

ADJOURNMENT OF THE HOUSE

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [9.55 pm]: I move -

That the House do now adjourn.

Commonwealth Arts Funding - Adjournment Debate

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [9.55 pm]: An answer in question time today from the minister representing the Minister for the Arts provided some interesting information about the outcome of the Cultural Ministerial Council held last Friday in Sydney. The evidence, when taken with other information, indicates that Western Australia has made a disastrous deal with the Commonwealth for major performing arts companies in this State when compared with the deal experienced by other States. Western Australia's disastrous deal was principally exposed when Queensland's arts minister complained about how the major Sydney arts companies were being subsidised by 80 per cent, while both Queensland and Western Australian companies were subsidised by only 20 per cent. Arts Minister Board has effectively rolled over and welcomed a Sydney-centric view of the world that will ultimately harm the majority of Western Australian arts companies.

Western Australia received the worst deal from the federal \$70m arts boost. South Australia's major companies will receive \$5.47m extra funding from the Federal Government, and \$1.18m from the State Government. However, funding for Western Australia's four major companies will total only \$4.4m from the Commonwealth and \$4.26m from the State. Western Australia will receive the second smallest federal handout, and only the New South Wales and Victorian State Governments will put in larger amounts. The Federal Government has seen the new minister from the west as being a bit wet behind the ears, and it got him effectively to sign away the family silver. No new money is evident in the state budget for the Arts. Therefore, the Government must pay for Minister Board's bad deal, and this will most likely be through funding cuts in other areas; that is, silver from the museum, books from the libraries or music from the youth orchestras. That was evident in question time today when the minister was asked -

(3) Will those funds be made available in the current financial year?

(4) If so, from what budget allocations?

The minister replied -

(4) To the extent that there is insufficient capacity within the ministry's appropriation, supplementary funding will be sought.

The figure is \$4.561m, as indicated in the minister's answer. The feds must be sitting back and laughing at what is happening in Western Australia. The minister must explain to Western Australia's 447 arts groups and projects dependent on state funding how he will pay for an extra \$4.26m over four years to only four groups; namely, the West Australian Ballet Co, the West Australian Symphony Orchestra, the Black Swan Theatre Company and the West Australian Opera. These four major organisations rightly need more money, and the canny arts ministers in other States are getting that extra money from the Federal Government; not so in Western Australia. New South Wales will get almost \$9m more for its companies than the \$10.5m it is contributing. However, Western Australia's net gain is a miserly \$140 000. This is an amazing scene when taken in the context of the Court Government's usual rhetoric in such circumstances about Western Australia creating all the wealth and not getting its fair share back. That is not referred to in Mr Board's deal for the arts. The Queensland arts minister, Matt Foley, has done WA a service by exposing how the Nugent deal has reinforced regional discrimination. Nugent recognises that his criteria reinforce the inequity by not considering regional diversity and geographic weighting, but Nugent reports that this should be fixed by the State Governments.

Taxes paid to the Commonwealth by Western Australian residents are propping up Sydney companies with a massive 80 per cent of their funding, while assisting the WA Ballet, the WA Opera and the WA Symphony Orchestra with only 20 per cent. Meanwhile, the Black Swan Theatre Company receives 50 per cent federal government assistance, but the Western Australian Government must pay the rest. Minister Board will not say where that money will come from. I compare that with the Victorian arts minister, who has had the Melbourne Theatre Company reassessed to increase its federal funding from 20 per cent to 80 per cent. Meanwhile Western Australia's arts minister is sitting quietly and doing exactly what federal minister Senator Alston has told him to do; that is, cop it sweet. Western Australia has been significantly disadvantaged by the compliance and complacency of the current Minister for the Arts.

Management of Business of the House - Adjournment Debate

HON HELEN HODGSON (North Metropolitan) [10.02 pm]: We have sat through a very interesting experience this evening. This House has a mechanism that should be used to resolve these issues. It was

inserted in the standing orders on 24 June 1998, and it is called the business management committee. It is worth placing on record that no business management committee meeting has preceded this session of Parliament or taken place in the week and a half this House has sat. That is unprecedented. In previous sessions since this standing order was introduced, members have had the courtesy of the opportunity for a meeting in the week before Parliament resumes, to work out the intended order of events and to deal with matters such as this one which has caused so many problems today.

It is also worth placing on record that this standing order was introduced in 1998 and it worked well for six months. Since then, the frequency of the business management committee meetings has deteriorated. I am sure the Clerk knows how often the committee has met in the previous six months; it is no more than three or four times between January and June this year. That is not the way to conduct the business of this House. It is all very well to hear lectures about how people can sort out these matters, the precedents and resolving the issues outside the Chamber. The problem is that the mechanism put in place to resolve these issues outside the Chamber is not working. I place the responsibility for that squarely on the person who is responsible for convening these meetings. Standing Order No 125A(2) states that the committee shall meet at a time and place fixed by the Leader of the House.

We know that the meetings do not necessarily resolve all the issues, and at times we walk away from them knowing that some brawls must be had. However, the meetings provide an opportunity to air the issues, and to ask the leader of government business whether matters will be handled and the manner in which they will be handled. If issues such as the reinstatement of committees and motions could have been aired a week ago, before the heat of the situation this afternoon and this evening, perhaps we would have achieved a productive outcome and conducted some of the Government's business tonight.

We are grateful for the unprecedented turn of events in the way certain matters were adjourned earlier this evening. I thought we would return to the Address-in-Reply debate. We are grateful to have had the opportunity to debate non-government business that had been on the Notice Paper for two years. However, the point must be made that there are better ways of dealing with these problems without fighting on the floor of the House, and wasting three days of the time of the House without reinstating any of the business that remains outstanding from last year.

Roebuck Plains Station – Adjournment Debate

HON MARK NEVILL (Mining and Pastoral) [10.05 pm]: I draw the attention of the House to a number of matters. I made a speech in late June on one of the appropriation Bills, expressing my views about the purchase of Roebuck Plains station by the Indigenous Land Corporation. I had done a fair amount of research on the matter, but I made an error in my speech. I said one of the directors of the ILC, Mr David Baffsky, was a member of the board at the time of the purchase. That was not the case; he was appointed shortly after the purchase was undertaken. I wanted to correct the record on that point.

The ILC has instituted an internal inquiry into the purchase of Roebuck Plains station, which will be undertaken by Sir Laurence Street. The ILC paid \$8.2m for a station that most informed observers would say is worth much less than \$4m. Part of the valuation depends on the number of cattle on that property. I wrote to Sir Laurence Street some weeks ago saying that there should be two independent observers at the cattle count. Unfortunately, my advice has not been taken, and currently a count of the cattle on Roebuck Plains is being undertaken without any independent observers. The only people involved are those associated with the vendor and the ILC. It completely undermines any inquiry Sir Laurence Street might do if he cannot determine the number of cattle. The number of cattle increased from 11 700 in October 1997 to figures variously quoted as 18 000, which is way above the carrying capacity of the station, and 20 000 in a recent advertisement.

The inquiry is fatally flawed for other reasons. There is no guarantee that the report to the ILC will be made public, and there has not been adequate time for indigenous people to make submissions. It is difficult for people to make submissions because of the lack of confirmed public information about the purchase. Most of the information must be surmised. The inquirer does not have the power to subpoena witnesses or enforce the production of documents. He has no power to examine witnesses under oath. The inquirer, Sir Laurence Street, will have no jurisdiction to examine the accounts of the vendors to see whether money was paid to people, which is one of the allegations. Also, he will have no power to look at the role of people involved with the Kimberley Aboriginal Pastoral Association and the Kimberley Land Council in the purchase of those properties. The most appalling deficiency is the failure to have independent observers at the cattle count. It makes the whole process a waste of taxpayers' money. The inquiry should also question why \$2m was paid for Myroodah and Luluigui stations, which were probably worth \$700 000.

The terms of reference of this internal inquiry are quite bizarre. Sir Laurence Street is required to inquire into all of the events and circumstances surrounding the acquisition by the ILC of Roebuck Plains station and Cardabia

station near Carnarvon. As I said, he should look also at Myroodah and Luluigui stations if he wants to get to the bottom of why so much money was paid for these properties.

The inquiry is specifically required to examine allegations in relation to secret commissions. What power does Sir Laurence Street have to look at secret commissions? I do not think there are any secret commissions, although there are consultancy fees. It is also required to examine serious conflicts of interest, improper conduct by ILC board members and staff, and tax evasion. Fair enough, he can look at improper conduct, but he has no power to look at the vendors' accounts to see whether they were evading tax. The inquiry is also required to inquire into conspiracies on an international scale; and again, the same situation applies. It is also required to inquire into criminal associations. Sir Laurence Street cannot go into the law firm of Aroni Johnson and find out what were the associations of lawyers in that firm with Max Green and other people.

It is quite appalling that this internal and "secret" inquiry has been set up with these terms of reference. Sir Laurence Street does not have the power to conduct this inquiry properly. It seems to me to be a continuation of the waste of taxpayers' money. I am quite appalled that Sir Laurence Street did not assert his authority as the independent inquirer to ensure that there were independent observers at the count of the cattle. The cattle at Roebuck Plains are Brahman cross, and a lot of other cattle have been moved onto that property from Billiluna, Myroodah and Luluigui stations, and the person who counted those cattle should have made sure he was counting only Roebuck Plains cattle and not the other cattle that might have been there at the time.

The Minister for Aboriginal Affairs should put an end to this farce and have a proper inquiry headed by a person who has the power to get to the bottom of why such an exorbitant amount of money - \$8.2m - was paid for a station that is probably worth \$3.5m. If I say it is worth under \$4m, I am probably giving the ILC a lot of latitude. If there were only 12 000 cattle on that station instead of 18 000, someone has had a lend of someone. The ILC and the vendors would have had a vested interest in getting the cattle numbers as high as possible because that would have inflated the value of the station. The ILC has a history of paying inflated prices for properties. An Australian national audit report that was brought down on 29 June came to that conclusion after examining the ILC's purchase of 10 properties, but it did not go into the Roebuck Plains deal in any detail and said it would leave that to this inquiry that has been set up by the ILC.

I am saying to this House, to the Federal Government and to the Minister for Aboriginal Affairs that they are wasting taxpayers' money, because Sir Lawrence Street does not have the power to undertake this job. If independent observers were not at the cattle count - and two are required - the cattle count will not be credible. It is very easy to move cattle around in paddocks and count them twice if one does not do a proper band-tail muster or does not have some way of marking or re-branding the cattle to identify which cattle were on the property when it was purchased. The ILC purchased that property and paid the \$8.2m before it had counted the cattle. That is not an intelligent way to proceed with the spending of public funds.

I also want to reiterate that Mr David Baffsky was not a director of the Indigenous Land Corporation when the Roebuck Plains station purchase took place.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [10.10 pm]: I want to take a moment to respond to the comments of Hon Helen Hodgson in respect of the processes of the House during the past week and a bit. I want to draw her attention to this brown book, which sits on our desk and is called "The Standing Orders of the Legislative Council". It contains the rules by which we operate. If the member thinks that we should sit behind closed doors and organise the way in which the House will operate without regard to the standing orders, she needs to rethink that position.

Let me take members back a little in time. When the House began this session after prorogation, members gave notice of motion on the opening day. I gave notice of about three motions - a couple relating to reinstatement matters and a substantive motion that I wanted to debate. I add that the motion was relevant and contemporary by virtue of the fact that the Australian Labor Party federal conference had recently occurred and so workplace agreements were worth talking about. The Leader of the Opposition then moved a motion on the reinstatement of a select committee, complaining bitterly that somehow or other I had not included it with the Government's motion. Even though it was explained to him that the standing order relates to Bills and not to select committees, he made the point that somehow or other I had taken advantage of him and put things on the Notice Paper that I was not entitled to put on it, which is absolute nonsense. Members also know that each day for the first hour we deal with notices of motions and other formal business. When members' turns come for them to move their motions, that is when the House deals with them. As it turned out, the House was not prepared to deal with the motions that I wanted to move because we were told that the Opposition would not agree to the Government dealing with any of its business until such time as we had set up a select committee.

We then listened to the Leader of the Opposition talk at great length. I think he spoke six hours of drivel on the Address-in-Reply. I do not understand why it took so long to say nothing. Then last Thursday, he made the decision, agreed to by the House and provided for in standing orders, that his motion would be No 1 on the

Notice Paper. It did not enter his mind that on the next Tuesday - today - when there is normally an urgency motion, his motion could not be dealt with.

Hon Tom Stephens: I did think then. I knew exactly what would happen.

Hon N.F. MOORE: If that is the case, what he did today was even worse. I was hoping that he might have done it by accident or by omission. He put in an urgency motion for debate and then, at the very last minute at 3.29 pm, he withdrew his motion, thinking that, because the Government had not been told of his urgency motion, we would be sitting here waiting to debate an urgency motion moved by the Leader of the Opposition and he would not tell us he had withdrawn it until the last minute. He thought that we would then be in a position to have to debate his motion. That was a sleight of hand to catch the Government unaware. He thinks that we are stupid and that we do not wait for these things to happen. I should have taken a bet that he would withdraw the motion. However, I thought that because he had put forward two urgency motions, he wanted to debate one of them. I was surprised when he withdrew the motions because I had informed him in advance that we had withdrawn the one we gave the President because we wanted to deal with his urgency motion. Anyway, he made the decision to withdraw it in the hope that the Government would be caught unawares and therefore we would deal with his motion No 1 and deal with the select committee. As it turned out Hon Derrick Tomlinson had lodged an urgency motion with the President.

Hon Tom Stephens: Surprise, surprise! What a shock!

Hon N.F. MOORE: It was a surprise for the Leader of the Opposition, just like the surprise that he got when he discovered that the motion he had the House agree to last Thursday to make his motion No 1 will not apply tomorrow.

The Leader of the Opposition had two surprises in one day. As a result of being caught out twice and trying to play a game -

Hon Tom Stephens: I was advised by the Clerk last week that that was the case.

Hon N.F. MOORE: Good, the Leader of the Opposition is not as stupid as he looks. He was caught out twice with two blunders on one day. As a result he did his block and carried on like a pork chop all day.

Let us get on to what happened today. After we had dealt with the urgency motion we went on to the Address-in-Reply. The Leader of the Opposition had told me he would move an amendment. I was waiting for a long speech from him on the Derby tidal power issue, on which he was going to move an amendment to the Address-in-Reply. The Leader of the Opposition said to me when he walked into the House at 3.30 pm, "I am not going to deal with the Derby tidal power issue in the urgency motion; I will deal with it in the Address-in-Reply." I left the House only to see on the television that the Leader of the Opposition finished his speech after about 10 minutes. He then moved an amendment and sat down. I had hoped we might adjourn the Address-in-Reply and go on to the other business on the Notice Paper, so the Government moved that the debate be adjourned to the next setting of the House - not to a later stage of this day's sitting as Hon Helen Hodgson seems to think. For some strange reason the people with the numbers in this House agreed, so the debate was adjourned. Then I tried to deal with the Government's business. On each occasion the House rejected any progress on any of those Bills, including a report of the Standing Orders Committee. That is not government business. I put that matter on the Notice Paper because I was asked to put it there. I moved to deal with that, and the House refused. I then thought I would try out members opposite and see whether they would agree to deal with the Democrats' Bill. Surprise, surprise! The House agreed to deal with the Democrats' Bill. That is what we dealt with today. We then had the dreadful situation in which the Attorney General, who had no notice the Bill would come on today, because of this nonsense -

Hon Norm Kelly: You have had two years.

Hon N.F. MOORE: The member knows as well as I do that the Attorney General did not know it was coming on today.

Hon Tom Stephens: You brought it on.

Hon N.F. MOORE: I brought it on to see whether members opposite would continue to deny the Leader of the House the right to set the Notice Paper, and the order of business. For some strange reason members opposite allowed us to deal with that item, but not the report of the Standing Orders Committee. When the Attorney General, who is handling the Bill for the Government, asked the House to deal with the committee stage at the next sitting of the House, that too was refused.

Hon Tom Stephens: What did you do on 14 May 1997?

Hon N.F. MOORE: I would not have the faintest clue.

Hon Tom Stephens: You did exactly the same thing.

Hon N.F. MOORE: I am sure the Leader of the Opposition will learn one day. He was caught out twice today and he cannot cope with it.

Hon Tom Stephens: I knew basically what was going to happen.

Hon N.F. MOORE: The Leader of the Opposition is hyperactive most of the time, but on a day like today he exceeded himself. We will deal with the motion about the Select Committee into the Finance Broking Industry in Western Australia when it gets here. When its turn arrives we will deal with it properly. The Government does not support this half-baked, politically motivated, unrepresentative kangaroo court that is this select committee. We have not supported it yet. However, it got through and was established when we could have stopped it. The Leader of the Opposition knows that as well I do. However, we want the opportunity, as the standing orders provide, to deal with that motion when it gets here; when its turn arrives. That is how it should be. That is what the standing orders are for. We deal with matters in order, and the processes provide for that. The Government will agree to set up the select committee again, but it will seek changes to it. We will seek a different membership - perhaps five instead of three members, so that it is not so lopsided as it is now with two Labor members and one Liberal member. That is hardly a representative committee. However, we will not agree to set it up until after the Gunning inquiry reports on 1 September. The House has a two-week break after this week. When we come back we will deal with it and we will make a decision about it. It will be set up. I hope it will be a better creature than the one created last time. The Leader of the Opposition is trying to use blackmail tactics in this House. Basically, he is going on strike like his union mates and refusing to deal with government business in order to get his own way. I have not seen anything like this since I have been here. It is a complete denial by the Opposition of the Government's right to get its legislation debated. All I have asked so far is to get legislation on the Notice Paper, and not even to debate it. The Government will continue to work under the processes of the standing orders and will set up a select committee when it is good and ready.

Question put and passed.

House adjourned at 10.25 pm
