

# Legislative Council

Thursday, the 9th November, 1978

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

## BILLS (6): ASSENT

Message from the Governor received and read notifying assent to the following Bills—

1. Public Service Bill.
2. Acts Amendment (Public Service) Bill.
3. Shipping and Pilotage Act Amendment Bill.
4. Road Traffic Act Amendment Bill.
5. Consumer Affairs Act Amendment Bill.
6. Law Reform Commission Act Amendment Bill.

## QUESTIONS

Questions were taken at this stage.

## CONTROL OF VEHICLES (OFF-ROAD AREAS) BILL.

### *Receipt and First Reading*

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

## COLLEGES BILL.

### *Third Reading*

**THE HON. G. C. MacKINNON** (South-West—Leader of the House) [2.47 p.m.]: I move—

That the Bill be now read a third time.

**THE HON. R. HETHERINGTON** (East Metropolitan) [2.48 p.m.]: When I spoke in the second reading debate on this Bill I said the Opposition supported it with reservations. This remains the case, but my reservations are now stronger than they were when the debate began. What perturbed me about the debate was the cavalier way in which the Minister for Lands, who was speaking on behalf of the Minister for Education, rejected any suggestions put forward by the Opposition. He failed to answer any questions I asked, and at one stage made the statement that I would learn that the Westminster model suggested that the people with the numbers have their way. Certainly the way he treated this Bill was a crude expression of the use of numbers, because he offered me no argument, no explanation, or anything else.

If that is the best the Minister for Lands can do then in future he can expect from me less respect than I have accorded him in the past.

Perhaps the Opposition will be less co-operative on matters if we cannot even get decent replies to questions we ask in Committee. For those reasons, although I am still not opposed to the Bill, my reservations are stronger than they were when the debate began.

**THE HON. G. C. MacKINNON** (South-West—Leader of the House) [2.49 p.m.]: I sat and listened with a great deal of interest to a number of matters discussed in the debate on this Bill because, as members will be aware, I had some experience in the organisation of college committees from the practical point of view.

There comes a time when the only real answer to the question is the one which the Hon. David Wordsworth gave in all good faith. His answer was that the way in which a particular policy is pursued by the party which wishes to pursue it is by that party gaining a majority of seats in the Legislative Assembly and thereby obtaining the reins of government. A number of options is always open to a person. One sifts through those options and chooses one, almost invariably on recommendation. The options are placed before the Minister; the Minister selects the one which he or she prefers, and if necessary the Minister sends it to Cabinet. That is the way things are done.

The attitude adopted by the Hon. Robert Hetherington was, I thought, pretty iconoclastic. His attitude did not display a knowledge of even the recent history of some of the college boards.

**The Hon. R. Hetherington:** That certainly was not in line with anything the Minister said.

**The Hon. G. C. MacKINNON:** There are occasions when Ministers are reluctant to provide information which is requested. There was some bother the other day about exactly that sort of situation when the Hon. Roy Cloughton saw fit to read in this House a letter from a headmaster.

**The Hon. R. Hetherington:** Do not try to wriggle out of that one.

**The Hon. G. C. MacKINNON:** I am not trying to wriggle out of that one. Since that time, my office telephone has been jammed with calls from parents ringing to support the statement I made. Most of those telephone calls have been anonymous. There has not been a single telephone call in support of either Mr Cloughton or Mr Hetherington.

**The Hon. F. E. McKenzie:** They have all gone to Mr Hetherington and Mr Cloughton.

**The Hon. G. C. MacKINNON:** If that is so, they may have had two or three calls. I am stating the position so far as my office is concerned.

The Hon. R. Hetherington: Your statement was disgraceful.

The Hon. G. C. MacKINNON: The most inept statement I think I have ever heard in this place was the one which indicated that there would be no politics on the boards. I would like the Hon. Grace Vaughan to speak about the politics—

The Hon. R. Hetherington: That was not what I said; but of course you could not stick to the truth.

The Hon. G. C. MacKINNON: I do not mean party politics. I am talking about the sort of politics within the framework of the actual college itself.

The Hon. R. Hetherington: I spoke about the college—

The Hon. G. C. MacKINNON: Mr Hetherington is making sure that what he is saying is recorded in *Hansard* although nobody else can hear him.

The Hon. R. Hetherington: I am saying that you misrepresented what I said.

The PRESIDENT: Order!

The Hon. G. C. MacKINNON: I am not misrepresenting what the member said. I am just making a plain statement of fact.

The Hon. R. Hetherington: You had better go back and read the *Hansard* report to find out—

The PRESIDENT: Order!

The Hon. G. C. MacKINNON: I think the Minister was patience personified—

The Hon. R. Hetherington: Nonsense!

The Hon. R. F. Claughton: All the Leader of the House is doing is giving a lot of misinformation—

The Hon. R. Hetherington: He could not explain any of it, because he did not know what it was about.

The Hon. G. C. MacKINNON: I can recall a situation similar to this one. That occurred when the Hon. Gerald Wild was the Minister for Labour. He was trying to amend the Arbitration Act. There was a provision in the amending Bill with regard to voluntary unionism.

I had a conference with unionists in Bunbury. There was a man named Young at that meeting, and he was totally opposed to that amendment. He said, "This one will never get off the ground." I said, "It will, you know." He said, "Our party is not in favour of it." I said, "We are wasting time talking about it." He agreed. It is a waste of time talking about such things.

Mr Hetherington interjected.

The Hon. G. C. MacKINNON: I am not talking nonsense. This sort of thing is alien to the member's cerebral processes.

The Hon. R. F. Claughton: You are just talking rubbish.

The Hon. G. C. MacKINNON: The Minister was patience itself. He gave ample opportunity for discussion. A situation was reached where it was pointless to allow the matter to go any further. He gave a pragmatic and practical answer.

I commend the Bill to the House.

Question put and passed.

Bill read a third time and passed.

### APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

#### *Consideration of Tabled Paper*

Debate resumed from the 2nd November.

**THE HON. LYLA ELLIOTT** (North-East Metropolitan) [2.56 p.m.]: There is a number of matters I wish to deal with this afternoon. My first concern is in relation to housing.

No subject provides clearer evidence of the way in which a Government regards the importance of the well-being of families than does its actions and attitudes in relation to housing. The present Government should be strongly criticised on this issue. The relentless fall in the number of State Housing Commission homes being built is absolutely scandalous.

Let us look at the statistics. During the years of the three Tonkin Government Budgets from 1971 to 1974 there were 2 254 housing units built under the State Housing Act. If members were to make the calculation, they would arrive at an average of 751 units a year. In the four years of the Court Government, that Government has built only 1 161 units under this Act, and that figure averages out to 290 a year. It has dropped from 751. This year, the Government will not build any housing units at all under the State Housing Act.

During the three years of the Tonkin Government, there were 3 543 units built under the Commonwealth and State Housing Agreement. In the four years of this Government, that figure dropped to 2 689. In this year, the number built will be 313.

Let us look at the statistics in relation to applicants to see whether there is a continuing demand, or whether the demand might have decreased. Members may remember I asked a question recently in relation to housing. The Minister

told us that at the moment there are 6 743 applicants for the rental of homes, and 6 471 applicants for the purchase of homes. There is some degree of duplication in those figures. Some people apply both for the rental of homes and for the purchase of homes from the State Housing Commission.

I said on another occasion that the Federal allocation to the State for housing purposes this year was disgraceful. That allocation dropped from \$36.7 million in the last financial year to \$29.8 million for this year.

The difference in money terms is \$6.9 million, which is bad enough; but in real terms it represents a cutback of \$10.8 million or 29.4 per cent. I would like to know, Mr President, what the State intends doing in this vital area of social welfare. How is it helping all those people on low incomes who need to be assisted with reasonable rents if they are to live in dignity with their families? Why is not this Government building homes under the State Housing Act, as the Tonkin Government did? The annual report of the State Housing Commission—

The Hon. O. N. B. Oliver: In regard to 1972-73, there was an increase in the money available under the Commonwealth and State Housing Agreement.

The Hon. LYLA ELLIOTT: I have just quoted the figures.

The Hon. G. E. Masters: I cannot follow you. When I spoke last week you said you could not follow me.

The Hon. LYLA ELLIOTT: I can follow the honourable member.

To proceed, the State Housing Commission annual report for 1977 shows at page 29 that the percentage of tenants receiving rebates of rent has grown steadily from about 17 per cent in 1970 to 37 per cent last year. The report indicates that last year the number of tenants in receipt of a rebate of rent increased by 1 119 to 8 752 during the year. The number of unemployed people and supporting mothers is not decreasing.

The Hon. O. N. B. Oliver: I thought you were talking about the Commonwealth and State Housing Agreement.

The Hon. LYLA ELLIOTT: I wish the honourable member would listen to what I am saying.

The PRESIDENT: Order! I would like members to refrain from engaging in audible conversation. The *Hansard* reporter is finding it difficult to hear the member on her feet.

The Hon. LYLA ELLIOTT: For Mr Oliver's benefit I am pointing out that under both the Commonwealth and State Housing Agreement and the State Housing Act there has been a vast decrease in the number of State Housing Commission units built; at the same time there has been a dramatic increase in the number of people on low incomes who require homes. Perhaps Mr Oliver can understand that.

When I asked a question of the Minister a week or so ago as to the number of State Housing Commission homes built last year, and the number it intends to build this year, I was absolutely shocked at the figures supplied by the Minister. I shall not go through all of them. To build 313 housing units in the present financial year under the Commonwealth and State Housing Agreement when there are over 6 000 applicants for rental homes, and to build none under the State Housing Act, is really irresponsible on the part of the Government.

When I saw those figures I thought perhaps that the Government may intend more people to acquire purchase homes, and that more funds would be made available through the home purchase assistance account. So, I asked another question on notice as follows—

- (1) How many homes were built under the Home Builders Account for the year 1977/1978?
- (2) How many homes is it estimated will be built under the Home Builders Fund during the current financial year?

What do we find in the answer? Not only will there not be an increase in the number, but there will be another decrease from 492 last year to only 400 this year; this is a drop of almost 20 per cent.

I believe that the policies being followed by the State and Federal Governments in respect of housing are unbelievably stupid. Surely, decent housing is one of the most important factors in the well-being of families. Lack of adequate housing can be a factor in family breakups, in ill-health, in baby battering, in adversely affecting the education of children—just to name a few of the social ills.

Probably the most seriously disadvantaged group in the community in respect of housing would be the Aboriginal population. Let us look at some of the figures in this regard. They show that last year only 39 units were built under the Aboriginal housing scheme, when there were some 1 000 applicants on the books of the commission. This financial year 45 units will be built for 1 092 applicants. In fact, it should be

noted that funds from the Commonwealth permit the completion of only 30 units this year. There was a carry-over of 15 units from last year.

The situation is reaching crisis point and is getting worse, yet this Government fiddles around building about 40 homes a year for these people when there are 1 000 families on the waiting list. These are only the ones appearing on the books of the State Housing Commission; there are others who are not shown in the books. They are people living in the bush, under bridges, and with relatives—people who will not be accepted by the State Housing Commission for certain reasons.

There is no shortage of hard, cold facts to indicate to the Government the seriousness of the situation. In this regard one only has to look at some of the authoritative reports that are available. For example, if we look at the 1977 report of the Commissioner for Aboriginal Planning we find he had this to say—

Aboriginal housing remains an area of very great need—a recent survey indicating that the backlog now exceeds 1 800. As the annual demand is estimated to be some 225 homes and as the total funds available from all sources do not anywhere near meet even this need, the extreme seriousness of the overall situation is evident.

In addition to those comments by the Commissioner for Aboriginal Planning (Mr Gare), the joint survey that has been done by the Anglican and Uniting Churches, and the survey by the Department for Community Welfare's special project on Aboriginal homelessness, provide an abundance of evidence of the great needs and human suffering involved. As Margaret Bradley points out in the publication entitled "Making Room"—

The social systems that operate to keep the Aboriginal in a powerless position are all interrelated and disadvantage in one area causes disadvantage in another, e.g. a child in a grossly overcrowded household suffers ill health which affects his schooling, which affects his chances of obtaining employment, which in turn will affect his chances of obtaining adequate accommodation later on.

The report points out that when the State Housing Commission took over the housing of Aborigines from the Department of Native Welfare in 1972 it guaranteed to double the 110 to 120 dwellings a year allowed under the Department of Native Welfare's programme for the State—and, in fact, in the first 12 months claimed to have housed 533 Aboriginal families—with a commitment to

house all Aboriginal people by 1983. Had that been done, the situation today would be a lot better than it is.

The report sums up the groups which are in urgent need of shelter. They include—

Families awaiting SHC allocation, families suffering eviction and those in transit.

Homeless women. It has been estimated that there are up to 200 homeless women in the East Perth and West Perth areas at continual risk from assault.

The report goes on to list other groups also in urgent need of shelter—

The sick and elderly.

Young single mothers from 13 and 14 years of age.

The very mobile groups of girls and boys aged 10 to 18 years who leave home to escape home pressures or to seek excitement.

In addition, it was suggested that there should be a hostel where those who are on parole could feel they are accepted; a hostel in the Medina area for a group of homeless men with drinking problems; and cheap rental accommodation in the Midland area where there is acute overcrowding—50 people were recently counted in one duplex.

In its summary and recommendations, the Department for Community Welfare special project team said—

The work of the Special Project on Aboriginal homelessness has shown that Aborigines are seriously disadvantaged in their accommodation needs in Perth.

There are insufficient numbers of government supplied conventional houses and hostels to meet the needs of families and individuals seeking these forms of accommodation.

Many suburban houses are grossly overcrowded because of the shortage of accommodation.

Many families and individuals are forced to live without adequate shelter in parks, under bridges and in fringe camps . . .

This aptly sums up the situation which is a disgrace to a so-called State of excitement. The special project team suggests major initiatives in the following areas—

The development of a major government programme in Perth to meet the shortfall in conventional houses.

We will not get very far by building only 40 a year. The team also recommends—

Immediate action to provide temporary emergency accommodation through—

- (a) transient hostels for families;
- (b) serviced camping areas or "caravan parks" to replace fringe camps;
- (c) homeless persons centres for Aborigines and/or easier access to existing night shelters and lodging houses which tend to discriminate against homeless Aborigines.

Encouragement and financial support for Aboriginal self help projects to provide housing and, as an immediate ameliorative measure, an information and advisory service to be established in Perth for Aboriginal families and individuals with accommodation problems.

In reply to a question I asked I have been told that the last recommendation concerning the information and advisory service has been accepted in principle.

In part I of the report, on page 56 is the following—

Aboriginal housing needs are desperate in Perth. The government housing programme has simply not kept pace with the needs of the growing population.

That is the situation. The tremendous amount of work done by the special project team provided an abundance of evidence and a clear picture of the problems and of worth-while solutions. The Government is obliged to act on the recommendations. Unless it does so it will reveal that the whole exercise was both a waste of taxpayers' money and a farce.

The next subject with which I wish to deal is the need for cycleways in this State. On the 28th February this year, an item appeared in *The West Australian* indicating that Victoria was to spend \$1.6 million on bicycle planning. The article reads—

The Victorian Government yesterday gave the bicycle official recognition. The State Cabinet approved an allocation of \$1.6 million for a five year bicycle plan for Geelong and set up a State bicycle fund which will pay for a similar scheme in Melbourne.

Since that article appeared in the paper, several reports have been published in Western Australia concerning the number of cyclists killed or injured on the roads here. One of those was the son of a friend of mine.

On the 10th August, in reply to a question by me to the Leader of the House, representing the Minister for Police and Traffic, I was told that since 1973, 35 cyclists have been killed here. The death of another seven-year-old a week or so ago has taken that total to 36. The Leader of the House also told me that, between 1973 and 1977, 1 113 cyclists were injured. The figures for 1978 were not available.

I asked another question as follows—

- (1) What action has the Government taken on the recommendations on pages 4 and 5 of the Cycleways Advisory Committee report dated August, 1975?

The Minister replied—

The Minister for Local Government has appointed an advisory committee to examine the whole question of bicycle use in the metropolitan area.

I might add that this was three years after the report was submitted. I would like to know what the Government has been doing in the meantime and why it did not appoint the committee much earlier.

The Hon. G. C. MacKinnon: How much has been spent in the State on cycleways?

The Hon. R. F. Cloughton: Not very much.

The Hon. LYLA ELLIOTT: Nothing very much by the Government, as far as I am aware.

The Hon. G. C. MacKinnon: Bassendean built an expensive cycleway.

The Hon. LYLA ELLIOTT: Local authorities have been spending money on cycleways.

The Hon. G. C. MacKinnon: What is the total expenditure? I think it is about \$250 000.

The Hon. LYLA ELLIOTT: I have not added up what the local authorities have spent. I am referring to Government expenditure.

The Hon. G. C. MacKinnon: More has been spent per head of population in Western Australia than in Victoria.

The Hon. LYLA ELLIOTT: By the Government?

The Hon. G. C. MacKinnon: Any Government—local government, State Government, or Commonwealth Government.

The Hon. LYLA ELLIOTT: I am talking about the State Government.

The Hon. G. C. MacKinnon: You must talk about what has been done, not by whom.

The Hon. R. F. Cloughton: Some have been built with funds supplied under schemes initiated by the previous Whitlam Government.

The Hon. G. C. MacKinnon: I do not mind who provided the money.

The ACTING PRESIDENT (the Hon. I. G. Pratt): Order! Will members please allow Miss Elliott to continue her speech?

The Hon. LYLA ELLIOTT: Thank you.

The Hon. G. C. MacKinnon: The honourable member was so wrong in the reasons concerning the other point that I thought I would correct her on that one too.

The Hon. LYLA ELLIOTT: What did the Minister say?

The Hon. R. F. Cloughton: He was probably wrong.

The Hon. LYLA ELLIOTT: As usual the Minister is mumbling so that only *Hansard* can hear.

The Hon. R. F. Cloughton: He was providing more wrong information.

The Hon. LYLA ELLIOTT: The second part of the question was—

- (2) What funds, if any, have been allocated by the Government for the establishment of cycleways in this State?

The answer was—

The question of funding the establishment of cycleways will be included in the recommendations of the committee.

I certainly hope it will not be another three years before the Government takes some action to ensure the establishment of cycleways in the State.

As I indicated when replying to an interjection by Mr MacKinnon, I am aware that some local authorities have done a little work in this area, but it is not enough. A great deal more is required. The project is proceeding far too slowly. To a large extent local authorities are dependent on Government co-operation and assistance with funding. They cannot provide all the finance themselves.

This has become an urgent matter and has been taken seriously throughout other parts of the world. Suddenly it has been realised in the affluent developing countries where the motorcar has been king for so long that the bicycle should be given a chance, not only as a form of transport, but also as an important factor in the health of the nation. I place expenditure on cycleways in the same category as many other preventive measures which would save the Government a great deal of money. Also it will reduce the human suffering as a result of death and injury following accidents, and will reduce the high cost of hospitalisation and rehabilitation.

The use of a bicycle instead of a motorcar has a number of advantages. For example, far less would have to be spent on freeways and car parks. A total of 16 bicycles can be parked in the space taken by one car. Travelling costs would be greatly reduced and fuel would be saved.

Only yesterday in my office I received a copy of a Press statement from the Federal Minister for National Development (Mr Newman). No doubt other members have received the same Press statement which reads—

#### New Statistics Emphasise Need for Petroleum Conservation

The Minister for National Development, Mr Kevin Newman, released in Canberra today his Department's publication "Petroleum Statistics" for the fiscal year 1977-78. He commented that the statistics emphasised the need for a vigorous approach to petroleum conservation, particularly in relation to the usage of motor spirit.

What better way to conserve motor spirit than to have people who ride bicycles in safety?

I will return to some of the advantages of bike riding. There is less noise pollution and traffic congestion, and it is good for our health so long as it can be done in safety. Doctors tell us that Australians are becoming a fairly unhealthy obese race of people, and that we should get more exercise. This has been highlighted through the "Life. Be in it" campaign. We are told to get more exercise, but it is not much use getting more exercise if one is killed in the process.

Money is being spent by the State Governments of Victoria, Queensland, South Australia, and New South Wales on cycleway planning and construction. Cycleways are well advanced in the United States, Europe, and Britain. The reports I have read show that when cycleways are established people take advantage of them.

In the United States there are six major sources of Federal funds available for cycleways and related development. The Federal Highway Safety Act, 1966, provides funds for bicycle safety education. The Federal Highway Act, 1958, provides funds on a 90 per cent Federal and 10 per cent State basis for some projects, and on a dollar-for-dollar basis for others. The Land and Water Conservation Fund Act, 1955 and the Department of Housing and Urban Development grant programmes also make provision for cycleways. The Economic Opportunity Act, 1964, provides jobs for young men between the ages of

16 and 24 years in developing, managing, and protecting public recreation areas, including cycle trails.

There are also State programmes. For example, in Oregon, the 1971 legislation provides that not less than 1 per cent of funds received from the State Highway Fund by any city, county, or the State Highway Commission will be expended for the establishment of footpaths and hike trails.

In Washington legislation authorises that a portion of the Washington Highway Department's funds is to be spent on cycle trails and cycle path development. In 1973 Florida introduced legislation to provide that a portion of the State's petrol tax would be used on the construction and maintenance of cycle trails and footpaths. Illinois, also in 1973, passed legislation that 1 per cent of petrol tax should be spent on the establishment, designation, and maintenance of cycleways and footpaths. Hawaii spends money from general revenue from the highway fund for bicycling facilities.

I would like to refer to a report written by Dr Peter Newman, a lecturer in environmental science at Murdoch University. He says—

In the U.S. there are now over 130 million bicyclists; over half the population ride bikes. More bikes than cars are now being sold each year—in 1974, 16 million were sold. What are they doing to link these cyclists into the transportation system? From 1974-76 the Federal Government provided \$120 million with an additional \$40 million from the States for building cycleways. Some 25 000 miles of separated cycleway have been built.

Later on in the same report he says the bicycle boom is on in Perth too with record sales by both manufacturers and agents. It continues—

Perth is ideally suited for cycling, its climate is perfect. Its terrain is perfect, we have wide roads and footpaths and wide verges, traffic density is never very great and we are a rich city that squanders money in all directions on massive roadway systems. All we need is a new sense of priorities from those who plan the future of Perth.

I ask the Government to develop that new sense of priorities and to ensure the early establishment of comprehensive facilities for cyclists in this State.

The Hon. N. F. Moore: I would sooner it spent the money on gravel roads in my electorate.

The Hon. R. F. Cloughton: You think it is a case of either/or, do you?

The Hon. LYLA ELLIOTT: I would think the cyclists in the honourable member's electorate would be much safer than the cyclists in mine.

The Hon. N. F. Moore: It takes a long time to cycle from Leonora to Agnew.

The Hon. H. W. Gayfer: I do not want to interrupt the honourable member, but we are finding it a little difficult to hear her. A little while ago I thought she referred to "wise virgins" but apparently what she said was "wide verges"!

The Hon. LYLA ELLIOTT: I am sorry but I have a sore throat. I am doing my best.

Another area which concerns me is the need for more Government support for sport in this country. The Government should be a little more sporting towards our sportsmen, who I believe have been very badly treated.

On the 10th October a statement appeared in the sporting pages of *The West Australian*. The statement was headed, "Sports face bankruptcy" and it was a report of a letter from the President of the Confederation of Australian Sport to the Prime Minister expressing the disgust of that organisation at the miserable amount allocated by the Fraser Government to sport. It pointed out that some associations will be bankrupted, others will be extremely frustrated, and still others will not achieve their desired progress.

In it, in addition to being told of the poor position of sporting groups in Australia, it compared the annual allocation for sport in this country of a paltry 9c per head of population with that of Canada, \$1.46 per head; and Britain, 47c per head.

The Hon. H. W. Gayfer: Is that for the whole of Canada?

The Hon. LYLA ELLIOTT: Yes. So there is no doubt that the rest of the world is leaving us way behind in the sporting area. One only has to remember the humiliation of our athletes at the Montreal Olympics—

The Hon. G. C. MacKinnon: I deny that. I do not think they were humiliated at all. I thought they did a magnificent job for a country with a population of 14 million.

The Hon. Grace Vaughan: In relation to past achievements.

The Hon. G. C. MacKinnon: But why rubbish them. I think they did very well; they certainly tried their best.

The Hon. LYLA ELLIOTT: I am really talking about the ability of other sportsmen as a result of the support they received from their Governments. Surely the Minister is talking nonsense.

The Hon. G. C. MacKinnon: Nothing of the sort.

The Hon. LYLA ELLIOTT: Surely the number of medals a country wins must be some indication of the standard that its sportsmen and women have reached in comparison with those in other countries. Australia has a very proud record in international sport. I am very proud of our athletes and what they have achieved over the years.

The Hon. G. C. MacKinnon: I am glad I helped you put that into the record, because it didn't sound like that a moment ago.

The Hon. LYLA ELLIOTT: The Leader of the House for his own purposes always twists what members of the Opposition say. He is not very sporting.

The Hon. G. C. MacKinnon: I am only trying to help you.

The Hon. LYLA ELLIOTT: God preserve me from people trying to hinder me if the Leader of the House is trying to be helpful to me! As I was saying, our athletes have a very proud record. I do not know whether members realise this, but of all the countries that have participated in the 21 Olympic Games since the first modern Olympics was held in 1896 in Athens, only four countries have been represented on every occasion, and Australia is one of the four. The other three countries are the United States of America, Great Britain and Greece. It is very sad that Australia has dropped so far from the position of being one of the leading sporting nations of the world to one which no longer is regarded as a threat in international sporting competitions.

The Hon. G. E. Masters: That is not true. It may be true in the field of athletics, but we still have a fairly good cricket team. The world still holds us in high regard.

The Hon. LYLA ELLIOTT: That is not correct. At the last Olympic Games, if my memory serves me correctly, Australia won only one silver medal and about three bronze medals. Members should look back at some of the fantastic records set by the sportsmen and sportswomen of this country during the Olympic Games in Melbourne and elsewhere.

The Hon. G. C. MacKinnon: You are talking about only one sphere. Australia still has many world champions. For example, we have the world female netball champions.

The Hon. G. E. Masters: Surely you recognise we have some world class teams in sports—not necessarily in athletics, of course.

The Hon. LYLA ELLIOTT: Members opposite should read some of the comments made by people directly involved in sport. For example, the Confederation of Australian Sport is not very happy with the situation. They are the experts; they are the ones who know what it is all about.

As I was going to say before I was so rudely interrupted, one of the many fine things done by the Whitlam Government was to establish the Australian Sports Institute Study Group in 1974. Its report, brought down in 1975, just prior to that infamous event of the 11th November, 1975, was hailed by the Press as being the "foundation stone for a healthier Australia, and a springboard for gold medals in the 1980s".

This body, established by the Whitlam Government, brought out some comprehensive and worthwhile recommendations about what the Government should be doing to support sport in Australia. However, like so many other good projects initiated by the Whitlam Government it was soon relegated by the Fraser Government to a position of little importance, and its allocation of funds was drastically reduced.

I would like to see the State Government strongly press the Fraser Government to provide sufficient funds to enable the recommendations of this study group to be implemented. If Australia is to regain its former status in the international sporting arena and is to assist young people to develop into healthy citizens through active participation in sport, the State and Federal Governments must spend a great deal more money on sport than they have in the past.

I wish to comment now on another favourite subject of mine; namely, funding for community health services. Under the heading of "Health Services" the Treasurer referred in his Budget speech to the reduction in Commonwealth funding of the recurrent costs of community health services from 75 per cent last year to 50 per cent this year. The Treasurer also complained about the drastic cuts in Commonwealth assistance to meet the operational costs of school dental clinics, and stated that the reduction in funding "has posed a serious problem for the Government and it has been necessary to reappraise our commitment to these services".

Mr President, who was the person who condemned the Whitlam Government for its generosity in the areas of community health and welfare spending? Who called it irresponsible extravagance, and whose constant smear campaign and carping about the Whitlam Government's centralism helped to bring that Government down? It was none other than the Treasurer (Sir Charles

Court). He is now getting a taste of what so-called federalism is like under the Fraser Government.

Not only the State Government has been embarrassed by the Fraser Government's spending cuts in these areas; many State departments and community organisations involved in the community health and welfare field also have been put in a difficult situation.

One such organisation is GROW, which is a voluntary group providing an extremely valuable community service. I recently attended the annual general meeting of GROW. It was formed 21 years ago as a national body to provide support and rehabilitation for former mental health patients and to provide support for people who might be suffering from stress. Over the years, it has helped thousands of people back on their feet and into the community, and it has helped to prevent other people from "dropping out".

GROW has 35 groups operating in Western Australia and about 350 people attend these groups weekly—although they say some 4 000 people throughout the State actually are involved in the association.

When GROW first received financial assistance from the Federal Government it was on the basis of 90 per cent of its running costs. Then we saw the advent of Mr Fraser, who soon cut Commonwealth spending on community health and welfare projects to 75 per cent of their running costs; and, as members are aware, this year it has been callously pruned even further to only 50 per cent.

The Federal Government has told GROW this year that it can have \$30 000, but only if it can raise \$30 000 of its own. This is practically an impossible task for such an organisation.

The policy of progressively reducing funding to areas such as this not only is inhumane but also is economically stupid. I have stated in this Chamber on more than one occasion that money spent on preventive health measures and primary health care ultimately saves the Government far greater expenditure, apart from the fact that it is more desirable from the point of view of the human beings involved. In other words, in the long term the Government saves by supporting these areas.

I want to give an illustration of what I mean. The last available report of the Director of Mental Health tells us that in 1976-77 the average weekly cost to keep an in-patient in a psychiatric hospital was \$333.20. I have not been able to obtain the most up-to-date figure, because the 1978 report is not available. However, I have calculated this

weekly cost now would be about \$400; in fact, my calculation was verified by a person to whom I spoke in the Mental Health Services. If we multiply that weekly cost of \$400 by 52 we arrive at a figure of \$20 800. In other words, it costs \$20 800 to keep one patient in a psychiatric hospital for one year.

If the 350 people GROW presently is helping to keep out of hospital and in the community were to go to hospital for one year—the period for which GROW has been told it can have \$30 000, with impossible strings attached—the cost to the Government would be in the vicinity, believe it or not, of \$7 million. Just compare that figure with the miserable amount of \$30 000 which has been offered to GROW with strings attached.

Also to be taken into consideration is the added loss to the community of the social and economic contribution that would normally be made by those who are hospitalised.

I am aware the State Government recently allocated \$10 000 to GROW, and I applaud its action. I was very pleased to see that come about, but I would like the amount to be increased, because it would be extremely difficult for GROW to raise the other \$20 000. This organisation is already talking about putting off staff and having to curb its activities.

The 1977 *Year Book* reveals the very disturbing fact that in 1976 suicide was the second largest killer of young people in Australia between the ages of 20 and 24 years. The greatest cause of death in this age group was road accidents. It is very sad and frightening to think that the pressures on young people today are so great that so many of them feel unable to cope, to the point where they take their own lives.

Organisations like GROW are playing a very important role in helping people such as these. I believe this organisation should receive all the help possible to enable it to continue its good work.

On the 20th September a statement appeared in the *Daily News* by the Minister in charge of the 150th year celebrations (the Hon. G. C. MacKinnon) that the Aboriginal hero, Yagan, was not important enough to warrant a commemorative sculpture. The Minister is reported to have said in that edition of the *Daily News*—

"The government, acting on the advice of local historians, had decided Yagan was not important enough to warrant a commemorative sculpture.

"There would always be argument about the authenticity of Yagan's doings," he said.

Just listen to what the Minister had to say further—

"We are looking for something that will be a lasting thing, and Yagan is too controversial.

"But the government is keen to have a statue that is representative of the Aboriginal people for the celebrations."

On the 10th October I addressed a question to the Leader of the House as follows—

In view of his statement that the Aboriginal leader Yagan was not important enough to warrant recognition in the 150th Anniversary Celebration, will he advise what plans the Government has to recognise the fact that Western Australia was inhabited by a race of proud independent Aboriginal people before the arrival of the Europeans?

The reply was—

The Government has not forgotten that Western Australia was inhabited by the Aboriginal race before European settlement in 1829.

I interpolate to point out that if one reads the pamphlet "The Way West" one might get a very different idea.

The Hon. G. C. MacKinnon: I find it difficult to follow you. Why do you not quote the best historians in Western Australia, Sir Paul and Lady Hasluck?

The Hon. R. F. Cloughton: They are not infallible.

The Hon. G. C. MacKinnon: In that area of history of the State they are closer to the facts than anybody else. They are the best.

The PRESIDENT: Order! Members are reminded that there is a long-standing convention in this House indicating that reading from newspapers is out of order. I suggest that members comply with that convention. Miss Elliott may proceed with her speech.

The Hon. LYLA ELLIOTT: Perhaps I should repeat what I have said, in case the matter is taken out of context. In answer to my question the Leader of the House said—

The Government has not forgotten that Western Australia was inhabited by the Aboriginal race before European settlement in 1829.

The Leader of the House then went on to say in his answer—

Next year is the 150th anniversary of that settlement and everyone is invited to participate, whatever race, colour or creed.

There is no specific project for the Aboriginal race, or for the other races which have taken part in the success of the settlement of Western Australia.

We should bear in mind what the Leader of the House said on the 20th September. Apparently he had forgotten that on the 20th September he was reported in the *Daily News* as having said—

We are looking for something that will be a lasting thing, and Yagan is too controversial.

But the Government is keen to have a statue that is representative of the Aboriginal people for the celebrations.

As indicated the other day, once again the Leader of the House changed his mind between the 20th September and the 10th October.

It was subsequently revealed in a Press release by Sir Paul Hasluck in *The West Australian* of the 19th October that he and his wife were the "local historians" on whom the Government was relying for advice. In his letter to the Premier he said—

In brief, we can see no historical ground for singling out Yagan as the one person who merits a statue in the sesquicentenary celebrations.

*Sitting suspended from 3.46 to 4.03 p.m.*

The Hon. LYLA ELLIOTT: Prior to the afternoon tea suspension, I was referring to a letter by Sir Paul Hasluck which had been published in *The West Australian* indicating he did not support the idea of singling out Yagan as a person meriting a statue of him to be built for the celebrations next year. Since that letter was published there have been other letters by equally distinguished people refuting his statements.

In the 12th October edition of *The West Australian* members will no doubt remember a letter which appeared, signed by Professor Geoffrey Bolton, Dame Mary Durack Miller, and Rica Erickson.

The Hon. G. C. MacKinnon: Are any of those people in the same class as historians as Sir Paul Hasluck?

The Hon. LYLA ELLIOTT: They are very reputable people.

The Hon. G. C. MacKinnon: That is not the question I asked.

The Hon. LYLA ELLIOTT: They are reputable people who have a reputation for being very well informed on Aboriginal matters.

The Hon. G. C. MacKinnon: I do not think any of them would claim to be a historian in the same class as Sir Paul.

The Hon. LYLA ELLIOTT: I am prepared to accept they are in the same class, because they understand the situation a lot better than does Sir Paul Hasluck.

The Hon. G. C. MacKinnon: Why do you rubbish people such as Sir Paul?

The Hon. LYLA ELLIOTT: I am not rubbishing him; I am rubbishing his attitude towards Yagan. It is a very narrow attitude.

The Hon. G. C. MacKinnon: He gave a factual account.

The Hon. R. Hetherington: No, he did not.

The Hon. G. C. MacKinnon: When we advertised for requests we had no reply from the Aborigines at all.

The Hon. LYLA ELLIOTT: I shall read the letter to which I have referred, because it sums up the situation extremely well and should be recorded in *Hansard*. It reads as follows—

Yagan seen as real leader

Sir—We were surprised to hear from the Minister in charge of our sesquicentenary celebrations that the State Government has rejected the plan to erect a statue to the memory of Aboriginal leader, Yagan.

Mr MacKinnon is quoted as saying that, according to the advice of local historians, Yagan was not important enough to merit such a memorial, that there would always be arguments about the authenticity of his doings and that, in any case, he was too controversial a figure to risk commemorating in this way.

The Government, we were told, was nonetheless anxious to have a statue of some kind representing the Aboriginal people, though whether of another Aboriginal or a purely symbolic figure was not stated.

Mr MacKinnon is a conscientious minister, and we feel it is unfortunate that he has been badly advised.

The Hon. J. C. Tozer: They are not all that bad.

The Hon. LYLA ELLIOTT: To continue—

As three historians of some experience in the field, we consider that there is a very strong case for Yagan.

In reference to the first point, it is hard to know how we should define "importance" in this context. Since Yagan was looked upon by both black and white as the main representative of his people in the early years of

the Swan River settlement no other Aboriginal was as "important" in either the contemporary or historical sense.

The authenticity of early records, including detailed reports in "The Perth Gazette", the journals of G. F. Moore and the accounts of other settlers have never been in question and they convey between them what is probably the fullest documentation of a single Aboriginal in Australian history.

This is the man: Sir Paul does not consider important enough to warrant recognition. To continue—

Naturally, in endeavouring to convey the Aboriginal point of view, and having carried out his understandable threat of exacting a life for a life, he was a controversial figure in his time. By the same token a number of bushrangers, now widely celebrated as folk heroes, were also controversial in their day. Yagan, however, even when outlawed, was admired by many settlers as a man of integrity by any standards. When treacherously shot by a boy he had trusted as a friend the act was denounced in the "Gazette" as "a rash and unadvised adventure of youth."

The following editorial comment appeared soon afterwards:

"Contrary to expectation there is no relief felt at the passing of Yagan. Rather, among the more thoughtful elements in the community, there is regret and apprehension, for with his passing it is believed that we may bid goodbye to any hopes we have entertained of coming to reasonable terms with the local tribespeople . . ."

If responsible contemporary judgments awarded him such importance in the society of his time, why can we not do so today?

There were certainly other Aborigines who befriended the newcomers and tried to bridge the gap between the two cultures. None, however, pursued as consistent and intelligent a policy to this end or made a comparably well-recorded impression.

It would be regrettable if, after 150 years of settlement, we were not yet mature enough to commemorate this gifted representative of the Aboriginal point of view. A statue to his memory would be a recognition of the Aborigines as individuals whereas a purely anonymous effigy would be a meaningless and insincere compromise.—

G. C. BOLTON, MARY DURACK MILLER and RICA ERICKSON, Nedlands.

The Hon. G. C. MacKinnon: If I had to make a decision between that letter and Sir Paul's I would act on Sir Paul's, which is what I did.

The Hon. R. Hetherington: You could still be wrong.

The PRESIDENT: Order! The honourable member should continue with her speech and ignore the interjections.

The Hon. LYLA ELLIOTT: That is a bit hard. That letter was not the only one to appear in the Press.

The Hon. G. C. MacKinnon: There are many other letters, a lot less well informed, too.

The Hon. LYLA ELLIOTT: On the 24th October a letter appeared in *The West Australian* by Sylvia Hallam, a senior lecturer in pre-historic archaeology at the University of WA, and I think such a person would be well informed.

The Hon. G. C. MacKinnon: Not necessarily.

The Hon. LYLA ELLIOTT: Now who is being insulting?

The Hon. G. C. MacKinnon: Not necessarily in that area.

The Hon. LYLA ELLIOTT: We all have our own ideas.

Several members interjected.

The PRESIDENT: Order! Honourable members should permit the Hon. Lyla Elliott to make her speech.

The Hon. G. C. MacKinnon: You have to take one advice.

The Hon. LYLA ELLIOTT: It is a rather silly attitude to take just one advice when it comes from the only person expressing a certain attitude. Surely that is a pig-headed and silly attitude. I shall refer now to opinions contrary to those of Sir Paul and Lady Hasluck, and refer to the letter written by Sylvia Hallam. She, too, provides evidence to show the importance of Yagan at the time. I shall read two portions of her letter as follows—

There is no doubt that the early settlers regarded Yagan as a dignified, important and indeed symbolic figure. While there may have been others equally worthy, none have caught the imagination of their own and later generations, black and white, as Yagan did.

Robert Menli Lyon, in the *Perth Gazette* for March 1883, said that Yagan had "greatly distinguished himself as a patriot and a warrior" and was to be regarded as "the Wallace of the age"—which from a Scot is high praise!

After establishing Yagan's importance as an Aboriginal leader, she goes on to suggest how the Aboriginal people generally, in addition to Yagan, could be recognised. She points out something which a lot of people would not realise—I did not—and that is, that earlier settlers owed a great deal to the Aborigines for making the land much easier for whites to settle on. I quote as follows—

We owe to the Aborigines the making of a land which it was possible for whites to settle.

Had they not worked to produce "a country free from underwood and other obstructions . . . through most parts of which one can ride freely" as Bunbury said in the 1830s, "it would soon become impenetrably thick, and . . . the labour and cost of clearing would be greatly increased, and it would change the very nature of the country, depriving it of the grazing and pastoral advantages it now possesses."

Where Aborigines had not opened up the countryside the English settlers had to admit themselves defeated by the forest, as they did at Augusta.

The very existence of the Swan River Settlement and of Perth in particular, is due to Aboriginal efforts in creating the parklike terrain which attracted Stirling.

Parliament deliberates in a building just above the spring by which Yalangonga's camp commanded the ridge stretching down St. George's Terrace to the first crossing coming up-river, between the rich fishing grounds of Perth water and its fertile clay shores on the one side, and the fresh waters with abundance of wildfowl from Lake Monger to Claive Brook on the other.

Where Perth is now, different communities of Aborigines gathered from north and south of the river.

It was the Aborigines who first appreciated and used this important position commanding spring, food and river crossing, and the network of paths converging on this focal point. The English soldiers and settlers took over from them. Perth, and Western Australia, owe their existence to the pattern established by the Aborigines.

Another person whom I am sure the Minister would not want to denigrate is Professor Ronald M. Berndt, Professor of Anthropology at the University of Western Australia. I would class

him as one of the greatest experts on Aboriginal people in this State. He also takes up the case for Yagan and the Aborigines.

The Hon. G. C. MacKinnon: I point out to the member that this would be one of the hundreds of items to which the Government has not contributed. If she wants to, she can get it sponsored and put up. There is nothing to stop her doing that. Hundreds of organisations are doing it that way.

The Hon. LYLA ELLIOTT: Am I making this speech, or is the Minister making it?

The PRESIDENT: The honourable member has only to ignore the interjections and proceed with her speech.

The Hon. LYLA ELLIOTT: I am doing my best.

The PRESIDENT: I would suggest that members desist from making unruly interjections.

The Hon. G. C. MacKinnon: I hope the member will take note of what I have said. She can start an appeal.

The PRESIDENT: Order!

The Hon. LYLA ELLIOTT: I will ignore that remark, because the Minister is trying to make excuses. I think I am presenting facts to show that he is wrong.

The Hon. G. C. MacKinnon: I am not making excuses. The celebrations board is knocking back suggestions every day of each week.

The Hon. LYLA ELLIOTT: The point I want to make is that an expert on Aboriginal affairs, Professor Ronald M. Berndt, also takes up the case for special recognition of Aborigines. In a letter published in *The West Australian* of the 25th October, after reminding us that the Aborigines were the original landowners and land users of the country, he makes the very valid and crucial point that, to many contemporary Aborigines, Yagan is a symbol.

Yagan is not only regarded as a hero, but he is also representative of the turning point in Aboriginal history—from traditional Aboriginal life and independence to another kind of life.

If these opinions will not convince the Minister—

The Hon. R. Hetherington: Nothing will convince the Minister.

The Hon. G. C. MacKinnon: I do not have to be convinced; you have to convince the board.

The Hon. LYLA ELLIOTT: Let us look at other reasons that the Aborigines, and Yagan in particular, should be given a special place in the celebrations next year. In 1979 we will celebrate 150 years of white, European settlement. What have those 150 years meant to the Aboriginal people—the original landowners of this country—and to their descendants? From a once proud independent race in 1829, they were steadily reduced to a broken defeated people, whose lives were utter misery because they lost their land, their health, their self-respect, and their independence. It could be said that many of them reached the nadir of human existence.

In recent years, more intelligent and compassionate Government policies have been seeking to redress some of the monstrous injustices of the past. With this assistance the Aboriginal people are doing their best to lift themselves out of their valley of darkness.

To do this, they not only need a great deal of Government help in the form of things normally required to assist any group of seriously disadvantaged people—black or white—such as housing and health services, education and training for and availability of jobs, etc. If the Aboriginal people are ever to be able to stand on their own feet, and compete with the numerically and economically superior white community, their efforts to regain pride in their own history and culture as a race must also be strongly supported by Governments. This support can take place in a number of forms. Land rights is probably the most vital in view of the supreme importance it has assumed always in Aboriginal religion, culture, and existence.

Another way is for the non-Aboriginal community to recognise the injustices of the past, and to show genuine respect for Aboriginal history and culture. It is absurd for the Minister to place the Aboriginal people in the same category as European migrants. Their position is entirely different. The Aborigines are descendants of the only race which inhabited this country for a period longer than 150 years. As a matter of fact, they inhabited this country for many thousands of years longer.

When white settlement began, there were many Aboriginal tribes spread throughout the State. Some of these tribes lived in the south-west and, more particularly, along the banks of the Swan River.

In 1829 the Bibbulmun people welcomed the new settlers, believing they were the spirits of their dead returning. They were a particularly peaceful and friendly people who hospitably made

room for the newcomers. They moved away from the river to make room for the white settlers. That gives an idea of the friendly and peaceful type of people they were. It meant a drop in their food supply, but they expected that when the settlers were established they would share their food with the Aborigines. I refer to sheep and produce from the gardens. However, it soon became obvious that it was a very one-sided arrangement. Obviously, the Europeans thought they were entitled to everything the Aborigines owned—their sacred waters, their ancient hunting grounds, and all the wildlife that the sacred increase rites of the tribal elders had maintained through the ages.

The Aborigines received very little in return, without being forced into the position of becoming beggars or servants—both of which roles were foreign to them.

Soon the new colony saw Aborigines being shot by settlers for taking food or, in fact, on pretty flimsy grounds.

From the beginning of settlement Yagan played a leading role in negotiating and communicating with the whites, so when he saw his fellow countrymen being murdered it was a matter of tribal honour to avenge the deaths. Because of that, he was regarded as an outlaw.

From authoritative reports, he showed intelligence, generosity, and integrity, but he also had pride and a sense of responsibility to protect tribal honour.

Although Yagan was involved in meting out black man's justice—an eye for an eye—and as a result was hated and feared by some, he also had other qualities which earned him the friendship and respect of prominent people in the community.

It is reported that Yagan located lost children, organised help to fight fires, and showed respect towards women. To many he became a legendary hero—a black Robin Hood.

His brother Domjum was shot by a Fremantle storekeeper for taking a loaf of bread from an open window. His father, Midgegeroo, was shot after a trial during which he could not understand a word of what was said. One of his countrymen was shot, and others wounded, by a visitor from Van Diemen's Land for, according to one report, merely having the temerity to wave to the visitor in a friendly manner.

These are the kinds of things which turned Yagan into an outlaw. It was on this aspect of Yagan being an outlaw that Sir Paul Hasluck

dwelt rather than on positive things. Unfortunately, Yagan was finally murdered by a treacherous young white friend for a reward of £30.

The special position that the Aboriginal people hold in the State's history must be recognised in a significant way next year. A number of suggestions have been put forward, in addition to that of a monument to Yagan. Some have involved Kings Park and Heirisson Island, and some have concerned the ongoing funding of projects related to Aboriginal art and culture.

Whatever form the recognition takes, I believe it is essential for the Government to consult not Sir Paul and Lady Hasluck, but the Aboriginal people themselves. They are the ones who should say what and where it should be.

Debate adjourned, on motion by the Hon. G. C. MacKinnon (Leader of the House).

#### **EXPLOSIVES AND DANGEROUS GOODS ACT AMENDMENT BILL**

##### *Receipt and First Reading*

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

##### *Second Reading*

**THE HON. C. G. MacKINNON** (South-West—Leader of the House) [4.26 p.m.]: I move—

That the Bill be now read a second time. This Bill seeks to extend the laws relating to explosives and dangerous goods, to regulate the manufacture, importation and use of explosives, and the classification, marking, storage, carriage, and sale of explosives.

At present, the principal Act provides for the control of explosives and also regulates the storage of dangerous goods.

Members will no doubt agree that, following the recent cyanide spillage near Wooroloo, there is a need for the regulatory powers of the Explosives and Dangerous Goods Act to be extended to cover the transportation of dangerous goods, particularly by road vehicles. In this regard the Bill provides for the prescribing of regulations for the carriage of such goods and the licensing of vehicles involved in this traffic.

In addition, and following recent amendments to the explosives regulations to give effect to the United Nations classification for explosives in Western Australia, an amendment to the Act is considered highly desirable to provide such classification. It was recognised that not only explosives, but also other dangerous goods should be classified in Western Australia in the manner recommended by the United Nations.

The need for uniform classification of dangerous goods has been recognised by all other Australian States and each is preparing suitable legislation to give effect to this requirement; for example, the New South Wales dangerous goods regulations, gazetted on the 11th July, 1978.

Already in this State we have had confusion due to the difference in labelling requirements for dangerous goods which could lead to potentially hazardous situations; for example—

drums of highly flammable liquid arriving into Western Australia from overseas bear the label "Class 3 Dangerous Goods"—the Class 3 dangerous goods of Western Australia are merely flammable oils of hazard similar to distillate fuel oil; and also

the United Nations classification of liquefied petroleum gas is Class 2 dangerous goods, whereas in Western Australia Class 2 dangerous goods refer to flammable liquids similar to kerosene.

The possibility of a disastrous occurrence through misinterpretation and mishandling of these dangerous goods is self evident. Hence there is urgent need for amendment to the third schedule to the Act in order that the United Nations recommended classification of dangerous goods may be followed in Western Australia.

Certain other tidying up amendments are also required to—

correct a metrication omission and allow for greater control, in the public interest, over the type and quantity of explosives that may be carried in road passenger vehicles plying for hire or reward;

allow for the gazettal as dangerous goods of any substances considered to be a direct danger to the public;

allow for the prescribing of safety requirements required for hazardous substances without imposing on the public all other provisions of the Act;

allow for packaging and labelling of dangerous goods;

allow for consultation between the chief inspector and his inspectors before any remedial action or the cessation of a dangerous practice is imposed;

increase the maximum penalty for breaches of the Act;

allow for the provision of information on dangerous goods involved in any accident;

provide for the prescribing of forms.

Members will appreciate that, apart from these tidying-up provisions, the main measures contained in this Bill can be described as enabling legislation for the Governor to be able to prescribe regulations to contain the various codes and rules regarding the transport of dangerous goods. The regulations will be worked out in due course and laid on the Table of the House.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

## CONTROL OF VEHICLES (OFF-ROAD AREAS) BILL

### Second Reading

**THE HON. G. C. MacKINNON** (South-West—Leader of the House) 14.30 p.m.: 1 move—

That the Bill be now read a second time. This Bill seeks to establish an Act for the following purposes—

to prohibit the use of vehicles in certain places;

to make provision as to the use of vehicles otherwise than on a road;

to provide for areas where the use of off-road vehicles shall be permitted; and

to provide for the registration of off-road vehicles.

No doubt, members are well aware of events leading up to the introduction of this present Bill.

The proposal to regulate the use of off-road vehicles is a subject on which the Government has sought and obtained the views of the public. In fact, it has aroused a great deal of public interest and this Bill acknowledges those views which are representative of a large cross section of the community.

Of the submissions received, none was totally opposed to the principal objective of the Bill: that is, the prevention of the indiscriminate use of vehicles off the road. It is believed that public opinion is strongly in support of the need for certain restrictions on the use of off-road vehicles.

Noise nuisance, damage to the environment, and the potential risk to life and limb, both of the user and the ordinary citizen, from the indiscriminate use of off-road vehicles, are areas of concern to the public.

On the other hand, off-road vehicle users argue that the responsible majority of their number is being unfairly compared with the irresponsible few. They say that off-roading is a sport to many and a recreation or pastime to a great many more.

It was with all of these views in mind that the Bill has been prepared.

The Bill proposes a compromise between the requirements for restrictions on noise and irresponsible use and the need to recognise the sporting and recreational aspects of off-road vehicle use.

It clearly distinguishes between off-road vehicles—that is, vehicles not licensed under the Road Traffic Act—and vehicles that are licensed under the Road Traffic Act.

Under the Bill, off-road vehicles will be permitted only in special areas set aside for their use and on private land but only where the owner or occupier has first given his consent.

This general restriction will not apply to vehicles licensed under the Road Traffic Act. Although generally these vehicles will not fall within the restrictions of the Bill, there is power for the Governor, in very special circumstances, to prohibit their use in particular locations.

These “prohibited areas” will be very special locations where because of environmental reasons or the proximity of the land to residential areas, it is necessary to impose a total prohibition on vehicles entering these locations.

The Bill further recognises that whilst any particular area of land should be closed to all vehicles, there may be parts of that area which it is appropriate to leave open to vehicles, either generally or of particular types, for purposes such as providing access to other locations.

An example of how these provisions would operate is an environmentally fragile location along the beach front. To protect a section of coastal dunes it may be necessary to declare that area of the beach front to be a prohibited area. Through the prohibited area there may be tracks and vehicular access routes used by beach fishermen and the like as a means of getting to the beach front. These tracks and a limited section of the ocean foreshore may be excluded from the prohibited area restriction to enable fishermen and others to gain access to the beach.

Another situation envisaged in relation to prohibited areas is the undeveloped land immediately adjacent to residential areas. Here it may be necessary to impose a prohibited area restriction in relation to certain classes of vehicles—for example, motorcycles that are licensed under the Road Traffic Act—because their use of the land causes as great a nuisance to the adjoining residents as off-road trail bikes and the like.

Here, the Bill clearly recognises the legitimate needs of a very wide spectrum of off-road users. Amateur fishermen, four-wheel-drive users, and the family picnic group, will not generally be restricted in their use of our countryside. The sporting pursuits of trail bikes, dune buggies, and other recreational vehicles will be catered for within designated permitted areas.

Before any permitted area or prohibited area can be established, the Bill requires that public notice first be given of the proposal. The local municipal council, Department of Conservation and Environment, adjoining landowners and others having an especial interest will all be advised of the proposal and given an opportunity to comment.

The Bill provides for the establishment of an advisory committee to consider proposals for permitted and prohibited areas, invite comments and submissions and make recommendations to the Minister. The advisory committee is to comprise five permanent members, being a chairman, two representatives from local government, and two persons with experience in the operation of off-road vehicles. Expert advice from Government departments will be available to the committee and there is provision for the Minister to co-opt other persons as considered necessary.

The enforcement of the provisions of the Bill will rest in the hands of authorised officers. Authorised officers will include all members of the Police Force, a range of Government officials appointed by the Minister, and local government officers appointed by municipal councils.

There is provision also for the Minister to permit councils to appoint elected members as authorised officers, in situations where distances or lack of personnel require members to take over this responsibility.

Authorised officers will be empowered to stop vehicles that are contravening the provisions of the legislation, require certain information from the owner or driver, issue infringement notices—on-the-spot fines—or prosecute for offences.

In special circumstances an authorised officer also will be empowered to impound vehicles. An authorised officer will be entitled to impound any vehicle, where he is unable satisfactorily to establish the identity of the owner or driver and the vehicle is neither licensed under the Road Traffic Act nor registered as an off-road vehicle.

Because it requires a degree of technical expertise, only a police officer will be empowered to impound a vehicle that is considered likely to be dangerous.

I now wish briefly to bring to the attention of members some of the other major provisions of the Bill.

Not all of our vast State experiences problems with off-road vehicles. Therefore, provision is made for any portion of the State to be exempted from any of the control measures contained in the legislation.

The effective implementation of this legislation will depend to a great extent on the degree of involvement of the local municipal council. Obviously, where a council is of the opinion that no restriction on off-road vehicles is necessary in its district, that district could be exempted from the provisions of the legislation.

Registration of off-road vehicles is to be compulsory. The only vehicles exempted from the registration requirements are vehicles already licensed under the Road Traffic Act and vehicles that are used exclusively on private land. The registration requirements have been included primarily for identification purposes and to establish the responsibilities and liabilities of the owner of an off-road vehicle. Farm vehicles, heavy construction and mining equipment and competition vehicles used solely and exclusively on club grounds—that is, private land—will not have to be registered.

However, the owner of any such vehicle who proposes to use or allow his vehicle to be operated in the ordinary off-road situation will be required to register that vehicle.

The fee for the registration of an off-road vehicle is to be prescribed in regulations. It is proposed that this fee be kept to a minimum and that the amount be sufficient only to meet the costs of the registration system.

The minimum age for the driver or rider of an off-road vehicle is eight years. This does not apply where the vehicle is used on private land with the owner's consent, which would include such situations as youngsters operating vehicles on their parents' properties and the junior members of mini-bike clubs competing on club land.

Any person registering an off-road vehicle will have to have attained the age of 18 years. Although this provision differs from the Road Traffic Act, this Bill places a liability on the registered owner of an off-road vehicle for offences and other consequences of the use of an off-road vehicle by an under-aged driver. Thus the Bill requires that an adult, either parent or guardian or some other person, be the registered owner and accept responsibility for an off-road vehicle.

The absence from the Bill of any provisions for third party insurance is one aspect which requires a brief explanation. When embarking on the preparation of the earlier legislation, the Government proposed that the feasibility of a compulsory third party insurance provision be examined. A detailed study was undertaken both in relation to the experience in Victoria with third party insurance for off-road vehicles and the possible situation in this State.

The study indicated that to provide a compulsory third party insurance scheme would require either extraordinarily high premiums from off-road vehicle owners or a substantial commitment in the form of a subsidy from the Government. The relatively small number of vehicles involved and the very high risk factor meant that a suitable third party scheme could not be implemented. Whilst third party insurance may be available to some off-road vehicle owners from their own insurance companies, it was felt that as no comprehensive scheme was available to all, the legislation could not insist on third party insurance.

It is believed this Bill provides both sensible and adequate measures to control the use of vehicles in off-road areas, and at the same time recognises the sporting and recreational requirements of off-roaders in a way that is acceptable to the community.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

#### ADJOURNMENT OF THE HOUSE

**THE HON. G. C. MACKINNON** (South-West—Leader of the House) [4.41 p.m.]: 1 move—

That the House do now adjourn.

*"Hansard": Availability*

**THE HON. R. HETHERINGTON** (East Metropolitan) [4.42 p.m.]: I wonder whether the Leader of the House could do anything to ensure *Hansard* is available by Tuesday each week. Since I have been in this House, last year and this year, it has been perpetually late.

We are now reaching the stage, particularly with the rush of legislation at the end of the session, where *Hansard* is necessary to enable members to do their job properly. We are putting extra pressure on the *Hansard* staff by asking for copies of reports of debates from last week which we would not otherwise need to get.

I think the matter has become reasonably urgent. I know the Minister has done his best in the past but I am wondering whether there is anything further we can do to get our copies of *Hansard* on time.

**THE HON. G. C. MacKINNON** (South-West—Leader of the House) [4.43 p.m.]: We have a Printing Committee to which this matter should be directed.

The Hon. H. W. Gayfer: I did not hear what the honourable member said.

The Hon. G. C. MacKINNON: That is a continuing problem we have with regard to this member. He referred to the return of *Hansard* from the Government Printing Office.

I understand the *Hansard* staff are extremely distressed about the situation and they are doing everything that is possible at this point in order to have *Hansard* delivered on time. It could well be that the Government Printer (Mr Brown) is doing the same at the Government Printing Office; I am not certain.

It appears to be a matter which should be referred to the Printing Committee, of which you, Mr President, are the presiding officer. The other member from this House is Mr Gayfer.

The Hon. H. W. Gayfer: Mr Cloughton is also a member and I would have thought Mr Hetherington would raise the matter with him.

The Hon. G. C. MacKINNON: The best thing to do under the circumstances is to ask Mr Cloughton to inform us of the current situation with regard to the printing requirements of Parliament House.

The PRESIDENT: Order! The Leader of the House has closed the debate.

Question put and passed.

*House adjourned at 4.44 p.m.*

## QUESTIONS ON NOTICE

### INDUSTRIAL DEVELOPMENT

#### *Yellowcake: Value*

426. The Hon. LYLA ELLIOTT, to the Attorney General representing the Minister for Industrial Development:

With reference to the report in *The West Australian* of the 3rd November, 1978, headed "Yeelirrie to yield Government \$130 million"—

- (a) as this was based on an estimate given by the Minister for Industrial Development, Mr Mensaros, that the Government would receive about \$6 million a year in royalties, working on a rate of 3.5 per cent of the value of yellowcake production, does this mean the

f.o.b. value of the yellowcake is expected to be approximately \$3 714 million;

- (b) if not, what is the estimated total value?

The Hon. G. C. MacKinnon (for the Hon. I. G. MEDCALF) replied:

- (a) and (b) The Minister for Industrial Development did give an estimate of about \$6 million a year in royalties. This I understand was based on forecast production tonnages of yellowcake and indicative 1978 f.o.b. values. The report in the Press and the total f.o.b. value stated in this question are somewhat hypothetical calculations arrived at by extending the Minister's estimates over a projected life of the project.

## EDUCATION

### *School Buses*

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

- (1) On average what is the capital cost of a school bus designed to seat, say, 40 adult passengers?
- (2) What mileage rate is paid to a school bus contractor using such a bus travelling, say, 200 kilometres a day?
- (3) In what manner is mileage rate related to the capital cost of the bus being used?
- (4) Does the number of students carried on a particular journey influence the earnings of a school bus contractor?
- (5) What other factors are taken into account in determining contract rates?
- (6) Are competitive tenders called before a school bus contract is awarded?
- (7) Does a contract run for a stipulated term and, if so, what term?

The Hon. G. C. MacKinnon (for the Hon. D. J. WORDSWORTH) replied:

- (1) \$37 138.-
- (2) Fixed expenses (based on new bus)—\$25.25.  
Running costs—\$74.60.  
Driving allowance—\$30.20.  
Total \$130.05 per day.

- (3) Included as fixed expense component of daily mileage rate consisting of—  
10 per cent of average purchase price of bus—\$3 713 per annum.  
Third party insurance and licence fee—  
\$240 per annum.  
Comprehensive insurance—\$500 per annum.  
Garaging and administration—\$597 per annum.  
Divided by 200 school days = \$25.25 per day—\$5 050 per annum.
- (4) The size of bus determines the rate paid to the contractor. The number of students transported determines the size of bus required. Once a rate has been fixed for a certain size of bus variations in the number of students transported will not affect the contractors' daily rate.
- (5) Number of children carried.  
Road conditions.  
Distance of route.
- (6) Yes.
- (7) Usually for a five-year term. Under special circumstances contracts may be let for shorter periods ranging from one to five years.

## LAND

### *South Hedland*

428. The Hon. J. C. TOZER, to the Attorney General representing the Minister for Housing:

- (1) Has land been released in South Hedland town centre for the purpose of erecting motel accommodation units?
- (2) If so—
  - (a) when;
  - (b) to whom; and
  - (c) under what conditions?

The Hon. G. C. MacKinnon (for the Hon. I. G. MEDCALF) replied:

- (1) Yes.
- (2) (a) 9th November, 1977.  
(b) South Hedland Tavern Pty. Ltd.  
(c) The conditions of sale require the company to commence construction of not less than 12 units of motel accommodation by the 1st February, 1979, and complete the construction by the 1st November, 1979.

## MINING: URANIUM

### *Yeelirrie: Rail Transport of Materials*

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

- (1) With regard to the Yeelirrie uranium mining project, has Westrail transported any of the goods or material to the nearest rail head required on site for the project?
- (2) If so—
  - (a) how many tonnes; and
  - (b) what percentage would this be of the total amount of cargo which has been transported to the site?

The Hon. G. C. MacKinnon (for the Hon. D. J. WORDSWORTH) replied:

- (1) Other than two small parcels, totalling about 20 kgs., Westrail does not have any record of goods being directly consigned to this project.
- (2) (a) Nil.  
(b) This is not known.

## IMMIGRATION

### *Good Neighbour Council*

430. The Hon. J. C. TOZER, to the Leader of the House representing the Minister for Immigration:

- (1) Is the Minister aware that the Good Neighbour Council in Western Australia is closing down?
- (2) Has there been any consultation on this move between the Commonwealth and State Governments?
- (3) Does the State Government have an opinion on this closure, and if so, in brief, what is it?
- (4) As the Good Neighbour Council's office in Port Hedland, manned by community development officer George Formby, is to shut its doors on the 1st December, 1979, have plans been made to continue the excellent work with all segments of the migrant half of the community, and particularly those from Christmas and Cocos Islands?
- (5) Will the State Government recognise the void being left by Mr Formby's departure and—
  - (a) encourage the Commonwealth to maintain the Port Hedland office in its present or comparable form; and

- (b) if this is not going to happen, locate a State officer in Port Hedland to continue the work of Mr Formby?

The Hon. G. C. MacKINNON replied:

- (1) Yes.  
 (2) Yes.  
 (3) The Commonwealth Government accepted the general findings and recommendations of the Report of the Review of Post-arrival Programs and Services to Migrants (the Galbally report). Therefore, because immigration and ethnic affairs fall principally within the jurisdiction of the Commonwealth Government the State Government has accepted that decision.  
 (4) and (5) The Galbally report provides for the establishment in each State of migrant settlement councils and for regional settlement committees to develop a specific local settlement programme in accordance with the council's overall plans.

#### QUESTIONS WITHOUT NOTICE

##### SESQUICENTENNIAL CELEBRATIONS

###### *Calendars*

1. The Hon. A. A. LEWIS, to the Leader of the House:

Was the cartoon in this morning's issue of *The West Australian* the start of the advertising campaign to sell calendars for the 150th celebrations; if so, could he have managed an emblem to be shown?

The Hon. G. C. MacKINNON replied:

The answer, as succinct as I can make it, is "No."

##### SESQUICENTENNIAL CELEBRATIONS

###### *Souvenirs*

2. The Hon. R. F. Claughton (for the Hon. D. K. DANS), to the Leader of the House:

- (1) Is the Minister aware that WAY 79 ornaments such as key rings and pins are being made in Hong Kong, Taiwan, and elsewhere?

- (2) Will he ensure these ornaments relating to the celebrations are made in Western Australia?

The Hon. G. C. MacKINNON replied:

- (1) and (2) I am aware that a number of items are being made other than in Western Australia. On a number of occasions it has been necessary to point out the WAY 79 symbol—the symbolic swan which most members wear on their lapels, and which is displayed on my tie—is available for sale in Parliament House. I hope ties such as that I am wearing will be available in Parliament House soon. The emblem is not indicative that the article is made in Western Australia, and was never meant to be indicative of that. It is the symbol of the 150th celebrations.

The symbol which indicates an article is made in Western Australia is, as all members are aware, a small stylised map of Western Australia.

What any person decides to do in the way of souvenirs is that person's concern. If he wants to have something made in Hong Kong and sell it here, that is well and good. Indeed, it is necessary on occasions even for Government instrumentalities to have things manufactured out of the State because they are not manufactured here. I think there is a WAY 79 key ring that is so manufactured. I cannot interfere with the manufacture of items like that.

The articles being made for the 150th Celebrations Board as far as possible—and at some additional expense on some occasions—are manufactured in Western Australia. The honourable member can rest assured that everything that is humanly possible is being done to increase employment opportunities in this State, and that a number of private enterprise people at the request of the 150th Celebrations Board have at times gone to a great deal of extra trouble to do this. I am indeed grateful for that sort of co-operation.