

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

MRS EDUARDES (Kingsley - Minister for the Environment) [4.10 pm]: I move -
That the Bill be now read a second time.

Background: Kings Park and Botanic Garden is one of this State's first class tourist attractions. It is a haven for local residents and a centre of research which contributes to the conservation of our floral heritage. The proper management of the park is an important issue for all Western Australians.

This asset is being managed under an Act that is more than a century old. While that Act has been amended on various occasions, it is now time for a complete overhaul through new legislation. In 1995, recognising its similar nature, the Government made a commitment to vest Bold Park in the existing Kings Park Board. This Bill will enable the board to manage the park once transfer of the land is effected.

Kings Park is a popular place for exhibitions, concerts and a wide range of other events. It is a superb venue, particularly for the spectacular wildflower festival held in spring each year. If we are to protect and manage this park properly, a number of significant changes are required from the current legislation.

The current Parks and Reserves Act is limited in that it is silent on the functions and powers of the State's botanic garden; it provides very limited and unclear protection for the bushland; it does not address the importance of Kings Park as a tourist and cultural heritage attraction; it severely inhibits the ability to raise revenue and to deliver quality services and facilities; and it provides no statutory basis for important research work into the conservation of our floral heritage.

Kings Park is emerging as one of the world's leading botanic gardens. It won a gold medal at the 1997 international Chelsea Flower Show on its first attempt at displaying live Western Australian wildflowers overseas. At the same time, the Kings Park research team has been widely acclaimed for discovering new ways of conserving endangered plants, in germinating wildflowers using smoke, and in restoring bushland on mine sites and urban reserves.

The functions of the State's botanic garden and the important services it provides to the community need statutory protection. When the garden within Kings Park was established in the mid-1960s, no enabling legislation was proclaimed to protect it. Now is the time to rectify this.

Kings Park and Botanic Garden is also recognised as a leader in urban bushland management. Current legislation provides very limited protection of the bushland in Kings Park. It is silent on the important urban bushland research and conservation functions of the agency today. This will be rectified under the new Act. Kings Park and Botanic Garden is the State's most heavily visited tourist location and recreational parkland. To ensure world class services, the agency must be able to operate under efficient administration and sound business principles. The new Bill will enable this while maintaining the highest standards of accountability and access.

The Botanic Gardens and Parks Authority Bill provides for modern management of not only Kings Park but also other land where designated in a schedule attached to the Act. In addition to Bold Park, the Bill will enable the addition of other lands as appropriate in the future.

Relationship with existing legislation: This Bill proposes that the Kings Park Board be dissolved and replaced by the Botanic Gardens and Parks Authority Board of Management. The Parks and Reserves Act will be amended to remove specific sections and references with regard to Kings Park. However, the remainder of that Act will continue in force and will apply to many unvested reserves in this State administered by the Department of Land Administration.

Minor amendments will be made to five other Acts. These are primarily as a result of name and title changes. The consequential amendments are to the Constitution Acts Amendment Act, the Financial Administration and Audit Act, the Government Employees Superannuation Act, the Public Sector Management Act and the Sentencing Act.

New authority: This Bill will provide for the establishment of a new authority to control and manage Kings Park and other designated land. It will also provide for efficient and effective management policies to be followed by the authority. Foremost amongst these is the requirement for publicly reviewed management plans. These will ensure wise conservation and enhancement of designated lands. The management plans will be fully accountable to the Minister and transparent to the public.

The title of the authority - the Botanic Gardens and Parks Authority - has been deliberately worded. The name proposed for the authority recognises that Kings Park is the State's botanic garden. Worldwide, botanic gardens often include urban bushland as well as traditional garden beds and landscaped parkland. Furthermore, most botanic gardens have a major involvement in conservation through scientific research, horticultural activities, education programs and active bushland restoration. It is entirely consistent, therefore, that the valuable bushland of Kings Park and Bold Park be managed by an agency titled the Botanic Gardens and Parks Authority.

It is the Government's view that the new authority must have a clear focus on managing the State's most visited tourist, recreation and cultural heritage facility - Kings Park. Also, its unique focus in conservation is in learning to grow native plants, protecting endangered species through biological research and long term storage, and combining its horticultural and research capabilities to help restore and re-establish bushland. Some of the authority's key roles are in plant research and in managing centrally located urban bushland which is subject to very high levels of public visitation. This Bill will continue the policy of maintaining a specially focused agency with the appropriate scientific and horticultural capabilities to provide specialist care and display of the State's wonderfully diverse wildflowers and other flora.

Consultation: This legislation has been drafted with a great deal of consideration and consultation. Many of the provisions in the Bill came from extensive public consultation associated with the Kings Park bushland management plan and the Kings Park framework plan. The Bill has been drafted after consideration of similar legislation governing the management of other botanic gardens - in particular, the Victorian Royal Botanic Gardens Act and the New South Wales Royal Botanic Garden and Domain Trust Act.

Bold Park: Agreement has been reached with the Town of Cambridge for the creation of Bold Park as a major new A class reserve managed by the State. It is proposed that once the land title for Bold Park has been transferred, the land will be added to the definition of designated land in the Botanic Gardens and Parks Authority Act. It will be designated as land reserved under the Land Administration Act and vested in the authority by order under that Act.

Fees, charges and sponsorship: Western Australians have shown through large attendances that they are happy to pay an entrance fee to exhibitions, concerts and other events held in the park. Under the Parks and Reserves Act, the charging of fees for entry to any exhibition, concert or other event requires the approval of the Governor in Executive Council. This is an unnecessary, cumbersome and, indeed, outdated requirement. This proposed legislation will eliminate such requirements. It will give the authority the power to charge an admission fee to a particular display or event being conducted in part of Kings Park for purposes consistent with the authority's

functions. A similar provision will apply to other designated land, or to any land or facility being used in connection with such a display or event. However, Kings Park and Bold Park themselves are state treasures. They belong to the people of Western Australia, who love and cherish these botanic garden and parkland showpieces. This legislation will, therefore, specifically exclude the power to charge for entry to Kings Park, guaranteeing free public access. The Bill will also enable other designated land, such as Bold Park, to be excluded from entry fees.

The Botanic Gardens and Parks Foundation: Western Australian corporations are significant supporters of Kings Park and the other land to which this proposed legislation applies. However, clear rules and regulations, the guidelines and the manner of operation of any formal support, such as sponsorship, currently lack legislative support or control. The ability to attract sponsorship for the development of major projects requires much greater clarification in legislation than that provided under the Parks and Reserves Act. The Botanic Gardens and Parks Authority Bill will deliver that clarity through the establishment of the Botanic Gardens and Parks Foundation. This foundation will have a number of responsibilities, including the raising and managing of funds, in addition to ongoing government financial allocations. It is proposed that the foundation will attract and retain continuing public interest and financial support for the authority. It will also encourage donations to improve services, enhance facilities and contribute to the performance of the authority. Any funds received by the foundation shall be credited to an account called the Botanic Gardens and Parks Foundation Account at the Treasury, or, with the Treasurer's approval, at a bank.

The foundation will be a body corporate with perpetual succession. It will have a council appointed by the Minister, which will be the governing body of the foundation.

Core business and functions: The authority will have extensive powers, tempered by stringent checks and balances including ministerial approval processes, publicly reviewed management plans, ongoing reviews and annual reporting. The core business of the authority is the care, control and management of the designated land as botanic gardens and parks. The new legislation will enable the authority to -

- provide, improve and promote recreational and tourism facilities and services;
- conserve and enhance the flora and fauna;
- conserve and enhance the natural environment, the landscape features and amenity of the designated land;
- develop, manage, display and undertake research into collections of Western Australian and other flora; and
- enhance and promote the understanding and conservation of the flora and fauna of the designated land and of flora and fauna generally.

While Kings Park and Bold Park have undoubted environmental values, their cultural significance is also important to all Western Australians. It will be an important role of the authority to conserve, enhance and promote the Aboriginal, colonial and contemporary cultural heritage of the designated land. The tracts of land covered by this legislation also present unique opportunities for education. The authority will also promote the use of flora for the purposes of horticulture, conservation and education. The authority will undertake and promote research and investigation across all its activities as required.

Powers: To carry out these functions and to perform in line with modern business practices, the authority needs to have appropriate powers to do what is necessary, efficiently and effectively as a world-class botanic garden and park management agency. The authority needs to be able to maintain pace and style with the corporate community and the public in general. Under the proposed legislation the authority would have a number of powers including -

- the right to acquire land and dispose of land with ministerial approval; the Bill specifically excludes designated land - that is, Kings Park and Bold Park - from this power; and
- the right to grant a lease or licence consistent with its functions and on the terms and conditions it sees fit. Periods of lease or licences exceeding five years will require ministerial approval and this can be given only if the proposed lease or licence conforms to the relevant publicly reviewed management plan for the designated land.

This approval process is more comprehensive and efficient than the provisions of the current Parks and Reserves Act.

Under the proposed legislation the authority will have the power to erect permanent or temporary structures, and to undertake roadworks and other works on the designated land which are necessary for the good management of that land. Again, two safeguards: Any major works - that is, over a prescribed amount of \$100 000 - will require ministerial approval, and such approval will be given only if such major works conform to the relevant publicly reviewed management plan.

Research and intellectual property: The State's botanic gardens play a key role in the local, national and international efforts to conserve endangered plants and to understand plant life. In line with that work, the authority will have the power to give or take - to loan or exchange - botanical specimens with scientific or educational institutions. As part of its public accountability, research and education activities, the authority will produce and publish information on matters related to its functions. In carrying out its core business as the State's botanic garden manager, the authority may also sell or dispose of plants, parts of plants, seeds and fungi, or similar organisms. As is only proper in an era of innovation and in light of the world class research and horticultural activities being undertaken, the authority may also apply for, obtain and hold any patent, patent rights, design rights, copyright or similar rights. It may be that the authority holds these rights alone, or jointly with other people or parties. A wonderful and exciting example of this kind of innovative scientific research was the recent discovery and development of the beautifully vibrant and aptly named Kings Park Federation Flame Kangaroo Paw.

Management plans: The work of the foundation and the authority's significant powers will be used in the context of management plans put together with considerable public consultation. The Bill specifically seeks public involvement in the development and revision of management plans. To facilitate this, the authority must advertise and provide a copy of each of the management plans applicable to the designated land free for public examination and submissions over a period of two months or more.

Good planning is crucial to the future protection of Kings Park, and other designated land. It is proposed that when this Act takes effect, the existing publicly reviewed plans known as the Kings Park Bushland Management Plan 1995-2005 and the Kings Park and Botanic Garden Framework Plan for the Developed Areas 1996-2006 are, together, to be regarded as the management plan applicable to Kings Park.

When land is designated under this Act, the authority must prepare and submit to the Minister a management plan for that land within two years. The management plan will state the policies or guidelines to be followed and summarise the operations proposed for that land. These management plans must be reviewed after five years and amendments which might be required should be prepared. Importantly, the community will have access to information and opportunities to make comment on this information. Under this legislation, the public must be notified by newspaper advertisements of any revised management plan or amendments to the existing plan. The public will also be notified if and when the existing management plan is to be continued without amendment. Submissions from the public on the revised management plan, or amendments, or the proposal to continue an existing management plan can be made by any individual, group or organisation.

Ministerial approval and review of the Act: As I have outlined, the proposed Botanic Gardens and Parks Authority would have the considerable powers required for it to perform effectively and efficiently, with proper checks and balances, and proper processes of accountability. As well as stringent reporting requirements, and public involvement in the development and review of management plans, the legislation demands that the authority seek ministerial approval before exercising a number of its powers. In particular, ministerial approval is required if and when the authority wishes to exercise its powers relating to the disposal or acquisition of land.

Ministerial approval is also required for:

- granting leases or licences for longer than five years;
- erecting permanent structures;
- roadworks; or
- other major capital works exceeding \$100 000 in value.

Moreover, such approval can be given only if the work conforms to the relevant management plan.

The Minister may direct the authority in writing and any such direction must be reported annually.

As is entirely appropriate, it is proposed that the Botanic Gardens and Parks Authority Bill undergo a comprehensive review after five years of operation. The review will examine the effectiveness of the operation of the authority, the need for the continuation of the functions of the authority, and any other matters relevant to its effectiveness. In keeping with the open and accountable processes which have been put into place by this Government, we propose the Minister must then prepare a report which would be submitted to each House of Parliament.

Staff and powers to delegate: The provisions of the current legislation in relation to staffing arrangements still relate to management structures relevant in 1895. For the present and future operations of the authority, it is essential to provide for a chief executive officer and to empower the agency to work cooperatively with other government departments, agencies and instrumentalities. Consequently, the Bill requires the appointment of a chief executive officer to administer the day to day operations of the authority and to engage its staff. It also enables the authority

to engage the services of other government staff, subject to collaborative agreement, and, by arrangement, to make use of any facilities of other departments, agencies or instrumentalities. Rangers are renamed "park management officers", reflecting the scope of their contemporary duties.

Under the current Parks and Reserves Act, the Kings Park Board can delegate responsibilities only to a subcommittee of itself, not to staff nor to expert committees which may be created by a Minister. The new legislation would rectify this so that the board of the authority will focus on policy and broad strategic issues, while the CEO and staff will have delegated powers for day to day operations and to develop new policy and strategies for deliberation by the board of management. Also, in keeping with the modern requirement of a small agency to seek outside specialist advice and management assistance on specific issues, the Bill enables the board to delegate to committees and persons appointed by the Minister.

Control of inappropriate behaviour and wilful damage: The legislation permits regulations addressing the issues of arson, graffiti and vandalism which inflict damage on these beautiful botanic gardens, parkland and bushland areas and the facilities within them. There is clearly an ongoing need for park management officers to deal with the public safety and conservation risks associated with such dangerous behaviour. Regulations may provide penalties up to \$2 000.

The Botanic Gardens and Parks Authority Bill also gives park management officers the right to remove a person from the designated land, if that person is committing an offence against the regulations, or if he or she believes that an emergency situation, such as bushfire, exists on the land. Penalties for resisting, delaying or obstructing park management officers as they go about their business may be up to \$5 000 or six months' imprisonment or both.

Control of vehicle activities: As applies in current legislation, under this legislation, an owner of a vehicle may be issued with a notice if the vehicle is alleged to have been involved in an offence and the driver is not known or cannot be immediately identified. Unless the owner can provide details of the driver or show that the vehicle was stolen at the time, the owner will carry the responsibility of the offence. This provision is important for controlling unauthorised parking which occurs within the park.

The Botanic Gardens and Parks Authority Bill seeks to ensure that Kings Park and Botanic Garden and Bold Park in particular are managed and protected, for the benefit of not only this generation, but also generations to come. It demonstrates this Government's willingness to -

- ensure ongoing conservation and enhancement of Kings Park and Bold Park;

- ensure world class tourism and recreation services are provided through efficient administration and sound business practice;

- provide statutory protection for the State's Botanic Garden and the important research, horticultural and educational services it provides to the community; and

- provide statutory protection for the bushland in Kings Park and Bold Park as well as the significant urban bushland research and conservation functions of the present agency.

The legislation has been constructed with a great deal of care, consideration and consultation, and I assure the people of Western Australia that ongoing consultation about the future of their parks and botanic gardens is a high priority. This Bill provides the legal framework to achieve these objectives. I commend the Bill to the House.

I table a summary comparison of the current legislation - the Parks and Reserves Act - with the Botanic Gardens and Parks Authority Bill.

[See paper No 1313.]

Debate adjourned, on motion by Mr Cunningham.

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Powers: To carry out these functions and to perform in line with modern business practices, the authority needs to have appropriate powers to do what is necessary, efficiently and effectively as a world-class botanic garden and park management agency. The authority needs to be able to maintain pace and style with the corporate community and the public in general. Under the proposed legislation the authority would have a number of powers including -

- the right to acquire land and dispose of land with ministerial approval; the Bill specifically excludes designated land - that is, Kings Park and Bold Park - from this power; and
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This approval process is more comprehensive and efficient than the provisions of the current Parks and Reserves Act.

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Ministerial approval and review of the Act: As I have outlined, the proposed Botanic Gardens and Parks Authority would have the considerable powers required for it to perform effectively and efficiently, with proper checks and balances, and proper processes of accountability. As well as stringent reporting requirements, and public involvement in the development and review of management plans, the legislation demands that the authority seek ministerial approval before exercising a number of its powers. In particular, ministerial approval is required if and when the authority wishes to exercise its powers relating to the disposal or acquisition of land.

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The Minister may direct the authority in writing and any such direction must be reported annually.

As is entirely appropriate, it is proposed that the Botanic Gardens and Parks Authority Bill undergo a comprehensive review after five years of operation. The review will examine the effectiveness of the operation of the authority, the need for the continuation of the functions of the authority, and any other matters relevant to its effectiveness. In keeping with the open and accountable processes which have been put into place by this Government, we propose the Minister must then prepare a report which would be submitted to each House of Parliament.

Staff and powers to delegate: The provisions of the current legislation in relation to staffing arrangements still relate to management structures relevant in 1895. For the present and future operations of the authority, it is essential to provide for a chief executive officer and to empower the agency to work cooperatively with other government departments, agencies and instrumentalities. Consequently, the Bill requires the appointment of a chief executive officer to administer the day to day operations of the authority and to engage its staff. It also enables the authority

to engage the services of other government staff, subject to collaborative agreement, and, by arrangement, to make use of any facilities of other departments, agencies or instrumentalities. Rangers are renamed "park management officers", reflecting the scope of their contemporary duties.

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Control of inappropriate behaviour and wilful damage: The legislation permits regulations addressing the issues of arson, graffiti and vandalism which inflict damage on these beautiful botanic gardens, parkland and bushland areas and the facilities within them. There is clearly an ongoing need for park management officers to deal with the public safety and conservation risks associated with such dangerous behaviour. Regulations may provide penalties up to \$2 000.

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Control of vehicle activities: As applies in current legislation, under this legislation, an owner of a vehicle may be issued with a notice if the vehicle is alleged to have been involved in an offence and the driver is not known or cannot be immediately identified. Unless the owner can provide details of the driver or show that the vehicle was stolen at the time, the owner will carry the responsibility of the offence. This provision is important for controlling unauthorised parking which occurs within the park.

The Botanic Gardens and Parks Authority Bill seeks to ensure that Kings Park and Botanic Garden and Bold Park in particular are managed and protected, for the benefit of not only this generation, but also generations to come. It demonstrates this Government's willingness to -

- ensure ongoing conservation and enhancement of Kings Park and Bold Park;

- ensure world class tourism and recreation services are provided through efficient administration and sound business practice;

- provide statutory protection for the State's Botanic Garden and the important research, horticultural and educational services it provides to the community; and

- provide statutory protection for the bushland in Kings Park and Bold Park as well as the significant urban bushland research and conservation functions of the present agency.

The legislation has been constructed with a great deal of care, consideration and consultation, and I assure the people of Western Australia that ongoing consultation about the future of their parks and botanic gardens is a high priority. This Bill provides the legal framework to achieve these objectives. I commend the Bill to the House.

I table a summary comparison of the current legislation - the Parks and Reserves Act - with the Botanic Gardens and Parks Authority Bill.

[See paper No 1313.]

Debate adjourned, on motion by Mr Cunningham.

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

MRS EDWARDES (Kingsley - Minister for the Environment) [4.10 pm]: I move -
That the Bill be now read a second time.

Background: Kings Park and Botanic Garden is one of this State's first class tourist attractions. It is a haven for local residents and a centre of research which contributes to the conservation of our floral heritage. The proper management of the park is an important issue for all Western Australians.

This asset is being managed under an Act that is more than a century old. While that Act has been amended on various occasions, it is now time for a complete overhaul through new legislation. In 1995, recognising its similar nature, the Government made a commitment to vest Bold Park in the existing Kings Park Board. This Bill will enable the board to manage the park once transfer of the land is effected.

Kings Park is a popular place for exhibitions, concerts and a wide range of other events. It is a superb venue, particularly for the spectacular wildflower festival held in spring each year. If we are to protect and manage this park properly, a number of significant changes are required from the current legislation.

The current Parks and Reserves Act is limited in that it is silent on the functions and powers of the State's botanic garden; it provides very limited and unclear protection for the bushland; it does not address the importance of Kings Park as a tourist and cultural heritage attraction; it severely inhibits the ability to raise revenue and to deliver quality services and facilities; and it provides no statutory basis for important research work into the conservation of our floral heritage.

Kings Park is emerging as one of the world's leading botanic gardens. It won a gold medal at the 1997 international Chelsea Flower Show on its first attempt at displaying live Western Australian wildflowers overseas. At the same time, the Kings Park research team has been widely acclaimed for discovering new ways of conserving endangered plants, in germinating wildflowers using smoke, and in restoring bushland on mine sites and urban reserves.

The functions of the State's botanic garden and the important services it provides to the community need statutory protection. When the garden within Kings Park was established in the mid-1960s, no enabling legislation was proclaimed to protect it. Now is the time to rectify this.

Kings Park and Botanic Garden is also recognised as a leader in urban bushland management. Current legislation provides very limited protection of the bushland in Kings Park. It is silent on the important urban bushland research and conservation functions of the agency today. This will be rectified under the new Act. Kings Park and Botanic Garden is the State's most heavily visited tourist location and recreational parkland. To ensure world class services, the agency must be able to operate under efficient administration and sound business principles. The new Bill will enable this while maintaining the highest standards of accountability and access.

The Botanic Gardens and Parks Authority Bill provides for modern management of not only Kings Park but also other land where designated in a schedule attached to the Act. In addition to Bold Park, the Bill will enable the addition of other lands as appropriate in the future.

Relationship with existing legislation: This Bill proposes that the Kings Park Board be dissolved and replaced by the Botanic Gardens and Parks Authority Board of Management. The Parks and Reserves Act will be amended to remove specific sections and references with regard to Kings Park. However, the remainder of that Act will continue in force and will apply to many unvested reserves in this State administered by the Department of Land Administration.

Minor amendments will be made to five other Acts. These are primarily as a result of name and title changes. The consequential amendments are to the Constitution Acts Amendment Act, the Financial Administration and Audit Act, the Government Employees Superannuation Act, the Public Sector Management Act and the Sentencing Act.

New authority: This Bill will provide for the establishment of a new authority to control and manage Kings Park and other designated land. It will also provide for efficient and effective management policies to be followed by the authority. Foremost amongst these is the requirement for publicly reviewed management plans. These will ensure wise conservation and enhancement of designated lands. The management plans will be fully accountable to the Minister and transparent to the public.

The title of the authority - the Botanic Gardens and Parks Authority - has been deliberately worded. The name proposed for the authority recognises that Kings Park is the State's botanic garden. Worldwide, botanic gardens often include urban bushland as well as traditional garden beds and landscaped parkland. Furthermore, most botanic gardens have a major involvement in conservation through scientific research, horticultural activities, education programs and active bushland restoration. It is entirely consistent, therefore, that the valuable bushland of Kings Park and Bold Park be managed by an agency titled the Botanic Gardens and Parks Authority.

It is the Government's view that the new authority must have a clear focus on managing the State's most visited tourist, recreation and cultural heritage facility - Kings Park. Also, its unique focus in conservation is in learning to grow native plants, protecting endangered species through biological research and long term storage, and combining its horticultural and research capabilities to help restore and re-establish bushland. Some of the authority's key roles are in plant research and in managing centrally located urban bushland which is subject to very high levels of public visitation. This Bill will continue the policy of maintaining a specially focused agency with the appropriate scientific and horticultural capabilities to provide specialist care and display of the State's wonderfully diverse wildflowers and other flora.

Consultation: This legislation has been drafted with a great deal of consideration and consultation. Many of the provisions in the Bill came from extensive public consultation associated with the Kings Park bushland management plan and the Kings Park framework plan. The Bill has been drafted after consideration of similar legislation governing the management of other botanic gardens - in particular, the Victorian Royal Botanic Gardens Act and the New South Wales Royal Botanic Garden and Domain Trust Act.

Bold Park: Agreement has been reached with the Town of Cambridge for the creation of Bold Park as a major new A class reserve managed by the State. It is proposed that once the land title for Bold Park has been transferred, the land will be added to the definition of designated land in the Botanic Gardens and Parks Authority Act. It will be designated as land reserved under the Land Administration Act and vested in the authority by order under that Act.

Fees, charges and sponsorship: Western Australians have shown through large attendances that they are happy to pay an entrance fee to exhibitions, concerts and other events held in the park. Under the Parks and Reserves Act, the charging of fees for entry to any exhibition, concert or other event requires the approval of the Governor in Executive Council. This is an unnecessary, cumbersome and, indeed, outdated requirement. This proposed legislation will eliminate such requirements. It will give the authority the power to charge an admission fee to a particular display or event being conducted in part of Kings Park for purposes consistent with the authority's

functions. A similar provision will apply to other designated land, or to any land or facility being used in connection with such a display or event. However, Kings Park and Bold Park themselves are state treasures. They belong to the people of Western Australia, who love and cherish these botanic garden and parkland showpieces. This legislation will, therefore, specifically exclude the power to charge for entry to Kings Park, guaranteeing free public access. The Bill will also enable other designated land, such as Bold Park, to be excluded from entry fees.

The Botanic Gardens and Parks Foundation: Western Australian corporations are significant supporters of Kings Park and the other land to which this proposed legislation applies. However, clear rules and regulations, the guidelines and the manner of operation of any formal support, such as sponsorship, currently lack legislative support or control. The ability to attract sponsorship for the development of major projects requires much greater clarification in legislation than that provided under the Parks and Reserves Act. The Botanic Gardens and Parks Authority Bill will deliver that clarity through the establishment of the Botanic Gardens and Parks Foundation. This foundation will have a number of responsibilities, including the raising and managing of funds, in addition to ongoing government financial allocations. It is proposed that the foundation will attract and retain continuing public interest and financial support for the authority. It will also encourage donations to improve services, enhance facilities and contribute to the performance of the authority. Any funds received by the foundation shall be credited to an account called the Botanic Gardens and Parks Foundation Account at the Treasury, or, with the Treasurer's approval, at a bank.

The foundation will be a body corporate with perpetual succession. It will have a council appointed by the Minister, which will be the governing body of the foundation.

Core business and functions: The authority will have extensive powers, tempered by stringent checks and balances including ministerial approval processes, publicly reviewed management plans, ongoing reviews and annual reporting. The core business of the authority is the care, control and management of the designated land as botanic gardens and parks. The new legislation will enable the authority to -

- provide, improve and promote recreational and tourism facilities and services;
- conserve and enhance the flora and fauna;
- conserve and enhance the natural environment, the landscape features and amenity of the designated land;
- develop, manage, display and undertake research into collections of Western Australian and other flora; and
- enhance and promote the understanding and conservation of the flora and fauna of the designated land and of flora and fauna generally.

While Kings Park and Bold Park have undoubted environmental values, their cultural significance is also important to all Western Australians. It will be an important role of the authority to conserve, enhance and promote the Aboriginal, colonial and contemporary cultural heritage of the designated land. The tracts of land covered by this legislation also present unique opportunities for education. The authority will also promote the use of flora for the purposes of horticulture, conservation and education. The authority will undertake and promote research and investigation across all its activities as required.

Powers: To carry out these functions and to perform in line with modern business practices, the authority needs to have appropriate powers to do what is necessary, efficiently and effectively as a world-class botanic garden and park management agency. The authority needs to be able to maintain pace and style with the corporate community and the public in general. Under the proposed legislation the authority would have a number of powers including -

- the right to acquire land and dispose of land with ministerial approval; the Bill specifically excludes designated land - that is, Kings Park and Bold Park - from this power; and
- the right to grant a lease or licence consistent with its functions and on the terms and conditions it sees fit. Periods of lease or licences exceeding five years will require ministerial approval and this can be given only if the proposed lease or licence conforms to the relevant publicly reviewed management plan for the designated land.

This approval process is more comprehensive and efficient than the provisions of the current Parks and Reserves Act.

Under the proposed legislation the authority will have the power to erect permanent or temporary structures, and to undertake roadworks and other works on the designated land which are necessary for the good management of that land. Again, two safeguards: Any major works - that is, over a prescribed amount of \$100 000 - will require ministerial approval, and such approval will be given only if such major works conform to the relevant publicly reviewed management plan.

Research and intellectual property: The State's botanic gardens play a key role in the local, national and international efforts to conserve endangered plants and to understand plant life. In line with that work, the authority will have the power to give or take - to loan or exchange - botanical specimens with scientific or educational institutions. As part of its public accountability, research and education activities, the authority will produce and publish information on matters related to its functions. In carrying out its core business as the State's botanic garden manager, the authority may also sell or dispose of plants, parts of plants, seeds and fungi, or similar organisms. As is only proper in an era of innovation and in light of the world class research and horticultural activities being undertaken, the authority may also apply for, obtain and hold any patent, patent rights, design rights, copyright or similar rights. It may be that the authority holds these rights alone, or jointly with other people or parties. A wonderful and exciting example of this kind of innovative scientific research was the recent discovery and development of the beautifully vibrant and aptly named Kings Park Federation Flame Kangaroo Paw.

Management plans: The work of the foundation and the authority's significant powers will be used in the context of management plans put together with considerable public consultation. The Bill specifically seeks public involvement in the development and revision of management plans. To facilitate this, the authority must advertise and provide a copy of each of the management plans applicable to the designated land free for public examination and submissions over a period of two months or more.

Good planning is crucial to the future protection of Kings Park, and other designated land. It is proposed that when this Act takes effect, the existing publicly reviewed plans known as the Kings Park Bushland Management Plan 1995-2005 and the Kings Park and Botanic Garden Framework Plan for the Developed Areas 1996-2006 are, together, to be regarded as the management plan applicable to Kings Park.

When land is designated under this Act, the authority must prepare and submit to the Minister a management plan for that land within two years. The management plan will state the policies or guidelines to be followed and summarise the operations proposed for that land. These management plans must be reviewed after five years and amendments which might be required should be prepared. Importantly, the community will have access to information and opportunities to make comment on this information. Under this legislation, the public must be notified by newspaper advertisements of any revised management plan or amendments to the existing plan. The public will also be notified if and when the existing management plan is to be continued without amendment. Submissions from the public on the revised management plan, or amendments, or the proposal to continue an existing management plan can be made by any individual, group or organisation.

Ministerial approval and review of the Act: As I have outlined, the proposed Botanic Gardens and Parks Authority would have the considerable powers required for it to perform effectively and efficiently, with proper checks and balances, and proper processes of accountability. As well as stringent reporting requirements, and public involvement in the development and review of management plans, the legislation demands that the authority seek ministerial approval before exercising a number of its powers. In particular, ministerial approval is required if and when the authority wishes to exercise its powers relating to the disposal or acquisition of land.

Ministerial approval is also required for:

- granting leases or licences for longer than five years;
- erecting permanent structures;
- roadworks; or
- other major capital works exceeding \$100 000 in value.

Moreover, such approval can be given only if the work conforms to the relevant management plan.

The Minister may direct the authority in writing and any such direction must be reported annually.

As is entirely appropriate, it is proposed that the Botanic Gardens and Parks Authority Bill undergo a comprehensive review after five years of operation. The review will examine the effectiveness of the operation of the authority, the need for the continuation of the functions of the authority, and any other matters relevant to its effectiveness. In keeping with the open and accountable processes which have been put into place by this Government, we propose the Minister must then prepare a report which would be submitted to each House of Parliament.

Staff and powers to delegate: The provisions of the current legislation in relation to staffing arrangements still relate to management structures relevant in 1895. For the present and future operations of the authority, it is essential to provide for a chief executive officer and to empower the agency to work cooperatively with other government departments, agencies and instrumentalities. Consequently, the Bill requires the appointment of a chief executive officer to administer the day to day operations of the authority and to engage its staff. It also enables the authority

to engage the services of other government staff, subject to collaborative agreement, and, by arrangement, to make use of any facilities of other departments, agencies or instrumentalities. Rangers are renamed "park management officers", reflecting the scope of their contemporary duties.

Under the current Parks and Reserves Act, the Kings Park Board can delegate responsibilities only to a subcommittee of itself, not to staff nor to expert committees which may be created by a Minister. The new legislation would rectify this so that the board of the authority will focus on policy and broad strategic issues, while the CEO and staff will have delegated powers for day to day operations and to develop new policy and strategies for deliberation by the board of management. Also, in keeping with the modern requirement of a small agency to seek outside specialist advice and management assistance on specific issues, the Bill enables the board to delegate to committees and persons appointed by the Minister.

Control of inappropriate behaviour and wilful damage: The legislation permits regulations addressing the issues of arson, graffiti and vandalism which inflict damage on these beautiful botanic gardens, parkland and bushland areas and the facilities within them. There is clearly an ongoing need for park management officers to deal with the public safety and conservation risks associated with such dangerous behaviour. Regulations may provide penalties up to \$2 000.

The Botanic Gardens and Parks Authority Bill also gives park management officers the right to remove a person from the designated land, if that person is committing an offence against the regulations, or if he or she believes that an emergency situation, such as bushfire, exists on the land. Penalties for resisting, delaying or obstructing park management officers as they go about their business may be up to \$5 000 or six months' imprisonment or both.

Control of vehicle activities: As applies in current legislation, under this legislation, an owner of a vehicle may be issued with a notice if the vehicle is alleged to have been involved in an offence and the driver is not known or cannot be immediately identified. Unless the owner can provide details of the driver or show that the vehicle was stolen at the time, the owner will carry the responsibility of the offence. This provision is important for controlling unauthorised parking which occurs within the park.

The Botanic Gardens and Parks Authority Bill seeks to ensure that Kings Park and Botanic Garden and Bold Park in particular are managed and protected, for the benefit of not only this generation, but also generations to come. It demonstrates this Government's willingness to -

- ensure ongoing conservation and enhancement of Kings Park and Bold Park;

- ensure world class tourism and recreation services are provided through efficient administration and sound business practice;

- provide statutory protection for the State's Botanic Garden and the important research, horticultural and educational services it provides to the community; and

- provide statutory protection for the bushland in Kings Park and Bold Park as well as the significant urban bushland research and conservation functions of the present agency.

The legislation has been constructed with a great deal of care, consideration and consultation, and I assure the people of Western Australia that ongoing consultation about the future of their parks and botanic gardens is a high priority. This Bill provides the legal framework to achieve these objectives. I commend the Bill to the House.

I table a summary comparison of the current legislation - the Parks and Reserves Act - with the Botanic Gardens and Parks Authority Bill.

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Debate adjourned, on motion by Mr Cunningham.

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

MRS EDWARDES (Kingsley - Minister for the Environment) [4.10 pm]: I move -
That the Bill be now read a second time.

Background: Kings Park and Botanic Garden is one of this State's first class tourist attractions. It is a haven for local residents and a centre of research which contributes to the conservation of our floral heritage. The proper management of the park is an important issue for all Western Australians.

This asset is being managed under an Act that is more than a century old. While that Act has been amended on various occasions, it is now time for a complete overhaul through new legislation. In 1995, recognising its similar nature, the Government made a commitment to vest Bold Park in the existing Kings Park Board. This Bill will enable the board to manage the park once transfer of the land is effected.

Kings Park is a popular place for exhibitions, concerts and a wide range of other events. It is a superb venue, particularly for the spectacular wildflower festival held in spring each year. If we are to protect and manage this park properly, a number of significant changes are required from the current legislation.

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It is the Government's view that the new authority must have a clear focus on managing the State's most visited tourist, recreation and cultural heritage facility - Kings Park. Also, its unique focus in conservation is in learning to grow native plants, protecting endangered species through biological research and long term storage, and combining its horticultural and research capabilities to help restore and re-establish bushland. Some of the authority's key roles are in plant research and in managing centrally located urban bushland which is subject to very high levels of public visitation. This Bill will continue the policy of maintaining a specially focused agency with the appropriate scientific and horticultural capabilities to provide specialist care and display of the State's wonderfully diverse wildflowers and other flora.

Consultation: This legislation has been drafted with a great deal of consideration and consultation. Many of the provisions in the Bill came from extensive public consultation associated with the Kings Park bushland management plan and the Kings Park framework plan. The Bill has been drafted after consideration of similar legislation governing the management of other botanic gardens - in particular, the Victorian Royal Botanic Gardens Act and the New South Wales Royal Botanic Garden and Domain Trust Act.

Bold Park: Agreement has been reached with the Town of Cambridge for the creation of Bold Park as a major new A class reserve managed by the State. It is proposed that once the land title for Bold Park has been transferred, the land will be added to the definition of designated land in the Botanic Gardens and Parks Authority Act. It will be designated as land reserved under the Land Administration Act and vested in the authority by order under that Act.

Fees, charges and sponsorship: Western Australians have shown through large attendances that they are happy to pay an entrance fee to exhibitions, concerts and other events held in the park. Under the Parks and Reserves Act, the charging of fees for entry to any exhibition, concert or other event requires the approval of the Governor in Executive Council. This is an unnecessary, cumbersome and, indeed, outdated requirement. This proposed legislation will eliminate such requirements. It will give the authority the power to charge an admission fee to a particular display or event being conducted in part of Kings Park for purposes consistent with the authority's

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While Kings Park and Bold Park have undoubted environmental values, their cultural significance is also important to all Western Australians. It will be an important role of the authority to conserve, enhance and promote the Aboriginal, colonial and contemporary cultural heritage of the designated land. The tracts of land covered by this legislation also present unique opportunities for education. The authority will also promote the use of flora for the purposes of horticulture, conservation and education. The authority will undertake and promote research and investigation across all its activities as required.

Powers: To carry out these functions and to perform in line with modern business practices, the authority needs to have appropriate powers to do what is necessary, efficiently and effectively as a world-class botanic garden and park management agency. The authority needs to be able to maintain pace and style with the corporate community and the public in general. Under the proposed legislation the authority would have a number of powers including -

- the right to acquire land and dispose of land with ministerial approval; the Bill specifically excludes designated land - that is, Kings Park and Bold Park - from this power; and
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This approval process is more comprehensive and efficient than the provisions of the current Parks and Reserves Act.

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As is entirely appropriate, it is proposed that the Botanic Gardens and Parks Authority Bill undergo a comprehensive review after five years of operation. The review will examine the effectiveness of the operation of the authority, the need for the continuation of the functions of the authority, and any other matters relevant to its effectiveness. In keeping with the open and accountable processes which have been put into place by this Government, we propose the Minister must then prepare a report which would be submitted to each House of Parliament.

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to engage the services of other government staff, subject to collaborative agreement, and, by arrangement, to make use of any facilities of other departments, agencies or instrumentalities. Rangers are renamed "park management officers", reflecting the scope of their contemporary duties.

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Control of inappropriate behaviour and wilful damage: The legislation permits regulations addressing the issues of arson, graffiti and vandalism which inflict damage on these beautiful botanic gardens, parkland and bushland areas and the facilities within them. There is clearly an ongoing need for park management officers to deal with the public safety and conservation risks associated with such dangerous behaviour. Regulations may provide penalties up to \$2 000.

The Botanic Gardens and Parks Authority Bill also gives park management officers the right to remove a person from the designated land, if that person is committing an offence against the regulations, or if he or she believes that an emergency situation, such as bushfire, exists on the land. Penalties for resisting, delaying or obstructing park management officers as they go about their business may be up to \$5 000 or six months' imprisonment or both.

Control of vehicle activities: As applies in current legislation, under this legislation, an owner of a vehicle may be issued with a notice if the vehicle is alleged to have been involved in an offence and the driver is not known or cannot be immediately identified. Unless the owner can provide details of the driver or show that the vehicle was stolen at the time, the owner will carry the responsibility of the offence. This provision is important for controlling unauthorised parking which occurs within the park.

The Botanic Gardens and Parks Authority Bill seeks to ensure that Kings Park and Botanic Garden and Bold Park in particular are managed and protected, for the benefit of not only this generation, but also generations to come. It demonstrates this Government's willingness to -

- ensure ongoing conservation and enhancement of Kings Park and Bold Park;

- ensure world class tourism and recreation services are provided through efficient administration and sound business practice;

- provide statutory protection for the State's Botanic Garden and the important research, horticultural and educational services it provides to the community; and

- provide statutory protection for the bushland in Kings Park and Bold Park as well as the significant urban bushland research and conservation functions of the present agency.

The legislation has been constructed with a great deal of care, consideration and consultation, and I assure the people of Western Australia that ongoing consultation about the future of their parks and botanic gardens is a high priority. This Bill provides the legal framework to achieve these objectives. I commend the Bill to the House.

I table a summary comparison of the current legislation - the Parks and Reserves Act - with the Botanic Gardens and Parks Authority Bill.

[See paper No 1313.]

Debate adjourned, on motion by Mr Cunningham.

to engage the services of other government staff, subject to collaborative agreement, and, by arrangement, to make use of any facilities of other departments, agencies or instrumentalities. Rangers are renamed "park management officers", reflecting the scope of their contemporary duties.

Under the current Parks and Reserves Act, the Kings Park Board can delegate responsibilities only to a subcommittee of itself, not to staff nor to expert committees which may be created by a Minister. The new legislation would rectify this so that the board of the authority will focus on policy and broad strategic issues, while the CEO and staff will have delegated powers for day to day operations and to develop new policy and strategies for deliberation by the board of management. Also, in keeping with the modern requirement of a small agency to seek outside specialist advice and management assistance on specific issues, the Bill enables the board to delegate to committees and persons appointed by the Minister.

Control of inappropriate behaviour and wilful damage: The legislation permits regulations addressing the issues of arson, graffiti and vandalism which inflict damage on these beautiful botanic gardens, parkland and bushland areas and the facilities within them. There is clearly an ongoing need for park management officers to deal with the public safety and conservation risks associated with such dangerous behaviour. Regulations may provide penalties up to \$2 000.

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Debate adjourned, on motion by Mr Cunningham.

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 7 April.

DR EDWARDS (Maylands) [11.09 am]: The members of the Opposition are very pleased to support this Bill and are grateful that it has finally arrived. As members are aware, Kings Park celebrated its centenary a number of years ago, and the board of management had hoped for a new Act reflecting its centenary at that time. I know new Bills are very difficult to draft, and unfortunately that legislation did not coincide with the centenary. Indeed, it is now some two or three years past the centenary. Nevertheless, we are very pleased that it has arrived in this Parliament. The English is quite readable and for that congratulations should be conveyed to the organisation and to the parliamentary counsel.

I start my comments by relating a holiday story. A few months ago I was fortunate enough to visit England for a holiday. Upon my arrival a decline occurred in the value of the dollar, and I found I could not do a whole lot. Fortunately, I was staying with a friend who has an absolutely passionate commitment to gardens. On virtually every day of the holiday, I was enthusiastically taken - towards the end of my holiday, I must say dragged - to a number of gardens. However, I made a point of visiting the Chelsea Physic Garden because I was aware that Kings Park won a gold medal from the very prestigious Chelsea flower show.

Mr Cowan: I saw it; it was a very good exhibition.

Dr EDWARDS: Yes, and I know it had help from the commerce department. My friend had also been to see it. She was delighted with it because she ran into Germaine Greer and had a conversation with her.

Mr Barnett: I think the Deputy Premier would have run through Germaine Greer!

Dr EDWARDS: It would be very interesting.

I first noticed that the garden was very small. It is a walled garden on a very tiny site which is totally enclosed. However, although it is small, it shares some similarities with Kings Park. It has gardens and facilities that cater for the different types of people who visit it. It has various exhibitions that are held to encourage people to view the garden and think more carefully about the roles of gardens and plants in history. I was very interested with what I call the "physic" side of the garden; that is, the sections where the medicinal properties of plants are researched. I was intrigued to see in real life the foxglove plant, because as a medical student, I had heard many times the stories about foxglove and the emergence of *digitalis*, a drug which is extremely useful in the treatment of heart conditions. The exhibition also included many plants from overseas. The English hold a strong view about collecting specimens from overseas and having them on exhibition locally. I do not think we need to do that in Western Australia. I think our task is to ensure that we preserve and show our native plants so that they gain much wider acceptance, particularly among gardeners. I was appalled though that the

Australian specimens in the garden were mostly unknown to me. That is probably because my botanical knowledge is small, but it appeared that most of them came from the eastern states and very few were from Western Australia. Perhaps in time that will change. I do not think the Australian plants were enjoying the English climate; perhaps they are better off here.

There was also a very large section on cultural botany, the knowledge about plants that was said to be not separated from either the plants or the people who depend on them for their existence. On the day that I visited, there was an exhibition that looked at the role of plants in various tribal and indigenous cultures. The history associated with the plants on exhibition was important because one realised that much detailed knowledge was handed down by word of mouth. Obviously if the plants were lost, or indeed if the population of the people is lost, all that knowledge is lost, including any insights as to how the plants could be used in a medicinal sense. The exhibition also made a very strong statement about preserving biodiversity. The staff pointed out that they had taken care in their garden to have trails that demonstrated what happened when cultures become eroded. As they said, when cultures become pressured, plants and their habitats become endangered and tribal people die out and, with them, dies their knowledge. It is about loss; for we lose that which we do not value. This is not an inevitability, but perhaps a warning so we can decide what is valuable to us. I think that underpins part of the work at Kings Park. The curators there are helping us to determine what is valuable for us and helping us preserve what needs to be preserved now and for prosperity.

One of the other issues that I never thought about before I visited the Chelsea Physic Garden was the way different families of plants are organised. I understand that the Swedish botanist, Linnaeus, codified plants into different families depending on the sexual organs of the flowers. Obviously this is appropriate to Europe which has plants that flower; but if one thinks about somewhere such as South America and the rainforests, the flowers can be 85 metres up in the canopy, and to have a system of codification based on flowers would be entirely inappropriate. Similarly, it was pointed out that the Eskimos have a very rich language, but they have only a few flowers. It may be that we have flowers that are white, described in many different ways, but there would not be many alternative words to describe the other flowers. Nowadays, taxonomists look inside plants to study their genetics, their molecular structure and their DNA. As science and history move on, we have new systems of coding and classifying plants.

I emerged somewhat wiser after my visit and I realised the role that history can play and the way that botanic gardens can make one aware of and appreciate history. For example, I learnt that yew trees can live to 2 000 years of age, which is extremely old. A comment was made in passing that that is the reason yew trees were planted in churchyards in England because they wanted to remind people of mortality and the fact that the trees were there for hundred of years while many generations of people passed through the earth. I was also told - I do not know whether my leg was being pulled - that Pontius Pilate played under a yew tree which is still standing in Perthshire while his father was stationed in Britain during the Roman times.

One of the plants on exhibition were yams from Mexico which were initially used to develop the oral contraceptive pill. It was pointed out to me that no plant has had a greater effect on the development of the world than the yam because of its impact on the development of the contraceptive pill. When one looks at the second half of the century, one must realise that plant must be celebrated as playing an extremely important role.

The Chelsea Physic Garden made quite a lot of play about the Government's policy that any commercial company using the garden's plant collection must respect the convention on biological diversity. Countries and, where appropriate, indigenous people must agree to and are entitled to benefit from the commercial developments that flow from the plants that they have either donated, or have knowledge about. I believe this is an issue that needs more work in Australia. We must ensure that we have all the mechanisms in place that will safeguard the knowledge and rights of our indigenous people and ensure that our plants will not be developed in other parts of the world for purposes that we have not realised existed.

Much attention was paid in the gardens that I visited to facilities for people with disabilities. One garden had an area for people with vision impairment. I was a bit puzzled about how people with vision impairment could enjoy gardening. It was absolutely beautifully designed and it was very safe for people who were either partially-sighted or had no sight to walk through. It had a range of scents so people could smell the various flowers and know what they were. The flowers were put together in huge splashes of colour so that if one was partially-sighted, a much better opportunity was available to see the flowers. Apparently this is an incredibly popular activity, and beneficial for the people who visit the garden as well.

Kings Park was established over a century ago and a lot of foresight was involved in setting aside such a large area of land on the edge of the city. Our ancestors are to be congratulated for that. It is the only city in Australia which has such a significant piece of bushland in such a dramatic setting. Kings Park and the Swan River are icons for Western Australia. When visitors leave this State they are the two places that they talk about. Kings Park is a treasure that we must look after.

A number of activities occur in Kings Park. I want to comment on some of the activities and the aspects of Kings Park that are important to preserve. Kings Park is a significant piece of bushland right in the centre of the city. It is valuable for people who live in the city to visit that bushland to see what is there. It is also valuable for international and interstate visitors who come to Perth and do not visit the rest of the State, to see what we have. However, we must restore it to a better

ecological state. I am pleased with the statements by the minister in the second reading speech that the Bill will provide the mechanisms to do that.

I was also interested to read about some of the research conducted at Mt Eliza and on the scarp. I gather that scientists at Kings Park have found that the biodiversity is much richer than was previously thought. We must preserve that, and I congratulate Kings Park on its sponsorship arrangements and work in that area. We must recognise that what we are finding, literally on the city's doorstep, is a message about the biodiversity that may exist in other places. We must continue to take in what we see when we look around.

I will comment on a statistic in the annual report, because it is stunning. In 1996-97, the nursery produced 9 285 plants for use in the park. That gives some idea of the number of plants that are being planted in the park, and the care that is being taken. In that year, there was a total of 20 779 propagations. Those of us who potter in our gardens on the weekend will understand that our activities fall short of the activities in Kings Park.

Kings Park provides leadership for promotion of conservation, horticulture and the understanding of Western Australian flora. It also provides an extremely valuable research arm for the State. I note the excellent work it has done with declared rare flora working in conjunction with the Department of Conservation and Land Management and its internationally renowned work on germination through smoke. The management of Kings Park is to be commended for its marriage of working directors, many of whom also have appointments to the University of Western Australia's botany department. A marriage of expert scientific advice with people who are, literally, getting their hands dirty ensures an efficient and effective organisation.

The 1996-97 annual report shows that Kings Park attracted nearly \$500 000 for research projects in 26 different areas. That is a remarkable achievement for an organisation of its size. One of the items in the annual report that touched my imagination was its work with the Meelup mallee. Its research determined that the mallee may be 3 600 years old, making it one of Australia's oldest, largest and rarest gum trees. It is a celebration for all of us that we have a tree in our State that is as old as that.

Kings Park has also done valuable work to preserve biodiversity. I gather that eight critically endangered species have been successfully initiated into tissue culture. On top of that it has done valuable work with spinifex, which is important to our regional and rural constituents, and work on banksia woodlands. Perhaps the value of banksia woodlands is in the eye of the beholder. However, they are extremely important in this State, and Kings Park has done valuable work to determine why sometimes banksia woodlands do not grow properly.

Kings Park is the most popular, specific destination for international and interstate tourists. In the years that I have been visiting Kings Park, I welcomed the changes that have taken place to make the visits more enjoyable, particularly for tourists. Kings Park now provides a greater level of attraction. It has implemented increased security measures and increased its maintenance standards. In addition, Kings Park has achieved a lot of media coverage, which reinforces to everyone the jewel in the crown that it is.

One other aspect that has been really important is the development of Aboriginal cultural initiatives. This is important in its own right because Kings Park is an important place to indigenous people. However, it is also an opportunity for tourists to be exposed to Aboriginal culture, particularly if their visits to Western Australia are short.

Last, but not least, I will comment on the recreational value of Kings Park. Numerous people run and jog in the park - indeed, I saw the member for Stirling jogging through Kings Park on one occasion. It is used by all types of people for recreational purposes. It is important to have an area that is free and accessible to people to use for recreation, particularly people who are in the city and who are busy and do not have a lot of space.

The Bill is overdue, but finally it is here. One of the most positive achievements of the Bill is that it will bring modern management to Kings Park. The existing Act under which Kings Park operates has a number of problems: It is silent on the functions and powers of botanic garden; it provides limited and unclear protection for bushland; it does not address the importance of Kings Park as either a tourist or a cultural heritage attraction; it inhibits the ability to raise revenue and therefore to deliver the services and facilities that people command; and, it has no statutory basis for the research work that is occurring. The new Act therefore will be extremely welcome.

I am also pleased that we are dealing with the Bill today, because hopefully that will speed up the formation of the new authority that will be created - the Botanic Gardens and Parks Authority. I will be interested to see what happens with Bold Park as it comes under the rein of this new authority.

Perhaps the most important part of the role of the new authority, which was highlighted in the minister's speech, is that management plans will be publicly reviewed. It is important that people have input into the future of Kings Park and how it is developed. A series of management plans will be renewed every five years, and when new land comes into the Botanic Gardens and Parks Authority, such as will occur with Bold Park, a management plan must be drawn up within two years. They are sound management features to ensure public consultation and participation with the development of these lands.

I am also pleased that the issue of intellectual property rights and patents is covered and the opportunity exists for those to belong to the new authority, either jointly or with other agencies, if other agencies are involved. The Bill also places emphasis on core functions. Again, the protection of the bushland and the further development of the botanic gardens is one of the key functions.

The Bill will set up a new foundation for fundraising. This is important, because currently around 30 per cent of the funding of Kings Park and its activities comes from the private sector. The foundation will be a separate organisation that can raise and manage the funds. I will seek more detail from the minister during the committee stage to understand the safeguards in place. I have been involved with a large charitable organisation in my own electorate to set up a foundation, so I appreciate the merits of a foundation and have some idea about the safeguards that can be put in place. Sponsorship will be extremely important and the foundation will be in a position to more actively seek that sponsorship. I wish the authority and the foundation well, and hope they receive bequests. I am sure people would be happy to bequest money to Kings Park.

One issue which concerned the Opposition, but it is pleasing that the Government has addressed it, relates to fees. We are delighted that this legislation specifically precludes the power to charge for entry to Kings Park. I have said a number of times that Kings Park belongs to the people and we deserve free entry to it. When I was in England on holidays, I noticed an entry fee was charged at many of the places people visit. While I was in Britain, the Blair Government changed that policy and introduced a plan to remove the entry fees from a number of government facilities - for example, museums - within the next two years. The Opposition accepts an entrance fee can, and should, be charged for particular occasions. We will seek information about how those are to be determined.

The best thing about this Bill is the fact that the board of management and people who work at Kings Park are now given the tools for modern management. I have a number of questions to do with the specifics of the Bill and how some of these items will operate, but I will ask them when we go into committee. At the conclusion of the second reading debate perhaps the Minister can respond to my final question: How will botanic gardens be defined? The words "botanic gardens" are not included in the definitions clause of the Bill. That is the main issue people commented on as the Bill circulated around the community. In conclusion, I commend this Bill to the House.

DR CONSTABLE (Churchlands) [11.31 am]: I join other members in congratulating the Government on the introduction of this Bill. It will play a very important part in the protection of Western Australia's major parks and gardens in the foreseeable future, particularly those in the metropolitan and city areas. It is fair to say that cities and towns are often defined by their botanic parks and gardens, and most visitors to Perth comment immediately on Kings Park, the wonderful area we have on the edge of the city. William Bold referred to parks and gardens as the lungs of the city. That is an important definition in the late 1990s.

In considering this legislation, we must take a moment to remember the foresight of the early leaders of Western Australia, and Perth in particular, and the planners who decided to leave such large tracts of undisturbed bushland. In his 1955 plan for the metropolitan region and Fremantle, Gordon Stephenson referred to this foresight. Under the subheading "Central Parks" on page 98, he states -

In Kings Park, the Region has a magnificent, centrally placed natural park of a size and character likely to meet many recreational requirements of the foreseeable future. The Perth City Fathers of the last generation had the courage to emulate the statesmen who established Kings Park. Bold Park, which they set aside for recreation, is even greater in extent than Kings Park. It may gradually assume a role and character different from those of Kings Park. It is assumed that it will contain areas of both natural landscape and extensive facilities for recreational activity.

The importance of that 1955 quote today is that this Bill brings under one authority those two wonderful tracts of land. We should take a moment to thank those who had the foresight to set aside forever these extraordinary tracts of bushland for people's recreation and for us to admire and have close to the city both flora and fauna which elsewhere in the world might be located some distance from a major city. Both parks are unique in preserving large tracts of bushland close to the city's door.

The member for Maylands made many comments about Kings Park and I will not repeat that information; however, I will comment on Bold Park. Amongst other things, this Bill formalises the establishment of the Bold Regional Park - that was announced in 1995 by the State Government - for the benefit of all Western Australians. Until 1995, Bold Park was, firstly, under the umbrella of the Perth City Council and then, more recently, it came under the Town of Cambridge. Although it is a magnificent area, it has been very difficult for both those local government authorities to provide the funds and expertise to maintain it adequately. This Bill provides the infrastructure to enable the management of these major parks to be carried out with the expertise that is required.

Since I have been the member for Floreat and now Churchlands, I have taken a personal interest in this park, a portion of which is in my electorate and the balance in that of the member for Cottesloe. He might make a few comments about it during the debate. I have enthusiastically supported the establishment of this piece of bushland as major park. Let us look

at the background to Bold Park. Some of this information has not been recorded for some time. In the handover the other day, some important facts were omitted from the speeches and I want to place them on the record again.

We must thank William Bold, after whom the park is named, for his foresight and great interest in planning. Bold was the town clerk of the City of Perth from 1901 to 1944. The extraordinary aspect is that he was not 30 years old when appointed as town clerk, so he had a long and distinguished career in that role. His major contribution to the city and the State was his interest in planning. Fairly early in Bold's career, in 1913, just before the start of the First World War, the Perth City Council sent him to two conferences in London; the first being the Imperial Health and Town Planning Conference - an interesting combination of subject matter - and the second being the Gardens Cities and Town Planning Association Conference. Later he visited cities in the United States, which gave him many ideas for the future planning of the City of Perth.

I refer to a book published in 1979, commissioned to celebrate the sesquicentenary of Western Australia, which comments on Bold. It states -

Bold's extremely brilliant report on his tour was presented to Perth City Council in 1914, the year Harold Boas took his seat as a councillor. Boas, a Perth architect, and Bold were instrumental in extending the City of Perth's municipal boundaries to the coast, and in commissioning C. H. Klem to design two satellite towns, now known as City Beach and Floreat. The design clearly showed the effects of Bold's tour with its parkways, boulevards, playing fields, gardens etc.

The 1925 drawing by Klem, the town planner, shows the suburb of Floreat Park as planned and some of what is now City Beach. Between the two an enormous tract of land took in a golf course; the area between the Boulevard and Cambridge Street, some of which has given way to housing and some of which is still known as Bold Park where there is a school; and the southern part which takes in the pine plantation and the southern section of Bold Park down to Underwood Avenue. In those days it took in the Perry Lakes area where the stadium is now situated. The original definition of Bold Park included the golf course as well as all of Perry Lakes. It covered 526 hectares, which is a huge amount of land.

An article in *The West Australian* of 6 May 1976 takes us to the next step in the development of Bold Park as we know it today. This article recorded a special meeting that was called by the then Lord Mayor of the City of Perth, Earnest Lee-Steere, to deal just with Bold Park. The decision that was made on the evening of 5 May 1976 was to add a further 99 ha of bushland to the park. This bushland was originally set aside for housing under the Cambridge Endowment Lands Act, which had to be changed to allow this to happen. The Perth City Council recognised in the mid-1970s the need to make sure that the area of bushland that would be preserved was big enough. At that time, the natural bushland area equalled 249 ha. That meant that the Perth City Council would need to forgo the revenue that it would have collected from the sale of the development land. However, the strong feeling in the council was that it was very important to set aside this large tract of land.

It is important to place on record that some of the key people who were involved in that visionary decision in 1976 were the then lord mayor, Earnest Lee-Steere; the town clerk, Ossie Edwards; and the councillors, who were very much involved, particularly John Dallimore, Eric Silbert and Neville Monkhouse, who worked tirelessly for at least two years to make sure that extra land was added to what we now know as Bold Park.

The 1980s saw some very difficult times for Bold Park and those who wished to preserve it, with the arguments and the almost public fight about the Knightsbridge land, and the desire by some people to develop the southern part of Bold Park, while those who wished to preserve it made sure that did not happen. The public pressure that was brought to bear meant that further housing development did not occur in that area. More recently, and also at that time, the Friends of Bold Park have played an important and instrumental role in preserving Bold Park bushland as we now know it and making sure that the move towards a regional park brought us to this point today.

The Town of Cambridge, and those who work in the Town of Cambridge, deserve special thanks for the handover that took place a few weeks ago and for the way in which they have conducted themselves. The most difficult time for the Town of Cambridge recently has been in sorting out some compensation. The Town of Cambridge has given up a great deal of land which may have been developed to raise revenue for other developments in the area, and some compensation has been forthcoming recently from the State Government to allow the final handover to take place in an amicable way. One councillor at the Town of Cambridge who, along with others, worked very hard to make sure that happened was David Johnston, who was at the forefront of the early public debate, which was played out blow by blow in the local newspaper.

One further thing that has happened and that has pleased everyone in the area has been the change to the Stephenson Highway road reserve. The original Stephenson plan of 1955 proposed that a major four-lane road would go right through what we now know as the bushland of Bold Park. That road reserve is still there but has been changed in recent times to take it out of the bushland area and run it down Oceanic Drive and onto West Coast Highway. That has been a major plus in securing and valuing the land that is part of this legislation.

I turn now to the management of Bold Park. Bold Park is now 60 ha larger than Kings Park; so from the city through to the coast, a huge amount of bushland exists for enjoyment and for scientific study, and also to be managed. In recent years, it has been very difficult for the local authorities to provide the funds required for that management. The Bold Park area has a lot of weed, and a lot of other problems that need to be dealt with, particularly the possibility of fire. The Kings Park Board has been dealing with that matter for a short while, and the new authority will take on that challenge. It is an enormous task, and it is important to provide expertise and adequate funding to ensure that the Bold Park area is brought up to scratch.

For that reason, I am delighted that this legislation is before us. In this year's budget, \$8m has been allocated for several initiatives, such as capital works, bushland restoration and fire control works. However, that money will not be enough, and more will be needed in the years to come to ensure that it is well managed and maintained. The works that will take place in the next year or so will significantly enhance the quality of Bold Park and begin to bring it up to the standard that we need for a major regional park.

Bold Park is an amazing area. It is very rich and diverse in its native bush and fauna. A book that was published in 1990 documented 61 types of birds, 29 types of reptiles, including some that are found nowhere else in Western Australia, three different types of frogs, and six types of mammals. In addition, 1 500 species of flora have been documented as existing in Bold Park. From a scientific point of view, Bold Park is an important piece of land to be preserved. It is also a piece of land that in the years to come will, as it does now, serve a major educational purpose. It is worth mentioning that one of the schools in the area - City Beach Primary - has received national awards for the work it has done in propagating some of the endangered species and in developing curriculums for primary aged children that are used in many primary schools not only in this State but in Australia.

In addition, I have been one of the people who have been pushing for some time to have the City Beach campus of what will be the new multicampus high school in the area recognised as a school that has an expertise in ecotechnology. That school is in the northern part of Bold Park and is ideally situated to be a centre for excellence in this area and a centre that other schools can use for practical work for their excursions and so on. I hope there will be a continuing relationship between the new authority and that school in providing an educational centre not just for schools, which will be important, but also for other people who want to know more about the flora and fauna in the Bold Park area.

I turn now to the clause of the Bill that deals with management plans for parks. Of course there must be a management plan. However, I understand from my reading of the Bill that the public will not be entitled to make submissions on the first management plan for Bold Park. That matter needs to be clarified, because it is not clear in the Bill. I presume that a temporary management plan already exists for Bold Park, because the Kings Park Board has been involved in that plan, but it appears that the new authority will have a two-year period in which to develop a management plan for Bold Park, and once prepared and accepted, the plan will then be reviewed after five years. It may be seven years before the public has any input into that management plan. It seems strange that the public cannot comment on the management plan when this area has been set aside for the public's benefit, and it is an area about which hundreds of members of the public have written submissions in the past to the Perth City Council, and in which they have been involved in so many ways. I hope that the public will not be cut out at this stage of the new development of Bold Park.

The public should have an opportunity to contribute to the management plan because it will be the core management plan for the future. Whatever happens with management plans after that first seven years, they will be adding to what is developed now. I ask the minister to clarify that either in comments at the end of the second reading debate or in committee, so we can deal with that issue which is very important to the public. In the meantime, I look forward to the committee stage when some aspects of the Bill will be clarified. I commend the Bill to the House.

MS WARNOCK (Perth) [11.51 am]: I regard this Bill as extremely important. Not only is Kings Park and Botanic Gardens the State's number one tourist attraction, as other speakers have said before me, but also it occupies a special place in the hearts of most Western Australians, if not all. It was great foresight on the part of the early founders to set aside such a very large piece of bushland in the inner city. It is quite extraordinary, if not unique among cities in the world, not only Australia, that natural vegetation should be set aside in the city and not in some great park very far distant from the city, like Yellowstone National Park in America. Central Park in New York, the Jardin du Luxembourg and the Jardin des Tuileries in Paris and many of the other famous gardens throughout Europe are quite unlike Kings Park.

Mr Thomas interjected.

Ms WARNOCK: I would certainly be willing to be on a committee to check out those gardens.

The difference between Kings Park and those great and famous gardens around the world is that Kings Park is a very large park of 1 000 acres or 400 hectares of natural bushland right at the centre of a capital city. That makes it unique. The extraordinary foresight involved in that decision must be saluted again more than 100 years later. I believe Lord Forrest was the Premier and first president of the Kings Park Board. He said in August 1895 that this will enable children 1 000 years hence to see our country as it was when Stirling first landed. That is a remarkable piece of foresight. On behalf of

politicians generally, it is pleasing to note that occasionally that much maligned species, the politician, does set aside immediate considerations and succeed in thinking very far ahead. To say that this was to be preserved under any circumstances and was not to be changed but kept for future generations 1 000 years hence is an extraordinary thing for anybody to do. I can only say, as I have probably said many times in this House before, that we should be extremely grateful for the foresight of not only John Forrest but also many others, whom I will mention briefly later, who made the decision at the time to set aside the land. Mercifully, despite attacks on that decision over the years and attempts to take bits out of the park for various other functions, Perth has managed to keep its park and it has that bushland more than 100 years later. Let us hope that it will have bushland 1 000 years hence.

It is quite appropriate that in the week that the excellent annual spring wildflower festival opens in the park a Bill concerning itself with Kings Park and Bold Park should surface in Parliament. It is good to be able to draw attention to that as a Friend of Kings Park, which I am. The organisation was established I believe in 1993. It sees itself literally as a friend of Kings Park. All the people who belong to it are very concerned about preserving Kings Park for the future and also making it as good as possible in the present, so that everybody, not only locals but also the thousands of visitors who descend on it every year from all parts of the world should be able to enjoy the park as much as possible. It was in my capacity of not only the local member of Parliament but also a Friend of Kings Park that I wrote a submission when the Government produced a few years ago a consultant's report about the possible future of Kings Park. It was released with a bit of a roll of drums. It certainly interested a great many people. A great many members of the public together with interest groups who were concerned with the park submitted ideas and made comments on the ideas produced by the consultants for their park.

Although some people say it is odious to quote oneself, I have often said, "What more reliable source is there?" I will refer to one or two matters I brought up in my submission to the committee which produced the report in 1994 or 1995, I believe. I first drew attention to matters in the report that I supported completely. The first was the suggested improvements to the botanic garden. At the time I said they were very important and that they had needed doing for some time. I felt that not only had the garden been out of sight in some odd way, which was the case, but the exotics there seemed more visible than anything specifically Western Australian. Much has changed in the few years since I made those comments. I wrote that I believed that it should always have been more visible and prominent and that it was pleasing to note that it would be moved closer to the main gate, or rather some part of it. I was referring to the garden which is now sited near the main entrance and gives greater prominence to Western Australian wildflowers, which is very appropriate. I always thought that they should have been a major feature of the park. I believed at one stage that they had an oddly recessive siting. The move seemed to be appropriate. Those familiar with the park will know where the old depot area is situated. At that time the depot was to be removed. I believe it is now behind the reservoir. The old depot area was to be used more for public displays. That is an important change.

I also wrote in the submission that a visitor centre was important and that most major parks and, indeed, much visited cemeteries in the rest of the world had some sort of information or interpretation area where people could readily find material and souvenirs. As every member here knows, and having been a visitor in several parts of the world, I know, people want souvenirs and something to remind them of the place to which they have been. I thought that a visitor centre was very important. I also said that the depot should have been moved, which it has been. I felt at the time that that prominent site should be occupied by a major public attraction. It has been. I salute that decision.

At the time, I also applauded the suggestion that there should be a new reticulation system and that no new lawn areas should be planted. I made the comment that in the dry climate, as is obvious, lawns are very beautiful but very expensive. Indeed, the Water Corporation for some time has been urging us not to plant lawns but to plant native plants because they require less water in summer. Although lawns are a major attraction in some people's suburban gardens and indeed some public gardens, they are very expensive to maintain. Quite clearly in a park the size of Kings Park it would be better to think of some other way of covering the territory. I believe that 54 hectares are covered by lawn in the park. They are looked after by four members of the staff more or less constantly. They are difficult to maintain. However, a new reticulation system has been put in place. That is extremely important. I also felt that there should be no further encroachment on the area of bushland. I thought it was important for the reason I mentioned earlier, that our forefathers had set aside the park so that there should be some largish portion of the park 1 000 years hence, so that people could see what it was like when the first British settlers landed.

I certainly believe that to be so. It is symbolically important. Even if not many people, apart from runners, spend a lot of time there, it is important that Aboriginal and European Australians have a reminder of early Australia and its natural vegetation. The park's proximity to the city is a unique feature, and is one reason for millions of people visiting the park over the years. In fact, it is the most visited tourist site in the State.

I also said in my submission on the draft plan that it was good news that the original gatehouse is to be preserved and its history researched. I will be interested to hear the minister later outline progress in that area.

I also stated that improving the playgrounds was important as they should be safe and interesting to young visitors. Since the preparation of my submission, as most members would know having taken young visitors to the park, the former Hale

Oval area has been developed into a playground area. This caused a stir among the few people who previously used Hale Oval. It was an excellent decision as the beautiful tearooms and playground for children are extremely successful. It deservedly draws many more visitors than the various sports people who previously used the oval.

I said that the Lord Forrest vista would benefit from being cleared, except for the most impressive larger plants. Regular visitors may recall the conglomeration of large plants on the front of the escarpment, and these have been largely cleared and that area of the park has improved enormously. Lord Forrest's statue can now gaze over the water in a way not previously possible. A great number of improvements in that area of the park are visible to visitors.

Also, I suggested in my submission that the signage of the park should be improved, and this seems to have occurred. Anything promoted as a tourist spot should have good signage; it should be not only visible with a clear message, but also good looking. Those small improvements may seem trivial to some people, yet they have the right effect when adopted in the park and city. Generally, people develop a better feeling about the area visited.

Also, my submission outlined that it was extremely important that the park plan, as the park is set on an important Aboriginal site, be sensitive to the Aboriginal connection to the area. Planners should be congratulated for taking well-informed Aboriginal advice on this issue. This was obvious in the consultants' report. Subsequently, the Aboriginal Cultural Centre was established at the front of the escarpment. This has been improved with the provision of a roof. Visitors from overseas, in particular, and from the eastern States are intrigued by it. They are pleased to see Aboriginal heritage given some prominence. People can buy souvenirs, and can see Aboriginal dancing and other performances. It is an excellent idea and a good addition to the park.

Also, I said that future and continuing research into the history of the park was important. Already known facts should be made readily available to tourists and visitors. I have on my desk a number of good histories of the park, one of which by Dorothy Erickson was prepared for the Kings Park and Botanic Garden in 1997. It is a very good thematic history. It outlines how the park has changed and improved over the years, and the people involved in making those important changes.

I said in my submission that public art should be a more prominent feature in the city of Perth generally, and at Kings Park in particular. I applaud suggestions in the plan for enhancement of this aspect of the park through entertainment, festivals and the like. The City of Perth has bounded ahead in the amount of art it displays on its streets, for which I congratulate it. Kings Park has recently prominently featured entertainment in the park in a manner not seen in previous years. Plays were performed in the park in summer, successfully drawing large crowds. The park has been a venue for other forms of entertainment, such as orchestras. This is excellent. Obviously, performances must be suitable for the area and be carefully planned so that vast numbers of people do not descend upon a delicate area of the park. Everything I have seen at the park has been suitable for the setting and has drawn large crowds. This is a good development in the park's activity.

I indicated in my submission to the draft plan that I fully supported plans to enhance and upgrade all the war memorial surrounds. The sheer number of these memorials is a unique feature of Kings Park. It is extraordinary to find a park of that size containing so many memorials. Many people have picnics and take walks in the park. However, it is also a place of different significance: Many thousands of people attend the Anzac dawn service in the park every year. Many members of Parliament lay wreaths to commemorate battles which took place around the world at different times of the year. Also, many memorials remind us of the dead from both world wars and subsequent conflicts. It is splendid that the park has such significance for the citizens of Western Australia, as well as being an area for fun, picnics and a variety of other activities.

The minister will no doubt comment on why decisions were made to change aspects of the consultants' plan. I did not like the suggestion in the plan that Fraser Avenue be closed and used only as a walking mall. It began as a walking mall. One of the histories to which I referred earlier contains a lovely photograph of a postcard from the late nineteenth century or early twentieth century of many people walking in the park on a Sunday afternoon with ladies wearing long dresses and men wearing top hats. Since the advent of the motor car and tourist bus, it is one of the great pleasures for people to drive past that beautiful setting along Fraser Avenue. It is not practical to cut off that road, as it would prevent many disabled people experiencing the great views. Also, most great cities in the world have a corniche on the edge of the sea, by which people can drive past sites. I thought the road closure was a bad idea and I said so. Many other people said so too as the decision was changed.

Also, I was concerned about the removal of exotic plants. I am not sure that I was right in my concern: It may have been only weeds which were to be removed. An article in *The West Australian* yesterday indicated that various weeds, like veldt grasses, which some of us find attractive, but which are nonetheless bad for the park, are to be removed in a plan sponsored by a private company. That is admirable. Most of those weed exotics are being removed from the Mt Eliza scarp.

I do not have a copy of the consultants' plan with me. However, I said at the time of its release that I was alarmed by the suggestion that the much-visited European section of the park, which includes the area in which many of the palms can be found, should be cleared of everything except gum trees. People love the cultivated section of the park, which is as important in its own way as the bushland. I said in my submission that I thought it would be absurd to remove palms because they happened to be unfashionable. They are part of the history of the park - they were fashionable when they were planted,

and many people like to see them. I understand that the plan is not to remove those palms and that the exotics in the form of weeds will be removed. As much as I like plants such as bridal creeper, I must say that I applaud the park's being returned to its original state. I also commented on the consultant's idea that the park should be closed at night. That occasioned some mirth at the time, as I recall it, because all of us who were well over 21 were given to reminiscing about our youth in the park and about how we had been taken there.

Mr Thomas: Conceived there!

Ms WARNOCK: Indeed. Perhaps some people were conceived there. It is almost like that quotation from Shakespeare about the seven ages of man. The park has different significance for us all at different times of our lives. We were taken there as children by our parents, we went there as teenagers for an entirely different purpose, and later, as adults, we took our own children or our grandchildren to the park. The park also has a significance for returned soldiers. My colleague the member for Eyre was also quoted as saying that because people had all sorts of different reasons for visiting the park, it was a much better idea to leave the park open. If money were to be spent to improve security in the park, I thought that there were many other ways of doing that, such as tougher security and having troublemakers moved on. The planners, in their wisdom, abandoned that idea, which I am very pleased about, and they have solved the problem - I speak to them from time to time - by all sorts of different means which the Minister might care to discuss. It seems that, to an extent, the activities of people who were hooning around in the park have been checked and the problem has largely been removed. Although many European parks are shut at night, others are not, and it is a great blessing that our park is open and that people are able to drive through it or do whatever else they plan to do after hours.

I mentioned also that I thought it was a bad plan to remove the roses along Kings Park Road. There was an enormous reaction from people who lived in West Perth. I certainly have heard no more about that part of the plan. I suggested that more jacarandas should be planted there, because I am very fond of the jacaranda, but I do not know whether there has been a move in that direction.

I commented also on the possible closure of Harvest Terrace. I do not know whether there have been further discussions about that part of the plan, but I recall that there was a drawing which suggested that Harvest Terrace would be closed off. At that time I asked, "What is the reason for this? Are there many pedestrians in the area?" I would certainly like the old Hale School and the other historic buildings on the hill eventually to become part of a parliamentary historical precinct. In fact, the Constitutional Centre has since opened there, and that is a very good idea.

I now refer to some of the interesting history of the park. The early founders were full of foresight and altruism. A thematic history of Kings Park mentions the people who were responsible for setting aside the park, and their names are Governor Weld, Malcolm Fraser - not the one whom we all know and love - and John Forrest, who succeeded Fraser in 1883. Those people were part of the elite at the time. They were wealthy and educated and, as the history states -

imbued with Late Victorian values ensuring altruistic motives behind their untiring efforts to establish a recreational park for the people of Perth.

I believe that that was the aim of the people who set up the park: To be set aside for 1 000 years hence.

The history talks about how gold transformed the State in a positive manner. All of us, particularly those of us who grew up in the goldfields, know how important gold has been and still is to Western Australia, despite its rather lower value these days. The history states -

Gold transformed the State in the 1890s in a positive manner. It allowed the population to plan for a future rather than mere existence.

That is an important observation. At that time, people were able to see a future for themselves in Western Australia. They were getting past the stage of hard scrabble and they were able to look to the future. Indeed, they looked to the very distant future and are to be applauded for that.

The park was set aside, I believe, in 1872, although it was not actually proclaimed and set up with a board until 1895, which, of course, is why the centenary was celebrated in 1995. Much land was set aside at the time, and subsequently over the years the size of the park has changed a deal. Although it has reverted very much to its original size, bits of land were cut off or added over the years for various functions. The history mentions the monuments and memorials which were donated. On 5 January 1928 *The West Australian* stated -

The people's park should be the people's pride. Its preservation will then be sure.

That is a very important observation about the park. If people have an investment in the park not only of money but also of something to do with their spirit, they will work very hard over the generations to ensure that it is preserved. If something is popular and important to people they will work to ensure that it is preserved and they will not allow any Government, whatever idea it might have, to neglect it. I must say that I doubt whether any Government now would be silly enough to neglect the park because all of us realise what an important asset it is not only in tourism terms but also in terms of the spirit

of the place. It is enormously important to Western Australia and to the people in it. That is why the place is so visited, has such an important role in people's lives, and retains an important place in people's hearts as well.

The park is important today not only for the reasons that I have mentioned but also as a research centre and a centre for the preservation of rare species. It has a big and growing reputation and it produces important scientific papers as well as makes important scientific discoveries. I congratulate all the researchers on their important work and on maintaining the high reputation of Kings Park and the botanic garden. I also congratulate the gardeners who put together that excellent display. I have seen only photographs of it, but it certainly seemed to be an excellent display. It won an award at the Chelsea Flower Show last year. I understand that it was Kings Park's first outing at the Chelsea Flower Show, and it resulted in an award, which is pretty impressive.

Kings Park means many things to many people and it has a different significance at various times of our lives. I can only applaud the legislation. Together with all opposition members, I certainly support the legislation and, as a Friend of Kings Park, will continue to retain my interest in that marvellous piece of real estate for the rest of my life.

MR BARNETT (Cottesloe - Leader of the House) [12.18 pm]: I appreciate that it is quite unusual for a Minister to comment on a Bill being handled by another minister, but as the member for Cottesloe and as Bold Park lies mainly within the Cottesloe electorate, I should like to make a few brief comments.

I certainly agree with the member for Churchlands that Bold Park is a beautiful place and a unique area of natural bushland. I am delighted that under the legislation Bold Park now falls within the administration of what was the Kings Park Board and what will become the Botanic Gardens and Parks Authority. Indeed, I might show my bias, but I think that the area of natural bushland and the stands of trees within Bold Park are exceptional and exceed the quality of bushland that survives within Kings Park itself. Bold Park also has panoramic ocean and city views. It tends to be used primarily by people living within the vicinity, but I have no doubt that, as Perth continues to grow, Bold Park will be discovered by the rest of Perth and will come under increasing usage, which is desirable, and it will equally require the professional management that can be provided by staff within the authority.

As outlined by the member for Churchlands, a number of very important things have happened to Bold Park during the time of this Government. The acquisition of the Knightsbridge land commenced the process. We then saw further developments. I take this opportunity to give credit to the current Minister for the Environment for bringing this process to the legislative stage and to conclusion; also to her predecessor, Hon Peter Foss, as the Minister for the Environment, who played an important role in the early negotiations. The Minister for Local Government also played a significant role, as did the former Minister for Planning, Hon Richard Lewis, in the early stages. I also acknowledge the member for Churchlands who has always been supportive and, as she said, the councillors from the Town of Cambridge.

Throughout the process of forming what has become a much greater Bold Park and its incorporation now alongside Kings Park, there were times when there was disagreement which sometimes became personal and even a little bitter. In spite of that, throughout the whole process, all parties shared a common objective of seeing Bold Park properly established.

As a local member of Parliament, I found myself in a curious position in this case being not only a relatively senior person in government but also the local member. At various stages, I played the role of conciliator between the Town of Cambridge and respective ministers. I was pleased to play a role, albeit modest, in some of those developments. The removal of the Stephenson highway reserve was important. The member for Churchlands will recall how the decisions on Stephenson highway were made which is probably a unique piece of history that will never be told publicly.

Dr Constable: You cannot say that and not tell us.

Mr BARNETT: What happened was a couple of ministers involved, the member for Churchlands and I drove the route of the highway, looked at all the alternatives and finally it was put in place. It was achieved with people sharing a common view of getting that road out of the park.

Mr Thomas: Who was driving?

Mr BARNETT: I think the Minister for Planning was.

There were other issues. I take some credit, if I may, for including the area to the south, the area next to the Christ Church playing fields between what was Bold Park and the Cottesloe Golf Club. It was an area which had been earmarked for possible sale. Inevitably, on environmental grounds, it would have been deemed not available for residential development. The fact that that was recognised early on and made part of Bold Park was important. Also, the addition of areas that now take Bold Park down to the coastline provides within it a unique range of ecosystems.

Finally, in resolving what became the intractable issues - what area would go across with Kings Park, what area would stay within the Town of Cambridge, which small areas of land would be available for subdivision, and how much money would change hands by way of compensation - I found myself as conciliator in trying to bring those parties together. At the end of the day, many people deserve credit for the origins of Bold Park and for its expansion during the term of this Government;

and now that a professional system of management has been put in place, it is a great asset. Primarily, it was initially used by the western suburbs but it will become strategically important and very valuable, along with Kings Park, in the Perth metropolitan area.

MRS EDWARDES (Kingsley - Minister for the Environment) [12.25 pm]: I thank members for their comments and contributions to an important piece of legislation. I will comment on a couple of the points made. Before I do so, by way of a commercial I advise members that the wildflower festival this year opens on Friday 18 September to 28 September, from 9.00 am to 5.00 pm. Postcards have been produced which feature the beautiful everlastings to be seen at Kings Park. I encourage members to not only have a look at the festival but also, whenever possible if sending a message east or overseas, use the postcards because they are a beautiful demonstration of what we exhibit in Western Australia.

On 11 October there will be a telethon fun day for families. On 3 December through the summer season until early February there will be a Shakespearean season with *Taming of the Shrew*. Last year 22 000 people attended *Romeo and Juliet*. Therefore, we expect a similar attendance to that number again. On Australia Day, of course, there is the skyworks. The park is in a beautiful position to view those skyworks and it attracts 25 000 to 30 000 people. On 14 February, Valentine's Day, for those who celebrate Valentine's Day and those who do not, the Western Australian Symphony Orchestra will be at the park. On 20 February there will be a children's theatre; and on 15 March there will be the *Godspell* musical performance. There will also be a new event, an outdoor family movie theatre showing classic movies for all ages at the Arthur Fairall playground. There will be a great deal happening within Kings Park during 1998-99.

There will also be a couple of new tourist initiatives and further development of the Aboriginal tourism products which include dance performances as well as authentic Aboriginal arts and crafts. That has proved to be very popular in its current location. People like to take photographs with the backdrop of the city as well as the water. There will also be new education programs, the pre-primary school environmental education program as well as the new primary school education program.

Other aspects were raised by the member for Perth. The development plans were obviously dealt with through public consultation. As a result of that consultation, I advised the House at the time the decision was made that Fraser Avenue would remain open to ensure that it remained a significant tourist drive. That was felt to be particularly important from the community's viewpoint.

A group of parents and citizens association members visited this House last night. I explained that we would be dealing with what is colloquially known as "The Kings Park Bill". They then embarked upon their Kings Park stories. They were anxious to get a copy of this *Hansard* because they thought that we might all be standing up and telling some of our Kings Park stories. They will obviously appreciate the history that they will learn about from *Hansard*. However, not too many Kings Park stories have been elicited.

Mrs Roberts: There is always the third reading stage.

Mrs EDWARDES: I encourage members if they have anything interesting to contribute to do so.

As to night usage, there has been improvement in the behaviour of hooners, as the member for Perth referred to them. The board has engaged private security guards on Friday and Saturday nights, which has dramatically reduced vandalism and other anti-social behaviour. This initiative has been in place for the past two years with great success. The security improvements involve increased police patrols, increased Kings Park staff who patrol the park every day of the week and improved lighting also at the main car parks and along Fraser Avenue.

One of the major capital works projects for this year is the completion of the infill irrigation automatic reticulation system. That was commenced last year in an endeavour to reduce costs as well as improve quality. Another major capital works project is the upgrade of the botanic gardens, especially the establishment of the acacia steps which is a delightful garden that has been established. There will also be improvements to display labelling and visitor access paths. The Fraser Avenue upgrade will include a new and improved pedestrian and vehicle circulation system, upgrade to the lawn areas and lighting.

As to furniture, we have been talking about the types of seating there currently. I have a passion to ensure that the seating is indicative of the era in which the seating was first established within Kings Park. We are looking at the 1920s and 1930s, and we have some beautiful photographs of the seats used at that time. They are harder and more straight-backed than those currently in place. Consideration is also being given to the most appropriate site for the rubbish bins. They should not be overly focused, but they should be accessible. I am discouraging siting them close to the seats.

The Mt Eliza scarp will be the subject of major capital works this year, and those works will have a safety focus - a safety fence will be erected to prevent rockfalls to Mounts Bay Road. The member for Perth mentioned weed removal. The Mt Eliza scarp will be the focus of a huge conservation and restoration program along with flora and fauna rehabilitation. An enormous amount of work will be done to improve and ensure the continuation of the conservation activities of Kings Park.

The member for Churchlands mentioned the Bold Park management plan. That is covered under part 4, clause 20, page 17.

Public submissions and public consultation are enshrined in the legislation and two advisory groups will be established. One will be a community advisory group and the other an expert group. The terms of reference for the community advisory group are being finalised with the Town of Cambridge. It will be jointly established by the Kings Park Board and the Town of Cambridge. It will comprise about seven members and will have a proportion of ratepayers along with representatives of other interested groups.

Advertisements will be run inviting expressions of interest so that people can put forward their names to be considered jointly by the council and the board, and their recommendations will come to me. That group will advise on all the non-technical matters and initially will have a two-year lifespan. Under the Act, the initial management plan must be established within two years of proclamation of the legislation. Therefore, the community advisory group will be in place for that period.

The second advisory body is the technical group, which will advise on the management plan for all technical matters - both botanical and ecological. It will be the working body for the management plan. Under the Act we must release the management plan for public review. Those interested will be able to lodge submissions over two months and the plan will be reviewed every five years.

I take this opportunity to thank members for their support not only for this legislation but also for the activities that have occurred in Kings Park and for all the work done and commitment to vesting Bold Park in the existing Kings Park Board for the people of Western Australia. Like the member for Cottesloe, I believe that Bold Park will be discovered by the community of Western Australia and will become a major focal point for families in the near future.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Barron-Sullivan) in the Chair; Mrs Edwardes (Minister for the Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Dr EDWARDS: How will "botanic gardens" be defined given that the closest thing to a definition is a reference to "designated land" and we have yet to see regulations describing "designated land"? Did the minister consider including regional parks under the authority?

Mrs EDWARDES: Regional parks were not considered as part of this proposal. That is probably because of the significance of Kings Park and Bold Park.

In respect of the first question, obviously we are looking at significant areas that might come within the definition of a botanic garden. They will then be designated. We did not want to limit it to Bold Park in the event that other opportunities arose to designate land at some time in the future, but none are under consideration at the moment.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Board of management -

Dr CONSTABLE: Subclause (4) refers to the minister's ensuring that each person appointed to the board has expertise that in the minister's opinion is relevant to the functions of the authority, and clause 9 refers to those functions. Does that mean that each member of the board must have expertise covering all those functions? It would be difficult to find such people. This subclause is loosely worded and it is hard to tell what the minister is looking for in the composition of the board.

Mrs EDWARDES: As with appointments to any board, one looks at the functions of the particular authority to which they are to be appointed and then tries to blend their expertise and skills. Essentially clause 6(4) states that those people are appointed on the basis of their skills and expertise relative to the functions of the particular authority which need to be carried out, rather than in a representative capacity, as happens under other legislation when particular members are appointed to boards and committees.

Dr Constable: It is interesting from that point of view. With a minimum of five people, all those functions may not be covered by those five people, or there may be an imbalance. I am not suggesting this will happen, but there could be an imbalance so that there is a strong flavour of the tourism side of things rather than the scientific. How do you achieve that balance with five people when there are eight or nine functions?

Mrs EDWARDES: By assessing the people who have expressed an interest in being appointed to the board, one ensures

that there is a balance, and that the board is not primarily tourism-based, administrative-based, finance-based or scientifically-based. One ensures that the five members have a range of skills and expertise. The member is correct. It is impossible to have five people with all the skills and expertise required under clause 9, but those people have the ability to obtain that necessary expertise and skill whenever required. It is essential to have a balanced board, not only for this authority, but for any authority.

Dr Constable: Do you envisage there will be any carryover from the existing Kings Park board to this authority or will it be an entirely new group of people, because these functions are very different from the functions of the Kings Park board?

Mrs EDWARDES: That matter has not yet been discussed. However, from my perspective, it is also important to have some level of consistency. Members of the current board have a great deal of knowledge and expertise - I include Bold Park as well - that should not be lost. Therefore, one always needs to ensure some consistency if there is any change of the individuals flowing through to a new authority.

Dr Constable: Therefore it may be desirable to have a maximum of eight members rather than a minimum of five, at least to start with, to cover all those matters.

Mrs EDWARDES: Yes, it is a minimum of five and a maximum of eight. Therefore we have the ability to add extra skills when needed.

Clause put and passed.

Clauses 7 to 9 put and passed

Clause 10: Powers -

Dr EDWARDS: Clause 10(2)(a) states that ministerial approval is required to acquire and dispose of land, other than designated land. How is that then reported to the public? Will it be in the annual report or will the minister make a report when land is sold?

Mrs Edwardes: Yes.

Dr EDWARDS: Secondly, assuming the foundation received some bequests, that would obviously be property. Can the foundation sell or acquire land, or does that all pass through to the authority, which then does that?

Mrs EDWARDES: Bequests to the foundation can be acquired only in the authority's name, not in the foundation's name.

Dr EDWARDS: I will move alphabetically through clause 10. Subclause (2)(e) deals with giving or taking botanical specimens by way of a loan or exchange. When are the intellectual property considerations triggered? Would they be triggered then?

Mrs EDWARDES: The intellectual property considerations are not necessarily triggered only then. At the time of a discovery or new process or whatever, the intellectual property issues arise. Therefore, they are not just triggered by subclause 2(e).

Dr EDWARDS: Clause 10(2)(g) states that in connection with its functions under section 9(2)(g), which is the objectives, the authority may sell or dispose of plants, parts of plants, seeds and fungi or similar organisms. Can the authority still sell plants? I ask that because if the gardens are open to visitors, often there are small areas where plants are sold. It seems to be quite a lucrative market, and I know Kings Park would not want to compete unfairly with other people. I am not clear if that is possible under all the definitions.

Mrs EDWARDES: That is being anticipated, and obviously with the huge interest in the wildflowers, the everlastings and the like, visitors have the opportunity of tapping into that lucrative market. How that will occur in the future under the authority, linking in with the point the member made about competitive principles, will be worked through at that particular time. That is intended by this particular clause.

Dr EDWARDS: On my reading of clause 9, it seemed to be more narrow than that. Does clause 9 in any way limit the ability of the authority to undertake those sales?

Mrs EDWARDES: The Government does not believe so. According to our advice, linking subclause (2)(g) back in with (d), gives the Government that ability.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Delegation -

Dr EDWARDS: When delegation is made to members of the board or to other people, with the approval of the minister, what sort of indemnity do those people have for the decisions they are making, presumably for the authority?

Mrs EDWARDES: That issue has been raised by many members of boards and authorities, particularly with respect to directors' liability, and it has been discussed at length with the Under Treasurer. The measures put in place to indemnify those people as a result of their directors' liability sometimes vary according to the type of functions being carried out. Legal advice will be sought about what is required to be in place.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: First management plans -

Dr CONSTABLE: I am not sure I grasped everything the minister said about management plans. I want to be absolutely clear. I was referring to the first management plan. On reading this again quickly, it is still my interpretation that individual members of the public will not have an opportunity to make submissions on the first management plan. I think the minister referred to a committee being set up to look at the first management plan. However, I am more interested in knowing whether individual members of the public have the opportunity to contribute to it. Will the minister clarify that?

Mrs EDWARDES: I can absolutely clarify that. While the advisory committee, which will include members of the public, will be put in place, the draft management plan will be sent out to the public for submissions prior to finalisation, as happens with national parks and regional parks. The draft management plan will be available for public submission for two months.

Dr EDWARDS: Part 4 refers to first management plans, and the fact that the minister may, by notice in writing, vary or revoke a notice given. I do not understand how the general public can find out about such variations to first management plans. I note the minister must attach a copy of the notice to the master copy of the plan, but given that everywhere else the minister must go to some trouble to have long public consultation and advertising that will be noticed, will these variations in first management plans be as noticeable?

Mrs EDWARDES: Subclause 19(2) refers to public notification in the *Gazette*, in two issues of a daily newspaper circulating throughout the State and at the office of the authority. I believe we should ensure that it also appears in the local community newspapers. Increasingly we are endeavouring to do that when local communities have a specific interest in an issue as opposed to something which relates to the whole of the State, although that is important here. That process must be carried out for all amendments to the management plan.

Clause put and passed.

Clauses 17 to 24 put and passed.

Clause 25: Use of other government staff etc -

Mrs EDWARDES: I move -

Page 21, line 9 - To insert after "subsection (1)" the following -

or (2)

Amendment put and passed.

Clause, as amended, put and passed.

Clause 26: Park management officers -

Dr EDWARDS: Firstly, what qualifications will the park management officers have and, secondly, what checks and balances will be established to ensure that they act within their authority because these officers have quite wide powers?

Mrs EDWARDES: The qualifications and skills necessary for the position of park management officer are threefold and include law enforcement, visitor focus and an element of environmental awareness. These officers are trained by police under the municipal law enforcement provisions.

Clause put and passed.

Clauses 27 to 47 put and passed.

Clause 48: Liability for acts of children -

Dr EDWARDS: I understand this clause and what it states, but how will it operate in places such as the Ivy Watson playground where the Government encourages children's parties to be held and child-care, preprimary and school groups to attend. Does the Kings Park Board have a policy which protects adults?

Mrs EDWARDES: Essentially this section has the same intent and purpose as section 12A in the current legislation which outlines the liability of parents for acts committed by children, but those acts are limited to damage to or destruction of

property owned by the authority. In addition, that damage must have occurred by the intentional or negligent act or omission of the child. Therefore, we are not talking about the normal playing of children. Signage is erected in the park to inform people of their obligations and responsibilities.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Evidentiary provision - speed measuring equipment -

Dr EDWARDS: Will we see Multanova radars in Kings Park or are they there already? When the speed measuring equipment is in place, where will the revenue from the infringement fines go?

Mrs EDWARDES: The police can put a Multanova radar into Kings Park but in that instance we do not receive the money. We operate with hand-held radar. The moneys which are then collected come to the authority but there is no loss of demerit points in that instance.

Clause put and passed.

Clauses 51 to 56 put and passed.

Schedule 1 put and passed.

Schedule 2: Savings and transitional provisions -

Mrs EDWARDES: I move -

Page 46, line 8 -To delete "actions" and substitute "action".

Amendment put and passed.

Schedule, as amended, put and passed.

Schedule 3 put and passed.

Title put and passed.

Bill reported, with amendments.

Sitting suspended from 1.00 to 2.00 pm

[Questions without notice taken.]

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Max Evans (Minister for Finance), read a first time.

Second Reading

HON MAX EVANS (North Metropolitan - Minister for Finance) [4.57 pm]: I move -

That the Bill be now read a second time.

Background: Kings Park and Botanic Garden is one of this State's first class tourist attractions. It is a haven for local residents and a centre of research which contributes to the conservation of our floral heritage. The proper management of the park is an important issue for all Western Australians. This asset is being managed under an Act that is more than a century old. While that Act has been amended on various occasions, it is now time for a complete overhaul through new legislation. In 1995, recognising its similar nature, the Government made a commitment to vest Bold Park in the existing Kings Park Board. This Bill will enable the board to manage the park once transfer of the land is effected. Kings Park is a popular place for exhibitions, concerts and a wide range of other events. It is a superb venue, particularly for the spectacular wildflower festival held in spring each year. The festival opens at 11.30 tomorrow morning. If we are to protect and manage this park properly, a number of significant changes are required from the current legislation.

The current Parks and Reserves Act is limited in that it is silent on the functions and powers of the State's botanic garden; it provides very limited and unclear protection for the bushland; it does not address the importance of Kings Park as a tourist and cultural heritage attraction; it severely inhibits the ability to raise revenue and to deliver quality services and facilities; and it provides no statutory basis for important research work into the conservation of our floral heritage. Kings Park is emerging as one of the world's leading botanic gardens. It won a gold medal at the 1997 international Chelsea Flower Show on its first attempt at displaying live Western Australian wildflowers overseas. At the same time, the Kings Park research team has been widely acclaimed for discovering new ways of conserving endangered plants, germinating wildflowers using smoke, and restoring bushland on mine sites and urban reserves. The functions of the State's botanic garden and the important services it provides to the community need statutory protection. When the garden within Kings Park was established in the mid-1960s, no enabling legislation was proclaimed to protect it. Now is the time to rectify this.

Kings Park and Botanic Garden is also recognised as a leader in urban bushland management. Current legislation provides very limited protection of the bushland in Kings Park. It is silent on the important urban bushland research and conservation

functions of the agency today. This will be rectified under the new Act. Kings Park and Botanic Garden is the State's most heavily visited tourist location and recreational parkland. To ensure world class services, the agency must be able to operate under efficient administration and sound business principles. The new Bill enables this while maintaining the highest standards of accountability and access. The Bill provides for modern management of not only Kings Park, but also other land where designated in a schedule attached to the Act. Besides Bold Park, the Bill enables the addition of other lands as appropriate in the future.

Relationship to existing legislation: This Bill proposes dissolution of the Kings Park Board - to be replaced by the Botanic Gardens and Parks Authority Board of Management. The Parks and Reserves Act 1895 will be amended to remove specific sections and references relating to Kings Park. However, the remainder of that Act will continue in force, applying to many unvested reserves in this State administered by the Department of Land Administration. There will be minor amendments to five other Acts. These are primarily as a result of name and title changes. The consequential amendments are to -

- the Constitution Acts Amendment Act 1899;
- the Financial Administration and Audit Act 1985;
- the Government Employees Superannuation Act 1987;
- the Public Sector Management Act 1994; and
- the Sentencing Act 1995.

New Authority: This Bill provides for the establishment of a new authority to control and manage Kings Park and other designated land. It also provides for efficient and effective management policies to be followed by the authority. Foremost among these is the requirement for publicly reviewed management plans. These will ensure wise conservation and enhancement of designated lands. The management plans will be fully accountable to the minister and transparent to the public. The title of the Botanic Gardens and Parks Authority has been deliberately worded. The name proposed for the authority recognises that Kings Park is the State's botanic garden. World wide, botanic gardens often include urban bushland as well as traditional garden beds and landscaped parkland. Furthermore, most botanic gardens have a major involvement in conservation through scientific research, horticultural activities, education programs and active bushland restoration. It is entirely consistent therefore that the valuable bushland of Kings Park and Bold Park be managed by an agency titled the Botanic Gardens and Parks Authority. It is the Government's view that the new authority must have a clear focus on managing the State's most visited tourist recreation and cultural heritage facility - Kings Park. Also, its unique focus in conservation is in learning to grow native plants, protecting endangered species through biological research and long term storage, and in combining its horticultural and research capabilities to help restore and re-establish bushland. Some of the authority's key roles are in plant research and in managing centrally located urban bushland which is subject to very high levels of public visitation. This Bill continues the policy of maintaining a specially focused agency with the appropriate scientific and horticultural capabilities to provide specialist care and display of the State's wonderfully diverse wildflowers and other flora.

Consultation: The legislation has been drafted with a great deal of consideration and consultation. Many of the provisions in the Bill came from extensive public consultation associated with the Kings Park bushland management plan and the Kings Park framework plan. The Bill has been drafted after consideration of similar legislation governing the management of other botanic gardens - in particular the Victorian Royal Botanic Gardens Act of 1991 and the New South Wales Royal Botanic Garden and Domain Trust Act of 1980.

Bold Park: Agreement has been reached with the Town of Cambridge for the creation of Bold Park as a major new "A-class" reserve managed by the State. It is proposed that once the land title for Bold Park has been transferred, the land will be added to the definition of designated lands in the Botanic Gardens and Parks Authority Act. It will be designated as lands reserved under the Land Administration Act 1997 and vested by order under that Act in the authority.

Fees, charges and sponsorship: Western Australians have shown, through large attendances, that they are happy to pay an entrance fee to exhibitions, concerts and other events held in the park. Under the Parks and Reserves Act, charging fees for entry to any exhibition, concert or other event requires the approval of the Governor in Executive Council. This is an unnecessary, cumbersome and indeed outdated requirement. This proposed legislation eliminates this requirement. It gives the authority the power to charge an admission fee to a display or event being conducted in part of Kings Park for purposes consistent with the authority's functions. A similar provision applies to other designated land, or to any land or facility being used in connection with such a display or event. However, Kings Park and Bold Park themselves are state treasures. They belong to the people of Western Australia who love and cherish these botanic garden and parkland show pieces. This legislation therefore specifically excludes the power to charge for entry to Kings Park, guaranteeing free public access. The Bill also enables other designated lands, such as Bold Park, to be excluded from entry fees.

The Botanic Gardens and Parks Foundation: Western Australian corporations are significant supporters of Kings Park and

the other land to which this proposed legislation applies. However, clear rules and regulations, the guidelines and manner of operation of any formal support, such as sponsorship, currently lack legislative support or control. The ability to attract sponsorship for the development of major projects requires much greater clarification in legislation than that provided under the Parks and Reserves Act. This Bill delivers that clarity through the establishment of the Botanic Gardens and Parks Foundation. This will hold a number of responsibilities including the raising and managing of funds, in addition to ongoing government financial allocations. It is proposed that the foundation will attract and retain continuing public interest and financial support for the authority. It will also encourage donations to improve services, enhance facilities and contribute to the performance of the authority. Any funds received by the foundation are to be credited to an account called the Botanic Gardens and Parks Foundation account at the Treasury or, with the Treasurer's approval, at a bank. The foundation is a body corporate with perpetual succession. It will have a council appointed by the minister, which will be the governing body of the foundation.

Core business and functions: The authority will have extensive powers tempered by stringent checks and balances including ministerial approval processes, publicly reviewed management plans, ongoing reviews and annual reporting. The core business of the authority is the care, control and management of the designated land as botanic gardens and parks. The new legislation will enable the authority to -

provide, improve and promote recreational and tourism facilities and services;

conserve and enhance the flora and fauna;

conserve and enhance the natural environment, the landscape features and amenity of the designated land;

develop, manage, display and undertake research into collections of Western Australian and other flora; and enhance and promote the understanding and conservation of the flora and fauna on the designated land and of flora and fauna generally.

While Kings Park and Bold Park have undoubted environmental values, their cultural significance is also important to all Western Australians. It will be an important role of the authority to conserve, enhance and promote the Aboriginal, colonial and contemporary cultural heritage of the designated land. The tracts of land covered by this proposed legislation also present unique opportunities for education. The authority will also promote the use of flora for the purposes of horticulture, conservation and education. The authority will undertake and promote research and investigation across all its activities as required.

Powers: To carry out these functions and to perform in line with modern business practices, the authority must have appropriate powers - to do what is necessary, efficiently and effectively as a world-class botanic garden and park management agency. The authority must be able to maintain pace and style with the corporate community and the public in general. Under the proposed legislation the authority will have a number of powers including -

the right to acquire land and dispose of land with ministerial approval. The Bill specifically excludes designated lands; that is, Kings Park and Bold Park from this power; and

the right to grant a lease or licences consistent with its functions and on the terms and conditions it sees fit. Periods of lease or licences exceeding five years will require ministerial approval and this can be given only if the proposed lease or licence conforms to the relevant publicly reviewed management plan for the designated land.

This approval process is more comprehensive and more efficient than the provisions of the current Parks and Reserves Act. Also under the proposed legislation the authority will have the power to erect permanent or temporary structures, and to undertake roadworks and other works on the designated land which are necessary for the good management of that land. Again, there are two safeguards: First, that any major works over a prescribed amount of \$100 000, will require ministerial approval. Second, such approval will be given only if such major works conform with the relevant publicly reviewed management plan.

Research and intellectual property: The State's botanic gardens play a key role in the local, national and international efforts to conserve endangered plants and to understand plant lives. In line with that work, the authority will have the power to give or take, to loan or exchange, botanical specimens with scientific or educational institutions. As part of its public accountability, research and education activities, the authority will produce and publish information on matters related to its functions. In carrying out its core business as the State's botanic garden manager, the authority may also sell or dispose of plants, parts of plants, seeds and fungi, or similar organisms. As is only proper in an area of innovation and in light of the world-class research and horticultural activities being undertaken, the authority may also apply for, obtain and hold, any

patent, patent rights, design rights, copyrights or similar rights. It may be that the authority holds these rights alone, or jointly with other people or parties. A wonderful and exiting example of this kind of innovative scientific research was the recent discovery and development of the beautifully vibrant and aptly-named King's Park Federation Flame Kangaroo Paw.

Management plans: The work of the foundation and the authority's significant powers will be used in the context of management plans put together with considerable public consultation. The Bill specifically seeks public involvement in the development and revision of management plans. To facilitate this, the authority must advertise and provide a copy of each of the management plans applicable to the designated land free, for public examination and submissions over a period of two months or more. Good planning is crucial to the future protection of Kings Park, and other designated land. It is proposed that when this Act takes effect, the existing publicly reviewed plans known as the Kings Park Bushland Management Plan 1995-2005 and the Kings Park and Botanic Garden Framework Plan for the Developed Areas 1996-2006 are, together, to be regarded as the management plan applicable to Kings Park. When land is designated under this Act, the authority must prepare and submit to the Minister a management plan for that land within two years. The management plan will state the policies or guidelines to be followed and summarise the operations proposed for that land. These management plans must be reviewed after five years and amendments which might be required should be prepared. Importantly, the community will have access to information and opportunities to make comment on this information.

Under this legislation, the public must be notified by newspaper advertisements of any revised management plan or amendments to the existing plan. The public will also be notified if and when the existing management plan is to be continued without amendment. Submissions from the public on the revised management plan, or amendments, or the proposal to continue an existing management plan can be made by any individual, group or organisation.

Ministerial approval and review of the Act: As I have outlined, the proposed Botanic Gardens and Parks Authority will have the considerable powers required for it to perform effectively and efficiently, with proper checks and balances, and proper processes of accountability. As well as stringent reporting requirements, and public involvement in the development and review of management plans, the legislation demands that the authority seek ministerial approval before exercising a number of its powers. In particular, ministerial approval is required if and when the authority wishes to exercise its powers relating to the disposal or acquisition of land.

Ministerial approval is also required for -

- granting leases or licences for longer than five years;
- erecting permanent structures;
- roadworks; or
- other major capital works exceeding \$100 000 in value.

Moreover, such approval can be given only if the work conforms to the relevant management plan.

The minister may direct the authority in writing and any such direction must be reported annually.

As is entirely appropriate, it is proposed that the Botanic Gardens and Parks Authority Bill undergo a comprehensive review after five years of operation. The review will examine the effectiveness of the operation of the authority, the need for the continuation of the functions of the authority, and any other matters relevant to its effectiveness. In keeping with the open and accountable processes which have been put into place by this Government, we propose the minister must then prepare a report which will be submitted to each House of Parliament.

Staff and powers to delegate: The provisions of the current legislation in relation to staffing arrangements still relate to management structures relevant in 1895. For the present and future operations of the authority, it is essential to provide for a chief executive officer and to empower the agency to work cooperatively with other government departments, agencies and instrumentalities. Consequently, the Bill requires the appointment of a chief executive officer to administer the day-to-day operations of the authority and to engage its staff. It also enables the authority to engage the services of other government staff, subject to collaborative agreement, and, by arrangement, to make use of any facilities of other departments, agencies or instrumentalities. Rangers are renamed "park management officers", reflecting the scope of their contemporary duties.

Under the current Parks and Reserves Act, the Kings Park Board can delegate responsibilities only to a subcommittee of itself, not to staff, nor to expert committees which may be created by a minister. The new legislation will rectify this so that

the board of the authority will focus on policy and broad strategic issues, while the CEO and staff will have delegated powers for day-to-day operations and to develop new policy and strategies for deliberation by the board of management. Also, in keeping with the modern requirement of a small agency to seek outside specialist advice and management assistance on specific issues, the Bill enables the board to delegate to committees and persons appointed by the minister.

Control of inappropriate behaviour and wilful damage: The legislation permits regulations addressing the issues of arson, graffiti and vandalism which inflict damage on these beautiful botanic gardens, parkland and bushland areas and the facilities within them. There is clearly an ongoing need for park management officers to deal with the public safety and conservation risks associated with such dangerous behaviour. Regulations may provide penalties up to \$2 000.

The Botanic Gardens and Parks Authority Bill also gives park management officers the right to remove a person from the designated land, if that person is committing an offence against the regulations, or if he or she believes that an emergency situation, such as bushfire, exists on the land. Penalties for resisting, delaying or obstructing park management officers as they go about their business may be up to \$5 000 or six months' imprisonment or both.

Control of vehicle activities: As applies in current legislation, under this legislation an owner of a vehicle may be issued with a notice if the vehicle is alleged to have been involved in an offence and the driver is not known or cannot be immediately identified. Unless the owner can provide details of the driver or show that the vehicle was stolen at the time, the owner will carry the responsibility of the offence. This provision is important for controlling unauthorised parking which occurs within the park.

The Botanic Gardens and Parks Authority Bill seeks to ensure that Kings Park and Botanic Garden and Bold Park in particular are managed and protected, for the benefit of not only this generation, but also generations to come. It demonstrates this Government's willingness to -

- ensure ongoing conservation and enhancement of Kings Park and Bold Park;

- ensure world-class tourism and recreation services are provided through efficient administration and sound business practice;

- provide statutory protection for the State's botanic garden and the important research, horticultural and educational services it provides to the community; and

- provide statutory protection for the bushland in Kings Park and Bold Park as well as the significant urban bushland research and conservation functions of the present agency.

The legislation has been constructed with a great deal of care, consideration and consultation, and I assure the people of Western Australia that ongoing consultation about the future of their parks and botanic gardens is a high priority. This Bill provides the legal framework to achieve these objectives. I commend the Bill to the House.

Debate adjourned, on motion by Hon E.R.J. Dermer.

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Research and intellectual property: The State's botanic gardens play a key role in the local, national and international efforts to conserve endangered plants and to understand plant lives. In line with that work, the authority will have the power to give or take, to loan or exchange, botanical specimens with scientific or educational institutions. As part of its public accountability, research and education activities, the authority will produce and publish information on matters related to its functions. In carrying out its core business as the State's botanic garden manager, the authority may also sell or dispose of plants, parts of plants, seeds and fungi, or similar organisms. As is only proper in an area of innovation and in light of the world-class research and horticultural activities being undertaken, the authority may also apply for, obtain and hold, any

patent, patent rights, design rights, copyrights or similar rights. It may be that the authority holds these rights alone, or jointly with other people or parties. A wonderful and exiting example of this kind of innovative scientific research was the recent discovery and development of the beautifully vibrant and aptly-named King's Park Federation Flame Kangaroo Paw.

Management plans: The work of the foundation and the authority's significant powers will be used in the context of management plans put together with considerable public consultation. The Bill specifically seeks public involvement in the development and revision of management plans. To facilitate this, the authority must advertise and provide a copy of each of the management plans applicable to the designated land free, for public examination and submissions over a period of two months or more. Good planning is crucial to the future protection of Kings Park, and other designated land. It is proposed that when this Act takes effect, the existing publicly reviewed plans known as the Kings Park Bushland Management Plan 1995-2005 and the Kings Park and Botanic Garden Framework Plan for the Developed Areas 1996-2006 are, together, to be regarded as the management plan applicable to Kings Park. When land is designated under this Act, the authority must prepare and submit to the Minister a management plan for that land within two years. The management plan will state the policies or guidelines to be followed and summarise the operations proposed for that land. These management plans must be reviewed after five years and amendments which might be required should be prepared. Importantly, the community will have access to information and opportunities to make comment on this information.

Under this legislation, the public must be notified by newspaper advertisements of any revised management plan or amendments to the existing plan. The public will also be notified if and when the existing management plan is to be continued without amendment. Submissions from the public on the revised management plan, or amendments, or the proposal to continue an existing management plan can be made by any individual, group or organisation.

Ministerial approval and review of the Act: As I have outlined, the proposed Botanic Gardens and Parks Authority will have the considerable powers required for it to perform effectively and efficiently, with proper checks and balances, and proper processes of accountability. As well as stringent reporting requirements, and public involvement in the development and review of management plans, the legislation demands that the authority seek ministerial approval before exercising a number of its powers. In particular, ministerial approval is required if and when the authority wishes to exercise its powers relating to the disposal or acquisition of land.

Ministerial approval is also required for -

- granting leases or licences for longer than five years;
- erecting permanent structures;
- roadworks; or
- other major capital works exceeding \$100 000 in value.

Moreover, such approval can be given only if the work conforms to the relevant management plan.

The minister may direct the authority in writing and any such direction must be reported annually.

As is entirely appropriate, it is proposed that the Botanic Gardens and Parks Authority Bill undergo a comprehensive review after five years of operation. The review will examine the effectiveness of the operation of the authority, the need for the continuation of the functions of the authority, and any other matters relevant to its effectiveness. In keeping with the open and accountable processes which have been put into place by this Government, we propose the minister must then prepare a report which will be submitted to each House of Parliament.

Staff and powers to delegate: The provisions of the current legislation in relation to staffing arrangements still relate to management structures relevant in 1895. For the present and future operations of the authority, it is essential to provide for a chief executive officer and to empower the agency to work cooperatively with other government departments, agencies and instrumentalities. Consequently, the Bill requires the appointment of a chief executive officer to administer the day-to-day operations of the authority and to engage its staff. It also enables the authority to engage the services of other government staff, subject to collaborative agreement, and, by arrangement, to make use of any facilities of other departments, agencies or instrumentalities. Rangers are renamed "park management officers", reflecting the scope of their contemporary duties.

Under the current Parks and Reserves Act, the Kings Park Board can delegate responsibilities only to a subcommittee of itself, not to staff, nor to expert committees which may be created by a minister. The new legislation will rectify this so that

the board of the authority will focus on policy and broad strategic issues, while the CEO and staff will have delegated powers for day-to-day operations and to develop new policy and strategies for deliberation by the board of management. Also, in keeping with the modern requirement of a small agency to seek outside specialist advice and management assistance on specific issues, the Bill enables the board to delegate to committees and persons appointed by the minister.

Control of inappropriate behaviour and wilful damage: The legislation permits regulations addressing the issues of arson, graffiti and vandalism which inflict damage on these beautiful botanic gardens, parkland and bushland areas and the facilities within them. There is clearly an ongoing need for park management officers to deal with the public safety and conservation risks associated with such dangerous behaviour. Regulations may provide penalties up to \$2 000.

The Botanic Gardens and Parks Authority Bill also gives park management officers the right to remove a person from the designated land, if that person is committing an offence against the regulations, or if he or she believes that an emergency situation, such as bushfire, exists on the land. Penalties for resisting, delaying or obstructing park management officers as they go about their business may be up to \$5 000 or six months' imprisonment or both.

Control of vehicle activities: As applies in current legislation, under this legislation an owner of a vehicle may be issued with a notice if the vehicle is alleged to have been involved in an offence and the driver is not known or cannot be immediately identified. Unless the owner can provide details of the driver or show that the vehicle was stolen at the time, the owner will carry the responsibility of the offence. This provision is important for controlling unauthorised parking which occurs within the park.

The Botanic Gardens and Parks Authority Bill seeks to ensure that Kings Park and Botanic Garden and Bold Park in particular are managed and protected, for the benefit of not only this generation, but also generations to come. It demonstrates this Government's willingness to -

- ensure ongoing conservation and enhancement of Kings Park and Bold Park;

- ensure world-class tourism and recreation services are provided through efficient administration and sound business practice;

- provide statutory protection for the State's botanic garden and the important research, horticultural and educational services it provides to the community; and

- provide statutory protection for the bushland in Kings Park and Bold Park as well as the significant urban bushland research and conservation functions of the present agency.

The legislation has been constructed with a great deal of care, consideration and consultation, and I assure the people of Western Australia that ongoing consultation about the future of their parks and botanic gardens is a high priority. This Bill provides the legal framework to achieve these objectives. I commend the Bill to the House.

Debate adjourned, on motion by Hon E.R.J. Dermer.

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BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 17 September.

HON J.A. COWDELL (South West) [8.53 pm]: The Australian Labor Party welcomes this measure, supports the Bill and wishes it well in its much delayed passage.

Indeed, members on this side must agree with most of the statements made by the minister. I will not repeat all of them but will concur with some. Indeed, Kings Park is a name to conjure with these days. Of course, when it comes to election time, parties promise a Kings Park of the north and a Kings Park of the south. Only last night in Collie it was put to me that the farm coming up for sale could be the Kings Park of the Collie region, although it abuts about five shires. Nevertheless, that is an indication of the esteem in which the park and its board are held. Any measure that enhances and facilitates the role of the board is to be welcomed.

The minister stated in his second reading speech that the proper management of the park was an important issue for all Western Australians and that currently the asset was being managed under an Act that is more than a century old. Although it has been amended on various occasions, there was a need for a thorough overhaul. The Opposition agrees. A significant proposal in this legislation is to vest Bold Park in the existing Kings Park Board and to enable the management of both of those major parks.

The Government stated that the current legislation - the Parks and Reserves Act - is limited in that it is silent on the functions and powers of the State's botanic garden, that it provides very limited and unclear protection for the bushland involved, that it does not address the importance of Kings Park as a tourist and cultural heritage attraction, and that it severely inhibits the ability of the board to raise revenue and to deliver quality services and facilities. I believe those services and facilities have

been provided to an exceptionally high standard even under century-old legislation. Finally, the Government stated that the Act in question provides no statutory basis for important research work into the conservation of our floral heritage.

The Opposition sees the need to address these various deficiencies, statutory protection for the garden within Kings Park and the enhancement of bushland management. I note that the authority is entitled the "Botanic Gardens and Parks Authority". Perhaps it would have been better to call it the "Botanic Gardens, Urban Bushland and Parks Authority", because managing urban bushland is as important as managing botanic gardens.

The Government has pointed out the need for the new authority to have a clear focus on managing both Bold Park and Kings Park as tourist and recreation facilities. I was reminded earlier this evening to mention the need for adequate signage as two of my parliamentary colleagues who went wandering during the dinner recess became somewhat disoriented but fortunately made it back to the Chamber. I said I would raise that issue in my speech and I have done so while recognising the parks' importance as tourist facilities.

It was appropriate that those who drafted the legislation looked closely at the Victorian Royal Botanic Gardens Act 1991 and the New South Wales Royal Botanic Garden and Domain Trust Act 1980. I thank the officers who gave me a briefing on this matter and satisfied my few concerns.

I note with approval that the legislation specifically excludes the power to charge for entry to Kings Park, thus guaranteeing free public access. This is to be welcomed, particularly in the current era in which the list of free entry parks is rapidly diminishing and the other list of entry-charge parks is increasing as soon as it becomes apparent that money can be made. Although I welcome the assurance that no entry charges will be made into Kings Park and Bold Park, and I hope any other urban bushland, I hope we return to the situation in which the national parks managed by the Department of Conservation and Land Management are free to the public of this State. For the modest income that CALM makes from those sources that change should be made and I look forward, upon the restoration of the people's government, to some enlightened changes, not to mention access to beaches for the populace of the south west and elsewhere.

Obviously the Bill allows the new board to charge entrance fees for events or functions. I have been pleased to see the way the board has developed such functions, particularly the Shakespearean productions in recent years in Kings Park, using the backdrop most effectively. Presumably it will apply to the events that occur in Bold Park if this legislation covers the amphitheatre there.

The Labor Party welcomes the initiative of providing for a foundation that will ensure an appropriate appeal for private support and sponsorship. If it were successful, and I wish it well, I would not like to see this prove to be an alternative and provide an excuse for the Government to reduce its allocation to the management of these important parks. We would not want to see the new board go along the path of CALM of converting park areas to productive uses to make an income.

I noticed in one of the reports I was reading that the problems with some of the weeds and veldt grass eventuated because of a fundraising scheme when the board was short of funds and wanted to develop pasture or whatever else.

Hon Max Evans: I am lost; can you explain that further?

Hon J.A. COWDELL: Evidently the board, in presumably the 1920s and 1930s, was looking for ways to enhance its income and it saw agricultural-cum-pastoral pursuits as a way of doing that.

Hon Max Evans: You are discrediting your own speech. You should get your facts right.

Hon J.A. COWDELL: That is my understanding. I read a report that indicated that the problem with some of the grasses at Kings Park was that they had been introduced by the board.

Hon Max Evans: Are you saying the veldt grass was planted to run livestock?

Hon J.A. COWDELL: That was in the report. I look forward to the minister's response. My point is that I fully support the foundation so that the park board may have additional resources with which to develop that excellent facility rather than substitute resources for government allocations.

The other matters raised in the minister's speech were straightforward. I welcome the management plans, which will be developed and subject to scrutiny, and the relevant review of the Act and the requirement for ministerial approvals for granting leases or licences for longer than five years, for erecting permanent structures for roadworks or for other major capital works exceeding \$100 000 in value.

The final section dealt with by the minister was a range of penalties under the legislation. They seem to be comparable with the regime elsewhere but the minister might comment on whether that is the fact. The Australian Labor Party supports this ill and the initiatives in the minister's second reading speech which I highlighted. We look forward to the fact that this Chamber will now pass the Bill in a speedy fashion.

HON GIZ WATSON (North Metropolitan) [9.05 pm]: The Greens welcome the introduction of this Bill. It is a welcome

change. We acknowledge that it is necessary to amend an outdated Act. The objectives of the Parks and Reserves Act of 1895 are an interesting indication of what parks and botanical gardens were created for in the nineteenth century. Of course it was for beautification, the introduction of exotics and clearing of land. I will read the powers included in the Act and contrast those objectives with what we hope to achieve with a new Act.

Under the "Certain powers included in the general powers" to do with the Parks and Reserves Board it reads -

5. (1) In the exercise of its general powers in respect of the parks and reserves committed to them a Board of control and management may, among other things, do as follows:
 - (a) Fence in or otherwise enclose, clear, level, drain, plant, and form walks and carriage drives through and over such parks and reserves, or any part thereof;

It sounds like open slather for putting in roadways or whatever we want. To continue -

- (b) Construct dams and reservoirs for the retention and formation of sheets of water thereon;
- (c) Otherwise improve or ornament such parks or reserves, and do all such things as are calculated to adapt such parks and reserves to the purposes of public recreation, health, and enjoyment;
- (d) Establish and maintain zoological gardens therein;

It is interesting that in the light of Hon John Cowdell's comments regarding running of stock paragraph (e) reads -

Grant licences for the depasturing of animals on such park lands and reserves, and take for the same such fees as the Board may, by any by-law, from time to time appoint;

The Act contains a provision to graze animals on those reserves. I believe Hon John Cowdell was correct that at various times animals were able to graze there.

Finally, paragraph (f) reads -

Grant licences for the removal of any sand, gravel, or other earth or mineral, and for cutting and removing wood under such restrictions, and at such reasonable price, or such weekly, monthly, or yearly sum as the Board may think fit.

It is in contrast to what the community now expects parks to be managed for.

In the second reading speech it was stated that the existing Parks and Reserves Act was silent on its functions and powers. It is inadequate in its powers and functions for modern day thinking and management of parks and bushland. However, it was not silent, but was expansive about what could be done within parks. I concur with the comments in the second reading speech that the powers in the Act were very limited and unclear concerning protection for bushland. Indeed, that is the understatement of the year because those powers seemed to allow anything but the protection of bushland. Obviously the Bill reflects community expectations and acknowledges the importance and value of bushland and managing botanical gardens, something that has been understood for longer. I believe the Bill will go a long way towards meeting those expectations.

I concur that Kings Park is an icon for the State of bush management and conservation. I would be delighted if other outstanding pieces of bushland were also treated with the same degree of reverence and respect and as much attention was put into their management and conservation as is the case with Kings Park. In assessing whether this Bill addresses issues to do with the best management of Kings Park and Bold Park, I wish to ensure that the powers of the board, as created, enable the maintenance of biodiversity and the natural attributes of the bushland component of those parks. I foreshadow that I will move amendments in the committee stage, which the Greens will argue will improve or clarify the objectives of management being the maintenance of native biodiversity, rather than the more general objective of the conservation of flora and fauna, which is potentially open to interpretation because it does not specify whether the Government is talking about managing that area of bushland for its native vegetation and fauna attributes.

Bushland is a community asset which we are valuing more as we understand what it contains. It is important that we do not have the situation whereby the objective of making money either from tourist visitation or recreation overshadows that of conserving and managing those areas for future generations. This Bill has the correct balance and has built-in provisions which enable that balance to be struck. I also note that the Bill addresses the issue of community involvement in the creation and completion of management plans, which I welcome.

It is now accepted that the community has a right and is enthusiastic to be involved in consultations on the management plans for areas of bushland. Community groups and individuals have expertise which can be used in the formation of the best management plans for these areas. Members will be aware that many people in the community now become involved in the practical aspects of conserving and managing bushland. I know that both Bold Park and Kings Park have very active

community groups working with them and the Bill allows for their involvement. I acknowledge that it was a difficult Bill to draft. It attempts to cover the management of two different land uses; that is, botanical gardens and parkland - a created environment - and the natural bushland area of Kings Park, Bold Park and any other reserves that might be vested in the board. Therefore, the Government has drafted a Bill that accommodates the management of the two different objectives. I support the intention of the Bill to allow the board to manage other areas of bushland, particularly within the urban area. That provides an excellent opportunity for other areas of significant bushland in Perth to come under a sound management regime. Within the metropolitan region I suggest there are some very good areas which could become regional parks and which would meet all of the criteria for addition to the reserves regime. I mention the creation of a regional park south of Guilderton. It might be a useful addition to the responsibilities of the board if it were possible for that area to be managed as a regional park.

I pay tribute to the work of the Kings Park Board in the area of bushland management, particularly in relation to research. I am familiar with the work it has done in the management of environmental weeds such as bridal creeper, and the breakthroughs it has made in our understanding of the role of smoke in the regeneration of native Western Australian plants. That is vital work. I cannot speak highly enough of the research work that has been carried out, and also the protection of endangered flora. I have taken the time to visit the park and look at its research facilities, which are very impressive. I am sure this Bill will provide the authority with the security and necessary powers to continue that good work. In line with the comments of Hon John Cowdell, I express words of caution about charging fees to access parks and reserves. I accept that a provision exists for the charging of fees for certain events within Kings Park, and I accept the rationale behind that approach. However, the Greens strongly oppose fees being charged to enter urban bushland, national parks and reserves across the State. They are community assets and communal property. Charging an entry fee is inappropriate, so we need to set aside adequate funds from the consolidated fund to look after those areas and to recognise their value to the whole community.

The issue of sponsorship is also addressed in this Bill. We should be watchful of the companies that work in conjunction with boards which are managing public parks. The Bill does not set in place guidelines or restrictions for sponsorship. That is covered within a policy statement. I refer to the Kings Park sponsorship policy dated September 1998. The policy acknowledges that companies which are potential sponsors should be assessed for their suitability. I was interested to note the criteria used by the Kings Park Board. Paragraph (c)(iii) provides for a review of the public profile of the organisation to avoid conflict and embarrassment. I imagined that the board would require something more tangible than potential embarrassment. The criterion in paragraph (iv) is to reject sponsorship offers from organisations that have a "poor public image". I hope that we will look a bit deeper than the image of a company, and would be concerned about a company's environmental record rather than place emphasis on its image. Some companies would be able to present a good public image, but if one delved deeper their environmental records would be dubious and require a rigorous assessment. Paragraph (viii) requires a complete search of the company and parent company to evaluate the complete corporate image. Again, many companies put a lot of effort into the gloss on their corporate image, and I trust that the board will be vigilant in thoroughly examining the companies that wish to become associated with what is a state icon that has an extraordinary importance to the Western Australian community and, particularly, is dearly loved by conservationists who have put a lot of effort into assisting with its conservation.

I foreshadow moving amendments during the committee stage to clarify the issue that I raised earlier about the objectives of management of the bushland component.

HON NORM KELLY (East Metropolitan) [9,23 pm]: The Australian Democrats support the Bill. I understand that it was originally intended to pass this legislation through Parliament before the celebration of the one-hundredth anniversary of Kings Park. Unfortunately, that did not occur. However, it is good to see this legislation is now before the House, just a few years after the park's one-hundredth anniversary.

The current legislation has serious limitations, which have been mentioned by previous speakers, and I will not go through them in great detail. There is currently inadequate protection for the botanic gardens contained within Kings Park. Because of the evolving nature in the usage of Kings Park, the current legislation does not adequately address the responsibility of Kings Park as a tourist and cultural heritage attraction. It has severe limitations on its ability to raise revenue and to deliver quality services and facilities for people who use the park. It is a tourist icon in this State in which all Western Australians have a legitimate interest, no matter where they live in Western Australia. They have that interest in and ownership of that park, in much the same way that Western Australians - no matter where they live - have an interest in and ownership of the forests of the south west. We should protect all areas of natural beauty in a similar way.

The park has many uses, whether tourism, recreation or its scientific work in the botanical area. Kings Park is world renowned for the quality of its work. We are concerned about the issue of maintaining free public access, and it is reassuring that the Government has expressed its commitment to maintain that through the provisions in this Bill. Although the Bill allows people to be charged for going into the park for specific events, at least people can choose to pay that fee and to receive a direct benefit from the event they will attend. We do not have any problems with that and appreciate the Government's commitment to free general access to the park.

The new legislation encompasses Bold Park, and is set up so that new areas can be vested within the Botanic Gardens and Parks Authority. We would like to see that facility used readily. Other members have mentioned desirable sites for vesting in the authority's control, so that in future we may see bushland and various regional parks come under the control of the authority. The Bill also allows for the research and intellectual property rights to be expanded, so there will be a power to exchange botanical specimens between scientific and educational institutions throughout the world and to trade in the disposal of plants, seeds, fungi and the like. The management plans will undergo a public consultation process. There will be scrutiny of the future uses of the park when ministerial approval is required for the authority to exercise its powers relating to the disposal or acquisition of land, for granting leases or licences for longer than five years, for erecting permanent structures, for roadworks, or for other major works which exceed \$100 000 in value. Because people have that ownership of the park, the proposals that have been put forward in recent years, such as for the new restaurant and cafe complex, have generated a lot of public interest and vigorous debate.

Clause 9 provides that the authority is required to carry out a wide range of functions for the care, control and management of the parks and designated lands. The minister will have broad powers to appoint people to the authority. We are concerned that a future minister may want to concentrate the membership of the authority in areas such as tourism and neglect the research, scientific and conservation areas. However, we have been given an assurance by the Minister for the Environment that she will try to ensure that the membership of the authority reflects those functions as widely as possible. Although that is reassuring at this stage, ministers come and go, and we will look at that matter closely in future years to ensure that the membership of the authority retains its integrity by dividing its efforts evenly between those various functions.

We support the amendments that have been foreshadowed by the Greens (WA), because they address the need to retain the words "biological diversity", which are sometimes overlooked in the older-style terminology. We congratulate the Government on the Bill and support the Bill.

HON MAX EVANS (North Metropolitan - Minister for Finance) [9.32 pm]: I thank all members for their strong support for the Botanic Gardens and Parks Authority Bill. Obviously everyone has a soft spot for Kings Park and Bold Park. I lived in West Perth for 28 years, and Kings Park was part of my life when I was growing up. I lived in Mt Claremont for 20 years, and Bold Park was just around the corner. Therefore, I have been very closely associated with those parks.

It is interesting that in recent years, this House has passed legislation to allow the Kings Park Board to charge people to attend events within Kings Park. We considered that matter when the flower show was held in Kings Park for the first time, but we did not make any change for the first year. After that, we realised that it would cost a lot of money to make the flower show bigger and better, and the House was quick to pass legislation to allow charges to be levied. I think the board made \$150 000 last year, compared with \$20 000 in donations. That money goes back into making Kings Park a better place for everybody. More shows are being held there. That not only raises money but also brings a whole new clientele into Kings Park. People enjoy it for different reasons, and that is an excellent thing.

I have been very much associated with the Lotteries Commission's child activity centre at the old Hale School oval. The commission advanced about \$1.3m for that centre, and it tells me it has been so successful that it has not had to cut the lawns because they have been mowed down by children. That is a marvellous facility and brings a lot of people into Kings Park. It has a little coffee shop which is also very popular. One weekend I saw about 20 or 30 cars parked in Kings Park Road, and I thought a tennis tournament must be on and there was not enough room in the park to park vehicles. However, most of those people were at the child minding centre; only a few were playing tennis. That centre draws very big crowds. Pat O'Sullivan from the Meerilinga Young Children's Foundation has told me that Perth can do with another one or two of these centres. We are looking at whether we can improve the activity centre at Burswood Park near the Vlamingh memorial to make it bigger and better, because there is a great need for it. The activity centre at Perth Zoo is also very popular. Parents take their children to the zoo, and many of those children spend a large part of their time playing on the swings and roundabouts there. That is very good.

Kings Park Tennis Club has been an icon of Perth and Kings Park since well before my time. Major tennis tournaments such as the Davis Cup have been held there. In the 1950s, it was proposed to put the swimming pool that is now at Beatty Park in Kings Park on the corner of Thomas Street and Kings Park Road. However, the Parliament at the time decided it should be situated at Beatty Park.

I have a story for Hon John Cowdell about the veldt grass in Kings Park. We will do more research, and the people here tonight may be able to give me the full answer, but I have always thought that the veldt grass escaped from the university. It is a bit like all the lorikeets around Perth. There are now thousands of them. They actually escaped from people's homes years ago, and that was a major mistake. There is now veldt grass all around the suburban area.

In my younger days, a lot of people used to go horse riding in Kings Park. I am not certain whether that is prohibited now. Tim Keenan is one of the top orthopaedic surgeons in Perth, and his father, Patsy Keenan, used to be a regular rider to Kings Park from Subiaco. When I lived in West Perth, we had the wingies and stumpies hostel across the road, and they had big stables there and people would ride horses in the park. It was quite an active place for riding horses.

Hon Kim Chance: Wingies and stumpies? Is that politically correct?

Hon MAX EVANS: The TPIs. They were wingies and stumpies from the First World War. They had the bowling greens and everything else, and they were known as wingies and stumpies. People felt very kindly about them. They were wonderful old chaps. One famous person who stayed there was Douglas Bader, the legless pilot, and my mother raced across to get his autograph for me. It was quite an institution. That is part of what Kings Park has been over the years.

Comments have been made about the reservoir. We all know that the reservoir is there and covered over and has been a big part of the park.

Comments have also been made about the board. Hon Norm Kelly commented on the letter he received from the minister, which gives an assurance that the appointments to the board will be made following proper consideration of a full range of expertise relevant to the functions of the authority. From my knowledge I am aware that over the years, we have had very responsible boards. Kings Park is an icon of Perth, and I do not know of any board that has gone off the rails over the years.

Many years ago, a couple of old guns were found that had been buried by the rotunda near the war memorial. The board members obviously did not want to put them on show any more but did not know how to take them out of the park, so they dug a hole and buried them, and they were dug out again many years later. We still do not know what else we might find buried in Kings Park. I am certain the board will do a good job. The board needs not only experts but also caring people who understand what the public wants. The botanical gardens have been very well looked after over the years, and the direction is to go a lot further towards improving on the botanical gardens.

The Government will be supporting the amendments proposed by Hon Giz Watson. I am very glad the amendments use the words "biological diversity". We had a big show at the Western Australian Museum last year, which was opened by me but attended by the Lord Mayor of London. The sponsors used the word biodiversity. I asked all the top men at the Museum who run the show, and not one of them could explain to me what that word meant. I am glad those words will be put into the Bill, because it will help the next generation to know what we mean. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Hon Murray Montgomery) in the Chair; Hon Max Evans (Minister for Finance) in charge of the Bill.

Clauses 1 to 8 put and passed.

Clause 9: Functions -

Hon GIZ WATSON: I move -

Page 7, line 9 - To delete the words "the flora and fauna" and substitute the words "any native biological diversity".

Hon J.A. COWDELL: The Opposition supports all of the amendments standing in the name of my colleague Hon Giz Watson.

Hon GIZ WATSON: I will elaborate quickly on part of my contribution to the second reading debate. The intention is to clarify that what is to be conserved and enhanced is indeed native vegetation. The proposed words make that very clear. Another point which arose when I discussed this potential amendment with people from Kings Park is that it also serves the purpose of covering fungi, which currently are no longer classified as flora. If we had not looked at some sort of amendment here, perhaps we would have missed out on mushrooms and all those other fungi which it is very important to include in the objectives of the functions and powers of the authority.

Hon MAX EVANS: Being my age, I prefer the words flora and fauna, but the Government supports the amendment.

Amendment put and passed.

Hon GIZ WATSON: I move -

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will note that paragraph (d) refers to "collections of Western Australian and other flora". There are two separate divisions. The amendment is adding the additional purpose relating to Western Australian and other flora.

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Hon GIZ WATSON: Paragraph (d) refers to another function of the authority to do with collections of material. Does that answer the question?

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Hon J.A. COWDELL: I view with concern the attempt by the government backbench to hold up this important government legislation and to derail the minister in this regard. I indicate that the Opposition will have no part in this exercise!

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Hon NORM KELLY: I originally proposed to move some amendments. However, as it has been pointed out to me that there are still some inconsistencies in what I was seeking to achieve in these amendments, I will support this clause as it stands.

Clause put and passed.

Clauses 55 and 56 put and passed.

Schedules 1 to 3 put and passed.

Title put and passed.

Bill reported, with amendments.

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 17 September.

HON J.A. COWDELL (South West) [8.53 pm]: The Australian Labor Party welcomes this measure, supports the Bill and wishes it well in its much delayed passage.

Indeed, members on this side must agree with most of the statements made by the minister. I will not repeat all of them but will concur with some. Indeed, Kings Park is a name to conjure with these days. Of course, when it comes to election time, parties promise a Kings Park of the north and a Kings Park of the south. Only last night in Collie it was put to me that the farm coming up for sale could be the Kings Park of the Collie region, although it abuts about five shires. Nevertheless, that is an indication of the esteem in which the park and its board are held. Any measure that enhances and facilitates the role of the board is to be welcomed.

The minister stated in his second reading speech that the proper management of the park was an important issue for all Western Australians and that currently the asset was being managed under an Act that is more than a century old. Although it has been amended on various occasions, there was a need for a thorough overhaul. The Opposition agrees. A significant proposal in this legislation is to vest Bold Park in the existing Kings Park Board and to enable the management of both of those major parks.

The Government stated that the current legislation - the Parks and Reserves Act - is limited in that it is silent on the functions and powers of the State's botanic garden, that it provides very limited and unclear protection for the bushland involved, that it does not address the importance of Kings Park as a tourist and cultural heritage attraction, and that it severely inhibits the ability of the board to raise revenue and to deliver quality services and facilities. I believe those services and facilities have

been provided to an exceptionally high standard even under century-old legislation. Finally, the Government stated that the Act in question provides no statutory basis for important research work into the conservation of our floral heritage.

The Opposition sees the need to address these various deficiencies, statutory protection for the garden within Kings Park and the enhancement of bushland management. I note that the authority is entitled the "Botanic Gardens and Parks Authority". Perhaps it would have been better to call it the "Botanic Gardens, Urban Bushland and Parks Authority", because managing urban bushland is as important as managing botanic gardens.

The Government has pointed out the need for the new authority to have a clear focus on managing both Bold Park and Kings Park as tourist and recreation facilities. I was reminded earlier this evening to mention the need for adequate signage as two of my parliamentary colleagues who went wandering during the dinner recess became somewhat disoriented but fortunately made it back to the Chamber. I said I would raise that issue in my speech and I have done so while recognising the parks' importance as tourist facilities.

It was appropriate that those who drafted the legislation looked closely at the Victorian Royal Botanic Gardens Act 1991 and the New South Wales Royal Botanic Garden and Domain Trust Act 1980. I thank the officers who gave me a briefing on this matter and satisfied my few concerns.

I note with approval that the legislation specifically excludes the power to charge for entry to Kings Park, thus guaranteeing free public access. This is to be welcomed, particularly in the current era in which the list of free entry parks is rapidly diminishing and the other list of entry-charge parks is increasing as soon as it becomes apparent that money can be made. Although I welcome the assurance that no entry charges will be made into Kings Park and Bold Park, and I hope any other urban bushland, I hope we return to the situation in which the national parks managed by the Department of Conservation and Land Management are free to the public of this State. For the modest income that CALM makes from those sources that change should be made and I look forward, upon the restoration of the people's government, to some enlightened changes, not to mention access to beaches for the populace of the south west and elsewhere.

Obviously the Bill allows the new board to charge entrance fees for events or functions. I have been pleased to see the way the board has developed such functions, particularly the Shakespearean productions in recent years in Kings Park, using the backdrop most effectively. Presumably it will apply to the events that occur in Bold Park if this legislation covers the amphitheatre there.

The Labor Party welcomes the initiative of providing for a foundation that will ensure an appropriate appeal for private support and sponsorship. If it were successful, and I wish it well, I would not like to see this prove to be an alternative and provide an excuse for the Government to reduce its allocation to the management of these important parks. We would not want to see the new board go along the path of CALM of converting park areas to productive uses to make an income.

I noticed in one of the reports I was reading that the problems with some of the weeds and veldt grass eventuated because of a fundraising scheme when the board was short of funds and wanted to develop pasture or whatever else.

Hon Max Evans: I am lost; can you explain that further?

Hon J.A. COWDELL: Evidently the board, in presumably the 1920s and 1930s, was looking for ways to enhance its income and it saw agricultural-cum-pastoral pursuits as a way of doing that.

Hon Max Evans: You are discrediting your own speech. You should get your facts right.

Hon J.A. COWDELL: That is my understanding. I read a report that indicated that the problem with some of the grasses at Kings Park was that they had been introduced by the board.

Hon Max Evans: Are you saying the veldt grass was planted to run livestock?

Hon J.A. COWDELL: That was in the report. I look forward to the minister's response. My point is that I fully support the foundation so that the park board may have additional resources with which to develop that excellent facility rather than substitute resources for government allocations.

The other matters raised in the minister's speech were straightforward. I welcome the management plans, which will be developed and subject to scrutiny, and the relevant review of the Act and the requirement for ministerial approvals for granting leases or licences for longer than five years, for erecting permanent structures for roadworks or for other major capital works exceeding \$100 000 in value.

The final section dealt with by the minister was a range of penalties under the legislation. They seem to be comparable with the regime elsewhere but the minister might comment on whether that is the fact. The Australian Labor Party supports this ill and the initiatives in the minister's second reading speech which I highlighted. We look forward to the fact that this Chamber will now pass the Bill in a speedy fashion.

HON GIZ WATSON (North Metropolitan) [9.05 pm]: The Greens welcome the introduction of this Bill. It is a welcome

change. We acknowledge that it is necessary to amend an outdated Act. The objectives of the Parks and Reserves Act of 1895 are an interesting indication of what parks and botanical gardens were created for in the nineteenth century. Of course it was for beautification, the introduction of exotics and clearing of land. I will read the powers included in the Act and contrast those objectives with what we hope to achieve with a new Act.

Under the "Certain powers included in the general powers" to do with the Parks and Reserves Board it reads -

5. (1) In the exercise of its general powers in respect of the parks and reserves committed to them a Board of control and management may, among other things, do as follows:
 - (a) Fence in or otherwise enclose, clear, level, drain, plant, and form walks and carriage drives through and over such parks and reserves, or any part thereof;

It sounds like open slather for putting in roadways or whatever we want. To continue -

- (b) Construct dams and reservoirs for the retention and formation of sheets of water thereon;
- (c) Otherwise improve or ornament such parks or reserves, and do all such things as are calculated to adapt such parks and reserves to the purposes of public recreation, health, and enjoyment;
- (d) Establish and maintain zoological gardens therein;

It is interesting that in the light of Hon John Cowdell's comments regarding running of stock paragraph (e) reads -

Grant licences for the depasturing of animals on such park lands and reserves, and take for the same such fees as the Board may, by any by-law, from time to time appoint;

The Act contains a provision to graze animals on those reserves. I believe Hon John Cowdell was correct that at various times animals were able to graze there.

Finally, paragraph (f) reads -

Grant licences for the removal of any sand, gravel, or other earth or mineral, and for cutting and removing wood under such restrictions, and at such reasonable price, or such weekly, monthly, or yearly sum as the Board may think fit.

It is in contrast to what the community now expects parks to be managed for.

In the second reading speech it was stated that the existing Parks and Reserves Act was silent on its functions and powers. It is inadequate in its powers and functions for modern day thinking and management of parks and bushland. However, it was not silent, but was expansive about what could be done within parks. I concur with the comments in the second reading speech that the powers in the Act were very limited and unclear concerning protection for bushland. Indeed, that is the understatement of the year because those powers seemed to allow anything but the protection of bushland. Obviously the Bill reflects community expectations and acknowledges the importance and value of bushland and managing botanical gardens, something that has been understood for longer. I believe the Bill will go a long way towards meeting those expectations.

I concur that Kings Park is an icon for the State of bush management and conservation. I would be delighted if other outstanding pieces of bushland were also treated with the same degree of reverence and respect and as much attention was put into their management and conservation as is the case with Kings Park. In assessing whether this Bill addresses issues to do with the best management of Kings Park and Bold Park, I wish to ensure that the powers of the board, as created, enable the maintenance of biodiversity and the natural attributes of the bushland component of those parks. I foreshadow that I will move amendments in the committee stage, which the Greens will argue will improve or clarify the objectives of management being the maintenance of native biodiversity, rather than the more general objective of the conservation of flora and fauna, which is potentially open to interpretation because it does not specify whether the Government is talking about managing that area of bushland for its native vegetation and fauna attributes.

Bushland is a community asset which we are valuing more as we understand what it contains. It is important that we do not have the situation whereby the objective of making money either from tourist visitation or recreation overshadows that of conserving and managing those areas for future generations. This Bill has the correct balance and has built-in provisions which enable that balance to be struck. I also note that the Bill addresses the issue of community involvement in the creation and completion of management plans, which I welcome.

It is now accepted that the community has a right and is enthusiastic to be involved in consultations on the management plans for areas of bushland. Community groups and individuals have expertise which can be used in the formation of the best management plans for these areas. Members will be aware that many people in the community now become involved in the practical aspects of conserving and managing bushland. I know that both Bold Park and Kings Park have very active

community groups working with them and the Bill allows for their involvement. I acknowledge that it was a difficult Bill to draft. It attempts to cover the management of two different land uses; that is, botanical gardens and parkland - a created environment - and the natural bushland area of Kings Park, Bold Park and any other reserves that might be vested in the board. Therefore, the Government has drafted a Bill that accommodates the management of the two different objectives. I support the intention of the Bill to allow the board to manage other areas of bushland, particularly within the urban area. That provides an excellent opportunity for other areas of significant bushland in Perth to come under a sound management regime. Within the metropolitan region I suggest there are some very good areas which could become regional parks and which would meet all of the criteria for addition to the reserves regime. I mention the creation of a regional park south of Guilderton. It might be a useful addition to the responsibilities of the board if it were possible for that area to be managed as a regional park.

I pay tribute to the work of the Kings Park Board in the area of bushland management, particularly in relation to research. I am familiar with the work it has done in the management of environmental weeds such as bridal creeper, and the breakthroughs it has made in our understanding of the role of smoke in the regeneration of native Western Australian plants. That is vital work. I cannot speak highly enough of the research work that has been carried out, and also the protection of endangered flora. I have taken the time to visit the park and look at its research facilities, which are very impressive. I am sure this Bill will provide the authority with the security and necessary powers to continue that good work. In line with the comments of Hon John Cowdell, I express words of caution about charging fees to access parks and reserves. I accept that a provision exists for the charging of fees for certain events within Kings Park, and I accept the rationale behind that approach. However, the Greens strongly oppose fees being charged to enter urban bushland, national parks and reserves across the State. They are community assets and communal property. Charging an entry fee is inappropriate, so we need to set aside adequate funds from the consolidated fund to look after those areas and to recognise their value to the whole community.

The issue of sponsorship is also addressed in this Bill. We should be watchful of the companies that work in conjunction with boards which are managing public parks. The Bill does not set in place guidelines or restrictions for sponsorship. That is covered within a policy statement. I refer to the Kings Park sponsorship policy dated September 1998. The policy acknowledges that companies which are potential sponsors should be assessed for their suitability. I was interested to note the criteria used by the Kings Park Board. Paragraph (c)(iii) provides for a review of the public profile of the organisation to avoid conflict and embarrassment. I imagined that the board would require something more tangible than potential embarrassment. The criterion in paragraph (iv) is to reject sponsorship offers from organisations that have a "poor public image". I hope that we will look a bit deeper than the image of a company, and would be concerned about a company's environmental record rather than place emphasis on its image. Some companies would be able to present a good public image, but if one delved deeper their environmental records would be dubious and require a rigorous assessment. Paragraph (viii) requires a complete search of the company and parent company to evaluate the complete corporate image. Again, many companies put a lot of effort into the gloss on their corporate image, and I trust that the board will be vigilant in thoroughly examining the companies that wish to become associated with what is a state icon that has an extraordinary importance to the Western Australian community and, particularly, is dearly loved by conservationists who have put a lot of effort into assisting with its conservation.

I foreshadow moving amendments during the committee stage to clarify the issue that I raised earlier about the objectives of management of the bushland component.

HON NORM KELLY (East Metropolitan) [9,23 pm]: The Australian Democrats support the Bill. I understand that it was originally intended to pass this legislation through Parliament before the celebration of the one-hundredth anniversary of Kings Park. Unfortunately, that did not occur. However, it is good to see this legislation is now before the House, just a few years after the park's one-hundredth anniversary.

The current legislation has serious limitations, which have been mentioned by previous speakers, and I will not go through them in great detail. There is currently inadequate protection for the botanic gardens contained within Kings Park. Because of the evolving nature in the usage of Kings Park, the current legislation does not adequately address the responsibility of Kings Park as a tourist and cultural heritage attraction. It has severe limitations on its ability to raise revenue and to deliver quality services and facilities for people who use the park. It is a tourist icon in this State in which all Western Australians have a legitimate interest, no matter where they live in Western Australia. They have that interest in and ownership of that park, in much the same way that Western Australians - no matter where they live - have an interest in and ownership of the forests of the south west. We should protect all areas of natural beauty in a similar way.

The park has many uses, whether tourism, recreation or its scientific work in the botanical area. Kings Park is world renowned for the quality of its work. We are concerned about the issue of maintaining free public access, and it is reassuring that the Government has expressed its commitment to maintain that through the provisions in this Bill. Although the Bill allows people to be charged for going into the park for specific events, at least people can choose to pay that fee and to receive a direct benefit from the event they will attend. We do not have any problems with that and appreciate the Government's commitment to free general access to the park.

The new legislation encompasses Bold Park, and is set up so that new areas can be vested within the Botanic Gardens and Parks Authority. We would like to see that facility used readily. Other members have mentioned desirable sites for vesting in the authority's control, so that in future we may see bushland and various regional parks come under the control of the authority. The Bill also allows for the research and intellectual property rights to be expanded, so there will be a power to exchange botanical specimens between scientific and educational institutions throughout the world and to trade in the disposal of plants, seeds, fungi and the like. The management plans will undergo a public consultation process. There will be scrutiny of the future uses of the park when ministerial approval is required for the authority to exercise its powers relating to the disposal or acquisition of land, for granting leases or licences for longer than five years, for erecting permanent structures, for roadworks, or for other major works which exceed \$100 000 in value. Because people have that ownership of the park, the proposals that have been put forward in recent years, such as for the new restaurant and cafe complex, have generated a lot of public interest and vigorous debate.

Clause 9 provides that the authority is required to carry out a wide range of functions for the care, control and management of the parks and designated lands. The minister will have broad powers to appoint people to the authority. We are concerned that a future minister may want to concentrate the membership of the authority in areas such as tourism and neglect the research, scientific and conservation areas. However, we have been given an assurance by the Minister for the Environment that she will try to ensure that the membership of the authority reflects those functions as widely as possible. Although that is reassuring at this stage, ministers come and go, and we will look at that matter closely in future years to ensure that the membership of the authority retains its integrity by dividing its efforts evenly between those various functions.

We support the amendments that have been foreshadowed by the Greens (WA), because they address the need to retain the words "biological diversity", which are sometimes overlooked in the older-style terminology. We congratulate the Government on the Bill and support the Bill.

HON MAX EVANS (North Metropolitan - Minister for Finance) [9.32 pm]: I thank all members for their strong support for the Botanic Gardens and Parks Authority Bill. Obviously everyone has a soft spot for Kings Park and Bold Park. I lived in West Perth for 28 years, and Kings Park was part of my life when I was growing up. I lived in Mt Claremont for 20 years, and Bold Park was just around the corner. Therefore, I have been very closely associated with those parks.

It is interesting that in recent years, this House has passed legislation to allow the Kings Park Board to charge people to attend events within Kings Park. We considered that matter when the flower show was held in Kings Park for the first time, but we did not make any change for the first year. After that, we realised that it would cost a lot of money to make the flower show bigger and better, and the House was quick to pass legislation to allow charges to be levied. I think the board made \$150 000 last year, compared with \$20 000 in donations. That money goes back into making Kings Park a better place for everybody. More shows are being held there. That not only raises money but also brings a whole new clientele into Kings Park. People enjoy it for different reasons, and that is an excellent thing.

I have been very much associated with the Lotteries Commission's child activity centre at the old Hale School oval. The commission advanced about \$1.3m for that centre, and it tells me it has been so successful that it has not had to cut the lawns because they have been mowed down by children. That is a marvellous facility and brings a lot of people into Kings Park. It has a little coffee shop which is also very popular. One weekend I saw about 20 or 30 cars parked in Kings Park Road, and I thought a tennis tournament must be on and there was not enough room in the park to park vehicles. However, most of those people were at the child minding centre; only a few were playing tennis. That centre draws very big crowds. Pat O'Sullivan from the Meerilinga Young Children's Foundation has told me that Perth can do with another one or two of these centres. We are looking at whether we can improve the activity centre at Burswood Park near the Vlamingh memorial to make it bigger and better, because there is a great need for it. The activity centre at Perth Zoo is also very popular. Parents take their children to the zoo, and many of those children spend a large part of their time playing on the swings and roundabouts there. That is very good.

Kings Park Tennis Club has been an icon of Perth and Kings Park since well before my time. Major tennis tournaments such as the Davis Cup have been held there. In the 1950s, it was proposed to put the swimming pool that is now at Beatty Park in Kings Park on the corner of Thomas Street and Kings Park Road. However, the Parliament at the time decided it should be situated at Beatty Park.

I have a story for Hon John Cowdell about the veldt grass in Kings Park. We will do more research, and the people here tonight may be able to give me the full answer, but I have always thought that the veldt grass escaped from the university. It is a bit like all the lorikeets around Perth. There are now thousands of them. They actually escaped from people's homes years ago, and that was a major mistake. There is now veldt grass all around the suburban area.

In my younger days, a lot of people used to go horse riding in Kings Park. I am not certain whether that is prohibited now. Tim Keenan is one of the top orthopaedic surgeons in Perth, and his father, Patsy Keenan, used to be a regular rider to Kings Park from Subiaco. When I lived in West Perth, we had the wingies and stumpies hostel across the road, and they had big stables there and people would ride horses in the park. It was quite an active place for riding horses.

Hon Kim Chance: Wingies and stumpies? Is that politically correct?

Hon MAX EVANS: The TPis. They were wingies and stumpies from the First World War. They had the bowling greens and everything else, and they were known as wingies and stumpies. People felt very kindly about them. They were wonderful old chaps. One famous person who stayed there was Douglas Bader, the legless pilot, and my mother raced across to get his autograph for me. It was quite an institution. That is part of what Kings Park has been over the years.

Comments have been made about the reservoir. We all know that the reservoir is there and covered over and has been a big part of the park.

Comments have also been made about the board. Hon Norm Kelly commented on the letter he received from the minister, which gives an assurance that the appointments to the board will be made following proper consideration of a full range of expertise relevant to the functions of the authority. From my knowledge I am aware that over the years, we have had very responsible boards. Kings Park is an icon of Perth, and I do not know of any board that has gone off the rails over the years.

Many years ago, a couple of old guns were found that had been buried by the rotunda near the war memorial. The board members obviously did not want to put them on show any more but did not know how to take them out of the park, so they dug a hole and buried them, and they were dug out again many years later. We still do not know what else we might find buried in Kings Park. I am certain the board will do a good job. The board needs not only experts but also caring people who understand what the public wants. The botanical gardens have been very well looked after over the years, and the direction is to go a lot further towards improving on the botanical gardens.

The Government will be supporting the amendments proposed by Hon Giz Watson. I am very glad the amendments use the words "biological diversity". We had a big show at the Western Australian Museum last year, which was opened by me but attended by the Lord Mayor of London. The sponsors used the word biodiversity. I asked all the top men at the Museum who run the show, and not one of them could explain to me what that word meant. I am glad those words will be put into the Bill, because it will help the next generation to know what we mean. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Hon Murray Montgomery) in the Chair; Hon Max Evans (Minister for Finance) in charge of the Bill.

Clauses 1 to 8 put and passed.

Clause 9: Functions -

Hon GIZ WATSON: I move -

Page 7, line 9 - To delete the words "the flora and fauna" and substitute the words "any native biological diversity".

Hon J.A. COWDELL: The Opposition supports all of the amendments standing in the name of my colleague Hon Giz Watson.

Hon GIZ WATSON: I will elaborate quickly on part of my contribution to the second reading debate. The intention is to clarify that what is to be conserved and enhanced is indeed native vegetation. The proposed words make that very clear. Another point which arose when I discussed this potential amendment with people from Kings Park is that it also serves the purpose of covering fungi, which currently are no longer classified as flora. If we had not looked at some sort of amendment here, perhaps we would have missed out on mushrooms and all those other fungi which it is very important to include in the objectives of the functions and powers of the authority.

Hon MAX EVANS: Being my age, I prefer the words flora and fauna, but the Government supports the amendment.

Amendment put and passed.

Hon GIZ WATSON: I move -

Page 7, line 14 - To insert after the word "to" the word "conserve,".

Hon B.K. DONALDSON: I wonder whether this is a little bit of an overkill. Clause 9(2)(b) refers to conserving and enhancing the flora and fauna of the designated land. The amendment moved by Giz Watson is to have paragraph (d) read "to conserve, develop, manage, display and undertake research". Her amendment is unnecessary. The intent of her amendment is picked up in paragraph (b).

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will note that paragraph (d) refers to "collections of Western Australian and other flora". There are two separate divisions. The amendment is adding the additional purpose relating to Western Australian and other flora.

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Hon J.A. COWDELL: I view with concern the attempt by the government backbench to hold up this important government legislation and to derail the minister in this regard. I indicate that the Opposition will have no part in this exercise!

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Second Reading

Resumed from 17 September.

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Indeed, members on this side must agree with most of the statements made by the minister. I will not repeat all of them but will concur with some. Indeed, Kings Park is a name to conjure with these days. Of course, when it comes to election time, parties promise a Kings Park of the north and a Kings Park of the south. Only last night in Collie it was put to me that the farm coming up for sale could be the Kings Park of the Collie region, although it abuts about five shires. Nevertheless, that is an indication of the esteem in which the park and its board are held. Any measure that enhances and facilitates the role of the board is to be welcomed.

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been provided to an exceptionally high standard even under century-old legislation. Finally, the Government stated that the Act in question provides no statutory basis for important research work into the conservation of our floral heritage.

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I note with approval that the legislation specifically excludes the power to charge for entry to Kings Park, thus guaranteeing free public access. This is to be welcomed, particularly in the current era in which the list of free entry parks is rapidly diminishing and the other list of entry-charge parks is increasing as soon as it becomes apparent that money can be made. Although I welcome the assurance that no entry charges will be made into Kings Park and Bold Park, and I hope any other urban bushland, I hope we return to the situation in which the national parks managed by the Department of Conservation and Land Management are free to the public of this State. For the modest income that CALM makes from those sources that change should be made and I look forward, upon the restoration of the people's government, to some enlightened changes, not to mention access to beaches for the populace of the south west and elsewhere.

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The Labor Party welcomes the initiative of providing for a foundation that will ensure an appropriate appeal for private support and sponsorship. If it were successful, and I wish it well, I would not like to see this prove to be an alternative and provide an excuse for the Government to reduce its allocation to the management of these important parks. We would not want to see the new board go along the path of CALM of converting park areas to productive uses to make an income.

I noticed in one of the reports I was reading that the problems with some of the weeds and veldt grass eventuated because of a fundraising scheme when the board was short of funds and wanted to develop pasture or whatever else.

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Hon J.A. COWDELL: Evidently the board, in presumably the 1920s and 1930s, was looking for ways to enhance its income and it saw agricultural-cum-pastoral pursuits as a way of doing that.

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The final section dealt with by the minister was a range of penalties under the legislation. They seem to be comparable with the regime elsewhere but the minister might comment on whether that is the fact. The Australian Labor Party supports this ill and the initiatives in the minister's second reading speech which I highlighted. We look forward to the fact that this Chamber will now pass the Bill in a speedy fashion.

HON GIZ WATSON (North Metropolitan) [9.05 pm]: The Greens welcome the introduction of this Bill. It is a welcome

change. We acknowledge that it is necessary to amend an outdated Act. The objectives of the Parks and Reserves Act of 1895 are an interesting indication of what parks and botanical gardens were created for in the nineteenth century. Of course it was for beautification, the introduction of exotics and clearing of land. I will read the powers included in the Act and contrast those objectives with what we hope to achieve with a new Act.

Under the "Certain powers included in the general powers" to do with the Parks and Reserves Board it reads -

5. (1) In the exercise of its general powers in respect of the parks and reserves committed to them a Board of control and management may, among other things, do as follows:
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- (b) Construct dams and reservoirs for the retention and formation of sheets of water thereon;
- (c) Otherwise improve or ornament such parks or reserves, and do all such things as are calculated to adapt such parks and reserves to the purposes of public recreation, health, and enjoyment;
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It is interesting that in the light of Hon John Cowdell's comments regarding running of stock paragraph (e) reads -

Grant licences for the depasturing of animals on such park lands and reserves, and take for the same such fees as the Board may, by any by-law, from time to time appoint;

The Act contains a provision to graze animals on those reserves. I believe Hon John Cowdell was correct that at various times animals were able to graze there.

Finally, paragraph (f) reads -

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It is in contrast to what the community now expects parks to be managed for.

In the second reading speech it was stated that the existing Parks and Reserves Act was silent on its functions and powers. It is inadequate in its powers and functions for modern day thinking and management of parks and bushland. However, it was not silent, but was expansive about what could be done within parks. I concur with the comments in the second reading speech that the powers in the Act were very limited and unclear concerning protection for bushland. Indeed, that is the understatement of the year because those powers seemed to allow anything but the protection of bushland. Obviously the Bill reflects community expectations and acknowledges the importance and value of bushland and managing botanical gardens, something that has been understood for longer. I believe the Bill will go a long way towards meeting those expectations.

I concur that Kings Park is an icon for the State of bush management and conservation. I would be delighted if other outstanding pieces of bushland were also treated with the same degree of reverence and respect and as much attention was put into their management and conservation as is the case with Kings Park. In assessing whether this Bill addresses issues to do with the best management of Kings Park and Bold Park, I wish to ensure that the powers of the board, as created, enable the maintenance of biodiversity and the natural attributes of the bushland component of those parks. I foreshadow that I will move amendments in the committee stage, which the Greens will argue will improve or clarify the objectives of management being the maintenance of native biodiversity, rather than the more general objective of the conservation of flora and fauna, which is potentially open to interpretation because it does not specify whether the Government is talking about managing that area of bushland for its native vegetation and fauna attributes.

Bushland is a community asset which we are valuing more as we understand what it contains. It is important that we do not have the situation whereby the objective of making money either from tourist visitation or recreation overshadows that of conserving and managing those areas for future generations. This Bill has the correct balance and has built-in provisions which enable that balance to be struck. I also note that the Bill addresses the issue of community involvement in the creation and completion of management plans, which I welcome.

It is now accepted that the community has a right and is enthusiastic to be involved in consultations on the management plans for areas of bushland. Community groups and individuals have expertise which can be used in the formation of the best management plans for these areas. Members will be aware that many people in the community now become involved in the practical aspects of conserving and managing bushland. I know that both Bold Park and Kings Park have very active

community groups working with them and the Bill allows for their involvement. I acknowledge that it was a difficult Bill to draft. It attempts to cover the management of two different land uses; that is, botanical gardens and parkland - a created environment - and the natural bushland area of Kings Park, Bold Park and any other reserves that might be vested in the board. Therefore, the Government has drafted a Bill that accommodates the management of the two different objectives. I support the intention of the Bill to allow the board to manage other areas of bushland, particularly within the urban area. That provides an excellent opportunity for other areas of significant bushland in Perth to come under a sound management regime. Within the metropolitan region I suggest there are some very good areas which could become regional parks and which would meet all of the criteria for addition to the reserves regime. I mention the creation of a regional park south of Guilderton. It might be a useful addition to the responsibilities of the board if it were possible for that area to be managed as a regional park.

I pay tribute to the work of the Kings Park Board in the area of bushland management, particularly in relation to research. I am familiar with the work it has done in the management of environmental weeds such as bridal creeper, and the breakthroughs it has made in our understanding of the role of smoke in the regeneration of native Western Australian plants. That is vital work. I cannot speak highly enough of the research work that has been carried out, and also the protection of endangered flora. I have taken the time to visit the park and look at its research facilities, which are very impressive. I am sure this Bill will provide the authority with the security and necessary powers to continue that good work. In line with the comments of Hon John Cowdell, I express words of caution about charging fees to access parks and reserves. I accept that a provision exists for the charging of fees for certain events within Kings Park, and I accept the rationale behind that approach. However, the Greens strongly oppose fees being charged to enter urban bushland, national parks and reserves across the State. They are community assets and communal property. Charging an entry fee is inappropriate, so we need to set aside adequate funds from the consolidated fund to look after those areas and to recognise their value to the whole community.

The issue of sponsorship is also addressed in this Bill. We should be watchful of the companies that work in conjunction with boards which are managing public parks. The Bill does not set in place guidelines or restrictions for sponsorship. That is covered within a policy statement. I refer to the Kings Park sponsorship policy dated September 1998. The policy acknowledges that companies which are potential sponsors should be assessed for their suitability. I was interested to note the criteria used by the Kings Park Board. Paragraph (c)(iii) provides for a review of the public profile of the organisation to avoid conflict and embarrassment. I imagined that the board would require something more tangible than potential embarrassment. The criterion in paragraph (iv) is to reject sponsorship offers from organisations that have a "poor public image". I hope that we will look a bit deeper than the image of a company, and would be concerned about a company's environmental record rather than place emphasis on its image. Some companies would be able to present a good public image, but if one delved deeper their environmental records would be dubious and require a rigorous assessment. Paragraph (viii) requires a complete search of the company and parent company to evaluate the complete corporate image. Again, many companies put a lot of effort into the gloss on their corporate image, and I trust that the board will be vigilant in thoroughly examining the companies that wish to become associated with what is a state icon that has an extraordinary importance to the Western Australian community and, particularly, is dearly loved by conservationists who have put a lot of effort into assisting with its conservation.

I foreshadow moving amendments during the committee stage to clarify the issue that I raised earlier about the objectives of management of the bushland component.

HON NORM KELLY (East Metropolitan) [9,23 pm]: The Australian Democrats support the Bill. I understand that it was originally intended to pass this legislation through Parliament before the celebration of the one-hundredth anniversary of Kings Park. Unfortunately, that did not occur. However, it is good to see this legislation is now before the House, just a few years after the park's one-hundredth anniversary.

The current legislation has serious limitations, which have been mentioned by previous speakers, and I will not go through them in great detail. There is currently inadequate protection for the botanic gardens contained within Kings Park. Because of the evolving nature in the usage of Kings Park, the current legislation does not adequately address the responsibility of Kings Park as a tourist and cultural heritage attraction. It has severe limitations on its ability to raise revenue and to deliver quality services and facilities for people who use the park. It is a tourist icon in this State in which all Western Australians have a legitimate interest, no matter where they live in Western Australia. They have that interest in and ownership of that park, in much the same way that Western Australians - no matter where they live - have an interest in and ownership of the forests of the south west. We should protect all areas of natural beauty in a similar way.

The park has many uses, whether tourism, recreation or its scientific work in the botanical area. Kings Park is world renowned for the quality of its work. We are concerned about the issue of maintaining free public access, and it is reassuring that the Government has expressed its commitment to maintain that through the provisions in this Bill. Although the Bill allows people to be charged for going into the park for specific events, at least people can choose to pay that fee and to receive a direct benefit from the event they will attend. We do not have any problems with that and appreciate the Government's commitment to free general access to the park.

The new legislation encompasses Bold Park, and is set up so that new areas can be vested within the Botanic Gardens and Parks Authority. We would like to see that facility used readily. Other members have mentioned desirable sites for vesting in the authority's control, so that in future we may see bushland and various regional parks come under the control of the authority. The Bill also allows for the research and intellectual property rights to be expanded, so there will be a power to exchange botanical specimens between scientific and educational institutions throughout the world and to trade in the disposal of plants, seeds, fungi and the like. The management plans will undergo a public consultation process. There will be scrutiny of the future uses of the park when ministerial approval is required for the authority to exercise its powers relating to the disposal or acquisition of land, for granting leases or licences for longer than five years, for erecting permanent structures, for roadworks, or for other major works which exceed \$100 000 in value. Because people have that ownership of the park, the proposals that have been put forward in recent years, such as for the new restaurant and cafe complex, have generated a lot of public interest and vigorous debate.

Clause 9 provides that the authority is required to carry out a wide range of functions for the care, control and management of the parks and designated lands. The minister will have broad powers to appoint people to the authority. We are concerned that a future minister may want to concentrate the membership of the authority in areas such as tourism and neglect the research, scientific and conservation areas. However, we have been given an assurance by the Minister for the Environment that she will try to ensure that the membership of the authority reflects those functions as widely as possible. Although that is reassuring at this stage, ministers come and go, and we will look at that matter closely in future years to ensure that the membership of the authority retains its integrity by dividing its efforts evenly between those various functions.

We support the amendments that have been foreshadowed by the Greens (WA), because they address the need to retain the words "biological diversity", which are sometimes overlooked in the older-style terminology. We congratulate the Government on the Bill and support the Bill.

HON MAX EVANS (North Metropolitan - Minister for Finance) [9.32 pm]: I thank all members for their strong support for the Botanic Gardens and Parks Authority Bill. Obviously everyone has a soft spot for Kings Park and Bold Park. I lived in West Perth for 28 years, and Kings Park was part of my life when I was growing up. I lived in Mt Claremont for 20 years, and Bold Park was just around the corner. Therefore, I have been very closely associated with those parks.

It is interesting that in recent years, this House has passed legislation to allow the Kings Park Board to charge people to attend events within Kings Park. We considered that matter when the flower show was held in Kings Park for the first time, but we did not make any change for the first year. After that, we realised that it would cost a lot of money to make the flower show bigger and better, and the House was quick to pass legislation to allow charges to be levied. I think the board made \$150 000 last year, compared with \$20 000 in donations. That money goes back into making Kings Park a better place for everybody. More shows are being held there. That not only raises money but also brings a whole new clientele into Kings Park. People enjoy it for different reasons, and that is an excellent thing.

I have been very much associated with the Lotteries Commission's child activity centre at the old Hale School oval. The commission advanced about \$1.3m for that centre, and it tells me it has been so successful that it has not had to cut the lawns because they have been mowed down by children. That is a marvellous facility and brings a lot of people into Kings Park. It has a little coffee shop which is also very popular. One weekend I saw about 20 or 30 cars parked in Kings Park Road, and I thought a tennis tournament must be on and there was not enough room in the park to park vehicles. However, most of those people were at the child minding centre; only a few were playing tennis. That centre draws very big crowds. Pat O'Sullivan from the Meerilinga Young Children's Foundation has told me that Perth can do with another one or two of these centres. We are looking at whether we can improve the activity centre at Burswood Park near the Vlamingh memorial to make it bigger and better, because there is a great need for it. The activity centre at Perth Zoo is also very popular. Parents take their children to the zoo, and many of those children spend a large part of their time playing on the swings and roundabouts there. That is very good.

Kings Park Tennis Club has been an icon of Perth and Kings Park since well before my time. Major tennis tournaments such as the Davis Cup have been held there. In the 1950s, it was proposed to put the swimming pool that is now at Beatty Park in Kings Park on the corner of Thomas Street and Kings Park Road. However, the Parliament at the time decided it should be situated at Beatty Park.

I have a story for Hon John Cowdell about the veldt grass in Kings Park. We will do more research, and the people here tonight may be able to give me the full answer, but I have always thought that the veldt grass escaped from the university. It is a bit like all the lorikeets around Perth. There are now thousands of them. They actually escaped from people's homes years ago, and that was a major mistake. There is now veldt grass all around the suburban area.

In my younger days, a lot of people used to go horse riding in Kings Park. I am not certain whether that is prohibited now. Tim Keenan is one of the top orthopaedic surgeons in Perth, and his father, Patsy Keenan, used to be a regular rider to Kings Park from Subiaco. When I lived in West Perth, we had the wingies and stumpies hostel across the road, and they had big stables there and people would ride horses in the park. It was quite an active place for riding horses.

Hon Kim Chance: Wingies and stumpies? Is that politically correct?

Hon MAX EVANS: The TPis. They were wingies and stumpies from the First World War. They had the bowling greens and everything else, and they were known as wingies and stumpies. People felt very kindly about them. They were wonderful old chaps. One famous person who stayed there was Douglas Bader, the legless pilot, and my mother raced across to get his autograph for me. It was quite an institution. That is part of what Kings Park has been over the years.

Comments have been made about the reservoir. We all know that the reservoir is there and covered over and has been a big part of the park.

Comments have also been made about the board. Hon Norm Kelly commented on the letter he received from the minister, which gives an assurance that the appointments to the board will be made following proper consideration of a full range of expertise relevant to the functions of the authority. From my knowledge I am aware that over the years, we have had very responsible boards. Kings Park is an icon of Perth, and I do not know of any board that has gone off the rails over the years.

Many years ago, a couple of old guns were found that had been buried by the rotunda near the war memorial. The board members obviously did not want to put them on show any more but did not know how to take them out of the park, so they dug a hole and buried them, and they were dug out again many years later. We still do not know what else we might find buried in Kings Park. I am certain the board will do a good job. The board needs not only experts but also caring people who understand what the public wants. The botanical gardens have been very well looked after over the years, and the direction is to go a lot further towards improving on the botanical gardens.

The Government will be supporting the amendments proposed by Hon Giz Watson. I am very glad the amendments use the words "biological diversity". We had a big show at the Western Australian Museum last year, which was opened by me but attended by the Lord Mayor of London. The sponsors used the word biodiversity. I asked all the top men at the Museum who run the show, and not one of them could explain to me what that word meant. I am glad those words will be put into the Bill, because it will help the next generation to know what we mean. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Hon Murray Montgomery) in the Chair; Hon Max Evans (Minister for Finance) in charge of the Bill.

Clauses 1 to 8 put and passed.

Clause 9: Functions -

Hon GIZ WATSON: I move -

Page 7, line 9 - To delete the words "the flora and fauna" and substitute the words "any native biological diversity".

Hon J.A. COWDELL: The Opposition supports all of the amendments standing in the name of my colleague Hon Giz Watson.

Hon GIZ WATSON: I will elaborate quickly on part of my contribution to the second reading debate. The intention is to clarify that what is to be conserved and enhanced is indeed native vegetation. The proposed words make that very clear. Another point which arose when I discussed this potential amendment with people from Kings Park is that it also serves the purpose of covering fungi, which currently are no longer classified as flora. If we had not looked at some sort of amendment here, perhaps we would have missed out on mushrooms and all those other fungi which it is very important to include in the objectives of the functions and powers of the authority.

Hon MAX EVANS: Being my age, I prefer the words flora and fauna, but the Government supports the amendment.

Amendment put and passed.

Hon GIZ WATSON: I move -

Page 7, line 14 - To insert after the word "to" the word "conserve,".

Hon B.K. DONALDSON: I wonder whether this is a little bit of an overkill. Clause 9(2)(b) refers to conserving and enhancing the flora and fauna of the designated land. The amendment moved by Giz Watson is to have paragraph (d) read "to conserve, develop, manage, display and undertake research". Her amendment is unnecessary. The intent of her amendment is picked up in paragraph (b).

Hon GIZ WATSON: Paragraph (b) covers the general conservation and enhancement of the designated land. The member

will note that paragraph (d) refers to "collections of Western Australian and other flora". There are two separate divisions. The amendment is adding the additional purpose relating to Western Australian and other flora.

Hon B.K. Donaldson: This is developing and managing. I believe that conservation comes under paragraph (b).

Hon GIZ WATSON: Paragraph (d) refers to another function of the authority to do with collections of material. Does that answer the question?

Hon B.K. Donaldson: It does not answer it but I will go along with the amendment.

Hon J.A. COWDELL: I view with concern the attempt by the government backbench to hold up this important government legislation and to derail the minister in this regard. I indicate that the Opposition will have no part in this exercise!

Amendment put and passed.

Hon GIZ WATSON: I move -

Page 7, line 17 - To delete the words ", flora and fauna" and substitute the words "biological diversity".

Page 7, line 18 - To delete the words ", flora and fauna" and substitute the words "biological diversity".

Amendments put and passed.

Clause, as amended, put and passed.

Clauses 10 to 52 put and passed.

Clause 53: Regulations -

Hon GIZ WATSON: I move -

Page 39, lines 17 and 18 - To delete the words "flora and fauna" and substitute the words "and biological diversity".

Page 39, line 20 - To delete the words "flora and fauna" and substitute the words "and biological diversity".

By way of brief explanation, these amendments are to achieve consistency in the Bill. The arguments for supporting them are exactly the same as those for the first amendment I moved.

Amendments put and passed.

Clause, as amended, put and passed.

Clause 54: Review of Act -

Hon NORM KELLY: I originally proposed to move some amendments. However, as it has been pointed out to me that there are still some inconsistencies in what I was seeking to achieve in these amendments, I will support this clause as it stands.

Clause put and passed.

Clauses 55 and 56 put and passed.

Schedules 1 to 3 put and passed.

Title put and passed.

Bill reported, with amendments.

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 17 September.

HON J.A. COWDELL (South West) [8.53 pm]: The Australian Labor Party welcomes this measure, supports the Bill and wishes it well in its much delayed passage.

Indeed, members on this side must agree with most of the statements made by the minister. I will not repeat all of them but will concur with some. Indeed, Kings Park is a name to conjure with these days. Of course, when it comes to election time, parties promise a Kings Park of the north and a Kings Park of the south. Only last night in Collie it was put to me that the farm coming up for sale could be the Kings Park of the Collie region, although it abuts about five shires. Nevertheless, that is an indication of the esteem in which the park and its board are held. Any measure that enhances and facilitates the role of the board is to be welcomed.

The minister stated in his second reading speech that the proper management of the park was an important issue for all Western Australians and that currently the asset was being managed under an Act that is more than a century old. Although it has been amended on various occasions, there was a need for a thorough overhaul. The Opposition agrees. A significant proposal in this legislation is to vest Bold Park in the existing Kings Park Board and to enable the management of both of those major parks.

The Government stated that the current legislation - the Parks and Reserves Act - is limited in that it is silent on the functions and powers of the State's botanic garden, that it provides very limited and unclear protection for the bushland involved, that it does not address the importance of Kings Park as a tourist and cultural heritage attraction, and that it severely inhibits the ability of the board to raise revenue and to deliver quality services and facilities. I believe those services and facilities have

been provided to an exceptionally high standard even under century-old legislation. Finally, the Government stated that the Act in question provides no statutory basis for important research work into the conservation of our floral heritage.

The Opposition sees the need to address these various deficiencies, statutory protection for the garden within Kings Park and the enhancement of bushland management. I note that the authority is entitled the "Botanic Gardens and Parks Authority". Perhaps it would have been better to call it the "Botanic Gardens, Urban Bushland and Parks Authority", because managing urban bushland is as important as managing botanic gardens.

The Government has pointed out the need for the new authority to have a clear focus on managing both Bold Park and Kings Park as tourist and recreation facilities. I was reminded earlier this evening to mention the need for adequate signage as two of my parliamentary colleagues who went wandering during the dinner recess became somewhat disoriented but fortunately made it back to the Chamber. I said I would raise that issue in my speech and I have done so while recognising the parks' importance as tourist facilities.

It was appropriate that those who drafted the legislation looked closely at the Victorian Royal Botanic Gardens Act 1991 and the New South Wales Royal Botanic Garden and Domain Trust Act 1980. I thank the officers who gave me a briefing on this matter and satisfied my few concerns.

I note with approval that the legislation specifically excludes the power to charge for entry to Kings Park, thus guaranteeing free public access. This is to be welcomed, particularly in the current era in which the list of free entry parks is rapidly diminishing and the other list of entry-charge parks is increasing as soon as it becomes apparent that money can be made. Although I welcome the assurance that no entry charges will be made into Kings Park and Bold Park, and I hope any other urban bushland, I hope we return to the situation in which the national parks managed by the Department of Conservation and Land Management are free to the public of this State. For the modest income that CALM makes from those sources that change should be made and I look forward, upon the restoration of the people's government, to some enlightened changes, not to mention access to beaches for the populace of the south west and elsewhere.

Obviously the Bill allows the new board to charge entrance fees for events or functions. I have been pleased to see the way the board has developed such functions, particularly the Shakespearean productions in recent years in Kings Park, using the backdrop most effectively. Presumably it will apply to the events that occur in Bold Park if this legislation covers the amphitheatre there.

The Labor Party welcomes the initiative of providing for a foundation that will ensure an appropriate appeal for private support and sponsorship. If it were successful, and I wish it well, I would not like to see this prove to be an alternative and provide an excuse for the Government to reduce its allocation to the management of these important parks. We would not want to see the new board go along the path of CALM of converting park areas to productive uses to make an income.

I noticed in one of the reports I was reading that the problems with some of the weeds and veldt grass eventuated because of a fundraising scheme when the board was short of funds and wanted to develop pasture or whatever else.

Hon Max Evans: I am lost; can you explain that further?

Hon J.A. COWDELL: Evidently the board, in presumably the 1920s and 1930s, was looking for ways to enhance its income and it saw agricultural-cum-pastoral pursuits as a way of doing that.

Hon Max Evans: You are discrediting your own speech. You should get your facts right.

Hon J.A. COWDELL: That is my understanding. I read a report that indicated that the problem with some of the grasses at Kings Park was that they had been introduced by the board.

Hon Max Evans: Are you saying the veldt grass was planted to run livestock?

Hon J.A. COWDELL: That was in the report. I look forward to the minister's response. My point is that I fully support the foundation so that the park board may have additional resources with which to develop that excellent facility rather than substitute resources for government allocations.

The other matters raised in the minister's speech were straightforward. I welcome the management plans, which will be developed and subject to scrutiny, and the relevant review of the Act and the requirement for ministerial approvals for granting leases or licences for longer than five years, for erecting permanent structures for roadworks or for other major capital works exceeding \$100 000 in value.

The final section dealt with by the minister was a range of penalties under the legislation. They seem to be comparable with the regime elsewhere but the minister might comment on whether that is the fact. The Australian Labor Party supports this ill and the initiatives in the minister's second reading speech which I highlighted. We look forward to the fact that this Chamber will now pass the Bill in a speedy fashion.

HON GIZ WATSON (North Metropolitan) [9.05 pm]: The Greens welcome the introduction of this Bill. It is a welcome

change. We acknowledge that it is necessary to amend an outdated Act. The objectives of the Parks and Reserves Act of 1895 are an interesting indication of what parks and botanical gardens were created for in the nineteenth century. Of course it was for beautification, the introduction of exotics and clearing of land. I will read the powers included in the Act and contrast those objectives with what we hope to achieve with a new Act.

Under the "Certain powers included in the general powers" to do with the Parks and Reserves Board it reads -

5. (1) In the exercise of its general powers in respect of the parks and reserves committed to them a Board of control and management may, among other things, do as follows:
 - (a) Fence in or otherwise enclose, clear, level, drain, plant, and form walks and carriage drives through and over such parks and reserves, or any part thereof;

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- (b) Construct dams and reservoirs for the retention and formation of sheets of water thereon;
- (c) Otherwise improve or ornament such parks or reserves, and do all such things as are calculated to adapt such parks and reserves to the purposes of public recreation, health, and enjoyment;
- (d) Establish and maintain zoological gardens therein;

It is interesting that in the light of Hon John Cowdell's comments regarding running of stock paragraph (e) reads -

Grant licences for the depasturing of animals on such park lands and reserves, and take for the same such fees as the Board may, by any by-law, from time to time appoint;

The Act contains a provision to graze animals on those reserves. I believe Hon John Cowdell was correct that at various times animals were able to graze there.

Finally, paragraph (f) reads -

Grant licences for the removal of any sand, gravel, or other earth or mineral, and for cutting and removing wood under such restrictions, and at such reasonable price, or such weekly, monthly, or yearly sum as the Board may think fit.

It is in contrast to what the community now expects parks to be managed for.

In the second reading speech it was stated that the existing Parks and Reserves Act was silent on its functions and powers. It is inadequate in its powers and functions for modern day thinking and management of parks and bushland. However, it was not silent, but was expansive about what could be done within parks. I concur with the comments in the second reading speech that the powers in the Act were very limited and unclear concerning protection for bushland. Indeed, that is the understatement of the year because those powers seemed to allow anything but the protection of bushland. Obviously the Bill reflects community expectations and acknowledges the importance and value of bushland and managing botanical gardens, something that has been understood for longer. I believe the Bill will go a long way towards meeting those expectations.

I concur that Kings Park is an icon for the State of bush management and conservation. I would be delighted if other outstanding pieces of bushland were also treated with the same degree of reverence and respect and as much attention was put into their management and conservation as is the case with Kings Park. In assessing whether this Bill addresses issues to do with the best management of Kings Park and Bold Park, I wish to ensure that the powers of the board, as created, enable the maintenance of biodiversity and the natural attributes of the bushland component of those parks. I foreshadow that I will move amendments in the committee stage, which the Greens will argue will improve or clarify the objectives of management being the maintenance of native biodiversity, rather than the more general objective of the conservation of flora and fauna, which is potentially open to interpretation because it does not specify whether the Government is talking about managing that area of bushland for its native vegetation and fauna attributes.

Bushland is a community asset which we are valuing more as we understand what it contains. It is important that we do not have the situation whereby the objective of making money either from tourist visitation or recreation overshadows that of conserving and managing those areas for future generations. This Bill has the correct balance and has built-in provisions which enable that balance to be struck. I also note that the Bill addresses the issue of community involvement in the creation and completion of management plans, which I welcome.

It is now accepted that the community has a right and is enthusiastic to be involved in consultations on the management plans for areas of bushland. Community groups and individuals have expertise which can be used in the formation of the best management plans for these areas. Members will be aware that many people in the community now become involved in the practical aspects of conserving and managing bushland. I know that both Bold Park and Kings Park have very active

community groups working with them and the Bill allows for their involvement. I acknowledge that it was a difficult Bill to draft. It attempts to cover the management of two different land uses; that is, botanical gardens and parkland - a created environment - and the natural bushland area of Kings Park, Bold Park and any other reserves that might be vested in the board. Therefore, the Government has drafted a Bill that accommodates the management of the two different objectives. I support the intention of the Bill to allow the board to manage other areas of bushland, particularly within the urban area. That provides an excellent opportunity for other areas of significant bushland in Perth to come under a sound management regime. Within the metropolitan region I suggest there are some very good areas which could become regional parks and which would meet all of the criteria for addition to the reserves regime. I mention the creation of a regional park south of Guilderton. It might be a useful addition to the responsibilities of the board if it were possible for that area to be managed as a regional park.

I pay tribute to the work of the Kings Park Board in the area of bushland management, particularly in relation to research. I am familiar with the work it has done in the management of environmental weeds such as bridal creeper, and the breakthroughs it has made in our understanding of the role of smoke in the regeneration of native Western Australian plants. That is vital work. I cannot speak highly enough of the research work that has been carried out, and also the protection of endangered flora. I have taken the time to visit the park and look at its research facilities, which are very impressive. I am sure this Bill will provide the authority with the security and necessary powers to continue that good work. In line with the comments of Hon John Cowdell, I express words of caution about charging fees to access parks and reserves. I accept that a provision exists for the charging of fees for certain events within Kings Park, and I accept the rationale behind that approach. However, the Greens strongly oppose fees being charged to enter urban bushland, national parks and reserves across the State. They are community assets and communal property. Charging an entry fee is inappropriate, so we need to set aside adequate funds from the consolidated fund to look after those areas and to recognise their value to the whole community.

The issue of sponsorship is also addressed in this Bill. We should be watchful of the companies that work in conjunction with boards which are managing public parks. The Bill does not set in place guidelines or restrictions for sponsorship. That is covered within a policy statement. I refer to the Kings Park sponsorship policy dated September 1998. The policy acknowledges that companies which are potential sponsors should be assessed for their suitability. I was interested to note the criteria used by the Kings Park Board. Paragraph (c)(iii) provides for a review of the public profile of the organisation to avoid conflict and embarrassment. I imagined that the board would require something more tangible than potential embarrassment. The criterion in paragraph (iv) is to reject sponsorship offers from organisations that have a "poor public image". I hope that we will look a bit deeper than the image of a company, and would be concerned about a company's environmental record rather than place emphasis on its image. Some companies would be able to present a good public image, but if one delved deeper their environmental records would be dubious and require a rigorous assessment. Paragraph (viii) requires a complete search of the company and parent company to evaluate the complete corporate image. Again, many companies put a lot of effort into the gloss on their corporate image, and I trust that the board will be vigilant in thoroughly examining the companies that wish to become associated with what is a state icon that has an extraordinary importance to the Western Australian community and, particularly, is dearly loved by conservationists who have put a lot of effort into assisting with its conservation.

I foreshadow moving amendments during the committee stage to clarify the issue that I raised earlier about the objectives of management of the bushland component.

HON NORM KELLY (East Metropolitan) [9.23 pm]: The Australian Democrats support the Bill. I understand that it was originally intended to pass this legislation through Parliament before the celebration of the one-hundredth anniversary of Kings Park. Unfortunately, that did not occur. However, it is good to see this legislation is now before the House, just a few years after the park's one-hundredth anniversary.

The current legislation has serious limitations, which have been mentioned by previous speakers, and I will not go through them in great detail. There is currently inadequate protection for the botanic gardens contained within Kings Park. Because of the evolving nature in the usage of Kings Park, the current legislation does not adequately address the responsibility of Kings Park as a tourist and cultural heritage attraction. It has severe limitations on its ability to raise revenue and to deliver quality services and facilities for people who use the park. It is a tourist icon in this State in which all Western Australians have a legitimate interest, no matter where they live in Western Australia. They have that interest in and ownership of that park, in much the same way that Western Australians - no matter where they live - have an interest in and ownership of the forests of the south west. We should protect all areas of natural beauty in a similar way.

The park has many uses, whether tourism, recreation or its scientific work in the botanical area. Kings Park is world renowned for the quality of its work. We are concerned about the issue of maintaining free public access, and it is reassuring that the Government has expressed its commitment to maintain that through the provisions in this Bill. Although the Bill allows people to be charged for going into the park for specific events, at least people can choose to pay that fee and to receive a direct benefit from the event they will attend. We do not have any problems with that and appreciate the Government's commitment to free general access to the park.

The new legislation encompasses Bold Park, and is set up so that new areas can be vested within the Botanic Gardens and Parks Authority. We would like to see that facility used readily. Other members have mentioned desirable sites for vesting in the authority's control, so that in future we may see bushland and various regional parks come under the control of the authority. The Bill also allows for the research and intellectual property rights to be expanded, so there will be a power to exchange botanical specimens between scientific and educational institutions throughout the world and to trade in the disposal of plants, seeds, fungi and the like. The management plans will undergo a public consultation process. There will be scrutiny of the future uses of the park when ministerial approval is required for the authority to exercise its powers relating to the disposal or acquisition of land, for granting leases or licences for longer than five years, for erecting permanent structures, for roadworks, or for other major works which exceed \$100 000 in value. Because people have that ownership of the park, the proposals that have been put forward in recent years, such as for the new restaurant and cafe complex, have generated a lot of public interest and vigorous debate.

Clause 9 provides that the authority is required to carry out a wide range of functions for the care, control and management of the parks and designated lands. The minister will have broad powers to appoint people to the authority. We are concerned that a future minister may want to concentrate the membership of the authority in areas such as tourism and neglect the research, scientific and conservation areas. However, we have been given an assurance by the Minister for the Environment that she will try to ensure that the membership of the authority reflects those functions as widely as possible. Although that is reassuring at this stage, ministers come and go, and we will look at that matter closely in future years to ensure that the membership of the authority retains its integrity by dividing its efforts evenly between those various functions.

We support the amendments that have been foreshadowed by the Greens (WA), because they address the need to retain the words "biological diversity", which are sometimes overlooked in the older-style terminology. We congratulate the Government on the Bill and support the Bill.

HON MAX EVANS (North Metropolitan - Minister for Finance) [9.32 pm]: I thank all members for their strong support for the Botanic Gardens and Parks Authority Bill. Obviously everyone has a soft spot for Kings Park and Bold Park. I lived in West Perth for 28 years, and Kings Park was part of my life when I was growing up. I lived in Mt Claremont for 20 years, and Bold Park was just around the corner. Therefore, I have been very closely associated with those parks.

It is interesting that in recent years, this House has passed legislation to allow the Kings Park Board to charge people to attend events within Kings Park. We considered that matter when the flower show was held in Kings Park for the first time, but we did not make any change for the first year. After that, we realised that it would cost a lot of money to make the flower show bigger and better, and the House was quick to pass legislation to allow charges to be levied. I think the board made \$150 000 last year, compared with \$20 000 in donations. That money goes back into making Kings Park a better place for everybody. More shows are being held there. That not only raises money but also brings a whole new clientele into Kings Park. People enjoy it for different reasons, and that is an excellent thing.

I have been very much associated with the Lotteries Commission's child activity centre at the old Hale School oval. The commission advanced about \$1.3m for that centre, and it tells me it has been so successful that it has not had to cut the lawns because they have been mowed down by children. That is a marvellous facility and brings a lot of people into Kings Park. It has a little coffee shop which is also very popular. One weekend I saw about 20 or 30 cars parked in Kings Park Road, and I thought a tennis tournament must be on and there was not enough room in the park to park vehicles. However, most of those people were at the child minding centre; only a few were playing tennis. That centre draws very big crowds. Pat O'Sullivan from the Meerilinga Young Children's Foundation has told me that Perth can do with another one or two of these centres. We are looking at whether we can improve the activity centre at Burswood Park near the Vlamingh memorial to make it bigger and better, because there is a great need for it. The activity centre at Perth Zoo is also very popular. Parents take their children to the zoo, and many of those children spend a large part of their time playing on the swings and roundabouts there. That is very good.

Kings Park Tennis Club has been an icon of Perth and Kings Park since well before my time. Major tennis tournaments such as the Davis Cup have been held there. In the 1950s, it was proposed to put the swimming pool that is now at Beatty Park in Kings Park on the corner of Thomas Street and Kings Park Road. However, the Parliament at the time decided it should be situated at Beatty Park.

I have a story for Hon John Cowdell about the veldt grass in Kings Park. We will do more research, and the people here tonight may be able to give me the full answer, but I have always thought that the veldt grass escaped from the university. It is a bit like all the lorikeets around Perth. There are now thousands of them. They actually escaped from people's homes years ago, and that was a major mistake. There is now veldt grass all around the suburban area.

In my younger days, a lot of people used to go horse riding in Kings Park. I am not certain whether that is prohibited now. Tim Keenan is one of the top orthopaedic surgeons in Perth, and his father, Patsy Keenan, used to be a regular rider to Kings Park from Subiaco. When I lived in West Perth, we had the wingies and stumpies hostel across the road, and they had big stables there and people would ride horses in the park. It was quite an active place for riding horses.

Hon Kim Chance: Wingies and stumpies? Is that politically correct?

Hon MAX EVANS: The TPIs. They were wingies and stumpies from the First World War. They had the bowling greens and everything else, and they were known as wingies and stumpies. People felt very kindly about them. They were wonderful old chaps. One famous person who stayed there was Douglas Bader, the legless pilot, and my mother raced across to get his autograph for me. It was quite an institution. That is part of what Kings Park has been over the years.

Comments have been made about the reservoir. We all know that the reservoir is there and covered over and has been a big part of the park.

Comments have also been made about the board. Hon Norm Kelly commented on the letter he received from the minister, which gives an assurance that the appointments to the board will be made following proper consideration of a full range of expertise relevant to the functions of the authority. From my knowledge I am aware that over the years, we have had very responsible boards. Kings Park is an icon of Perth, and I do not know of any board that has gone off the rails over the years.

Many years ago, a couple of old guns were found that had been buried by the rotunda near the war memorial. The board members obviously did not want to put them on show any more but did not know how to take them out of the park, so they dug a hole and buried them, and they were dug out again many years later. We still do not know what else we might find buried in Kings Park. I am certain the board will do a good job. The board needs not only experts but also caring people who understand what the public wants. The botanical gardens have been very well looked after over the years, and the direction is to go a lot further towards improving on the botanical gardens.

The Government will be supporting the amendments proposed by Hon Giz Watson. I am very glad the amendments use the words "biological diversity". We had a big show at the Western Australian Museum last year, which was opened by me but attended by the Lord Mayor of London. The sponsors used the word biodiversity. I asked all the top men at the Museum who run the show, and not one of them could explain to me what that word meant. I am glad those words will be put into the Bill, because it will help the next generation to know what we mean. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Hon Murray Montgomery) in the Chair; Hon Max Evans (Minister for Finance) in charge of the Bill.

Clauses 1 to 8 put and passed.

Clause 9: Functions -

Hon GIZ WATSON: I move -

Page 7, line 9 - To delete the words "the flora and fauna" and substitute the words "any native biological diversity".

Hon J.A. COWDELL: The Opposition supports all of the amendments standing in the name of my colleague Hon Giz Watson.

Hon GIZ WATSON: I will elaborate quickly on part of my contribution to the second reading debate. The intention is to clarify that what is to be conserved and enhanced is indeed native vegetation. The proposed words make that very clear. Another point which arose when I discussed this potential amendment with people from Kings Park is that it also serves the purpose of covering fungi, which currently are no longer classified as flora. If we had not looked at some sort of amendment here, perhaps we would have missed out on mushrooms and all those other fungi which it is very important to include in the objectives of the functions and powers of the authority.

Hon MAX EVANS: Being my age, I prefer the words flora and fauna, but the Government supports the amendment.

Amendment put and passed.

Hon GIZ WATSON: I move -

Page 7, line 14 - To insert after the word "to" the word "conserve,".

Hon B.K. DONALDSON: I wonder whether this is a little bit of an overkill. Clause 9(2)(b) refers to conserving and enhancing the flora and fauna of the designated land. The amendment moved by Giz Watson is to have paragraph (d) read "to conserve, develop, manage, display and undertake research". Her amendment is unnecessary. The intent of her amendment is picked up in paragraph (b).

Hon GIZ WATSON: Paragraph (b) covers the general conservation and enhancement of the designated land. The member

will note that paragraph (d) refers to "collections of Western Australian and other flora". There are two separate divisions. The amendment is adding the additional purpose relating to Western Australian and other flora.

Hon B.K. Donaldson: This is developing and managing. I believe that conservation comes under paragraph (b).

Hon GIZ WATSON: Paragraph (d) refers to another function of the authority to do with collections of material. Does that answer the question?

Hon B.K. Donaldson: It does not answer it but I will go along with the amendment.

Hon J.A. COWDELL: I view with concern the attempt by the government backbench to hold up this important government legislation and to derail the minister in this regard. I indicate that the Opposition will have no part in this exercise!

Amendment put and passed.

Hon GIZ WATSON: I move -

Page 7, line 17 - To delete the words ", flora and fauna" and substitute the words "biological diversity".

Page 7, line 18 - To delete the words ", flora and fauna" and substitute the words "biological diversity".

Amendments put and passed.

Clause, as amended, put and passed.

Clauses 10 to 52 put and passed.

Clause 53: Regulations -

Hon GIZ WATSON: I move -

Page 39, lines 17 and 18 - To delete the words "flora and fauna" and substitute the words "and biological diversity".

Page 39, line 20 - To delete the words "flora and fauna" and substitute the words "and biological diversity".

By way of brief explanation, these amendments are to achieve consistency in the Bill. The arguments for supporting them are exactly the same as those for the first amendment I moved.

Amendments put and passed.

Clause, as amended, put and passed.

Clause 54: Review of Act -

Hon NORM KELLY: I originally proposed to move some amendments. However, as it has been pointed out to me that there are still some inconsistencies in what I was seeking to achieve in these amendments, I will support this clause as it stands.

Clause put and passed.

Clauses 55 and 56 put and passed.

Schedules 1 to 3 put and passed.

Title put and passed.

Bill reported, with amendments.

BOTANIC GARDENS AND PARKS AUTHORITY BILL

Second Reading

Resumed from 17 September.

HON J.A. COWDELL (South West) [8.53 pm]: The Australian Labor Party welcomes this measure, supports the Bill and wishes it well in its much delayed passage.

Indeed, members on this side must agree with most of the statements made by the minister. I will not repeat all of them but will concur with some. Indeed, Kings Park is a name to conjure with these days. Of course, when it comes to election time, parties promise a Kings Park of the north and a Kings Park of the south. Only last night in Collie it was put to me that the farm coming up for sale could be the Kings Park of the Collie region, although it abuts about five shires. Nevertheless, that is an indication of the esteem in which the park and its board are held. Any measure that enhances and facilitates the role of the board is to be welcomed.

The minister stated in his second reading speech that the proper management of the park was an important issue for all Western Australians and that currently the asset was being managed under an Act that is more than a century old. Although it has been amended on various occasions, there was a need for a thorough overhaul. The Opposition agrees. A significant proposal in this legislation is to vest Bold Park in the existing Kings Park Board and to enable the management of both of those major parks.

The Government stated that the current legislation - the Parks and Reserves Act - is limited in that it is silent on the functions and powers of the State's botanic garden, that it provides very limited and unclear protection for the bushland involved, that it does not address the importance of Kings Park as a tourist and cultural heritage attraction, and that it severely inhibits the ability of the board to raise revenue and to deliver quality services and facilities. I believe those services and facilities have

been provided to an exceptionally high standard even under century-old legislation. Finally, the Government stated that the Act in question provides no statutory basis for important research work into the conservation of our floral heritage.

The Opposition sees the need to address these various deficiencies, statutory protection for the garden within Kings Park and the enhancement of bushland management. I note that the authority is entitled the "Botanic Gardens and Parks Authority". Perhaps it would have been better to call it the "Botanic Gardens, Urban Bushland and Parks Authority", because managing urban bushland is as important as managing botanic gardens.

The Government has pointed out the need for the new authority to have a clear focus on managing both Bold Park and Kings Park as tourist and recreation facilities. I was reminded earlier this evening to mention the need for adequate signage as two of my parliamentary colleagues who went wandering during the dinner recess became somewhat disoriented but fortunately made it back to the Chamber. I said I would raise that issue in my speech and I have done so while recognising the parks' importance as tourist facilities.

It was appropriate that those who drafted the legislation looked closely at the Victorian Royal Botanic Gardens Act 1991 and the New South Wales Royal Botanic Garden and Domain Trust Act 1980. I thank the officers who gave me a briefing on this matter and satisfied my few concerns.

I note with approval that the legislation specifically excludes the power to charge for entry to Kings Park, thus guaranteeing free public access. This is to be welcomed, particularly in the current era in which the list of free entry parks is rapidly diminishing and the other list of entry-charge parks is increasing as soon as it becomes apparent that money can be made. Although I welcome the assurance that no entry charges will be made into Kings Park and Bold Park, and I hope any other urban bushland, I hope we return to the situation in which the national parks managed by the Department of Conservation and Land Management are free to the public of this State. For the modest income that CALM makes from those sources that change should be made and I look forward, upon the restoration of the people's government, to some enlightened changes, not to mention access to beaches for the populace of the south west and elsewhere.

Obviously the Bill allows the new board to charge entrance fees for events or functions. I have been pleased to see the way the board has developed such functions, particularly the Shakespearean productions in recent years in Kings Park, using the backdrop most effectively. Presumably it will apply to the events that occur in Bold Park if this legislation covers the amphitheatre there.

The Labor Party welcomes the initiative of providing for a foundation that will ensure an appropriate appeal for private support and sponsorship. If it were successful, and I wish it well, I would not like to see this prove to be an alternative and provide an excuse for the Government to reduce its allocation to the management of these important parks. We would not want to see the new board go along the path of CALM of converting park areas to productive uses to make an income.

I noticed in one of the reports I was reading that the problems with some of the weeds and veldt grass eventuated because of a fundraising scheme when the board was short of funds and wanted to develop pasture or whatever else.

Hon Max Evans: I am lost; can you explain that further?

Hon J.A. COWDELL: Evidently the board, in presumably the 1920s and 1930s, was looking for ways to enhance its income and it saw agricultural-cum-pastoral pursuits as a way of doing that.

Hon Max Evans: You are discrediting your own speech. You should get your facts right.

Hon J.A. COWDELL: That is my understanding. I read a report that indicated that the problem with some of the grasses at Kings Park was that they had been introduced by the board.

Hon Max Evans: Are you saying the veldt grass was planted to run livestock?

Hon J.A. COWDELL: That was in the report. I look forward to the minister's response. My point is that I fully support the foundation so that the park board may have additional resources with which to develop that excellent facility rather than substitute resources for government allocations.

The other matters raised in the minister's speech were straightforward. I welcome the management plans, which will be developed and subject to scrutiny, and the relevant review of the Act and the requirement for ministerial approvals for granting leases or licences for longer than five years, for erecting permanent structures for roadworks or for other major capital works exceeding \$100 000 in value.

The final section dealt with by the minister was a range of penalties under the legislation. They seem to be comparable with the regime elsewhere but the minister might comment on whether that is the fact. The Australian Labor Party supports this ill and the initiatives in the minister's second reading speech which I highlighted. We look forward to the fact that this Chamber will now pass the Bill in a speedy fashion.

HON GIZ WATSON (North Metropolitan) [9.05 pm]: The Greens welcome the introduction of this Bill. It is a welcome

change. We acknowledge that it is necessary to amend an outdated Act. The objectives of the Parks and Reserves Act of 1895 are an interesting indication of what parks and botanical gardens were created for in the nineteenth century. Of course it was for beautification, the introduction of exotics and clearing of land. I will read the powers included in the Act and contrast those objectives with what we hope to achieve with a new Act.

Under the "Certain powers included in the general powers" to do with the Parks and Reserves Board it reads -

5. (1) In the exercise of its general powers in respect of the parks and reserves committed to them a Board of control and management may, among other things, do as follows:
 - (a) Fence in or otherwise enclose, clear, level, drain, plant, and form walks and carriage drives through and over such parks and reserves, or any part thereof;

It sounds like open slather for putting in roadways or whatever we want. To continue -

- (b) Construct dams and reservoirs for the retention and formation of sheets of water thereon;
- (c) Otherwise improve or ornament such parks or reserves, and do all such things as are calculated to adapt such parks and reserves to the purposes of public recreation, health, and enjoyment;
- (d) Establish and maintain zoological gardens therein;

It is interesting that in the light of Hon John Coddell's comments regarding running of stock paragraph (e) reads -

Grant licences for the depasturing of animals on such park lands and reserves, and take for the same such fees as the Board may, by any by-law, from time to time appoint;

The Act contains a provision to graze animals on those reserves. I believe Hon John Coddell was correct that at various times animals were able to graze there.

Finally, paragraph (f) reads -

Grant licences for the removal of any sand, gravel, or other earth or mineral, and for cutting and removing wood under such restrictions, and at such reasonable price, or such weekly, monthly, or yearly sum as the Board may think fit.

It is in contrast to what the community now expects parks to be managed for.

In the second reading speech it was stated that the existing Parks and Reserves Act was silent on its functions and powers. It is inadequate in its powers and functions for modern day thinking and management of parks and bushland. However, it was not silent, but was expansive about what could be done within parks. I concur with the comments in the second reading speech that the powers in the Act were very limited and unclear concerning protection for bushland. Indeed, that is the understatement of the year because those powers seemed to allow anything but the protection of bushland. Obviously the Bill reflects community expectations and acknowledges the importance and value of bushland and managing botanical gardens, something that has been understood for longer. I believe the Bill will go a long way towards meeting those expectations.

I concur that Kings Park is an icon for the State of bush management and conservation. I would be delighted if other outstanding pieces of bushland were also treated with the same degree of reverence and respect and as much attention was put into their management and conservation as is the case with Kings Park. In assessing whether this Bill addresses issues to do with the best management of Kings Park and Bold Park, I wish to ensure that the powers of the board, as created, enable the maintenance of biodiversity and the natural attributes of the bushland component of those parks. I foreshadow that I will move amendments in the committee stage, which the Greens will argue will improve or clarify the objectives of management being the maintenance of native biodiversity, rather than the more general objective of the conservation of flora and fauna, which is potentially open to interpretation because it does not specify whether the Government is talking about managing that area of bushland for its native vegetation and fauna attributes.

Bushland is a community asset which we are valuing more as we understand what it contains. It is important that we do not have the situation whereby the objective of making money either from tourist visitation or recreation overshadows that of conserving and managing those areas for future generations. This Bill has the correct balance and has built-in provisions which enable that balance to be struck. I also note that the Bill addresses the issue of community involvement in the creation and completion of management plans, which I welcome.

It is now accepted that the community has a right and is enthusiastic to be involved in consultations on the management plans for areas of bushland. Community groups and individuals have expertise which can be used in the formation of the best management plans for these areas. Members will be aware that many people in the community now become involved in the practical aspects of conserving and managing bushland. I know that both Bold Park and Kings Park have very active

community groups working with them and the Bill allows for their involvement. I acknowledge that it was a difficult Bill to draft. It attempts to cover the management of two different land uses; that is, botanical gardens and parkland - a created environment - and the natural bushland area of Kings Park, Bold Park and any other reserves that might be vested in the board. Therefore, the Government has drafted a Bill that accommodates the management of the two different objectives. I support the intention of the Bill to allow the board to manage other areas of bushland, particularly within the urban area. That provides an excellent opportunity for other areas of significant bushland in Perth to come under a sound management regime. Within the metropolitan region I suggest there are some very good areas which could become regional parks and which would meet all of the criteria for addition to the reserves regime. I mention the creation of a regional park south of Guilderton. It might be a useful addition to the responsibilities of the board if it were possible for that area to be managed as a regional park.

I pay tribute to the work of the Kings Park Board in the area of bushland management, particularly in relation to research. I am familiar with the work it has done in the management of environmental weeds such as bridal creeper, and the breakthroughs it has made in our understanding of the role of smoke in the regeneration of native Western Australian plants. That is vital work. I cannot speak highly enough of the research work that has been carried out, and also the protection of endangered flora. I have taken the time to visit the park and look at its research facilities, which are very impressive. I am sure this Bill will provide the authority with the security and necessary powers to continue that good work. In line with the comments of Hon John Cowdell, I express words of caution about charging fees to access parks and reserves. I accept that a provision exists for the charging of fees for certain events within Kings Park, and I accept the rationale behind that approach. However, the Greens strongly oppose fees being charged to enter urban bushland, national parks and reserves across the State. They are community assets and communal property. Charging an entry fee is inappropriate, so we need to set aside adequate funds from the consolidated fund to look after those areas and to recognise their value to the whole community.

The issue of sponsorship is also addressed in this Bill. We should be watchful of the companies that work in conjunction with boards which are managing public parks. The Bill does not set in place guidelines or restrictions for sponsorship. That is covered within a policy statement. I refer to the Kings Park sponsorship policy dated September 1998. The policy acknowledges that companies which are potential sponsors should be assessed for their suitability. I was interested to note the criteria used by the Kings Park Board. Paragraph (c)(iii) provides for a review of the public profile of the organisation to avoid conflict and embarrassment. I imagined that the board would require something more tangible than potential embarrassment. The criterion in paragraph (iv) is to reject sponsorship offers from organisations that have a "poor public image". I hope that we will look a bit deeper than the image of a company, and would be concerned about a company's environmental record rather than place emphasis on its image. Some companies would be able to present a good public image, but if one delved deeper their environmental records would be dubious and require a rigorous assessment. Paragraph (viii) requires a complete search of the company and parent company to evaluate the complete corporate image. Again, many companies put a lot of effort into the gloss on their corporate image, and I trust that the board will be vigilant in thoroughly examining the companies that wish to become associated with what is a state icon that has an extraordinary importance to the Western Australian community and, particularly, is dearly loved by conservationists who have put a lot of effort into assisting with its conservation.

I foreshadow moving amendments during the committee stage to clarify the issue that I raised earlier about the objectives of management of the bushland component.

HON NORM KELLY (East Metropolitan) [9,23 pm]: The Australian Democrats support the Bill. I understand that it was originally intended to pass this legislation through Parliament before the celebration of the one-hundredth anniversary of Kings Park. Unfortunately, that did not occur. However, it is good to see this legislation is now before the House, just a few years after the park's one-hundredth anniversary.

The current legislation has serious limitations, which have been mentioned by previous speakers, and I will not go through them in great detail. There is currently inadequate protection for the botanic gardens contained within Kings Park. Because of the evolving nature in the usage of Kings Park, the current legislation does not adequately address the responsibility of Kings Park as a tourist and cultural heritage attraction. It has severe limitations on its ability to raise revenue and to deliver quality services and facilities for people who use the park. It is a tourist icon in this State in which all Western Australians have a legitimate interest, no matter where they live in Western Australia. They have that interest in and ownership of that park, in much the same way that Western Australians - no matter where they live - have an interest in and ownership of the forests of the south west. We should protect all areas of natural beauty in a similar way.

The park has many uses, whether tourism, recreation or its scientific work in the botanical area. Kings Park is world renowned for the quality of its work. We are concerned about the issue of maintaining free public access, and it is reassuring that the Government has expressed its commitment to maintain that through the provisions in this Bill. Although the Bill allows people to be charged for going into the park for specific events, at least people can choose to pay that fee and to receive a direct benefit from the event they will attend. We do not have any problems with that and appreciate the Government's commitment to free general access to the park.

The new legislation encompasses Bold Park, and is set up so that new areas can be vested within the Botanic Gardens and Parks Authority. We would like to see that facility used readily. Other members have mentioned desirable sites for vesting in the authority's control, so that in future we may see bushland and various regional parks come under the control of the authority. The Bill also allows for the research and intellectual property rights to be expanded, so there will be a power to exchange botanical specimens between scientific and educational institutions throughout the world and to trade in the disposal of plants, seeds, fungi and the like. The management plans will undergo a public consultation process. There will be scrutiny of the future uses of the park when ministerial approval is required for the authority to exercise its powers relating to the disposal or acquisition of land, for granting leases or licences for longer than five years, for erecting permanent structures, for roadworks, or for other major works which exceed \$100 000 in value. Because people have that ownership of the park, the proposals that have been put forward in recent years, such as for the new restaurant and cafe complex, have generated a lot of public interest and vigorous debate.

Clause 9 provides that the authority is required to carry out a wide range of functions for the care, control and management of the parks and designated lands. The minister will have broad powers to appoint people to the authority. We are concerned that a future minister may want to concentrate the membership of the authority in areas such as tourism and neglect the research, scientific and conservation areas. However, we have been given an assurance by the Minister for the Environment that she will try to ensure that the membership of the authority reflects those functions as widely as possible. Although that is reassuring at this stage, ministers come and go, and we will look at that matter closely in future years to ensure that the membership of the authority retains its integrity by dividing its efforts evenly between those various functions.

We support the amendments that have been foreshadowed by the Greens (WA), because they address the need to retain the words "biological diversity", which are sometimes overlooked in the older-style terminology. We congratulate the Government on the Bill and support the Bill.

HON MAX EVANS (North Metropolitan - Minister for Finance) [9.32 pm]: I thank all members for their strong support for the Botanic Gardens and Parks Authority Bill. Obviously everyone has a soft spot for Kings Park and Bold Park. I lived in West Perth for 28 years, and Kings Park was part of my life when I was growing up. I lived in Mt Claremont for 20 years, and Bold Park was just around the corner. Therefore, I have been very closely associated with those parks.

It is interesting that in recent years, this House has passed legislation to allow the Kings Park Board to charge people to attend events within Kings Park. We considered that matter when the flower show was held in Kings Park for the first time, but we did not make any change for the first year. After that, we realised that it would cost a lot of money to make the flower show bigger and better, and the House was quick to pass legislation to allow charges to be levied. I think the board made \$150 000 last year, compared with \$20 000 in donations. That money goes back into making Kings Park a better place for everybody. More shows are being held there. That not only raises money but also brings a whole new clientele into Kings Park. People enjoy it for different reasons, and that is an excellent thing.

I have been very much associated with the Lotteries Commission's child activity centre at the old Hale School oval. The commission advanced about \$1.3m for that centre, and it tells me it has been so successful that it has not had to cut the lawns because they have been mowed down by children. That is a marvellous facility and brings a lot of people into Kings Park. It has a little coffee shop which is also very popular. One weekend I saw about 20 or 30 cars parked in Kings Park Road, and I thought a tennis tournament must be on and there was not enough room in the park to park vehicles. However, most of those people were at the child minding centre; only a few were playing tennis. That centre draws very big crowds. Pat O'Sullivan from the Meerilinga Young Children's Foundation has told me that Perth can do with another one or two of these centres. We are looking at whether we can improve the activity centre at Burswood Park near the Vlamingh memorial to make it bigger and better, because there is a great need for it. The activity centre at Perth Zoo is also very popular. Parents take their children to the zoo, and many of those children spend a large part of their time playing on the swings and roundabouts there. That is very good.

Kings Park Tennis Club has been an icon of Perth and Kings Park since well before my time. Major tennis tournaments such as the Davis Cup have been held there. In the 1950s, it was proposed to put the swimming pool that is now at Beatty Park in Kings Park on the corner of Thomas Street and Kings Park Road. However, the Parliament at the time decided it should be situated at Beatty Park.

I have a story for Hon John Cowdell about the veldt grass in Kings Park. We will do more research, and the people here tonight may be able to give me the full answer, but I have always thought that the veldt grass escaped from the university. It is a bit like all the lorikeets around Perth. There are now thousands of them. They actually escaped from people's homes years ago, and that was a major mistake. There is now veldt grass all around the suburban area.

In my younger days, a lot of people used to go horse riding in Kings Park. I am not certain whether that is prohibited now. Tim Keenan is one of the top orthopaedic surgeons in Perth, and his father, Patsy Keenan, used to be a regular rider to Kings Park from Subiaco. When I lived in West Perth, we had the wingies and stumpies hostel across the road, and they had big stables there and people would ride horses in the park. It was quite an active place for riding horses.

Hon Kim Chance: Wingies and stumpies? Is that politically correct?

Hon MAX EVANS: The TPIs. They were wingies and stumpies from the First World War. They had the bowling greens and everything else, and they were known as wingies and stumpies. People felt very kindly about them. They were wonderful old chaps. One famous person who stayed there was Douglas Bader, the legless pilot, and my mother raced across to get his autograph for me. It was quite an institution. That is part of what Kings Park has been over the years.

Comments have been made about the reservoir. We all know that the reservoir is there and covered over and has been a big part of the park.

Comments have also been made about the board. Hon Norm Kelly commented on the letter he received from the minister, which gives an assurance that the appointments to the board will be made following proper consideration of a full range of expertise relevant to the functions of the authority. From my knowledge I am aware that over the years, we have had very responsible boards. Kings Park is an icon of Perth, and I do not know of any board that has gone off the rails over the years.

Many years ago, a couple of old guns were found that had been buried by the rotunda near the war memorial. The board members obviously did not want to put them on show any more but did not know how to take them out of the park, so they dug a hole and buried them, and they were dug out again many years later. We still do not know what else we might find buried in Kings Park. I am certain the board will do a good job. The board needs not only experts but also caring people who understand what the public wants. The botanical gardens have been very well looked after over the years, and the direction is to go a lot further towards improving on the botanical gardens.

The Government will be supporting the amendments proposed by Hon Giz Watson. I am very glad the amendments use the words "biological diversity". We had a big show at the Western Australian Museum last year, which was opened by me but attended by the Lord Mayor of London. The sponsors used the word biodiversity. I asked all the top men at the Museum who run the show, and not one of them could explain to me what that word meant. I am glad those words will be put into the Bill, because it will help the next generation to know what we mean. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Hon Murray Montgomery) in the Chair; Hon Max Evans (Minister for Finance) in charge of the Bill.

Clauses 1 to 8 put and passed.

Clause 9: Functions -

Hon GIZ WATSON: I move -

Page 7, line 9 - To delete the words "the flora and fauna" and substitute the words "any native biological diversity".

Hon J.A. COWDELL: The Opposition supports all of the amendments standing in the name of my colleague Hon Giz Watson.

Hon GIZ WATSON: I will elaborate quickly on part of my contribution to the second reading debate. The intention is to clarify that what is to be conserved and enhanced is indeed native vegetation. The proposed words make that very clear. Another point which arose when I discussed this potential amendment with people from Kings Park is that it also serves the purpose of covering fungi, which currently are no longer classified as flora. If we had not looked at some sort of amendment here, perhaps we would have missed out on mushrooms and all those other fungi which it is very important to include in the objectives of the functions and powers of the authority.

Hon MAX EVANS: Being my age, I prefer the words flora and fauna, but the Government supports the amendment.

Amendment put and passed.

Hon GIZ WATSON: I move -

Page 7, line 14 - To insert after the word "to" the word "conserve,".

Hon B.K. DONALDSON: I wonder whether this is a little bit of an overkill. Clause 9(2)(b) refers to conserving and enhancing the flora and fauna of the designated land. The amendment moved by Giz Watson is to have paragraph (d) read "to conserve, develop, manage, display and undertake research". Her amendment is unnecessary. The intent of her amendment is picked up in paragraph (b).

Hon GIZ WATSON: Paragraph (b) covers the general conservation and enhancement of the designated land. The member

will note that paragraph (d) refers to "collections of Western Australian and other flora". There are two separate divisions. The amendment is adding the additional purpose relating to Western Australian and other flora.

Hon B.K. Donaldson: This is developing and managing. I believe that conservation comes under paragraph (b).

Hon GIZ WATSON: Paragraph (d) refers to another function of the authority to do with collections of material. Does that answer the question?

Hon B.K. Donaldson: It does not answer it but I will go along with the amendment.

Hon J.A. COWDELL: I view with concern the attempt by the government backbench to hold up this important government legislation and to derail the minister in this regard. I indicate that the Opposition will have no part in this exercise!

Amendment put and passed.

Hon GIZ WATSON: I move -

Page 7, line 17 - To delete the words ", flora and fauna" and substitute the words "biological diversity".

Page 7, line 18 - To delete the words ", flora and fauna" and substitute the words "biological diversity".

Amendments put and passed.

Clause, as amended, put and passed.

Clauses 10 to 52 put and passed.

Clause 53: Regulations -

Hon GIZ WATSON: I move -

Page 39, lines 17 and 18 - To delete the words "flora and fauna" and substitute the words "and biological diversity".

Page 39, line 20 - To delete the words "flora and fauna" and substitute the words "and biological diversity".

By way of brief explanation, these amendments are to achieve consistency in the Bill. The arguments for supporting them are exactly the same as those for the first amendment I moved.

Amendments put and passed.

Clause, as amended, put and passed.

Clause 54: Review of Act -

Hon NORM KELLY: I originally proposed to move some amendments. However, as it has been pointed out to me that there are still some inconsistencies in what I was seeking to achieve in these amendments, I will support this clause as it stands.

Clause put and passed.

Clauses 55 and 56 put and passed.

Schedules 1 to 3 put and passed.

Title put and passed.

Bill reported, with amendments.