

COMMITTEE REPORTS AND MINISTERIAL STATEMENTS - CONSIDERATION

Committee

The Chairman of Committees (Hon George Cash) in the Chair.

Draft Regional Policy Statement for Western Australia - Statement by Minister for Housing and Works

Motion

Resumed from 14 May on the following motion moved by Hon Bruce Donaldson -

That the statement be noted.

The CHAIRMAN: The committee was dealing with the continuation of remarks by Hon Norman Moore on the question that the paper be noted.

Hon NORMAN MOORE: I had finished.

Question put and passed.

Joint Standing Committee on Delegated Legislation - Eighth Report - Issues of Concern Raised by the Committee Between 9 June 2003 and 19 December 2003 with Respect to Local Laws

Tabled on 4 May. [See paper No 2123.]

Motion

Hon RAY HALLIGAN: I move -

That the report be noted.

It is particularly important that the House be made aware of certain issues that it has devolved to the Joint Standing Committee on Delegated Legislation. That committee has been around for some time. It plays a very important role in scrutinising subsidiary legislation associated with primary legislation that goes through this Parliament and also local laws enacted by local government authorities. It is a particularly important committee because, in the main, it does its work outside this Parliament, but often the work that it does is unknown to members of Parliament unless they have been directly involved with it.

For that reason I will take some time to explain some of the issues that have been raised in the eighth report, dated April 2004. The report covers issues of concern raised with the committee between 9 June and 19 December 2003 on local laws that it was asked to scrutinise. The report shows that the main areas of concern were health local laws, beekeeping local laws, parking local laws, urban environment and nuisance local laws and fencing local laws, as well as some drafting errors that were found by the committee.

The committee found that local government authorities use external consultants and administrative officers from within local government or legal practitioners to draft and scrutinise local laws. They often use pro forma local laws that have been developed by the Western Australian Local Government Association. WALGA has developed the templates over time and local authorities, particularly the smaller ones that do not necessarily have the expertise or money to use external lawyers, look at the templates and make modifications to them to suit their own circumstances. As I will mention later with some of the drafting errors, they sometimes get it wrong. They make assumptions and see a heading on a local law and think it fits their circumstances. They accept it as it is, but the committee found that what they put forward often has anomalies associated with their own circumstances.

Hon Ljiljanna Ravlich: Do they use the wrong template for what they intend to enact?

Hon RAY HALLIGAN: It is often the case that the template is the right one according to its heading. However, in some instances there is often mention of the original local government authority in the body of the local law. Some local government authorities omit to make that alteration. The committee's approach to scrutinising subsidiary legislation is discussed in its sixth report, dated March 2003, which covered the period from June 2001 to August 2002. It would be of some enlightenment if I recorded some of it in *Hansard*. Page 7 of the sixth report states -

The Committee's approach is to first raise any issue of concern with either the local government, agency or government department that prepared the instrument by letter to its Chief Executive Officer. A response to the Committee's concerns is then requested and any other additional information provided is considered.

Consistently, the issues of concern are generally resolved at this stage. However, at other times, the Committee may resolve to conduct a hearing in which public servants or local government employees are called to give evidence to assist the Committee in determining what further action, if any, is

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required. This may result in the Committee seeking a written undertaking from the relevant Minister or local government council to amend or appeal an instrument in whole or in part. In the absence of such an undertaking the Committee would recommend to both Houses of Parliament that the relevant instrument or part of it be disallowed.

The prospect of disallowance is a powerful incentive for Ministers of the Crown and local government councils to comply with the Committee's requests. To date, no recommendation from the Committee to disallow an instrument has been rejected by the Legislative Council.

That is particularly important. Parliament can see that the committee is doing its job as expected by Parliament and, probably more importantly, by this House of Parliament. I know that members of this Chamber take a great deal of interest in the work of the committees.

I mentioned that some of the headings under which this report provides information include health local laws. The report gives some examples of, in this case, unreasonable wording. The example provided refers to food and states -

A person shall not place or cause to be placed in or on any premises, and an owner or occupier of premises shall not permit to remain in or on the premises -

(a) *any food, refuse or other waste matter which might attract rodents to the premises or which might afford harbourage for rodents; or*

(b) *any food intended for birds or other animals,*

unless it is contained in a rodent proof receptacle or a compartment, which is kept effectively, protected against access by rodents.

In the majority of instances we understand the intent of the local law, but it is incumbent on the committee to take into consideration consequences that were not intended. In this instance the committee considered that the effect of this clause was to potentially prohibit, firstly, the serving of food for human consumption on plates or bowls that are then placed on tables or bench tops or some other surface - a buffet, for example; and, secondly, to prohibit the usual method of feeding pets by means of placing pet food into a bowl or some other open container that can be accessed by the pet. I do not think the local authorities meant for that to occur, but the wording of the local law certainly provided that interpretation. In this instance the committee went back to the local government authority concerned and said that the prohibition was unreasonable and that the wording should be changed to regulate the storage of food, refuse or other waste matter. The report further states -

The Committee notified the Minister for Health and on November 17 2003, he undertook to ensure that:

- the Department of Health would issue a circular to all local governments asking if their health local laws contain this clause or an equivalent clause;
- the Executive Director, Public Health would withhold consent to any proposed health local laws that contain this clause or an equivalent clause; and
- the power under section 343B of the *Health Act 1911* (the Governor's power to amend or repeal health local laws) would be used to amend the clause to read:

No person shall store, or allow to be stored, on any premises, any food, refuse or other waste matter unless it is contained in a rodent proof receptacle or a compartment, which is kept effectively protected against access by rodents.

- 4.4 In a letter dated February 6 2004, the Minister for Health advised the Committee that the Department of Health was in the process of forwarding the circular to all local governments.

Yet again, the minister accepted the committee's recommendation and acted upon it.

Another unfortunate problem the committee found with a great number of local laws is that many of them contain ouster clauses. As members would know, these clauses are referred to as such because they seek to oust the jurisdiction of courts to hear claims or review decisions of inferior courts or tribunals. In many instances, local government authorities include clauses in their local laws that are probably never intended to go this far, but whose wording allows such an interpretation. The committee has had to go back to the local government authority in those cases and ask it to make changes. In each instance, sometimes reluctantly, the authority has done so.

In relation to beekeeping local laws, the committee found that horticulturalists and others who use bees for pollination appeared to be caught up under the Beekeepers Act 1963. Again, this was an unintended

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consequence. Fortunately the staff, who are quite vigilant, found this anomaly and the committee was able to cause the local government authority involved to make suitable amendments to its local law that satisfied both the authority and the committee.

In the area of parking local laws, the committee found an example of an ouster clause in the case of the City of Stirling Parking Local Law 2003. Clause 2.25(2) states -

A person is not entitled to make a claim, by way of damages or otherwise, against an authorised person or the City in respect of a vehicle removed or impounded in accordance with subclause (1).

The committee's report, at paragraph 6.3, states -

The Committee considered that this clause:

- was void for inconsistency with section 9.56(4) of the Act pursuant to section 3.7 of the Act and section 43(1) of the *Interpretation Act 1984*;
- removed a fundamental right to sue a local government for a cause of action recognized by the common law or statute when such clauses are not authorized to do so by the Act or any other Act; and
- offended the Committee's terms of reference 6.6(a), (b), (d) and (f).

Paragraph 6.4 states -

In this case, the Committee accepted a written undertaking from the City to delete as soon as possible the words "...or the City..." from clause 2.25(2).

There would be an understanding that personnel employed by the city and undertaking their duties in a diligent manner would not be caught in this instance. However, the city itself cannot be allowed to stand aside from the action that might be taken by someone who has a reasonable cause.

There have been instances associated with graffiti. Some towns and cities have wished to impose the cost of removal of graffiti on the owners of properties, particularly when those properties were on a corner and may well have had what could be considered to be two fences that faced roadways. In some instances, some of the local authorities wanted to have the power to remove the graffiti, using any means that they believed was reasonable to them, and to cause the owners of those properties to reimburse the council for the cost of that removal. That would be done without consultation with the owners of the property. The committee believed that that was an imposition, and suggested to the local government authorities that they negotiate with the owners of the properties.

As I said before, there have been many instances of inconsistency with the principal Act, with the Local Government Act or with a Western Australian Local Government Association template, and often the smaller local government authorities have found themselves having problems with that. The difficulty has always been that the committee has had to bring the problem to their attention. The committee staff have developed a rapport with both the Department of Local Government and Regional Development and WALGA, so that many of the corrections that are required are brought to the attention of those groups. Hopefully, over time, the errors that we have been finding over so many years will become fewer in number.

As a committee, we periodically find that certain local government authorities - I think it is because of certain individuals within those authorities - have a tendency to argue with the committee. However, I am pleased to say that, at the end of the day, they see the error of their ways.

Hon Ljiljanna Ravlich: They have to.

Hon RAY HALLIGAN: They know full well that it will be a costly exercise if they wish to take on the committee and try to win the day.

Hon Ljiljanna Ravlich: You are a bit of a tiger, I have to say.

Hon RAY HALLIGAN: No, not at all.

Hon Nick Griffiths: You are not supposed to talk about what goes on in committee, even if the member does behave like a tiger.

Hon RAY HALLIGAN: Not the deliberations.

Hon Nick Griffiths: I thought the honourable member was referring to the manner in which you deliberated.

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Hon RAY HALLIGAN: All the members of the committee get on particularly well, and we invariably come to the same conclusion at the end of the day, even if it means writing to a minister in somewhat harsh terms. We have an issue at the moment, but I cannot go into it at present.

Hon Ljiljanna Ravlich: No, but it is quite exciting; I grant you that.

Hon RAY HALLIGAN: Extremely so, and it is all to do with blood and offal.

The committee continues to encounter far too many drafting errors. When drafting errors are clearly typographical or minor in nature, the committee will generally request the local authority to provide a written undertaking that it will correct the errors when it next reviews the local law; hence, the fewer motions for disallowance coming before this Chamber. Most drafting errors occur when clauses are either deleted or inserted and the local governments then fail to renumber clauses. Even when proper renumbering occurs, the local governments then fail to amend references to the renumbered clauses. Spelling mistakes and typographical errors are common but usually do not affect the meaning of the clauses. The committee had one instance with the Shire of Dumbleyung's health local laws 2001, which were gazetted on 25 July 2003 and which adopted the Shire of Leonora's health local laws 1999. However, a new clause 5.3.3(3)(vi) had so many words missing that it did not make sense. It stated that the minimum floor area of each stall shall be not less than 28 square metres vertically or four metres horizontally. Of course, it should have stated that the minimum floor area of each stall shall be not less than 28 square metres and walls shall not be less than three metres vertically or four metres horizontally. However, in this instance, the committee did not take a hard line, but just brought the matter to the attention of the shire and requested, and in fact received, a written undertaking from the shire that various drafting errors, including the one I have just mentioned, would be amended when the local law was next reviewed. It depends greatly on whether the committee believes that the issue at hand is likely to cause enormous concern to ratepayers in the immediate future or whether it can be left for amendment at some later date, provided that the local government authority gives the committee the assurance that the amendment will be undertaken and, I believe most importantly, will not use the clause as it stands against any ratepayer.

One area of complaint by the committee, and certainly the staff of the committee, is explanatory memoranda. It is a requirement that these be provided to the committee to explain the reasoning behind the local laws and also what consultation has taken place. One hopes that would include information on complaints. They also need to advise the committee that sufficient communication by way of advertisements in newspapers and the like have been undertaken. In many instances there was a considerable delay in the committee receiving an explanatory memorandum which, unfortunately, somewhat disjointed the work of the committee, as it had to defer looking at these local laws. I hope that over time many of these issues will be overcome through the work of the Department of Local Government and Regional Development, the Western Australian Local Government Association and the staff of the Joint Standing Committee on Delegated Legislation.

I am talking currently about local government authorities, but these issues have occurred with regulations. On far too many occasions the committee has had to wait many months for explanatory memoranda that it has asked departments to provide. That has not made the work of the committee any easier; in fact, it has slowed things down. In some instances the committee had to decide whether to move a motion for disallowance of regulations due to the absence of the explanatory memorandum. This is a particularly important issue, as the committee relies on this information to know exactly what consultation has been undertaken; otherwise Executive Government might very well ride roughshod over everyone and that would mean that the joint standing committee had not done its job. The conclusion of the committee in report No 8 states -

The drafting and procedural errors that are discussed here represent only a sample of the types of errors encountered by the Committee during this reporting period. In the Committee's view, errors of this sort appear to stem from a combination of a lack of resources and local law making experience on the part of some of the drafters.

The substantive issues that have been discussed in this Report demonstrate that several local governments continue to have a fundamental misunderstanding and lack of knowledge concerning the scope of their local law making powers. In the Committee's view, this situation appears to have arisen from a misconception held by local governments that they are 'sovereign entities' that have plenary law making powers that are not subject to the 'interference' of Parliament or its committees. The Committee is aware of this problem and remains hopeful that reports of this nature will help to correct that misconception.

One would hope also that the Minister for Local Government and Regional Development, through the Department of Local Government and Regional Development, will ensure that that message gets out to all 144 local government authorities and, therefore, in future fewer reports of this nature will need to be presented to this Chamber.

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Hon LJILJANNA RAVLICH: I support the motion that the report be noted. When I was first elected, nominated or put up my hand to serve on the Joint Standing Committee on Delegated Legislation in 2001, I thought, "My goodness, this is going to be a very, very boring committee and full of lots of hard work."

Hon Simon O'Brien: That is what everyone else thought too when you were appointed.

Hon LJILJANNA RAVLICH: The committee is not boring at all; in fact, it is very exciting and it has been a pleasure to serve on the committee. Part of the reason for that is that the committee covers a pretty broad and interesting range of areas. It also has some very diverse personalities. Not long ago a new chair was elected to the committee, Mr Martin Whitely. I understand that Hon Ray Halligan has been on this committee for virtually the whole of his political career. Am I correct?

Hon Ray Halligan: Yes.

Hon LJILJANNA RAVLICH: Hon Ray Halligan has a very genuine commitment to delegated legislation. He takes very seriously his role as deputy chairman of the committee; in fact, he has been a tiger in a whole range of areas of delegated legislation, none more so than in the area of cost recovery. He has certainly protected the interests of Western Australians and made sure that government agencies do not overstep the mark with the revenues that they charge as part of their cost recovery agenda. I have changed my view of this committee and the work that it does. I believe the committee is very important.

This is the eighth report of the committee. It is a six-monthly report that gives a broad brush overview of the scope of the areas that the committee has covered. I will not go into all those areas because I do not think there is much point in doing so. About 90 per cent of the work done by the committee involves scrutinising local laws and by-laws. One of the really frustrating aspects of carrying out that function is that some local government authorities struggle to meet the legal requirements and the requirements set down by the committee. It is not always easy, particularly for remote local government authorities, to have access to external consultants. It is not always easy for them to readily access information. Sometimes in the more remote areas of the State even the use of the Internet and modern telecommunications may not be as reliable as they are in the metropolitan areas. All these matters add to the frustration of local government authorities and their ability to meet the requirements of the committee.

Even though some performance indicators and models of local laws can be used by some of these local government authorities, more work can be done in this area. I am sometimes saddened when we come across a case of a local government very genuinely attempting to meet the requirements expected of it. Correspondence goes backwards and forwards between the committee clerks and those local authorities as the committee clerks try to explain to them why what they have done falls short of the requirements. It must be very frustrating for them. It is also very frustrating from the committee's point of view because it might end up writing half a dozen pieces of correspondence to get the sort of outcome it is after, which becomes very costly indeed. There is some scope for investigating other ways in which additional assistance can be provided to some of the more remote and isolated local authorities when they are preparing by-laws. A section of the Western Australian Local Government Association could have a role to play in acting as a filter. Local by-law drafts could be sent to a WALGA officer with responsibility for the first-blush check. If the by-law meets requirements, it would then be sent to the Delegated Legislation Committee. If not, the WALGA officer and the local government authority would communicate to get it right. Some scope exists to provide a little more assistance to and to reduce the workload of the committee that can be more administrative in nature than anything else.

It is an interesting committee. Sitting on the Joint Standing Committee on Delegated Legislation should be a rite of passage for members of Parliament as it provides a learning curve. Positives can be gained by participating in the committee. I am pleased to support the motion that the report be noted.

Question put and passed.

Joint Standing Committee on the Anti-Corruption Commission - Eighth Report - Report on the Hearing with the ACC on 29 March 2004

Resumed from 13 May.

As to Consideration of Report

Hon DERRICK TOMLINSON: I seek your guidance on this matter, Mr Chairman. My colleague on the joint standing committee Hon Graham Giffard has indicated his wish to speak to the report. He is elsewhere on parliamentary business. I would like to speak on the same date that he speaks. I do not want to adjourn debate as it would then become an order of the day; I would like to defer the matter.

The CHAIRMAN: If the member moves that the item be postponed until the next committee reports and ministerial statements session, that can be achieved.

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Hon DERRICK TOMLINSON: I move -

That consideration of the eighth report of the Joint Standing Committee on the Anti-Corruption Commission be postponed until the next opportunity for consideration of committee reports and ministerial statements.

Question put and passed; consideration thus postponed.

Pastoral Leases, Reorganisation - Statement by Parliamentary Secretary

Resumed from 26 November 2002.

Motion

Hon NORMAN MOORE: I move -

That the statement be noted.

This statement was made on 26 November 2002, a fair while ago, by Hon Graham Giffard on behalf of the Minister for Planning and Infrastructure. He referred to the first major reorganisation of Western Australia's pastoral leases for 20 years, and how the reorganisation had begun in earnest. This major reorganisation is probably the most significant land grab in the history of Western Australia. Vast areas of pastoral land are being grabbed by the Government for all sorts of purposes. I do not have a problem with that in some respects, but I have serious concerns in many areas. Members are aware that most pastoral leases in Western Australia expire in 2015, and that the Government is advising pastoral leaseholders of various exclusions and excisions to be put in place in 2015. When the announcement was made in November 2002, pastoral leaseholders were advised that there would be a period of negotiation on the excisions to be made from each pastoral lease, and that hopefully some consensus would be reached on the excisions. I want to talk today about one particular pastoral lease and the excisions proposed for it. Members will not be surprised when I indicate that the pastoral lease I will refer to is that of Ningaloo station. Members may recall that some little time ago I raised in the House a proposition that had been put to the Government by an organisation called the Australian Wildlife Conservancy, which is run by Mr Martin Copley. I raised the proposal by the Australian Wildlife Conservancy and Mr Martin Copley in the context of a proposal that had been put to the State Government for Ningaloo pastoral station. Mr Martin Copley is a 25 per cent owner of Ningaloo pastoral station, having acquired that 25 per cent with the assistance of a government officer who is also a director of the Australian Wildlife Conservancy.

Hon John Fischer: Without the knowledge of the other leaseholders at the time it was initiated, I might add.

Hon NORMAN MOORE: Hon John Fischer is right. Having acquired 25 per cent of the pastoral property, Mr Copley put forward a proposition to the Government, under a proposal by the Australian Wildlife Conservancy, to develop an ecotourism development on Ningaloo station as an alternative to the Mauds Landing proposal. I have raised this matter on a number of occasions in the House and have expressed my concern that Mr Copley, with the assistance of a government officer, was seeking first to gain the Government's support for what he had in mind for the Ningaloo pastoral lease and, secondly, to undermine a legitimate proposition that had been put forward by Coral Coast Marina Development Pty Ltd, initially at the request of a previous Labor Government. When I was looking at the proposition put forward by Mr Copley and the Australian Wildlife Conservancy for Ningaloo station I became aware of the relationship between Mr Copley and the Save Ningaloo campaign. I became aware of that through federal *Hansard*, when Labor Senator Peter Cook - it was not a Liberal, National Party or some other senator - made the allegation that the Australian Wildlife Conservancy had provided some \$500 000 to the Save Ningaloo campaign and that the Save Ningaloo campaign contained among its operatives people who were working very closely with Mr Copley and the Australian Wildlife Conservancy. I also raised in the House the varying views of different government agencies on the Mauds Landing development and how those views had changed over time and how there was a correlation between the changing of opinion and the proposals that were put forward by groups such as the Save Ningaloo campaign and the Australian Wildlife Conservancy. It seemed to me that proposals were being put to the Government to undermine the Mauds Landing development and to ensure that the Australian Wildlife Conservancy had a head start in any development that might take place along the Ningaloo coast.

Coming back directly to the pastoral lease reorganisation ministerial statement, I asked some questions earlier this week, quite coincidentally, about land resumption from Ningaloo pastoral station and, indeed, the Ningaloo coast. Question without notice 388, which I asked on Wednesday 2 June, reads -

I refer the minister to the Government's decision to resume a two-kilometre coastal strip of land from pastoral properties along the Ningaloo coast.

- (1) Has the two-kilometre line been drawn to follow the coastline so that only two kilometres of land is resumed?

Extract from Hansard
[COUNCIL - Friday, 4 June 2004]
p3599c-3611a

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- (2) If so, why are some pastoral property owners being told that they could lose significantly more coastal strip land than two kilometres?
- (3) Will the minister table a map showing the land to be resumed; and, if not, why not?

The answer given reads -

- (1) For pastoral leases for which the acquiring authority is the Department for Planning and Infrastructure, the Department of Fisheries or the Shire of Carnarvon, the proposed excluded coastal strip is one kilometre. When the acquiring authority is the Department of Conservation and Land Management, the exclusion is two kilometres, or, on the northern portion of Ningaloo station, to the eastern boundary of the lease.
- (2) All exclusions are generally within the tolerances of the geographic information systems based on distances of one or two kilometres from the high water mark.
- (3) Maps showing all areas proposed for exclusion from pastoral leases have been available on the Department for Planning and Infrastructure web site since November 2002.

I got a copy of the proposed exclusions from the Ningaloo pastoral lease from the Internet. As the answer to the question without notice explained, the Ningaloo pastoral lease is being treated differently from the others. I thought I had better have a quick look at what area of land is to be excluded. The map of Ningaloo station shows the areas to be excluded. It also shows a line, which I suspect is either the one or two-kilometre exclusion zone along the coast. It is probably the two-kilometre line. At the north end of the lease, a large area of land extends a significant distance to the east. I am told it extends to the eastern border of Ningaloo station. When I looked at that map, I thought that I had seen it somewhere before. Of course, I had not seen it. I would have known if it was the Government's exclusion map and I would not have asked the minister to table it if I had already seen it or had a copy of it. However, it looked quite familiar when I marked it out. I thought to myself "I wonder who else has a similar view to the Government about which parts of Ningaloo station should be excluded". Of course, the Australian Wildlife Conservancy and Mr Martin Copley popped into my mind. I asked my research person to drag out the proposition put by Mr Copley and the Australian Wildlife Conservancy to the Government a couple of years ago. Lo and behold, the area of land to be excluded is identical to that in the proposition put by the Australian Wildlife Conservancy. What is going on here? There is a bit of a smell coming from this. There was a smell when I raised it before; in fact, there was such a stench that the government officer was required to step aside from any decision-making processes because of his conflict of interest. The Minister for the Environment even stood down from making a determination in this matter because she too had a conflict of interest. When I raised this matter, I was very concerned that a group of people who are financing an anti-development campaign had put forward an alternative proposition. When we look at what has happened now, it seems that the alternative proposition will in fact happen. We saw what happened to Mauds Landing. We saw what happened to the Coral Coast Marina Development Pty Ltd proposal. The current Government threw it out the window for the most blatant of political purposes. Who could ever forget the Premier standing on the shores of Coral Bay telling the public of Western Australia on a flying visit that he was there to save Ningaloo Reef? It is a bit like his trip to Rottnest the other day. He seems to have this permanent fishing rod attached to his hand, and he chucks a line into the water whenever he is going to announce some big deal.

Hon Derrick Tomlinson: Perhaps he is a fisher of men.

Hon NORMAN MOORE: Perhaps he is, but do members remember the last two leaders of the Labor Party who went fishing - do they remember that photo of the back of the Premier and the Deputy Premier - after retiring after five years in office? Do members remember those two? Do members remember the WA Inc royal commission?

Hon John Fischer: Fisher of shonky deals.

Hon NORMAN MOORE: Fisher of men! Fisher of shonky deals! I wonder whether the current fisherman in charge of the Labor Party might finish up taking a walk down the beach after five years, saying his work is done. We will wait and see. In respect of this issue, the smell that I believe exists surrounds the way in which the Australian Wildlife Conservancy, with the assistance of a government officer, seems to have got its proposition into the decision-making processes of government to the exclusion of others. I do not have a problem with Mr Martin Copley having an ecotourism development at Ningaloo station, provided he goes through the same processes as everybody else who has ever wanted to do anything along that coast. I remind the House that Coral Coast Marina Development started in about 1989, and some 14 or 15 years later was told that it could not go ahead. Yet, Mr Copley and his group put forward a submission to the Government. The Government tells me it has not met Mr Copley since the decision to close down Mauds Landing. Yet, here is this Ningaloo station exclusion, which has boundaries that are identical to the proposal put forward to the Government by Mr Copley.

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We need to have some sort of inquiry into this matter. I understand that in the committee stage I cannot move for an inquiry to take place. However, I indicate to the Chamber that I will be contemplating a substantive motion for a committee to investigate all the issues surrounding this piece of land. I can understand the Labor Party and the Greens (WA) seeking to gain political mileage by saying that all the coast of Western Australia to a width of one or two kilometres should be excluded from pastoral lease activities, so that other people can have access to it and so that we can conserve and preserve the environment. I can understand them saying and doing that for the most blatant of political purposes. However, on this map that I will hold up for everyone to see, why has the area of Ningaloo station that sticks way inland from the coast been excluded? The excluded area is vast and covers about 22 202 hectares, as I read it from the figure on this map - I may be wrong in that respect. Why is it that on this particular pastoral lease, a great big lump of land heading east from the coast has to be excluded as well as the strip along the coast? It is because that is what Mr Copley wanted. Why did Mr Copley want that bit of land? Mr Copley, who has 25 per cent ownership of the Ningaloo pastoral lease, wants that area of land excluded from the pastoral lease and given to him as recognition of his 25 per cent ownership of the property. The other three-quarters can have the rest, which is all the scrub off the coast. The jewel in the crown of the whole Ningaloo coast is included in this land grab.

Hon John Fischer: That sounds exactly like the deal he offered to the Lefroys to get that quarter share. It just happened to be the best part of Ningaloo.

Hon NORMAN MOORE: Exactly. For those people who know the area around Ningaloo station, I will mention some places along the coast. Winderabandi Point is a very pleasant spot and its geographical location is such that it is able to have a development on either the north or south side of the point, which makes it a very good location in the context of the prevailing winds. Then there is Lefroy Bay, Norwegian Bay, Point Cloates, Jane Bay and further down there is Coral Bay. That area of land along the coast from about Winderabandi Point to Point Cloates is absolutely the jewel in the crown of the Ningaloo coast. It is where the most spectacular coastline is located, it is where the most spectacular reefs are located and it is where the most spectacular water is located. On the mainland there are also some very high sandhills which enable magnificent views to be had over the whole of Lefroy Bay and Norwegian Bay.

I was surprised when I saw that the two maps were the same. I was surprised because of the lack of subtlety. One would have thought that if the Government were going to give Mr Copley what he had asked for but was not going to tell anybody, it would have changed the boundary a bit so that it would not look the same, but it is identical.

Hon Barry House: WA Inc is alive and well!

Hon NORMAN MOORE: It seems like it. I do not know whether Mr Copley supports the Labor Party, but what I do know - if I believe Senator Cook - is that he supported the Save Ningaloo campaign to the tune of a very large number of dollars. That campaign was successful in destroying the ambitions and the hard work of a group of Western Australian investors who had sought to provide a facility that is much needed in the north west. Therefore, it looks as though Mr Copley, the Australian Wildlife Conservancy and his government officer are going to be getting access to the jewel in the crown, and it is time we found out whether that will happen. I have not been able to get any answers to the questions I have asked in recent times about whether the Government has had any discussions with developers.

Hon Ken Travers: Yes, you have.

Hon NORMAN MOORE: The only answer I received was that the Government had not met with anybody.

Hon Ken Travers: You wanted an answer that we had met even if we had not met. That is an answer. Do not say you have not received an answer.

Hon NORMAN MOORE: The question was addressed to the Premier. The Premier may not have met with anybody.

Hon Ken Travers interjected.

Hon NORMAN MOORE: The parliamentary secretary does not have it yet, because the minister has been away. I put a question in yesterday but was told I could not get an answer because the minister was not here. She was not here today, either.

Hon Ken Travers: You put that question in weeks ago.

Hon NORMAN MOORE: Somebody must have. I will find out one of these days who has, and what is going on. The parliamentary secretary can tell me, if he wishes, that there is no coincidence in respect of this particular land grab; that the Government simply had every intention of grabbing the bit of land that Mr Copley wanted and it is a straight-out coincidence.

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Mr Copley wanted the land so that he could develop a so-called eco-tourism facility, which I can see now. It would be a place where people of significant substance - people who play basketball and people who write books - could all spend leisurely winter holidays.

Hon Paddy Embry: At \$1 000 a day!

Hon NORMAN MOORE: Not for them because they were very supportive in getting rid of the Mauds Landing development in order to keep all the peasants away from that part of the world. There is an ecotourism development on the Ningaloo coast - I read about some lovely five-star tents in *The West Australian* the other day. There were some lovely photographs. I think they cost \$200 or \$300 a person a night.

Hon Ken Travers: They are award-winning. They have won a number of tourism awards.

Hon NORMAN MOORE: If I were getting that sort of money for a couple of tents, I reckon I would get an award as well!

There is a funny view held by greens and their various trendy supporters that these extraordinarily beautiful parts of the State should be preserved for them. They want those areas kept as wilderness so no-one can go there except the green people who are allowed there or to control what can be developed so that only people with vast sums of money or who know someone well can go there. They take the view that a place like the Ningaloo coast is not for the peasants; that is, the people who might want to go fishing or who might bump their boat against a reef or something like that. It is only for those people who, for some reason, have a God-given desire to preserve the environment against the interests of the rest of society. That is why they did not want the Mauds Landing development; they did not want people to have somewhere to go. They did not want somewhere where people could build a house. They did not want people to have a place where they could moor their boats. They did not want anybody there. They want only people who are fellow travellers to enjoy those sorts of places.

Hon John Fischer: The situation in Coral Bay is now absolutely atrocious.

Hon Ken Travers: What do you mean "now"? We are the first Government to fix it.

The CHAIRMAN: Order, members! Hon Ken Travers, only one interjection at a time thank you.

Hon John Fischer: In the years to come the Government will be held accountable.

Hon Ken Travers: I went up there two years ago and the place was a mess. We are fixing it.

Hon NORMAN MOORE: I am absolutely delighted at the comment by Hon Ken Travers. There are two ways in which a person can interpret the word "fixing". The Government is not repairing it; it is "fixing" it - full stop - and destroying it to make sure that nothing ever gets fixed at Coral Bay. As Mr Chairman well knows, Coral Bay is a very important part of the Ningaloo coast. It is the part of the coast that is under the most stress from an environmental point of view. It is under significant stress. The reason goes back a very long way. In fact, it goes back to when the place was first started, which is when I first went there. I was one of the first guests at the Coral Bay Hotel.

The CHAIRMAN: Order! The member is straying from the ministerial statement on pastoral lands restructure.

Hon NORMAN MOORE: I know. It is very much to do with what is happening here. The Government has said that it will fix Coral Bay by establishing another hotel. That will put even more pressure on the place. At the same time, so it would seem, it will allow the excision of a very large part of Ningaloo pastoral station to be given to somebody, perhaps, for the development of something that could be best described - if a person looks at Mr Copley's submission - as an ecotourism development.

I have wandered around the north west a little bit and I have perhaps extended my comments beyond the exclusion zone referred to in this ministerial statement. The time has come for us to have a good, hard look at what has been going on along that coast. I have already raised the issue of the decision on Mauds Landing. I do not think that due process was followed. The time has come for somebody to look at this issue from an independent point of view.

Hon Simon O'Brien: This is a recurrent theme.

Hon NORMAN MOORE: It is. Everywhere one looks, it can be seen that due process has been ignored. Members are told what is going on only if they ask the most pertinent questions. If the question is not couched exactly the right way, the Government does not provide an answer. For members who are vaguely interested in what Mr Copley and the Government have in mind, I have two maps that show the areas of land that are to be excluded.

Hon Ken Travers: Did I hear you correctly say that also matches exactly the areas of the pastoral lease?

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Hon NORMAN MOORE: It does, which is why I am raising the issue. That is why the Government's lack of subtlety amazes me. If the Government wanted to exclude or excise areas of land from the Ningaloo pastoral station that were not exactly the same as Martin Copley's submission, the Government would have drawn the line somewhere else, but it did not. Perhaps Mr Martin Copley knew something before the Government had even started. Maybe he knew what the Government had in mind before he put in his submission. That would be an interesting scenario, particularly as he has someone from the Government in his pocket. This is the same guy who, in one capacity, about 10 years ago said that Mauds Landing could go ahead and two years ago, in another capacity, said it could not. He was stood aside by his minister for having a conflict of interest.

I would love to talk to that officer. I would love to know how all this came about. I have been waiting for something to happen in the courts because I suspect that is what will happen. It has not happened yet, but my interest continues. As I said, my interest was whetted again this week because after I received an answer to a question I asked today about Ningaloo pastoral station, I looked on the Internet and found a map. I looked at the map and thought, "That's familiar". Here it is. Every time a government member talks about these issues, something pops up. Something very funny is going on in that part of the coast of Western Australia, and I would like to know more about it.

In my own humble judgment some pastoral leases are worthy of excision for all sorts of good reasons. However, the excisions of all the pastoral leases around the State amount to a massive land grab by the Government. Vast areas of land that are currently being looked after by pastoral leaseholders will be placed in the hands of a government agency after 2015. We all know that the Department of Conservation and Land Management has neither the capacity nor ability to look after the land currently under its control. We all know that most of the national parks in Western Australia are not properly looked after. We know too that the vast areas of nature and conservation reserves are not properly looked after, because CALM does not have the resources to do it; yet the Government will give thousands of hectares of land that currently belong to pastoral leases to government agencies to manage. They will not be able to do it.

The Government should get smart and work out that there is no point in having vast areas of land that are not properly looked after. Ironically, the problem with the land on the Ningaloo coast is that it is not being looked after. I do not know of a government proposal that will do that. I indicate to the House that I will contemplate moving a substantive motion for an inquiry by either a select committee or a standing committee into the Australian Wildlife Conservancy's relationship with the Government, and whether the decision to excise the area of land I have described is to provide Mr Martin Copley with the jewel in the crown of the Ningaloo coast.

Hon JOHN FISCHER: I would like it noted that I offer my total support for Hon Norman Moore's comments regarding the Ningaloo coast area. I am very aware of the angst that was caused initially to the Lefroy family when the Australian Wildlife Conservancy acquired a 25 per cent share of Ningaloo station. The whole process was extremely doubtful, certainly in the morality in which it was carried out. As I have said, I know that the Lefroys suffered a great deal of angst when they lost control of that quarter share of Ningaloo. I have also seen a letter from AWC offering the Lefroys a portion of the land, in return for the excision of a quarter share to AWC. I have spoken in this House before on this subject. It was always my view that a pastoral lease was one of the whole, and could not be split up into sections by percentage owners of the lease. The fact that that the proposed pastoral excision follows the boundaries that have been pointed out to us by Hon Norman Moore deserves an inquiry. There are many aspects of the excisions on that coastline. The actions taken by the Government have been deplorable, such as the proposals that have been put forward in relation to not just Coral Bay itself, but also the habitat nodes up and down the coast, and the virtual total exclusion of the pastoralists. These people have lived in that area before there were bitumen roads. They opened up the area, and have been responsible for looking after that country and nurturing it, so that it remains in the pristine condition that has drawn the attention of -

Hon Ken Travers looks at me in a strange way.

Hon Ken Travers: I do that quite often.

Hon JOHN FISCHER: Maybe it was normal; I am not sure. I would certainly take an interjection from him on that point if he is inclined to do so.

Hon Paddy Embry: He would not do that because he knows that you live there.

Hon Ken Travers: If you want an interjection, define "pristine" for me.

Hon JOHN FISCHER: "Pristine" means virtually untouched, as it was 50 to 100 years ago, before the influx of tourism on that coastline. I have seen photos, belonging to the Lefroys, of Ningaloo and Jane Bay just after the Second World War. Comparison with aerial photos taken recently shows that the country is in exactly the same condition. I was talking to one of the station owners in that area recently. They had had a meeting with

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government departments about the exclusion of certain tracts of land. The pastoralists asked whether they would still be able to use the buffel grass area on the coast. The person from the department asked what on earth buffel grass was. He was told to look out the window, because it grows all over the area. The problem is that people are making decisions on this country who do not have a clue about what is entailed in looking after it.

The whole process on that stretch of coast from Carnarvon to Exmouth has been handled absolutely atrociously. Anyone who has lived there for a long time, and certainly members of my family, which has been in the area for the past 100 years, will say that the southern boat ramp at Coral Bay is in the wrong spot. The best option for that country, in my view, was undoubtedly the Mauds Landing development. Over the past 20 to 30 years the growth at Coral Bay has been an uncontrolled disaster. I can recall that I was a member of the Carnarvon Shire Council when the first building went in there. The shire applied in 1983 for the Government to put a halt to all development there, but unfortunately the Minister for Lands at the time overrode it. I certainly do not hold the Shire of Carnarvon responsible for the disaster at Coral Bay.

There is no doubt that that area of coastline - in my view, anyway - is some of the most beautiful on the whole Australian coastline. Gnarloo, Gnarloo Bay and areas like that are absolutely beyond comparison with most other areas of our coastline. The mishmash of development that will be allowed to occur there will be an absolute disaster. I say sincerely that in five or six years, I hope this Government will have the courage to be accountable for the absolute disaster that it is inflicting on that area.

Hon Ken Travers: When we are still in government in five or six years, and if it is still in the same state as we found it, you will be right. In fact, you'll be able to write a speech for someone who is still a member of this place then, and let that member make the speech and hold us accountable.

Hon JOHN FISCHER: I am saying that the Government will need to be held accountable in five or six years for the absolute mishmash in that area.

Hon Ken Travers: No, you are right. As the Government, we will be accountable.

Hon JOHN FISCHER: The Government has not been accountable for anything that I have seen so far, so I do not know why the changes should suddenly take place. However, if the Government has the moral courage to say that it was wrong, I am afraid that that will be small reward for the disaster that it is inflicting on that coastline. The Premier is an absolute disgrace. The actions that he has taken regarding the Mauds Landing development are merely a vote-grabbing exercise, and it does him no credit whatsoever. I fully support Hon Norman Moore in his call for an inquiry into the developments on that coastline.

Hon KEN TRAVERS: It has been a fascinating debate this afternoon. Members have presented arguments to the committee almost as though time commenced three years ago when the Labor Government was elected. I went up to that area about 18 months or two years ago to visit Coral Bay. I stayed at Carnarvon on the occasion of that visit. I can tell members that I was shocked and horrified by what I saw when I went there.

Hon Norman Moore: We all agree with you on that. It must be fixed.

Hon KEN TRAVERS: Let me finish, honourable Leader of the Opposition. Hon John Fischer's speech, and to some degree the Leader of the Opposition's speech, suggested that these problems had only just arisen.

Hon Norman Moore: Not at all. They have been there since the place started.

Hon KEN TRAVERS: I am glad to hear the Leader of the Opposition admit that.

Hon Norman Moore: But what you are trying to do to fix it is the wrong thing to do. Can't you understand that?

Hon KEN TRAVERS: Exactly; it has been a mess for a significant number of years. It was a mess when this Government was elected. We are fixing it. We are the first Government to have a realistic program for fixing up that coastline and for ensuring that it is preserved in perpetuity. It is a very fragile coastline. I read the Leader of the Opposition's press release about the new coalition. I can see now why he highlighted that a 26-year veteran is part of its shadow Cabinet. The Leader of the Opposition in this place is trapped in an attitude of how these issues were dealt with 26 years ago. He has not moved forward to modern times. Hon John Fischer, who is only a three-year veteran of this place, is also trapped in the past. That is why the Government is going down the path of excising those areas that need to be protected. Some magnificent ecotourism developments will be able to go ahead. I have not had the fortune to stay at the place about which the Leader of the Opposition spoke, the Ningaloo Reef Resort. However, as part of my duties as the former Parliamentary Secretary to the Minister for Tourism, I went to Exmouth for a visitor centres association meeting, and we visited the location about which the Leader of the Opposition was talking.

Hon Paddy Embry: How long did it all take?

Hon KEN TRAVERS: How long did all what take?

Extract from *Hansard*
[COUNCIL - Friday, 4 June 2004]
p3599c-3611a

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Hon Paddy Embry: This inspection. How long did it all take?

Hon KEN TRAVERS: Of the camp site that I went to?

Hon Paddy Embry: That you are referring to. You said that you went on an inspection. I asked you how long did the inspection take.

Hon KEN TRAVERS: It would have been a couple of hours - about an hour or so.

Hon Paddy Embry: So you are a full bottle on the area, are you?

Hon KEN TRAVERS: No.

Hon Paddy Embry: You know more about it than people who have lived there for years, do you?

Hon KEN TRAVERS: Hon Paddy Embry should listen to the whole debate, and not just bits of it. I am talking specifically about a visit I made to the Ningaloo Reef Resort, which is in one of the ecotourism areas that the Leader of the Opposition spoke about. It is able to survive within the very fragile area of the Cape Range National Park. It is a fantastic award-winning tourism venture. The people who have set it up are to be congratulated.

Hon John Fischer: Cape Range National Park is a long way from Ningaloo.

Hon KEN TRAVERS: However, it is on the Ningaloo Reef.

Hon John Fischer: Cape Range National Park is a long way from Ningaloo itself.

Hon KEN TRAVERS: I accept that that type of accommodation would not necessarily appeal to many Western Australians, and it is an expensive exercise for those to whom it does appeal. That is why we need to look at solutions for providing accommodation. The two linchpins of the Government's strategy are Exmouth and Carnarvon. It wants to support the demand for people to visit those areas. When I visited Coral Bay, I stayed in Carnarvon and took a day trip to Coral Bay. I was horrified by what I saw there. I was horrified that people were camping in the car park. That is not new; that had been going on and was well and truly established before this Government came to power. This Government is fixing it, and it is the first Government to do so. Initially I felt that the answer was to go down the path of something like Mauds Landing and that more development was needed to control it, but I now understand and accept the argument that that is not the answer. Putting that development there would have been a disaster that would have put more pressure on the reef in a way that would have caused long-term damage to it. Therefore, the Government had to come up with a better solution. The excision process is part of a complete strategy, which has never happened before for that area. For the past eight or 15 years others sat and talked about it, but nothing was done in a concrete way. We now have a clear strategy and a clear process for fixing the problems at Ningaloo. That has not occurred before. Members opposite should not try to suggest that this Government is doing nothing. The pastoral lands restructure will provide us with an opportunity to look at the areas of the leases. We must remember that this is not a land grab. These are leases. When a person's lease comes up for renewal, it is an opportunity for that person to revisit the matter. The Government has taken the opportunity to revisit the matter because the leases are coming up for renewal. We are following the processes outlined in the Act. The previous lease boundaries will not be appropriate into the future; new lease boundaries need to be established.

Hon John Fischer: The damage to the reef will be from the southern boat ramp that you have just put in, because to get outside the reef, you have to go back over it all to get to Mauds Landing. That is why Mauds Landing was called Mauds Landing. There was a gap in the reef through which steamers could come.

Hon KEN TRAVERS: There was a range of problems in that area. All these strategies have been worked through and will continue to be worked through. The problems in the area were not fixed by going down the ad hoc path that was taken in the past. It is a difficult area. We must deal with the present as well as plan to manage for the future. I think that everyone now accepts that the process that has been occurring in that area over the past number of years is not an acceptable process if we want to protect environmentally, socially and economically a potential icon and a fantastic and magnificent asset for that area and for the towns of Carnarvon and Exmouth. It is extraordinary to hear members opposite saying in this place today that somehow all the problems are the Labor Party's fault.

Hon John Fischer: That is not what I said.

Hon KEN TRAVERS: That is the way I interpreted the comments of Hon John Fischer.

Hon John Fischer: No, what I said -

Hon KEN TRAVERS: Hon John Fischer will have a chance to respond and have another go at explaining what he meant. I interpreted his comments as implying that this problem was caused by the Labor Party. We hear

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that accusation all the time from members on the other side. I do not think they have caught up with the modern world; they still live in the past. We on this side of the Chamber are very proud that we have saved Ningaloo Reef.

Several members interjected.

The CHAIRMAN: Order, members! This ministerial statement is about exclusions from pastoral leases. Members have drifted down the coast to Coral Bay, not unreasonably, but that is incidental to what is being discussed. Members seem to have got stuck in Coral Bay and some other places. It would be helpful if they would move back to discussing pastoral leases.

Hon KEN TRAVERS: It is a lovely place to be stuck, nonetheless. If my car were to break down, where else would I want it to happen on a day like today? I intended to say that the Government had taken many actions to save Ningaloo Reef, including the excision of pastoral leases from the coastal strip. Unfortunately, I was not quick enough to get my next line out in the debate this afternoon, Mr Chairman; however, I accept your point.

This restructure is one of many projects that we as a Government are undertaking to ensure that Ningaloo Reef is saved and protected for future generations. The excision is just one of many parts of this very complex problem. Obviously, today is not the day to go through all the other projects we are undertaking in Exmouth to provide accommodation, so that people who visit these new areas excised from pastoral areas can enjoy the reef in a way that protects and maintains it. This is not the time to have a full-blown debate about the work we have been doing - successfully, I hope - to get jet services back into Exmouth. It is a shame that we cannot have a more broad-ranging debate; however, many projects, on top of the excision, have occurred and are continuing to occur in that area under this Labor Government. We are very proud that we have taken on board those issues. The broader restructure of pastoral lands is an important part of that process. The leases are up for renewal and now is the time to go through that process. Now is the time to look at the needs of the community in that area between the time the leases were granted and now and to renegotiate them, as anyone would do with a lease. If members opposite leased land, when the lease came up for renewal they would decide what to do with it. Some farmers lease parts of their farms. I am sure that when their leases come up for renewal they decide whether they require the land for other purposes and renegotiate the lease. That is the process we are going through. Clearly, one thing we are seeking as part of that process is to excise some areas for a range of reasons, in some cases for conservation or environmental purposes. In many cases we want to excise areas that have been noted in publications as far back as 1983 as areas required for conservation purposes. That is the process. It is not surprising that a key area that needs to be protected and maintained for the future would generate a strong debate. The Ningaloo area is coming under increasing pressure for a whole range of reasons. That pressure did not start in the past three years; it has been building up over time. We are now having to deal with it and respond, which is why the area has been incorporated in the exclusion zone.

I am happy to have the debate any time, anywhere between now and the next election, because I know that we are responding to the community's needs, protecting the environment for the future and saving the Ningaloo Reef. This is merely one of the many actions we are undertaking to ensure the future. We will be going proudly to the next election on that basis to continue the work that needs to be done in that area to protect it for the future.

Hon SIMON O'BRIEN: I welcome the opportunity to briefly participate in this debate. I am glad that Hon Ken Travers feels free and is happy to participate in the debate as well. I have been following with great interest the remarks of several speakers who know about this issue. The Leader of the Opposition raised an outstanding point. I would like to find out a little more about it. Hon Ken Travers has indicated his willingness to debate these matters publicly any time, anywhere, so no doubt he will entertain my humble request. The Leader of the Opposition in the course of the debate drew our attention to two maps or plans. I believe one represented a government proposal and the other a proposal by Mr Copley or interests represented by Mr Copley. When one compares those two maps or diagrams, the most striking aspect is that the boundaries shown on both coincide.

Hon Ken Travers: I do not think they do.

Hon SIMON O'BRIEN: I will conclude, because I do want to hear from Hon Ken Travers and I want to give him the floor. I would like to have the benefit, through the Chair, of Hon Ken Travers' comments on why these areas, which are very, very large, apparently coincide almost identically, or even absolutely identically - I am not sure. If he is not able to say why - and I am not suggesting that as parliamentary secretary he should just take a punt -

Hon Ken Travers: I would not do that anyway.

Hon SIMON O'BRIEN: I am glad Hon Ken Travers would not do that. If he does not know and he is not able to satisfy my query right now, perhaps he might give an undertaking to this Chamber to make inquiries of the

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relevant minister and let us know the answer to the question. The Leader of the Opposition, a 26-year veteran, as Hon Ken Travers has correctly pointed out -

Hon Norman Moore: Hardly a veteran.

Hon Ken Travers: That is what Colin Barnett called you - a 26-year veteran.

Hon Norman Moore: That is a bit rough.

Hon SIMON O'BRIEN: Yes. If the father of the House, the Leader of the Opposition, raises this matter, it is worth noting and getting to the bottom of what he is talking about. I share his enthusiasm for an inquiry into this matter, about which, *prima facie*, there are some tough questions that the Government needs to answer, not by press release-style rhetoric but simply by getting down to the substance of the matter. Therefore, if the parliamentary secretary would be kind enough to respond, or to give an undertaking that he will find out what the truth is and relay it to the Chamber, I would certainly appreciate it.

Hon NORMAN MOORE: I recognise the time, and I am happy for the parliamentary secretary to respond at some time in the future if he is able. It appears to me, after looking at these two maps, that they are virtually identical. There might be one slight variation in that Mr Copley's two kilometres or one kilometre actually follows a road as opposed to being two kilometres in from the coast, but certainly the area to the north and to the east is identical; in fact, the whole top end of the pastoral lease is just excluded. The parliamentary secretary might also tell us just how much enthusiasm he is getting from the Lefroys, who happen to be the three-quarter owners of that property, when most of what they have had for years is proposed to be taken off them. I think even their homestead is to be excised by the Government as part of this land grab.

Just for the record, I have never said that Coral Bay's problems started when this Government came to office. Coral Bay's problems go back to the day it was first established and the fact that no-one ever had the guts to require some proper planning to create a town with all the attendant infrastructure that goes with a town. The problems at Coral Bay have been there for a long time. For the benefit of Hon Ken Travers, the solution that I proposed when we were in government was to support the Mauds Landing development so that we could get people out of Coral Bay, because I believe there is an excess of human pressure on that particular part of the coast. We need fewer people in Coral Bay, not more. The Government's proposal for a 400-bed hotel at Coral Bay will not solve the problems at all. It will just make them worse. I do not understand why the Government keeps saying that its proposal will save the reef when in fact it will bring in more people and put more pressure on Coral Bay. Coral Bay is only one tiny part of the whole coast, but it is the part that has been settled and it is the part that is under the most pressure. The coral in the bay is being gradually destroyed from a number of sources, such as boats, anchors and sewage seeping into the water, all of which should have been fixed up over time but never were. It seems to me, in the context of my understanding of the coast, that it would be better to get people out of Coral Bay and keep that as quite a small settlement, with controls over how many people can come into Coral Bay and where they can stay, and to create a development in a place that is far less environmentally sensitive than Coral Bay so that a range of people can enjoy the various levels of accommodation that the company is proposing to provide. I do not for one moment criticise this Government for the problems at Coral Bay. The irony of all this is that the proposal for a development at Mauds Landing was in fact put out by the Dowding Government, because it recognised way back in 1989, or whenever it was, that Coral Bay could not be sustained. Therefore, that Government, in its wisdom, called for expressions of interest for a development at Mauds Landing. That was a very sensible proposition. One of the reasons that I get very upset about this issue is that these people put their money into a proposal on the basis of a request for submissions by a Labor Government, and they waited for 14 or 15 years before someone was willing to say yes or no. They eventually got a yes, twice, from the Environmental Protection Authority, and then they got a no from the current Government.

Progress reported and leave granted to sit again.

House adjourned at 3.45 pm
