

MEMBERS' STATEMENTS

City of Belmont Inquiry, Response

HON JIM SCOTT (South Metropolitan) [5.32 pm]: I raise an issue of interest to the Minister for Local Government, who on 10 April this year tabled a report of an inquiry into the City of Belmont - tabled paper No 962. The minister's following media statement read -

"The inquiry has identified issues relating to probity, administration and governance of the City of Belmont," the Minister said.

The minister also said that he hoped the city would take advantage of the report's recommendations to implement improvements to its processes and operations. The City of Belmont responded. A week after the minister tabled the report, the mayor wrote to all residents and ratepayers within the city of Belmont in correspondence headed "Report Vindicates the City of Belmont". The minister issued another media statement on 29 April 2003 headed "Local Government Minister Rejects Claims by Belmont Mayor". The minister rejected any assertions that in any way trivialised the seriousness of the allegations leading up to the major inquiry, and any attempts to diminish the importance of the findings.

The City of Belmont did not want to be outdone by the minister's statement in response. It managed to assimilate the authorised person's report of inquiry into a City of Belmont "consolidated report of inquiry" document. According to the city, its "consolidated report of inquiry" included specific responses and comments by the city within the appropriate report of inquiry paragraphs. That is the document before me, which I will seek leave to table. If the minister has not already read it, he should do so. I have taken a glance through the document. The city's contribution to the discussion in the document has a number of interesting points. Part 1, page 1, reads -

What is quite clear from the evidence is that the Inquiry is neither qualified or experienced enough to make these judgments.

Part 2 on page 147 outlines -

This Finding represents such a pigheaded predilection by the Inquiry to establish guilt that it is difficult to differentiate its form of justice with that of the Dark Ages.

Part 3, page 25, reads -

It is not fair of the Inquiry to use tortured argument based on false premises to build up the potential for a finding unfavourable to the Council or any person other than the former Minister for Planning.

Part 4 outlined that the result was a "time wasting, expensive witch-hunt" that achieved almost nothing for the people of Belmont or the industry in general. Part 4, page 116, reads -

The original finding was "On consideration of the facts, on the balance of the probabilities, the CEO breached provisions of section 5.94 Local Government Act 1995 by denying the public the opportunity of access to the decisions of Council contained in the 'Confidential Minute Book'." and the Inquiry has 'watered down' this finding to the above new finding 4.5.

The city's "consolidated report of inquiry" is probably at the extreme end of the views expressed by the authorised person's report of inquiry. I put it to the minister that the city appears not to have taken any of the report seriously. In fact, the minister would be concerned about the city's response in many other parts of the report with the aggressive language towards not only the minister, but also the inquirer.

Hon Tom Stephens: The council's response to me as it is required to provide under the Act is in different terms from that put on its web site. However, I will study all the responses in my final deliberations on what the council intends to do in response to the report.

Hon JIM SCOTT: Yes. If the minister evaluates the document, he will be interested in many of the comments, given that some people, including me, think the city got off fairly lightly in the inquiry. Maybe the minister needs to seriously look at conducting an inquiry under division 2, part 8 of the Local Government Act. Perhaps then the City of Belmont might take the inquiry more seriously. I seek leave to table the response from the City of Belmont to the original Department of Local Government and Regional Development inquiry report.

[See paper No 1127.]

Sorry Day

HON GIZ WATSON (North Metropolitan) [5.37 pm]: I speak this evening on an event that occurred while the House was not sitting; namely, the sixth anniversary of Sorry Day held on 25 May this year. Members may be

aware that a rally was held outside Parliament House preceding Sorry Day to bring to the attention of members of Parliament in particular the anniversary on 26 May. I attended the Sorry Day ceremony at Midland, which was a very moving ceremony, as has been the case in the past. I was disappointed that no other current members of the Western Australian Parliament were at the Sorry Day event. I am not sure why that was the case. I was particularly disappointed that the Government did not see fit to provide either the Minister for Indigenous Affairs or a representative of the Government at the event. I acknowledge that the Premier has expressed sorrow on behalf of the Government and the Labor Party to indigenous people about the stolen generations. However, it is important that an ongoing commitment be given to events like Sorry Day.

I understand from the organising committee that all members of Parliament received invitations. In fact, a request for financial assistance was made to facilitate Sorry Day. I am sure some members responded to the invitation. I expected representatives from different parts of the political spectrum to be at the event. It was attended by Fred Chaney, who spoke very well. However, I was the only representative from this Parliament. It is also important to note that although the Government should be congratulated for saying sorry to our indigenous people, much more remains to be done. In particular I refer to the recommendations of the "Bringing them home" report, which are languishing. The indigenous community, and the Western Australians who are working with the indigenous members of the community, are concerned that the recommendations in the report have not been implemented.

I will read into *Hansard* a particularly moving statement that was read out at the rally at Parliament House just before Sorry Day. The statement was made on 16 May by Mark Bin Bakar, who is the chairperson of the Kimberley Stolen Generation Committee. It reads -

One of the greatest things about history is that the truth will always prevail. Stories can be handed down and recorded but you can not change the truth. We as Indigenous people of this country are fully aware of the atrocities and social experiments that had been carried out on our people. **Our old people never ever forget.**

It is a known fact throughout the world that many races and peoples had been mistreated and humiliated by oppressors and acts of supremacy. Australia is not any different to the rest of the world, except that we have the democratic ability to assist in healing by recognising and taking the responsibility as a country for the suffering of our Indigenous peoples.

The "Stolen Generation" issue is not only about the children who were taken away but also about the mothers who lost children. The many mothers who have gone to their graves longing for their children and the many who are still alive today, who still long for that child or children who are taken. **This is the ultimate abuse of woman.** Shame Shame Shame The majority of all our social dysfunctions today are because of the breakdown of family structures, the loss of identity, a sense of ostracism by the broader society.

The greatest thing any great leader can do is to heal their country, heal its people, thereby uniting the country into a oneness. We long for that special party and special leader of Australia, who will one day show that leadership. As Indigenous people, we can wait and bare the pain, as we are numb from the ignorance of previous regimes and used to being last in line.

However, we are confident in the future, Indigenous and Non Indigenous younger generations of people who are and will be ashamed of our Australia past and who will lead this country into a great new era that will forever seal the pride that we should hold united as Australians. We believe in the future youth that will one day be Australia's voice with a clear conscience. It takes time to relieve pain, we know.

History exists in man's intelligence, we need to learn from our past, and I hope that I can witness this in my life time.

I will also read into *Hansard* the comments that Professor Fiona Stanley made on Sorry Day. Her statement is about indigenous health and reads -

The appalling health and living conditions endured today by many Indigenous Australians is a denial of their human rights. What outrages me is that Australians are not more outraged.

What concerns me most is that the gap between Aboriginal people and other Australians is worsening. That as a nation we appear to tolerate and accept the current situation is actually racism.

For our nation to say Sorry would be an important step towards reconciliation.

We should not only acknowledge the impact of the removal of children from their families but should implement policies and programs which use the new knowledge about the importance of infancy and early childhood to enable Indigenous children to thrive and prosper.

It would seem to me that the statistics that need to be debated with this issue are not those around assessments of how many children were taken, but what the impact has been on the communities and “generations” of people affected by the policies.

There is no doubt that we are seeing the effects of the removal of indigenous children into the third and fourth generations. It is very apparent when looking at the dismal state of Aboriginal health.

Aboriginal children experience higher infant mortality, lower birth weight, more birth defects, diabetes, cot death and respiratory illness. A number of social indicators of well-being such as level of education, economic and employment status, representation in the justice system and rates of suicide are several times higher in indigenous young people than the non-indigenous population.

Inequality affects everyone in the community. We pay for it with escalating health and welfare budgets. Even worse is the loss of human potential.

I think Nelson Mandela’s wisdom is clear when he says that there can be no keener revelation of a society’s soul than the way it treats its children.

How is Australia treating its indigenous children and what does it say about our values as a nation?

I remind members that although we as a State have gone some way towards addressing the requests of the stolen generations for an apology, an enormous amount of work remains to be done. I encourage all members to play a more active role in ensuring that the recommendations of the “Bringing them home” report do not languish and are progressed. Given that the Government has been in office for two years, there is enormous concern from the sector of the community that is keen to advance reconciliation that the Government is not doing enough to implement those recommendations. We must remember that the work that must be done to achieve reconciliation is very much before us.

Ord River Muster, Kununurra

HON JOHN FISCHER (Mining and Pastoral) [5.48 pm]: At the beginning of the last parliamentary break, I was extremely fortunate to be in the top end of my electorate. I will say a few words about what was happening in Kununurra at that time. I was fortunate enough to attend the Ord River muster, which was held at Kununurra. The muster is an enterprising and forward-thinking promotion that has enhanced the tourist potential of northern Australia. Although tourists will always enjoy the magnificent geography of the Kimberley, they now have an added reason to extend their time in the north.

The efforts of the Shire of Wyndham-East Kimberley, the local business community, the Chamber of Commerce and the relevant service groups of the district deserve the highest praise and accolades. The organisers of the event arranged for a performance by the Darwin philharmonic orchestra. They also had the foresight to arrange for the attendance of James Blundel. Given his personal involvement with the Kimberley, he was an excellent choice. He further enhanced the outstanding performance of the orchestra. Above the lower retaining dam on the banks of the Ord River, the organisers erected a stage that extended over the river. The event was held on a beautifully manicured private property. The result was an exceptional event. Between 1 200 and 1 500 people experienced a magnificent performance under a full moon and in a climate that only Kununurra can provide at this time of the year. The future of the tourism industry in the north of this great State is in very good hands when we have people who are prepared to make that type of effort. It was certainly a world-class effort; about that there is no doubt. These people were prepared to make the effort to provide an incentive to attract sponsors and promote a very professional production. I have no doubt that these events will attract more and more people to the Kimberley as news spreads about this world-class performance that took place in virtually perfect surroundings. It could not have been a better evening. People were able to have a picnic or barbecue in one section, and there was also a more expensive section for entertainment. With the orchestra playing as the moon came up, it was absolutely spectacular. I will certainly be recommending the Kimberley to all as a superb holiday destination. I suggest that because of the efforts of these people, there will be a surge in the number of people anxious to visit the attractions of this truly magnificent area of Western Australia known as the Kimberley. Few places could have successfully conducted a similar attraction out in the open as did Kununurra. However, as we know, there are many other attractions and avenues open for promotion throughout the north. I look forward, along with many others, to that coming to fruition. I would like it noted that I believe the organisers of this event have created an attraction that rates second to none in Western Australia.

Retail Trading Hours, Deregulation

HON FRANK HOUGH (Agricultural) [5.51 pm]: Tonight I refer to a full-page advertisement that appears on page 33 of *The West Australian* today. The advertisement is headed “Longer shopping hours, please!” That is followed by the words “The people of Western Australia want a sensible discussion about choice, convenience

and fairer retail shopping hours.” The part that incensed me is the words “If they had the choice, 64% of Western Australians would support shops opening on Sunday - *The West Australian*, August 12, 2002.” I dispute those figures. The deregulation of retail trading hours will ultimately boil down to whether this Government can impose on regional Western Australian the tyranny of the metropolitan majority. This is what this debate is all about. That statistic in that advertisement was sourced from an Australian community research survey commissioned by the Retail Traders Association of Western Australia. The figure is a bogus figure, because the advertisement fails to reveal that all of the 405 shoppers surveyed were from the metropolitan area. No-one had bothered to ask whether regional Western Australians wanted Sunday trading. Brian Reynolds from the WA Retail Traders Association, with whom we spoke this morning, has confirmed this fact.

The Regional Development Council of Western Australia reports that of the 1.9 million people who populate our State, more than 500 000 live in the regions. The source for that is the web site address www.regional.wa.gov.au/snapshot/pop&demo.asp. That means that over one-quarter of the potential shoppers in Western Australia were ignored by the WA Retail Traders Association’s commissioned survey. It was not a representative sample. The article says 64 per cent, but it should have said -

Hon Ken Travers: This debate is about the metropolitan area. It has nothing to do with the bush. The bush already has a choice. In Bunbury shops can open seven days a week.

Hon FRANK HOUGH: This is about 64 per cent of three-quarters of the people of Western Australia.

Hon Kim Chance: This debate is not about regional Western Australia, as Hon Ken Travers has said.

Hon FRANK HOUGH: It is about the State. If trading hours are deregulated because of the national competition policy, it will be statewide, will it not?

Hon Ken Travers: No. Everyone has said it is about the metropolitan area. The system that operates in the regions of Western Australia will stay, as it does in other States. There will be no change.

Hon FRANK HOUGH: So a person who lives in Kellerberrin will have the opportunity of driving to Perth to shop because the shops in Perth will be open seven days a week?

Hon Ken Travers: Don’t people drive to Perth now to shop?

Hon FRANK HOUGH: I am saying the shops in Perth will be open and country people will have the opportunity of driving to Perth to shop, which will starve country towns.

Hon Kim Chance: Perth is actually already deregulated, as is Fremantle.

Hon FRANK HOUGH: It is not deregulated.

Hon Kim Chance: The central business district is deregulated.

Hon FRANK HOUGH: The survey said that the hours for which shops can open vary from place to place depending on what kind of shop it is. The question that people were asked in the survey was do they strongly approve, approve, disapprove or strongly disapprove of allowing all shops to open on Sundays if they want to. The question was biased, because it did not allow people to be ambivalent on the issue. That meant that many people could have agreed in the affirmative because they were not given an alternative. Also, the question implied that shops would have a choice about whether to open on Sundays. That is not realistic. If trading hours are deregulated, shops will have no option other than to open on Sundays to maintain their market share. It is no use a person shutting his shop if the shop next door will open on Sundays, because he will not be able to maintain his clientele and within about three months no-one will bother to come to his shop.

The advertisement also omitted to say that while metropolitan Western Australian respondents would appreciate an opportunity to shop on Sundays, they were not passionate about it. Furthermore, people said that they feared that deregulation would have negative side effects such as diminished competition, higher prices and hardship for shop staff and small business. This is what people said in the survey. However, the advertisement fails to mention that. It is no good saying that 64 per cent of Western Australians want deregulation but leaving out important factors such as that people feared that deregulation would lead to diminished competition, higher prices, and hardship for shop staff and small business. This is all about people who have to work and keep their shops open because they cannot afford not to open. Ultimately this will wipe them out. We will find that all of the shops in shopping centres like Southlands Boulevard will be owned by Coles Myer Ltd - the hairdressing salon, the chemist -

Hon Dee Margetts: The petrol stations.

Hon FRANK HOUGH: Yes. Coles Myer Ltd is already planning to go into the petrol station business. It has gone into service facilities. Ultimately the little restaurant in the shopping centre will become the Coles cafeteria

and so on. We can forget all the little people on the outskirts; they will die a sudden death. People will either work for Coles Myer Ltd and become shelf stackers at a later date, probably working from midnight to dawn -

Hon Kate Doust: Nothing is wrong with that sort of work.

Hon FRANK HOUGH: It is good if people like working from midnight to dawn. The larger supermarkets will reduce their prices and starve out the small people. It is only a matter of time. Most of the small shop owners have a cash flow or a backup facility for financing and can probably survive for up to two months. However, ultimately the scourge of deregulation will wipe them out. The prices will then be readjusted upwards. I know how it works. The larger supermarkets do surveys regularly, and when there is no longer any competition in their area, they adjust their prices accordingly to make up for what they have lost over the previous two months by keeping their prices very low. They advertise products at a price probably lower than cost, or at cost, and the little people cannot compete. They call them head-pullers, because the prices are so fantastic that they pull the people into the shop, but once they get the people into the shop they have got them and they can raise all the other prices. My concern is that people will travel from the country to the city to go shopping. Country towns already have enough problems in getting support from the local community. Shopkeepers in country towns ask whether people will continue to shop with them if they sell particular lines. They have great difficulties in staying open. Competition will ultimately wipe out small operators.

Deregulation is continuing to hurt people. I do not know anyone who has said that deregulation has been wonderful for them, although the large multinationals seem to be able to handle it. We need to look across the board. This country and State are built on small business. Small businesses will suffer. We should be thoroughly aware and conscious of that. We should stop looking to the multinationals, which say that they will be able to handle it and everything will be all right. It will not be all right. Some shopkeepers operate their shops with the help of their wives and one employee. How will they open seven days a week to keep their heads above water? They will have to employ extra people. There will be extra holiday pay and superannuation costs. They will not be able to compete in that marketplace. If margins are trimmed, their businesses will die.

Hon John Fischer: It affects Dewsons and Foodland as well. It is not just the small shops.

Hon FRANK HOUGH: I will read out some figures on that during the debate. Ironically, I was talking about this issue when I read the advertisement this morning. I thought it was totally unfair for the ad to read "Longer shopping hours, please!" Half the results of the survey were left out. The survey found that people wanted longer shopping hours but were worried about whether that would wipe out small businesses and make shopping hours difficult for families. Ads such as this should not provide only half an answer. The whole answer should be given so that people realise what is happening. The people who answered the survey wanted longer shopping hours, but not if that would damage society, kill off the small shops and affect people's family lives. If that would be the result of longer shopping hours, they wanted to stick with the current system.

Answers from Minister for the Environment and Heritage

HON DEE MARGETTS (Agricultural) [6.01 pm]: I happen to agree that deregulation will mean less choice in real terms and probably less competition. However, the issue I will speak about tonight is my concern about the standard of answers that we appear to be getting from the Minister for the Environment and Heritage. Yesterday I asked why a report on the Water Services Coordination Act, which we were told was handed to Cabinet on 31 March, had not been released. I asked that question because we will soon consider the Economic Regulation Authority Bill. I will not talk about the Bill. However, the Parliament needs certain information before it can properly consider any new regulatory authority. I asked whether the report contained any damning comments on whether an independent regulator was the most appropriate model for the regulation of water supplies in Western Australia. I am annoyed because the answer I received did not answer the question I asked. The answer stated that the committee did not consider whether the proposed economic regulatory authority was the most appropriate model for regulating water supplies. Given that I did not ask the question that was answered, I think this answer is a stalling mechanism. The answer did not say whether the model that exists in other States, including New South Wales - the review was chaired by the chair of the Independent Pricing and Regulatory Tribunal of New South Wales - was the most appropriate mechanism for the regulation of water supplies in Western Australia. Will we ever be given the report on the review of the Water Services Coordination Act? If we will be given the report, what efforts are currently being made to doctor it? The Government has sat on the report for two months. In what form will it finally be received? Are erasers and Tippex being used to get rid of any genuine criticisms it contains about whether this is the right model for water regulation in Western Australia? Why are we being asked to consider a combined economic regulator to deal with this most important issue of water and all its health and safety implications? This vital report has not been released. Members will hear more from me on that issue.

Today I asked a question about problems with the current dredging operations associated with the Geraldton port expansion. I asked whether the extensive, heavy and persistent turbidity currently occurring between Point

Moore and Champion Bay conformed to the environmental and pollution licence conditions set for the project. I did not receive a yes or no answer. The answer stated that the level of turbidity had been greater than expected. I asked whether it conformed to the licence conditions, but the answer to that specific question was not provided. I also asked whether the emission of grease and other hydrocarbons conformed to the environmental and pollution licence conditions set for the project. The answer was handballed; I was told that I had better ask the Minister for Planning and Infrastructure. The answer provided was that this issue was most appropriately dealt with under the provisions of the Pollution of Waters by Oil and Noxious Substances Act, which falls under the portfolio of the Minister for Planning and Infrastructure. Clearly, both the Environmental Protection Authority and the Minister for Planning and Infrastructure had the power to stop this operation once they knew that this unexpected turbidity would create problems.

The answer indicates that at least seven kilometres of seagrass meadows have been affected so far - they take a while to die. I understand that this is a greater amount of seagrass damage than the damage caused by CSBP in Cockburn Sound. That was a major scandal. It appears that the Government knew this problem was occurring. The EPA and the Minister for Planning and Infrastructure knew. Why was it not stopped? I understand that a very expensive rig was transported from South Africa for the dredging. I understand that it would be very expensive to stop this oily, polluting rig from operating. This rig is responsible for the unexpected turbidity, which is impacting on the seagrass meadows. My concern is that in this instance the budget surplus has overruled any proper consideration of the licence conditions, the environmental health of the Geraldton port, and the health and livelihood of people associated with the lucrative fisheries in the vicinity, including the western rock lobster industry. Members have not heard the last from me on this issue.

I would like to think that we could expect better answers to questions. I asked why the EPA and the Department of Environmental Protection had permitted the dredging operations and the associated environmental harm to continue; the answer was that it was not applicable. That is an outrageous response. If the answer is that the Minister for Planning and Infrastructure made the decision, that is an outrageous response as well. If this decision was made for financial reasons, and if the departments knew that this level of environmental harm was taking place but chose to let the Minister for Planning and Infrastructure make the decision, and if she had tools such as the Pollution of Waters by Oil and Noxious Substances Act 1987 at her disposal and chose not to use them, this is an enormous scandal. We have spoken already about companies such as CSBP and why a private company continued to do something without telling people. However, if this has happened within the government bureaucracy and was authorised by the Minister for the Environment and Heritage or the Minister for Planning and Infrastructure, the appropriate minister must explain to Parliament why she let it happen. Ministers should not come up with responses such as a question is not applicable. It is applicable. At some stage pollution licence conditions must mean something. The major consultant on this project was a member of the Environmental Protection Authority. Ian LeProvost was the major consultant for the Geraldton port expansion process. He is no longer a member of the EPA. There was a conflict of interest. Members will hear more from me on this issue in the future.

House adjourned at 6.09 pm
