taken more clearly. The first amendment overlooks the possibility that a direction may have already come into force before an application is made for its cancellation, particularly in cases under section 20B.

The amendment I propose takes this possibility into account and provides for appropriate action where the direction is not yet in force and where it is already in force. In both cases members will note that action is suspended until the complaint has been heard and determined.

While my amendment embodies in full the principle of the original subsection (5), I would like to bring to the notice of members some misgivings I feel about applying it to section 20B. This section applies to those children whose actions are disruptive and even physically dangerous to other children in the class. In such cases, which are fortunately not too frequent, it is necessary to remove the children from the ordinary class situation. If a parent lodged an appeal against such an inclusion and the provisions of subsection (5) were applied, the school would be forced to re-admit the child until such time as the appeal is heard. In such a case the education of a number of children could be seriously disrupted.

Personally, I would prefer these provisions of subsection (5) to apply to appeals in connection with direction under section 20A only and not to appeals in connection with section 20B. If members concur with me the amendment could be changed by deleting reference to section 20B in subsection (5). I hope members will agree with this, though I do not propose to keep them here for an hour with regard to it if they do not.

I think I have already dealt with the question of allaying the fears of parents as expressed in last Saturday's *Weekend News*. I did that yesterday. I have a copy of the report of the committee on special education and this Bill does in fact follow that report. The whole purpose of the Bill is to remove the discrimination which at present exists and to relieve the parents of handicapped children of the onus of being responsible for providing their education. Before this amendment the Act made that provision and I can assure parents such as Mrs Warren—who was quoted in the *Weekend News*—that they need have no fear that the Government would be so unthinking as to force them to move their children from a school situation where they are happy and coping adequately to one which they did not like. The decisions are educational decisions and are best made by persons trained in and familiar with that form of education.

I think the point inherent in most of the comments made by Mr Claughton, for which I thank him, is that the emphasis has shifted a little in the care of handicapped children from purely medical to educational. A great deal has been learned about the medical requirements of the children and now the emphasis is moving to their educational requirements.

I think I have covered all the amendments that might be necessary. The only one on which there may be some concern is that connected with the amendment to section 20B in clause 5. I think I have left that out. It does not appear in my notes.

I would be interested to hear Mr Claughton if he really wants to insist on this. If there is a disruptive child who is causing physical danger he would be put out of the class, but if there were an appeal we would have to put him back into the class. There might be some risk, but there are so few cases that if Mr Claughton agrees with the reasoning behind my assertion I would be prepared not to go ahead with that one.

I move an amendment—

> Page 2, line 7—Insert after the word "served" the words "and in force".

The Hon. R. F. CLAUGHTON: The good sense of the amendment has been made clear by the Minister, in that if a child is excluded by direction from a school and then, subsequent to appeal, it is necessary to revoke that direction the child would face an unsettled period between being away from the school and when he goes back again. It is for that reason that the Labor Party committee considered the suggested amendment.

As I said earlier I agree with the Minister that the amendment suggested by him is necessary; it fits the case far better than that which was accepted in the Assembly.

The Hon. G .C. MacKinnon: Thank you.

The Hon. R. F. CLAUGHTON: I would again raise no objection in respect of clause 5 which indicates that a child must have a very severe mental disorder or disability, and where those conditions obtain and the class is being disrupted it is for the good of the rest of the children that the Minister should be able to have the child removed. I would not dispute the point the Minister raised that the amendment on the notice paper should not be proceeded with.

The Hon. G. C. MacKinnon: Thank you, Mr Claughton.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 3 put and passed.

Clause 4: Section 20A added—

The Hon. G. C. MacKINNON: I move an amendment—

> Page 3, line 1—Delete the word "A" and substitute the passage "Subject to subsection (5) of section twenty E of this Act a".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 5 to 7 put and passed.

Clause 8: Section 20E added—

The Hon. G. C. MacKINNON: I move an amendment—

> Page 6—Delete subsection (5) of proposed new section 20E, and substitute the following to stand as subsections (5) and (6)—
>
> (5) Where, within thirty days after being served with a direction under section twenty A or twenty B of this Act, a parent lays a complaint under this section before a children's court—
>
> (a) if the direction is not in force when the complaint is laid—the direction shall not come into force until the court has heard and determined the complaint;
>
> (b) if the direction is in force when the complaint is laid—the direction shall, by operation of this subsection, cease to be in force from the time when the complaint is laid until the court has heard and determined the complaint.
>
> (6) Nothing in subsection (5) of this section prevents the Minister from exercising his powers under subsection (3) of section twenty A or subsection (3) of

section twenty B of this Act at any time whilst the determination of a complaint laid under this section is pending.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 9 to 16 put and passed.

Title put and passed.

Bill reported with amendments.

ARTIFICIAL BREEDING OF STOCK ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th October.

THE HON. A. A. LEWIS (Lower Central) [5.34 p.m.]: At the outset I would like to thank the Minister for deferring the debate on the Bill to enable the breed societies to examine it over the Royal Show week. I want to make very few comments on it.

I am not at all happy with the situation outlined by, I think, Mr Wordsworth about the controlling of people engaged in the agricultural industries. As the honourable member pointed out, previously a person had to engage a veterinary surgeon to inoculate sheep to treat pulpy kidney. I believe that ovum transplants will be as popular in a few years' time as inoculation for treatment of pulpy kidney is at the present time.

I think that the complete restriction placed on licensed premises and operators is not in the best interest of any industry. However, there is nothing we can do about the matter under the Bill before us. I would like the Minister for Justice to convey to the Minister for Agriculture the fact that the people in the country are becoming a bit sick of the large number of returns they have to submit, and the great deal of information they have to furnish to the Department of Agriculture under the laws of the land.

It seems that before long the people will not be able to serve ewes with rams, without advising the Chief Veterinary Officer and the Department of Agriculture. We have now reached the stage that it is necessary to obtain inseminators' licences, collectors' licences, and licences for premises. I know that some stud breeders will fully support any provision that states only licensed stock can be inseminated, but I am afraid the majority of country dwellers would not agree to such a proposal.

I could go on saying a great deal more on this subject, and I could quote from the magazines of the Cambridge Society and from other documents. However, I do not think I ought to, because I have already made my point about unnecessary controls being applied to the agricultural industries.

Apart from those comments I support the Bill.

THE HON. N. McNEILL (Lower West—Minister for Justice) [5.36 p.m.]: I would like to thank members for their acceptance of the Bill. I have taken note of the remarks made, and the queries raised by members who spoke in the debate yesterday; in particular those of Mr Wordsworth and Mr Abbey. I have had their comments examined by the Minister who is responsible for this legislation.

I know that Mr Lewis has also adverted to a similar situation. While he has not expressed opposition to the Bill, he has certainly raised some queries on what he regards as a form of bureaucracy, and the unnecessary need to submit returns in respect of the practice of artificial breeding.

Mr Wordsworth and Mr Abbey raised some queries which may have some relevance to the remarks just made by Mr Lewis. Mr Wordsworth raised a query in respect of the necessity to have premises licensed. Before elaborating on this matter I should point out that I accept the remarks of Mr Wordsworth as being factual.

Over the years we certainly have seen a tremendous increase and improvement in the ability and expertise of stock owners to carry out a great many functions which in the past were regarded as functions to be carried out by veterinarians. Reference has been made to inoculation, vaccination, and similar forms of treatment. Today these forms of treatment are commonplace, and in the future it may be that operations such as ovum transplants will also be commonplace. When the stock owners have developed sufficient expertise and experience that could well be the situation in the future; and the stock owners themselves might be able to carry out those operations quite effectively.

I draw on my own experience in relation to inoculations and vaccinations. In the past there was a certain lack of knowledge and there was apprehension on the part of many stock owners that they were not carrying out sterilisation procedures correctly. They wanted to avoid causing infection to the animals, and in those days the only way to carry out these functions was by engaging veterinarians who had knowledge of the techniques of sterilisation, and sterilisation equipment. Furthermore, at that time there was a lack of knowledge by stock owners of the veterinary prescriptions that were in use.

The Hon. D. J. Wordsworth: In some States under the law it was necessary for the veterinarians to do that.

The Hon. N. McNEILL: That is correct, and I believe it was for the same reasons. There was also a considerable lack of

knowledge on the part of stock owners in the other States as to what the substances were. Those people were not in the medical field and it was felt the substances should not be available for use by all manner of persons. I agree that in the fullness of time we may well see the situation where a great many of the stock owners are sufficiently capable and experienced to carry out these practices.

Rightly or wrongly, it is felt at the present time that situation has not been reached. Today we may well have a few people who are capable of carrying out these operations quite satisfactorily, but the great majority of people certainly would not be. It is for that reason the necessary safeguards are still retained in the legislation

Returning to the point of the licensing of premises, I am not sure that the comments of Mr Wordsworth have been understood explicitly, but according to the advice that has been given me, premises are required to be licensed only where donor cows enter the property concerned, and, as impregnated cows, subsequently leave the property. In other words it is a commercial enterprise. The Bill does not envisage the licensing of premises where the process of ovum transplanting is done on behalf of an owner on his own stock. We are concerned only with the commercial enterprises.

Where a commercial operation exists, each building will not be required to be licensed. I think Mr Wordsworth raised a query as to how many premises and buildings would be required to be registered. The comments I have made will answer his query, and it will not be necessary for each and every building to be licensed. Only premises where a commercial operation is to be carried out will have to be licensed. What we envisage is a type of clinic or some similar place. This will apply to a collection of buildings rather than to individual buildings.

The Hon. D. J. Wordsworth: A neighbour can still send his cows to me.

The Hon. N. McNEILL: Not if it is a commercial operation. That is my interpretation of the provision. To continue with the advice I have been given, it will be appreciated that licensing is reasonable in the circumstances since it would be desirable in the interests of livestock owners to ensure that cows entering or leaving such premises are not, in fact, affected with infectious diseases such as tuberculosis and brucellosis. References have been made by other speakers in the debate to the need for safeguarding stock from infectious diseases such as those, and others mentioned.

The Hon. D. J. Wordsworth: I would sooner put more money into the testing of disease in herds.

The Hon. N. McNEILL: I am not sure of the relevance of that comment. If we are talking about costs, I am not sure there is any great increase involved, although there might be some on the part of individual owners.

The operation of ovum transplanting is not a simple procedure or in any way analogous either to artificially inseminating stock or vaccinating sheep. At this stage we recognise that. It would be in conflict with the provisions of the Veterinary Surgeons Act for an unqualified person to perform this operation. I do not think I need to elaborate any further because that explanation will be well understood.

Mr Wordsworth referred to fees, and mentioned a regulation which, while not setting it out explicitly, suggested a fee of $70. Although this has no relationship to the actual quantum of the fee, the existing legislation has provided, since 1965, for a fee to be imposed in respect of a person holding either a limited licence or a general licence in respect of premises.

I am not sure that those remarks adequately cover the queries raised by Mr Wordsworth. In fact, I think probably he was making a plea on behalf of the livestock industry and the livestock owners—as a further means which is available to him in this House—for administering authorities to try to minimise the degree of control which ought properly to be imposed on livestock owners.

The Hon. C. R. Abbey gave us the benefit of his overseas travels, and his observations of stock and the techniques of breeding in overseas countries. He certainly gave us the benefit of his considerable experience in the production of high quality stock. I am sure his remarks have been of great value to members in this House, and also to people outside.

In particular, Mr Abbey raised one point to which I would like to add some comments. My comments certainly will not be critical, but very much in support of what he said. I refer to his reference of the need for Australians—and for Western Australians in particular—to recognise that we have quality stock in our own country. I think Mr Abbey queried the enthusiasm which some people have for the importation of semen when, in fact, we have suitable stock available in this country which can give progeny better than that produced as a consequence of semen imported from outside countries. I suppose that is one of those features of human nature; something which is imported is better than what is available in this country, or something purchased in the city is better than what is available at home! There is a slight tendency for that attitude still to prevail.

I agree we have suitable stock in this country. Certainly, it has been conveyed

to me by way of advice that this legislation will, in fact, give some support to that contention. The measure will provide the basis for superior bulls to be identified for the subsequent use of semen from those animals which will be of considerable value to the industry. I think this is related to the necessity for the keeping of records and returns in order that there may be a proper identification of quality stock, and to ensure that those animals which are able to uplift the breed and improve production can be better identified and, therefore, be put to much more general use.

Mr Abbey also raised the point—and I cannot think it was other than as a result of his very considerable experience—and gave us a reminder that we will have to be extremely careful—our administering authorities and our Department of Agriculture—to continue to exercise care to ensure that genetic faults are not carried on into our industry. This Bill will provide for standards to be set, not only to ensure freedom from disease, but also to ensure that animals with genetic faults are precluded from producing semen. In order to achieve that desirable end we may have to give something in return. That giving in return could be the necessity to keep records. That may be the price it will be necessary for us to pay to achieve our objective, which Mr Abbey so validly highlighted for us.

My comments could also be applicable to the remarks of the Hon. A. A. Lewis. In view of our experience, I see no reason or cause at all to fear that the clock will be put back in the manner suggested —probably facetiously—and that returns will have to be submitted when rams and ewes are joined. That type of system is way behind, as evidenced by the remarks from experienced members who have spoken. We are going very much in the opposite direction. I think the remarks which have been made are an acknowledgement of the standard we have reached in agriculture and livestock production in Western Australia.

I was very pleased to hear Mr Abbey take advantage of the opportunity to pay tribute to the late Dr Gardiner for the services he rendered as the Chief Veterinary Officer in Western Australia. He certainly achieved something for Western Australia—as have his predecessors—and contributed to the livestock industry in this State. The industry has been placed at least on a footing equal with that of our competitors in the Eastern States and overseas. As Mr Abbey said, perhaps we are on a better basis in this country.

Once again, we are fortunate in our degree of geographic isolation. Our isolation allows us an opportunity to control the entry of disease. The provisions of this Bill will allow us to continue to improve management. In appreciation of the support given to the Bill I commend the second reading.

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.

WILDLIFE CONSERVATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th October.

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.55 p.m.]: One of the most important statements in the Minister's second reading speech was that 321 native plant species in Western Australia are known only as a result of the original specimens collected. That is a fairly significant number, when one considers the short period of settlement in this State.

It is quite true to say that a considerable amount of research is necessary in order to describe properly the native flora and fauna in Western Australia. A tremendous task still faces those involved in research, and perhaps that is indicated by the results of a recent expedition to our north when some 70 or 80 previously unidentified specimens were reported. That is an indication of the sizeable task still facing the authorities.

It is rather unfortunate, perhaps, that an area which suffered substantially in the Budget cuts of the present Australian Government was that concerning the funds which were to be made available for a biological resources study under the guidance of the former director of the Western Australian Museum.

The intention of the Bill before us is to include in the Wildlife Conservation Act the protection of flora. Flora and fauna will be brought under one administration. That is most desirable.

Several years ago I talked to a gathering of nurserymen at one of their annual meetings. It might be paradoxical but I believed one of the ways in which the indigenous flora of our State could be preserved for the future was by its adoption by commercial enterprise; that is, indigenous flora should become part of the stock of commercial nurseries. In recent years we have observed considerable expansion in the number of Australian plants available from nurseries. Those native plants are now well established as part of the average Australian suburban garden.

In this way the specimens that are in our charge will have a chance to be preserved and those that are adopted as commercial products will not in future

join those 320 species that have apparently already suffered extinction. So I give my support to the proposals in the Bill that encourage the propagation of all species of native plants, including the propagation under supervision of some of the rare species, as referred to by the Minister in his introductory speech.

The Bill provides for the licensing of persons to allow for the collection or the growth and sale of native Australian plants. The fees derived from these licences will be applied to assist in the preservation of endangered flora.

The Bill contains a substantial number of amendments but many of these are machinery amendments to add the word "flora" in conjunction with the word "fauna" in the parent Act.

I would like to deal with the Bill in some detail. Clause 4 will add an interpretation of Crown land which did not previously appear in the legislation; Crown land will now include all land that is not privately held. When the Minister replies to the debate, I wonder whether he could explain to me the position in respect of Commonwealth land. I am sure this is properly covered under other legislation.

The Hon. G. C. MacKinnon: That is rifle ranges and reserves?

The Hon. R. F. CLAUGHTON: Yes, that sort of thing.

The Hon. G. C. MacKinnon: Yes.

The Hon. R. F. CLAUGHTON: I am asking the Minister whether the powers of the legislation will extend over such lands. I am not too sure of the position in this regard.

It is also proposed to add an interpretation of the word "flora", so that our wildflowers will now come within the scope of the legislation. However, while it is proposed to delete the interpretation of indigenous flora from the Act, I see that the definition of indigenous fauna will remain. Perhaps the Minister will explain why it is considered necessary to remove the definition of indigenous flora whilst retaining the definition of indigenous fauna.

The Bill proposes also to broaden the definition of flora so that exotic plants which become established here can be protected by a declaration under other provisions in the Bill.

On reading the Act I was reminded of the recent incident at the South Perth Zoological Gardens when several short-necked tortoises were stolen, presumably because they will be extremely valuable on the overseas market. The legislation imposes a penalty of $1 000 for taking protected fauna, and if the people responsible for the theft are apprehended, I wonder whether they will be charged under the provisions of this legislation or under some other legislation. I raise this purely as a point of interest; I believe other members may be interested also.

The interpretation of private land has been included so that the Minister may provide protection in regard to rare specimens which are growing on private land. I will deal with that aspect a little later.

Sitting suspended from 6.06 to 7.30 p.m.

The Hon. R. F. CLAUGHTON: Prior to the suspension of the sitting for tea, I was dealing with the various provisions of the Bill, specifically the definitions in the Bill, and was about to refer to the definition of protected flora. The new legislation differentiates this slightly from earlier definitions of flora. In this case, it means flora which is, for the time being, declared to be protected flora for the purposes of the legislation. Provisions are also included whereby such a declaration can be revoked. One assumes that would be done in respect of flora which was deemed to be in danger but where the protective measures applied have been effective, and the continuance of the species assured. Paragraph (f) of clause 4 will amend the name of the fund by deleting the word "Fauna", which was the term used in the original Act, to "Wildlife" to bring it into line with the new nomenclature.

I do not intend to deal with all the provisions contained in the Bill; I merely intend to select some of those to comment on at this stage. Paragraph (h) seeks to extend the area over which protected fauna or flora may continue to be protected. For example, if for some reason someone collects a protected species and takes it beyond the local area to another part of the State, action can be taken.

In new subsection (5), contained in clause 4, there is a provision which allows plants which are declared under the Agriculture and Related Resources Protection Act to be excluded from the provisions of this legislation. Obviously, that is a necessary inclusion to provide for the needs of our agricultural community; it will enable a farmer to take action to protect his stock when, for example, he finds poison weed on his property.

Clause 5 marks a substantial concession in that it will allow for the Crown also to be bound by the provisions of this Act. It has been a matter of complaint for some considerable time by conservationists that while private citizens can be brought to court for their infringements of the legislation, Government authorities very often are the worst despoilers of our countryside, yet no action can be taken against them. I believe most people concerned with this issue would welcome such a provision. However, the Opposition questions the position of the Mining Act in relation to this legislation. If there is destruction of protected flora on any mining lease, will action be able to be taken under this legislation? The Minister may like to comment on that point when he replies.

Clause 7 of the Bill provides for the fees and royalties collected through the new licensing provisions of the Bill to be paid into the new wildlife conservation fund; the Minister informed us in his second reading speech that these funds will be directed towards payments of compensation and the purchase of land needed to implement the provisions of the Bill; in addition, the Bill itself refers to such funds being used for research. We have no indication at this time just how substantial those funds will be; no estimate has been made. In fact, it is not likely to be a very large amount. Again, the Minister may like to comment on what estimates have been made of the funds which will be used for these purposes.

I have already commented on the fact that the Australian Government has cut substantially the funds which it had intended to direct towards the necessary research into indigenous Australian flora and fauna in order to ensure their adequate protection and description.

Clauses 12 to 17 contain the new provisions dealing with licensing, and how it will apply to private land; the definition of rare flora also is provided for, and this represents an important new addition to this type of legislation. In clause 12 it is provided that "The property in protected flora . . . is . . . vested in the Crown." In other words, even if such protected flora is on private land, it remains the property of the Crown, and no action can be taken by a private landowner in respect of protected flora situated on his property.

That is necessary, of course, if the Minister is to be able to take action in such cases. Clause 12 contains the further provision that there will be no rights of entitlement to compensation due to the fact that the flora is a declared species. This may be seen as a threat to the rights of private persons, but in considering that question it must be remembered that the people of this State have a duty to preserve and ensure the continuance of the unique indigenous flora contained within our borders and which, in large part, are not found in any other part of the globe. While private landowners may feel themselves aggrieved by such a provision, it is in the general interests of the people of this State.

Clause 13 deals with flora on Crown land which, under the new provisions, can be taken by people who are granted a licence. A further provision in the Bill states that when somebody applies for a licence, the Minister is required to grant it. He is allowed no discrimination in that respect. I do not know whether that is a wise provision, because it is quite feasible that a person who has no record of any misdemeanour against the Act may still be a most unsuitable person to be granted a licence. However, the new legislation will provide the Minister with absolutely no discretion to refuse him a licence. There are to be two grounds upon which the Minister may refuse a licence, but they relate only to a person who has a previous record for offences against the Act. This represents fairly tight drafting, and perhaps we should think a little more closely about this part of the Bill.

Clause 13 (2) provides that where unintentional destruction of protected flora takes place, it shall be a defence for the person to prove it was unavoidable. For example, it may occur on a private property where a farmer is clearing or carrying out some other activity and quite unintentionally, through the use of a poison spray, does permanent damage to a protected area. In that event, he cannot be held responsible and, probably, it is a necessary provision. However, again, it could also be used as a let-out for people who in fact have deliberately destroyed the plants. For example, it could involve a property developer or, again, a mining company, where insufficient care is taken. But while pointing to the loophole in this clause, I concede it is necessary to allow for accidental damage to protected areas.

New section 23C provides for the issuing of licences and for the payment of fees and royalties. New section 23D deals with the taking and sale of protected flora from private land. If it is authorised by the owner of the private land it is not necessary to go to the Minister. If one gains the permission of the owner of the land and one is a licence holder one will be able to collect flowers, foliage, plants or seeds from those specimens.

That is a most desirable provision. We have seen very great destruction of indigenous specimens in this State for many years, and this will continue. It seems to me quite ridiculous that there should be total bans on the picking or collection of wildflowers which are shortly to go under the bulldozer. If people are given permission to collect the flora at least there is some chance of a financial return or some prospect of perpetuating the plant by replanting or the gathering of seeds. I think that sort of provision is long overdue.

Under subsection (2) of that new section protected flora can be collected only if the people hold a commercial producer's licence or a nurseryman's licence. Under subsection (5) of that new section the Minister must issue a licence on application except in the case of a person who has been convicted of an offence under the Act.

Clause 16 of the Bill relates to the dealing in protected flora by persons who are not licence holders. They are required to keep records of where the plant material was obtained, quantities, descriptions, and so on. This is one of the measures by which the Government hopes

to accumulate records and data to provide it with the information better to apply the process of conservation and protection.

In new section 23F we find the provisions dealing with rare flora. In this case the Minister's consent is required, even for collection on private land. There is a penalty of $1 000, which is a substantial penalty and should provide a deterrent as long as we have people to keep watch to see that poaching does not occur or that collection by unlicensed people does not occur.

There is provision for compensation to the land holder if he is refused consent to take rare flora on his property. The compensation is for the loss of the use of the land and there is a time limit of five years. At the end of five years the Minister must give his consent, although there is a further provision that the land can be resumed at that time under the Public Works Act.

Clauses 18 to 21 of the Bill contain minor amendments on which I will not comment. Again I commend the Government for bringing this Bill forward. I think it contains some important new provisions in that there is provision for the control of commercial trading in native plants with some degree of regulation. I think that is a good provision because commercialisation of native flora is one way in which we can bring about continuing protection. With those words I support the Bill.

THE HON. T. O. PERRY (Lower Central) [7.52 p.m.]: I rise to support the Bill which seeks to amalgamate the administration of flora and fauna conservation within the Department of Fisheries and Wildlife to provide for better protection and conservation of our wildflowers and other plants. In my opinion this is very commendable.

Many people in the community are concerned at the rate at which our wildflowers are disappearing. I believe King's Park is an outstanding example of natural bushland in the heart of our city which our forefathers have preserved for generations to come. Where in another city of Australia will one find such a beautiful piece of bushland with its beautiful native flowers? The fact that King's Park overlooks the Swan River makes it all the more beautiful and attractive.

In my shire a group of people approached me six or seven years ago with the idea of preserving a large acreage of land in the southern portion of the district on Haddleton Plain. A portion of Wellington location 4734 was added to a reserve for the conservation of flora. I should like to pay tribute to Mrs Brenda Trigwell, Mr Eric Chapman, and Mr Charlie Sumner for their efforts in this respect. They were very persistent and would not take no for an answer. They battled for a long time to get this land consolidated for a flora reserve.

On this reserve a type of stunted banksia grows. There are only two places in Western Australia where this banksia persists, and one is this reserve of which I am speaking.

The Hon. R. Thompson: It grows also in Albany, does it not?

The Hon. T. O. PERRY: I am not sure, but I think it does. Also on this reserve there is pink boronia. I think the reserve is the furthest east in Western Australia that pink boronia grows. It is more prevalent in wetter areas of the State. Also on the reserve grow many beautiful flowers, some of which are plentiful in other parts of the State and some of which are rare. Some of the orchids which grow there are rare in Western Australia.

I am a conservationist and I believe the burning of our roadsides and our reserves in the springtime, when the flowers are still in bloom and the seed has not yet set, has destroyed some of our wildflowers so that they are becoming less and less prevalent.

There is an article in today's *The West Australian* which rather concerns me. It is the report of a statement by Mr Vincent Serventy. I have a very high regard for Mr Serventy but he is advocating now that conservationists should prepare a comprehensive questionnaire and should distribute a copy to every candidate in the coming State election. The article goes on to state—

> "Conservationists should be working on the questionnaire now," Mr Serventy said.
>
> "The questions should require only a yes or no answer and all candidates should have to sign the completed questionnaire.
>
> "These results could then be analysed and the answers published in the Press and elsewhere."
>
> In this way conservationists would know who was on their side and the questionnaire would force all parties to devote time to conservation issues, he said.
>
> If a candidate refused to answer a question the conservationists could use the refusal to their own advantage.
>
> By filing the completed questionnaires, a candidate could be branded a liar if he switched his policies after being elected.

Even members of Parliament change their minds sometimes. Mr Serventy goes on to say that he is unhappy with the measures taken to protect native fauna. He said that the words of politicians were marvellous but he was not very happy with their actions.

We have protected our native fauna until they have almost become vermin. I do not know where one draws the line between fauna and vermin. We know of the problem with emus along the rabbit-proof fence. Some conservationists were horrified that in an effort to protect their crops farmers went out and shot the emus. In most of the south-west kangaroos are an ever-increasing problem. Mr Lewis and I attended a meeting at Manjimup at which practically every shire in that area was represented. The meeting asked the Police Department, the Forests Department, and the Fisheries and Wildlife Department to get together to make provision for the shooting of kangaroos in the State forests.

No final decision has been reached but I am sure the day is not far away when the Fisheries and Wildlife Department will need to have a change of heart in its approach to the conservation of kangaroos in this State.

Unfortunately the Minister for Education is not in his seat as present, but I remember that when the Labor Government was in power in this State we went together to Jingalup. Mr Arthur Bickerton was the Minister in charge of the Fisheries Department at that time. Mr MacKinnon wanted to drive back to Bunbury. He asked me the shortest way back and I suggested a route to him. He said, "They told me that country is alive with kangaroos and I do not want to drive down there". I said, "That is because, as Minister for Fisheries and Wildlife, you protected the things for so long". Now people are concerned that we should stop protecting kangaroos.

The Hon. N. McNeill: The reason would have been that he did not want to kill any on the way back.

The Hon. T. O. PERRY: Possibly I misunderstood his concern. The Bill makes provision for the protection of rare species on private land. I am not opposed to this. I think the power that is given to members of the proposed authority will be used in the proper manner and that common sense will prevail. I think there is a need to preserve many of our beautiful wildflowers on private land.

I do hope common sense will prevail if the power is given to members of the new authority.

With those couple of reservations, I support the Bill.

THE HON. D. J. WORDSWORTH (South) [8.01 p.m.]: I find myself in disagreement with much of this legislation, not so much because of what it does but because of what it could turn into and the way in which it could be administered. No-one loves or appreciates wildflowers more than I do.

The Hon. R. Thompson: Have you many on your property?

The Hon. D. J. WORDSWORTH: I certainly have, and the other day when I had some visitors I collected 33 different varieties in a small area.

I am afraid that the administration of this legislation will be similar to the administration of the legislation controlling historic buildings and our fauna. The situation could become ridiculous because of the uninformed, sentimental, and unknowledgeable general public.

As the Act stands today many unnecessary restrictions will be imposed and a multiplicity of paper work will be involved. Under the Bill the Minister's permission will have to be obtained before certain plants can be gathered, plucked, cut, pulled up, destroyed, dug up, or removed or injured. Even if that permission has been granted by the Minister he could at a later date by notice in the *Government Gazette* stipulate that the written consent of the Minister must be obtained.

How many members read the *Government Gazette* every time it is printed? Let us face it, if a person contravenes the provisions of this legislation, a penalty of $1 000 can be imposed. Quite frankly I would say that no member in this House reads every copy of the *Government Gazette*.

The Hon. R. Thompson: You know why, don't you? When the Brand Government was in office it stopped the issue of the *Government Gazette* to each member of Parliament. Previously a copy was issued to each of us.

A member: Did you read it then?

The Hon. R. Thompson: Yes.

The Hon. H. W. Gayfer: It is still available on request.

The Hon. N. McNeill: It is available in plentiful supply in this Parliament.

The Hon. D. J. WORDSWORTH: Members are not going to the expense of buying the *Government Gazette* and therefore they are not reading it. In those circumstances I wonder how the general public is getting on.

The Hon. R. Thompson: They have no hope.

The Hon. D. J. WORDSWORTH: The honourable member is dead right. They have no hope. The legislation could have a great effect not only on nurserymen, but also on every person who owns land on which there are wildflowers or native flora. This involves a considerable area particularly outside the wheatbelt and the inland areas I represent.

The Hon. N. McNeill: Is the situation any different from any other regarding proclamations and regulations which must be gazetted?

The Hon. D. J. WORDSWORTH: I do not think it is, but at the same time we are making more and more regulations which one must read about in the *Government Gazette*. Soon it will be necessary to read that publication to ascertain whether we are permitted to walk down the Terrace. The situation is getting absolutely ridiculous.

The Hon. D. W. Cooley: You want to tell the Minister for Labour and Industry about that.

The Hon. R. Thompson: Your point is quite valid. If members of Parliament do not know what is in the *Government Gazette*, how on earth can the public know.

The Hon. D. J. WORDSWORTH: Not only must we read that publication, but we must also be able to identify every plant because how do we know whether the plants listed in the *Government Gazette* are on our properties? We will have to have a plant directory or something.

I am sure farmers know the poisonous plants, but no-one can be expected to identify all the plants on his land, and yet under the law he must know them before he clears any land. The time could well come when we will have to employ an expert of plants to classify those on our land before we continue to clear it.

In his second reading speech the Minister said that we need not worry because there are only 46 rare plants. One wonders how long that classification will last because he has already stated that there are 321 which are known only from the original specimens collected.

The original legislation dealt with animals, but we are now dealing with plants. A person will only have to find a plant with an extra couple of petals and it will then be known as another rare plant. The situation will become so complicated that it will be utterly ridiculous.

I mentioned earlier the difficulties we were experiencing under our legislation. First of all I would like to mention the National Trust. Practically anything that does not have windows down to the floor is in danger of being classified by a certain group which would like to keep such buildings intact. We have heard from one of our members about the Peninsular Hotel, although I do not wish to raise that subject again now. There is also in South Perth a building which was erected this century and which the National Trust did not find until someone decided it might be worth preserving.

The Hon. D. W. Cooley: What has this to do with wildlife?

The Hon. D. J. WORDSWORTH: This is what occurs when we become involved in classifications and I am explaining what has happened in connection with the classification of buildings. Someone decides that a certain building is a rare example of a type of architecture. However, I will get off that subject as the honourable member finds it a little delicate. I do know that the National Trust has reclassified buildings, not because it did not know they were there originally or had not inspected them previously, but because the general public decided to take things into their own hands.

Let us deal with some of our bird life. We know that parrots are being shot in orchards because they are pests, and yet there are restrictions placed on the export of these birds. We all know the legislation which was passed concerning the three groups of birds which can be kept in captivity and how it was necessary for the birds to be reclassified. I can see a similar situation occurring with regard to the legislation before us.

The Hon. R. Thompson: Did you support it?

The Hon. D. J. WORDSWORTH: Let us consider the kangaroo which one member has already mentioned. Recently I went to Alice Springs on a tourist bus and heard the general comments of some people who expected to see kangaroos jumping across the track every 100 yards or so. They were disappointed and said nasty things about landowners who destroyed kangaroos.

The Hon. V. J. Ferry: Bring them to the south-west.

The Hon. D. J. WORDSWORTH: That is correct. In the south-west a great deal of farming land has been utterly destroyed by kangaroos. I only wish we could put the animals into trucks and take them to Alice Springs and let them go. This is another example of an uninformed public expressing an opinion of which Governments are taking notice.

I wonder what will be the result of this legislation.

The Hon. R. Thompson. You did not mention the short-necked tortoise.

The Hon. D. J. WORDSWORTH: We are told there are 6 500 flowering native plants, and the Minister did not state how many there were of the nonflowering variety. This gives an idea of the extent of the classification which will be required. I wonder, when we start to list these rare and protected plants, how many we will suddenly find in the classifications.

To my amazement, I found in clause 4 a proposed new subsection (4) which reads—

> (4) The Minister may—
>
> (a) by notice published in the *Government Gazette* declare any class or description of plant (including any wildflower, palm, shrub, tree, fern, creeper or vine) specified in the notice which is not native to the State . . . .

I do not understand this. Apparently we can suddenly have a plant classified although it is not a native plant. Obviously there is a need for the provision but I find it very difficult to understand what it would be. Proposed new subsection (1a) in paragraph (h) of clause 4 is also difficult and strange to understand. It reads—

> (1a) Where any fauna or flora is taken in any part of the State where the fauna or flora is protected, that fauna or flora shall continue to be protected notwithstanding that it may have been removed from that part of the State to another part where the same species, class or description of fauna or flora is not protected. ; and

In other words a plant will remain protected although it is placed among other plants which are not protected. I find that difficult to understand. Perhaps the Minister can explain why this is required.

The Hon. R. Thompson: Are you going to support the Bill?

The Hon. H. W. Gayfer: He was in a critical frame of mind when he read it.

The Hon. D. J. WORDSWORTH: Perhaps I am a little critical, but I get the impression that not very much classification of our wildflowers has been done in this State. Perhaps there has been classification of the plants themselves but not of where they are distributed around the State, and perhaps the Government hopes that by registration of those who wish to sell or distribute protected wildflowers the information will be given to it on a plate—certainly on a form.

I wonder whether that will happen. I do not believe wildflowers are used commercially unless they can be readily collected. We do not see rare plants being sold in the Terrace either fresh or as pressed flowers. Those which are sold are available *en masse* either on Crown land or private property. Today I bought some kangaroo paws at 50c a dozen. I do not think they could be merchandised at that price if they were in any way rare.

The Hon. R. F. Claughton: There are others—the pitcher plant and so on.

The Hon. D. J. WORDSWORTH: The point made by an officer of the Department of Fisheries and Wildlife is that at present tonnes of plants are being exported out of the State and the department has no idea what they are. I know of one person who is exporting tonnes of wildflowers. It is not actually a wildflower; it is the banksia from Esperance. Every year a woman comes over from America and hires some sheds in Esperance for the purpose of drying the nuts for flower arrangements. I do not believe this kind of trade is doing any harm at all; in fact it probably gives the country a great deal of publicity overseas. We go to considerable trouble to publicise our country overseas but if we did more to expand the use of our wildflowers overseas perhaps we would get far more publicity than we get from pages in glossy magazines.

I well remember visiting friends in Los Angeles who were endeavouring to grow a banksia on a clay slope in Beverly Hills. They had dug a pit and filled it with a truckload of sand to try to grow the banksia. That is how keen they were to grow some Australian plants. In fact the plant did not grow because the ground became too waterlogged and one cannot grow a banksia in a pit full of sand. In my opinion the legislation will end up restricting the use and export of our wildflowers, and this is a very selfish outlook.

At present there is great interest in growing wildflowers and native shrubs in domestic gardens. One of their great advantages is that they do not need a great deal of upkeep and one does not have to cut lawns or do extensive watering. Although the restrictions to be applied may only be by way of forms, obtaining permission to sell wildflowers, and so on, I am somewhat concerned that they may be sufficient to stop nurserymen propagating these plants. They would find it much easier to sell an English plant which is not subject to any restrictions. I believe these forms and regulations will discourage the use of our native flora.

A point which worries me is that the legislation is really an extension of an Act which was designed for the conservation of wildlife, but wildlife and flora are two completely different things. This Bill does not relate to an animal which makes a single reproduction. Most of the plants are propagated very easily. They have multiple seeds, they can be taken from one environment to another, and they can even be kept in limbo from one season to another. I do not think we need to use the same degree of protection for plants as we do for animals.

The Hon. R. F. Claughton: Have you not heard of eco-systems?

The Hon. D. J. WORDSWORTH: Yes, I have. Perhaps I have been somewhat critical of the legislation but one sometimes has to be critical to make one's point.

The Hon. D. W. Cooley: Are you going to vote against the Bill?

The Hon. D. J. WORDSWORTH: We will see when it comes to the point, and we will see how much study of the legislation is made by other people. I consider the legislation has been hastily put together by a department which is more interested in wildlife than in wildflowers and has had to extend its operations into a field of which it is not fully aware.

I would prefer to see before this House legislation designed for the protection of wildflowers in specific instances. Certainly some abuses are taking place and it would be preferable to bring in specific measures

to deal with those abuses as they come up than to bring in an all-encompassing Bill such as this, which was designed to deal with a completely different matter.

I believe we should be looking for the encouragement of greater use of our wildflowers, and probably the best way to do it would be to encourage their commercialisation. If more seed were grown and made available at cheaper prices we would see much more interest in our wildflowers. When one goes to King's Park to look for the wildflowers one finds they are wildflowers which have actually been planted. They are not wildflowers as such because they have been propagated from seed. This is the way to encourage people to make greater use and become more aware of our wildflowers.

THE HON. A. A. LEWIS (Lower Central) [8.25 p.m.]: I, too, am going to be critical; and if the Opposition wants to know which way I intend to vote I advise that it will depend on the answers I receive to certain questions I will ask of the Minister.

Like Mr Wordsworth, I noted the proposed new subsection (4) (a) in clause 4 relating to the declaration of any plant which is not native to the State. To take it to absurdity, I can envisage mother's roses being declared and not being able to be touched, along with everything else.

The greatest exporter of protea is South Africa. This was originally an Australian plant but we have not been able to keep up with the South Africans in the production of it.

I also have a query, to which I would like an answer, in relation to the repeal and re-enactment of section 9 to read—

> 9. The provisions of this Act relating to flora bind the Crown.

I wonder how a grader driver going through new country or a bulldozer driver making a new track will fare. Does the Crown put the onus on him? These $1 000 fines could come thick and fast.

The proposed new section 23B in clause 13 reads—

> 23B. (1) A person shall not on Crown land wilfully take any protected flora unless the taking of the protected flora is authorised by, and carried out in accordance with the terms and conditions of, a license issued to him under section twenty-three C of this Act.
>
> (2) In any proceedings for an offence against subsection (1) of this section, it is a defence for the person charged to prove that the taking occurred as an unavoidable incident or consequence of the performance of any right, duty or obligation conferred or imposed upon the person by or under any Act or agreement to which the State is a party and which is ratified or approved by an Act.

I thought we in this country believed that an accused person did not have to prove he was not guilty.

The Hon. R. Thompson: You are 50 years behind the times if you believe that.

The Hon. A. A. LEWIS: I still believe it, and I think we might have a bit of fun with this clause in the Committee stage. It might be all right for the Hon. Ron Thompson, with his socialist philosophy, to go along with this kind of thing. I believe a person is innocent until he is proved guilty. Does the Hon. Ron Thompson believe that?

The Hon. R. Thompson: No. I am definitely opposed to it.

The Hon. A. A. LEWIS: Is the honourable member opposed to the principle of a person being innocent until proved guilty?

The Hon. R. Thompson: I did not say that. He is guilty until proved innocent.

The Hon. D. W. Cooley: He does not have to prove himself to be innocent, that is what you said.

The Hon. A. A. LEWIS: Does the Hon. Don Cooley believe a person should prove himself innocent?

The Hon. D. W. Cooley: You said that.

The Hon. A. A. LEWIS: The Bill says a person is guilty until he is proved innocent.

The Hon. R. Thompson: You are confused, you know.

The Hon. A. A. LEWIS: Unfortunately, members of the Opposition wake up halfway through a statement.

Clause 14 deals with the payment of a prescribed fee. The Hon. T. O. Perry spoke about Mr Eric Chapman. Where does somebody like Mr Chapman stand when he sees a rare and endangered species? The moment it is about to become endangered with a bulldozer, he either has to take a blanket cover for the State or ring up the Minister and ask him to issue a licence to remove that rare and endangered species. I do not believe that is on.

The Hon. T. O. Perry: What a cock and bull story! I have never heard so much rubbish in all my life. Goodness gracious, I talked about Mr Chapman who set aside an area of land as a reserve!

The Hon. A. A. LEWIS: It is obvious that Mr Perry's ears have got the better of him. I was talking about people like Mr Chapman who, if they see a rare and endangered species about to be destroyed, have a natural inclination to pick up the species and prevent it from being destroyed. Would Mr Perry agree with that?

The Hon. T. O. Perry: I do not think a bulldozer would be allowed to operate on this piece of land.

The Hon. A. A. LEWIS: If the honourable member reads the Bill he will find it applies to private land as well, and usually bulldozers on private land operate where the owner instructs. What worries me is that someone who wishes to preserve a rare endangered species, or someone who wishes to take specimens because he is a lover—

The Hon. G. E. Masters: You had better finish that.

The Hon. A. A. LEWIS: —of flora—

The Hon. Grace Vaughan: Who is Flora?

The Hon. N. McNeill: Go ahead—we know what you mean.

The Hon. A. A. LEWIS: I am glad the Minister knows, and I hope he conveys to his fellow Minister my thoughts in respect of this Bill. I turn now to page 10 of the Bill and refer to clause 15 which adds a new section 23D. Proposed new subsection (6) provides that the Minister may revoke any licence issued under this provision. Unfortunately I am guilty of not referring to the principal Act, and I wonder what right of appeal a person has against the revocation of his licence. Certainly the provision does not deal with any such right.

I turn now to clause 17, which adds new section 23F. Subsection (4) talks about a person not being able to take rare flora without first obtaining the further consent of the Minister. Like Mr Wordsworth, I feel this Bill will hamper persons who have a real love of wildflowers, because they will be bound down by licences and agreements.

I note also that in subsection (7) of the same proposed section compensation may be paid to a private land owner who is refused permission to clear the land for a period not exceeding five years, which seems a bit lousy. The Minister may refuse the owner permission to clear his land, but will pay compensation for only five years.

I take quite a bit of exception to that part of the Minister's second reading speech in which he said the provisions relating to the protection of rare species provide for the discovery of a rare species on private land, however unlikely that may be. What a hide the Minister or the department would have if they said they knew rare species would be found. I think they may be rare species!

The Minister went on to say that the Minister responsible for the Statute may prevent land owners destroying the rare plants involved. I think that matter has been covered quite well by Mr Wordsworth.

This House deserves an explanation of what is meant by the provisions to which I have referred. I believe the Bill should not pass through this House until we get satisfactory explanations, and I will want them before it proceeds through the Committee stage.

THE HON. D. W. COOLEY (North-East Metropolitan) [8.35 p.m.]: I did not intend to take part in this debate, but after the contributions of Mr Wordsworth and Mr Lewis I felt I should, although I must confess that I have not made a detailed study of the Bill.

The Hon. R. F. Claughton: Nor did Mr Lewis.

The Hon. D. W. COOLEY: I do not think he did, either. I worry when I see the likes of Mr Wordsworth and Mr Lewis adopting the attitude they have adopted because, after all, there is enough ugliness about us at the moment with concrete jungles and great highways; and I believe the people who promoted this Bill in order to protect the flora of our country should be congratulated.

When Mr Lewis and Mr Wordsworth speak about these matters and talk of kangaroos, I find they get a strange look in their eyes.

The Hon. A. A. Lewis: Who talked about kangaroos?

The Hon. D. W. COOLEY: Mr Wordsworth and Mr Perry did.

The Hon. A. A. Lewis: Don't couple me with Mr Wordsworth.

The Hon. D. W. COOLEY: Their attitude seems to be: If it is in the way, get a gun and shoot it. That is not good enough. I am sure the people who follow us in this world would not appreciate that attitude. Their attitude appears to be that if some flora is in the way of a bulldozer or animals are affecting our pastoral areas, then the flora should be dug out or the animals shot.

The Hon. A. A. Lewis: That is exactly the opposite of what I said.

The Hon. D. W. COOLEY: Recently I travelled across the western parts of New South Wales, and I could see half the country blowing away as a result of people clearing land and knocking down trees. I do not think any thanks will be afforded to us by those who follow.

The Hon. H. W. Gayfer: Do you believe in fishing?

The Hon. D. W. COOLEY: Yes, I do, but my attitude to kangaroos is different from that of some members opposite. Kangaroos may eat some crop, but to me as a person from the city a kangaroo is a thing of beauty. I do not see them often, and I do not like to see them being shot down. Moreover, I do not like to see exhibitions of the sort that occurred in May of this year in Perenjori when people callously drove motor vehicles through hordes of emus whose only sin was to move south to find water for their survival. People drove trucks amongst them and left them to die. They did not even have the decency to put the injured emus out of their misery.

The Hon. H. W. Gayfer: Are you sure of that?

The Hon. D. W. COOLEY: Well, I received today a reply from the Minister for Police, and he seems to confirm that that happened.

Mr Wordsworth does not like to see old buildings.

The Hon. A. A. Lewis: He didn't say anything of the sort.

The Hon. D. W. COOLEY: We must have some regard for our heritage. Our wildflowers are part of our heritage. Animals and wildflowers were here long before we came. We had the classic example of someone criticising the Minister for Education because he would not drive along a certain road because of the kangaroos. Perhaps had the Minister driven a little slower he would not have hit the kangaroo. It seems that we drive fast and hope we do not hit a kangaroo; and if we hit one the answer is to get out a gun and shoot the rest.

The Hon. A. A. Lewis: What do you suggest is a reasonable speed to drive at?

The Hon. D. W. COOLEY: I do not like to see this happen. I note that in the other place the contribution of the Opposition and the Minister's reply in respect of this Bill rated about half a column in *Hansard*. I think this Bill is a progressive step, and the more we do to protect the natural beauty of our State the better it will be for all of us and for future generations. We on this side support this Bill.

THE HON. G. W. BERRY (Lower North) [8.39 p.m.]: I rise to support this Bill. I am quite as apprehensive as some of my colleagues regarding its provisions and how they will affect people. I think it is strange that the debate on this measure did not take much time in the other place.

The Hon. C. R. Abbey: They didn't seem very interested.

The PRESIDENT: Order! If Mr Abbey must interject, would he please do so from his own seat.

The Hon. G. W. BERRY: In his second reading speech the Minister said—

> This Bill is to amend the Wildlife Conservation Act, 1950-1975, and to repeal the Native Flora Protection Act, 1935-1938, for the purpose of amalgamating the administration of the flora and fauna conservation within the department of Fisheries and Wildlife, to provide better protection and conservation of our wildflowers and other plants.

I wonder where the present administration has broken down. I think at present the Act is administered by either the Lands Department or the Forests Department, and I wonder how the administration of the Act will be improved when it is transferred to the responsibility of the Department of Fisheries and Wildlife. I would like the Minister to explain how we will benefit from transferring this Statute from one department to another. I hope some benefit is achieved.

I believe the people of this State do not pay sufficient attention to our wildflowers. When travelling through the countryside, instead of being in a hurry to get from point A to point B in the shortest possible time, if one takes the time to tarry a while and look at the countryside one can observe a wealth of flora.

The Hon. T. O. Perry: That is very true.

The Hon. G. W. BERRY: Many of us in our haste to save time these days miss the beauty of the countryside.

The Hon. R. F. Claughton: You have to get further away from the city now to see it.

The Hon. G. W. BERRY: Recently I went to Meekatharra, and between Chittering and New Norcia I saw a beautiful display of leschenaultia. I am sure many people do not see these wildflowers, and it would behove the people of the metropolitan area to drive along that road just to see these flowers.

Although I did not get out of the car to check, I believe this leschenaultia is the perennial type, and it will return year after year in abundance along that section of the road as long as the road is not widened. There is another section of road out from Wubin where there is a display of native plants and shrubs which have blossomed in all their glory. However, this has happened only along one section of the road and not other sections. Nature seems to preserve certain specimens irrespective of the weather. In that area the effect of the drought has been disastrous, but it has not affected the wildflowers.

The Minister also said—

> The Bill also seeks the preservation of rare species and the conservation of those wild plant resources utilised by nurseries and in the fresh cut flowers and dry floral art trades, as well as in the chemical industry.

I think it would be a good idea if we cultivated wildflowers for those purposes. Perhaps it could be a condition of licences issued that those concerned must undertake the cultivation of wildflowers instead of drawing on our natural reserves. The Minister also said—

> Those provisions relating to commercially exploited flora have been drafted with the following objectives in mind—
>
> To encourage the growing and propagation of all species of native plants including, under some supervision, some of the rare species;

That is a good provision, but I think we should go further and make it a condition that people should have to do this; if they want to use the flowers commercially, they should have to undertake to grow the species they use. If we did that perhaps there would not be the great draw that we have on our natural resources.

As we are all well aware great areas of our wildflowers have been lost because of clearing for agricultural purposes. I think we have been a little remiss in this respect in that we have not made more provision by way of reserves for these glorious plants that have existed in parts of this State. It is very difficult to domesticate wildflowers in the hope of being able to preserve the species; but nature takes care of that and to some extent obviates their being wiped out. When land is cleared and wildflowers are destroyed completely it is very difficult to again re-establish these plants.

Recently in the Leonora-Laverton area there have been a series of good seasons and, on one occasion while I was there, one of the local residents said to me that for the past 40 years he had been in the area he had not seen some of the flowers that were blooming. This indicates these plants are lying dormant and they continue to do so until nature provides the right conditions for them to flower.

It is very important, therefore, that we preserve areas of land to encourage the growth of these flowers and thus prevent their entire destruction. Such destruction probably will not take place in the Leonora area as it will not be necessary for the land there to be cleared. In other areas, however, it is important to see that areas are set aside to preserve these flowers.

Mention has been made of the fact that wildflowers are grown in King's Park. I do not know whether they are grown commercially, but they are propagated in King's Park and some of these wildflowers have adapted to the environment. It is possibly not the environment they enjoy in their natural state, but it is a beginning, and I commend the King's Park authority for what it is doing to keep these species going.

As members know Wireless Hill was transferred from the Commonwealth to the State and I would point out that this is a small section of banksia country which retains its wildflowers. I believe one of the conditions of the transfer was that the wildflower reserves should be maintained. This section of Wireless Hill has been set aside for the purpose and it is a real joy for anyone who visits the area and sees the flowers in bloom.

A most important factor which is likely to affect the growth of wildflowers is the aerial spraying of crops that takes place in the agricultural areas. There is little doubt that such spraying with weedicide has a deleterious effect and great care should be exercised while the spraying of crops is carried out, because there is no doubt that some of these weedicides are detrimental to the growth of wildflowers.

There is another aspect I would like to mention and that concerns the matter of subdivisions which are carried out for housing purposes. When such areas are being subdivided care should be exercised to see that the native flora is preserved. An area should be set aside for wildflowers. Such areas are set aside for sport and recreation, but I do not think that similar provision is ever made to help the preservation of wildflowers. This is something we will have to consider.

The Hon. R. F. Claughton: You mean in the suburban areas?

The Hon. G. W. BERRY: Yes.

The Hon. R. F. Claughton: It is very hard. It must be large enough for it to be protected.

The Hon. G. W. BERRY: I realise that, but I feel that we should take the necessary action now while there is plenty of land available. We should not leave the matter until later when land becomes scarce. I feel this aspect should be given some consideration.

There is one provision in the Bill about which I am not at all clear and on which I would like an explanation from the Minister. I refer to the provision set out in subsection (8) of proposed new section 23F in clause 17 which states—

> (8) Where compensation has been paid under subsection (7) of this section for a period of five years in respect of any particular land, the Minister shall not refuse an application by the owner or occupier of that land to take rare flora on that part of the land for the loss of use or enjoyment of which compensation has been so paid.

I am not clear what that means because the following subsection states—

> (9) Notwithstanding that compensation has been paid under subsection (7) of this section, whether for a period of five years or for a lesser period, for the loss of use or enjoyment of any land, that land may at any time be taken by the Governor under and subject to the Public Works Act, 1902 for any of the purposes of this Act.

The Hon. R. F. Claughton: The Minister can declare protection for up to five years at the end of which they can resume or be allowed only to work the land. It must be one or the other.

The Hon. G. W. BERRY: It does not say that in new subsection (8) of proposed new section 23F. I am a little in the dark on this matter.

The Hon. N. McNeill: This can be clarified when the Minister replies to the debate.

The Hon. G. W. BERRY: When I consider the amendments to be made to the Wildlife Conservation Act I cannot understand why the Act is to be administered by the Fisheries and Wildlife Department. I daresay there must be a lack of information regarding, perhaps, the exploitation of our wildflowers, the numbers of wildflowers and whether they are being used commercially or for any other purpose that one might think of. I daresay we must make a start in gathering the necessary information and no doubt we will have more amendments to the Act in later years when the information has been collated.

I am sure the officers who will be charged with the administration of the Act will be reasonable. I do not expect them to go haywire because they have the power given to them under the Act. I do not think anyone would go haywire in similar circumstances—whether it be the Minister or anyone else. I think such officers are expected to administer the Act reasonably and for the benefit of the people of the State. Even though criticism might be made of what is done from time to time, I am sure the people charged with the responsibility under the measure will act responsibly.

There is not much more I can contribute to the debate. I give the Bill my blessing and I hope it achieves what it seeks to achieve; I hope it helps preserve our wildflowers so that more people will be able to appreciate the beauty that is evident in our countryside.

Debate adjourned, on motion by the Hon. W. R. Withers.

BILLS (2): RECEIPT AND FIRST READING

1. Joondalup Centre Bill.
2. Liquor Act Amendment Bill.

Bills received from the Assembly; and, on motions by the Hon. N. McNeill (Minister for Justice), read a first time.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

House adjourned at 8.57 p.m.

Legislative Assembly

Wednesday, the 13th October, 1976

The SPEAKER (Mr Hutchinson) took the Chair at 4.30 p.m., and read prayers.

TOWN PLANNING

Review of Freeways Plan: Petition

MR HARMAN (Maylands) [4.32 p.m.]: I present a petition from 131 residents of Western Australia, which reads as follows—

> To the Honourable the Speaker and Members of the Legislative Assembly in Parliament assembled.
>
> We, the undersigned citizens of Australia do humbly petition the Parliament of Western Australia that a review of the Stephenson-Hepburn plan which places freeways on the river shores should take place immediately, as it no longer has public approval.
>
> And we your petitioners in duty bound shall ever pray.

The petition conforms with 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. 477).

QUESTIONS (46): ON NOTICE

1. MINING

Regional Safety Council: Eastern Goldfields

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

(1) Who are the members and their respective affiliation comprising the regional safety council operating in the Eastern Goldfields?

(2) How often does this council meet, and when did it last meet?

(3) What is the scheduled date for the next meeting?

Mr MENSAROS replied:

(1) to (3) The council mentioned is not known by the Mines Department.

2. NORTH KALGURLI GOLDMINE

Removal of Pumps

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

(1) Is he aware of the removal of pumps from the Croesus shaft of the North Kalgurli mine?

(2) If "Yes" when were the pumps removed?