

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

ADDRESS-IN-REPLY

Motion

Resumed from 25 November.

MR M. McGOWAN (Rockingham) [3.16 pm]: I will devote most of my speech on the Address-in-Reply to the Governor by reading into *Hansard* some letters or submissions I have received from former members of government who either retired or left Parliament at the last election. These former members requested the opportunity to have a few words said in the Parliament as part of a belated farewell to this place. If the house would indulge me, I will read into *Hansard* letters from some former members of this place who served with distinction and who are no longer here. The first one I have is from the former member for Maylands, Dr Judy Edwards —

Mr Speaker and members of the Legislative Assembly thank you for the opportunity of a few words of farewell following my retirement from Parliament at the recent election.

Not long after I was elected to the Parliament in 1990, a retiring member noted that Parliament was not a place where members made a lot of friends. I reject that assertion and have enduring memories of the friendships on both sides of the house that were fostered during my time as a member.

My strongest sense of personal accomplishment was, as a serving member, to have had a baby who I breastfed for a year, while at the same time fulfilling parliamentary duties and increasing my margin at the following election. I could not have achieved this without the support of my family, my electorate staff, or members and staff of this chamber. To all these people — thank you.

Undoubtedly the highlight of my parliamentary career was the opportunity to serve as the environment minister in the Gallop government. I have a strong sense of pride in the achievements our team made in this time, particularly the cessation of logging in old growth forests. Governing is not as easy as it appears from the outside and I treasure the time spent with my colleagues working through difficult issues, looking for the best outcomes for the state. But perhaps the strongest asset our team brought to government back then was a raft of policy and ideas, developed and refined during long years of opposition.

While the capacity to make decisions and deliver when in government was deeply satisfying some of my best work was probably through the small ways in which action in the electorate assisted constituents and the community. I will continue to be proud of small accomplishments such as traffic lights and pedestrian crossings along busy roads, improvements and facilities along the river and even, dare I say it, school toilets!! In our modern times, where decision making is often felt by people to be very distant from their everyday lives, access to local members of parliament is, in my view, more important than ever.

The short time for these few words precludes any great reflection but I want to make two observations. The most positive change I saw in my parliamentary career was the increase in accountability and transparency. This flowed from measures ranging from the FOI Act through to entities such as the Office of Health Review and practices encouraging greater community consultation. All these and more are the necessary tools for democracy. The other more personal observation was my sense that parliamentary committee work became more focussed on the issues being dealt with and subsequently often less party political.

I have a great sense of honour in having been able to serve as a member of the Western Australian parliament, particularly over such a long timeframe. I am indebted to my family, my friends, and in particular my electorate staff who supported me throughout my parliamentary career and made this opportunity possible. I wish to thank them all. I also extend my thanks to all the officers and staff of this parliament. A lot of this work and support is behind the scenes but very much appreciated.

To members of the government, congratulations on your elevation to power. I urge you to use this opportunity wisely. To members of the opposition make use of this chance for reflection and consolidation. In my observation the most forward looking and significant ideas have their gestation in opposition, where there is the time and space to think issues anew!

No matter whether in government or opposition in my view there is no greater privilege than the opportunity to serve the community as a member of parliament.

Extract from Hansard

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Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

That concludes the contribution of the former member for Maylands, Dr Judy Edwards. I will now read out the valedictory speech of the former member for Thornlie and Kenwick, Hon Sheila McHale —

Mr Speaker

I thank you for the opportunity to make a valedictory speech, albeit brief and in absentia.

My congratulations to you on your election as Speaker of the Legislative Assembly and to the Premier and his Cabinet on their ascendancy to Government.

After 12 years of Parliament, eight of which were as a Minister, having had the privilege of serving the community of this State under the leadership of former premiers Hon Geoff Gallop and Hon Alan Carpenter, I made the very considered decision in early 2008 to resign from Parliamentary life to shape a new career in a different direction.

Whilst valedictory speeches are typically constructed to reflect on the personal achievements of the individual, and an acknowledgement of those who have been part of those achievements, I want to use these few moments to exhort the Liberal Government not to undo the decisions...the commitments made to the Western Australian community by the former Premier and myself to build infrastructure projects designed to reinvigorate the capital, designed to create a city that can attract people to come and live here for the long term.

Clearly, the current global economic crisis is an assault on our collective confidence. It threatens to paralyse growth but importantly and the signs are there already, it threatens to paralyse vision and creativity within this State. And that would be the worst crisis.

I well understand the impact of the global economic meltdown. This Government has to face, as we would have had to face, higher levels of debt, shrinking revenue and a much more pessimistic outlook.

But this city, this State demands the continued investment in its cultural heart in order to keep alive. We will recover from the meltdown. We won't recover in the long term if projects of significance are jettisoned out of timidity, risk aversion or worse under the guise that the state can no longer afford them.

The planning for projects such as the stadium, the East Perth Museum and the Waterfront development need at least two years. Let that planning continue so that we as a state wanting to move forward can do so when the market corrects itself...as it will.

My achievements and legislative reform are a matter already on the public record. My deep appreciation and gratitude to those I love, hold dear as friends or family are not. So now is the time to do so.

To the people of the electorates of Thornlie and Kenwick, I thank you for the privilege of serving you for 12 years. From the smallest issue to the most complex seemingly insoluble problem I always did my best to find answers.

To my former electorate staff and ministerial staff, it was fun, hard work, painful at times but your spirit and commitment whilst often tested never diminished. To Eve and Veronica in particular thank you for your style and constant support. Thanks to my family, my mother and brother

Finally to my beautiful son Keir. He was 12 years old when he virtually lost me to the world of politics and public duty. Hopefully now at 24 years of age he understands the drive and dedication that I had to serve the community with integrity and dignity. At a cost though I believe to him.

Nevertheless he has been my best mentor, my best friend and in keeping me grounded has fuelled my sense of optimism and hope.

So Mr Speaker it has been an enormous joy and privilege to have worked in some small way to improve the outcomes for the Western Australian community. My best wishes to you all.

That concludes the remarks of the Hon Sheila McHale, former member for Thornlie and Kenwick. I will now read out the valedictory contribution from the former member for Southern River, Mr Paul Andrews —

I would like to take his opportunity to place on record that it has been an honour and a privilege to have served in this house as the Member for Southern River.

I take pride in the fact that there has been great improvement in the electorate over the past seven and a half years. Once there were areas that were in great need of revitalization—shops in Gosnells were very

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rundown with low occupancy rates and subject to vandalism. There were broken windows and an unattractive street scape. People used the train station only as a last resort.

Now there is a clean and more attractive town centre with a fantastic public transport interchange. I am particularly pleased to be able to say that for each year that I was the member a new school was opened in the electorate. Gosnells Senior High School was disgracefully dilapidated in 2000. It is now bright and attractive as are many other of the older schools.

Negotiating to have the Canning Vale Police Station built on Nicholson Rd rather than in the industrial area was another project that proved fruitful. Overall, I am very happy with what my government contributed to the development and revitalization of Southern River,

However, as important as infrastructure projects are, it is the interaction with constituents that was always so important to me. I have many, many fond memories of assisting individuals and families and not very many memories of bad experiences, in retrospect. Being always able to find accommodation for people in urgent need was very satisfying.

The thing that I miss the most is the work of the Parliament and the characters who inhabit it.

The issue that I pursued most consistently was that of organ donation. I thank Members for their support regarding this issue and I can assure you that many of my contacts in the Eastern states regard the Western Australian Parliament as being very well informed and progressive. Amendments to the Coroner's act and the establishment of a paired kidney exchange program together with 'stranger' donation and changes to clinical practice have seen W.A. lead the nation in seeking a solution to increasing donation rates.

My frustration in leaving Parliament is that this work is incomplete. However, I am sure that the new government will take up the challenge; hopefully, where we left off—there are lives to be saved.

I always took the running of the chamber seriously—my third hour in Parliament was spent in the Speaker's chair during an MPI. It is strange that every member has a book entitled 'Standing Orders' and that every one of these is different. It is wise to have read the Standing Order at least once before attacking the Speaker on some ruling.

I think that my greatest contribution to the chamber was serving on the Privilege and Procedure Committee. It was always extremely difficult work with considerable strain but at the end of the day this part of the system worked well.

Somewhat surprisingly, I formed many friendships with Members from the other side of the house and even more surprisingly even a few on my own side. There are a lot of very good people in Parliament who well serve this state. The people of W.A. (and the media) need to be reminded of this.

I thank everyone who has supported me over the years. There have been far too many to name individually.

I feel terrible when I think of the financial burden that I placed upon my family in trying to enter Parliament and now upon leaving,

I also regret the strain that they have had to endure. My children make me feel bad when they talk about dropping pamphlets, handing out 'how to vote cards' running late because the old man was always on the phone. They put up with so much and got nothing in return. Thank you Lara, Rebecca and Peter.

I can't forgive myself for putting my wife through so much—the enormous sacrifices she has made (working extra Sunday shifts to pay for letter box drops); the late nights and having to run the house and family by herself day after day; working in the office when there was only one E.O.; attending innumerable functions with me—all the while being totally dedicated to the principles for which we stand. She was not a passive politician's wife. She is highly devoted to the community and the electorate. She never complained. Plus she gave me a kidney. I love you Gim, you are right—you don't deserve me!

Thank you for this opportunity and may God bless you all.

That was the contribution of former member for South River, Mr Paul Andrews. Finally, I will read the contribution of the former member for Wanneroo, Dianne Guise —

I wish to thank my former Parliamentary colleagues for this opportunity to express my thanks for the privilege and pleasure of serving the people and electorate of Wanneroo.

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When I first became the Member, the Wanneroo electorate stretched north along the coast from Burns Beach to the Shire of Gingin border and east to the Shire of Swan from the south eastern suburb of Marangaroo.

One of the hardest things about being the Member for Wanneroo and facing two redistributions was the inevitable boundary changes and the loss of, not just places on a map, but the people. People whom you have formed friendships with, fought for, supported, laughed with and in some instances cried with ... But this was the reality for me, with such a large growing population.

As a staunch advocate and supporter of “one vote one value”, the irony of losing my seat in the first election where this became a reality for the electors of Western Australia, has not been lost on me, however despite this, I am immensely proud to have served in a government where we restored this basic democratic right.

I wish to thank the people of Wanneroo for their support and friendship, together we were able to bring about some real changes in the region since my election in 2001.

I am proud to have helped secure funding for significant initiatives such as:

- \$136M to provide 13 new Primary, Middle and Senior High Schools and funding for refurbishments and upgrades to various schools across the electorate.
- The new Dental Health Clinic, stage one redevelopment of Joondalup Health Campus, expansion of the inpatient mental health unit at Joondalup, the Child and Adolescent Health Centre at Clarkson, and
- \$6M towards GP Super Clinic in Wanneroo.
- \$8M for the Wanneroo Town site redevelopment including rebuilding Aquamotion and construction of the new Cultural and Learning Centre, funding to support various community organisations and sporting clubs and for the new Police Station in Wanneroo.
- \$7.9M for various environmental projects including beach restoration and the provision of new facilities.
- Major road works including extension of Mitchell Freeway, dual carriageway extension of Wanneroo Road and intersection improvements.
- the extension of the Northern Suburbs Railway to Clarkson, and
- Improved and expanded bus services to outlying suburbs.

One of my biggest pleasures was working in the community with some truly wonderful people, whether they be the professionals working in the government or non-government sector, private companies or the many volunteers helping out in the large number of sporting clubs, school P&C's or various other community groups—they made and will continue to make a huge contribution and to them I wish to say a heartfelt thanks.

There are too many to name, but they will know to whom I refer. To each and every one of them I owe a debt of gratitude, these are the people that helped to bind our community together, often working tirelessly and without a great deal of thanks. It was a pleasure to work with them and I will treasure the friendships made during my time as the Member for Wanneroo.

There is unfinished business in my electorate and I urge the new government to introduce the Metropolitan Region Scheme Amendment required for the east Wanneroo region. Having worked tirelessly on the East Wanneroo Land Use and Water Management Strategy in preparation of introducing such an amendment, it needs to be finalised so that people living in the area have the certainty they deserve about their future.

[Member's time extended.]

Mr M. McGOWAN: The letter continues —

I also urge the Government to embrace the use of recycled treated waste water, at least for use within an agricultural/industrial context and for watering our parks and gardens. It is totally unacceptable for perfectly good water to be pumped out into the ocean and not re-used in this manner, particularly in areas of need. If you have any doubts look beyond our shores; countries like Israel have successfully and safely used treated waste water for years to grow crops and for other purposes.

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A defining moment for me was being privileged to have met Cheryl and Peter Meehan. Following the death of their daughter Jess we formed a close bond and worked together with the Attorney General, the Member for Fremantle on the Road Traffic Amendment (Dangerous Driving) Bill 2004, also known as 'Jess's Law', that ensures tougher penalties are applied to dangerous drink drivers. It is a fitting tribute to their love, honesty, courage and commitment.

Despite what often appears to be the broadly accepted public opinion of Parliamentarians—"that they can't really effect change", it was my experience that there were any number of opportunities to do so, whether it be as an individual or as a member of a particular caucus or committee.

I enjoyed very much the time I spent on the Education & Health Standing Committee producing major reports and recommendations on a diverse range of topics. I don't think we should ever underestimate the value of our committee system, the investigative travel to the Pilbara and Kimberley region of our state and to the Cape York Peninsula will remain an indelible memory for me and I believe that the reports delivered from our inquiry are of real value.

Looking back on my first speech, with its emphasis on education and recognition of volunteers I worked diligently to ensure I delivered in both of these areas. I am also immensely proud to have been part of a Government that brought in legislation to put an end to sexual discrimination.

However it saddens me that I was not able to do more to deliver a fairer wages structure for women workers in Western Australia to end the inequity in their pay and conditions. I urge the Parliament to continue to address this issue, particularly as it appears that women in this state are falling even further behind their male counterparts.

I wish to thank my former colleagues for the trust and faith shown in electing me as the Deputy Speaker of Parliament in 2001 and again in 2005 to support the Speaker to maintain the procedures, practices and privileges of the House. Professor David Black was quick to point out to me that, not only was I the first woman to hold this position; I was the first person, male or female to be elected as Deputy Speaker in their first term of Parliament. We now have a second, I understand, in the Member for Mount Lawley and I wish him all the best in his new position.

The Procedure and Privileges Committee needs to be given some serious thought by Parliament as to its membership and role, which I believe is absolutely essential.

The work of this committee has changed and there are serious matters pertaining to parliamentary privilege that need to be resolved in my view, so that members may continue to undertake their work without fear or favour.

As for the Parliament, my thanks and best wishes to all the wonderful staff—the members are well served by this group of very professional and friendly people.

I also wish to place on record my thanks for the friendship, unwavering support and assistance given to me by my Electorate Officer Marilyn Thorp.

Marilyn worked tirelessly for the people in Wanneroo and a better person would be hard to find. She was immensely popular with the community, a testament to her hard work, capacity, ethics, values, and wit.

In recent years I was also fortunate to have Bryden Dempsey-Lees working as part of our team, a bright young intelligent woman, hard working, loyal and friendly.

Team Guise—we worked hard, were colourful at times and enjoyed a good laugh to get us through the tough times—we shared an amazing journey together and I couldn't have done it without these two tremendous women.

The class of 2001, as we often referred to ourselves, were a fairly tight knit group—I have memories of rushing into the chamber in the early days to hear one of the then Member for Moore's —

Bill McNee —

more colourful speeches—usually including the necessary references to sheep and stinking fish! Those were the days to listen and learn from others who had been around long enough to know the ropes.

I trust that my record will show that I did take the time to listen and learn. To all that mentored, supported and assisted me during my time in this place, I say thank you.

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Lastly to my family, only you know the price that comes with the job if one is prepared to work hard and loyally for their electorate. I thank you from the bottom of my heart for your love and support, I think I finally learned to get the balance right, but it took a while. To new members I pass on this piece of advice given to me from a former member—"look after your family, your personal business and remember your friends, as they will be there for you when you exit from this place". It was very good advice.

That concludes the commentary from four members of the former government who left this place. I thank the house for its indulgence in allowing me to put on record those, in effect, valedictory speeches from members who provided good service to the house.

Amendment to Motion

Mr M. McGOWAN: Not wishing to detract from the good spirit and good humour of the speech I was just reading to the house—unfortunately, I think I will—I now move an amendment to the Address-in-Reply. I move —

but regret to inform His Excellency that the government has failed to provide the standards in government that it promised the people of Western Australia

I move that amendment based upon my memories of the current government when it was in opposition. When it was in opposition, it sat on this side of the house and its common complaint was that there was a lack of standards in public office. I will admit that the former government had some difficulties with some of its people, and some extraneous people to this Parliament about some of the things they did. Two things need to be remembered: firstly, when issues came to the attention of the former Labor Premiers and governments, they dealt with the people involved and dealt with them harshly—more so than perhaps any government in history. That was a lesson, I think, to governments in Australia, particularly in Western Australia, as to what needs to happen.

Secondly, what must be remembered is that those issues came to light because of the steps that the Gallop and Carpenter governments took to create a Corruption and Crime Commission. There are arguments around the scope and power of that commission, but the only reason those issues came to light and were brought to public attention was through a body that those governments created and put in place. Not only did those governments take action to deal with issues of improper conduct and corruption, they actually created the body that brought those issues to light. Those two points need to be remembered before people start trying to deflect the issues that this current government faces. They are issues of history.

The current government came to office professing high standards. I recall the now Premier, former—I do not even think he was a frontbencher; whatever role he played in opposition—saying that, if ever brought back to government, that government would put in place high standards. Well, it has failed the first test. It has failed to understand that people in public office need to distinguish between their public and private duties. They need to understand that one impinges upon the other, and they cannot exercise their private duties using their public office. Those two responsibilities are naturally intermingled, which means people have to separate themselves from their private interests as public figures.

When we are elected to this place, whether as just an elected member or whether accorded the privilege of serving as a minister, members need to recall that they have been given a privileged position with power and influence in the broader community. When members are given that position of power and influence in the broader community, along with the resources that go with it as a minister, along with the resources that go with it as a member, along with the powers that ministers often exercise under legislation—particularly in positions such as Minister for Environment or Minister for Mines and Petroleum or Minister for Planning—they must remember that specific, virtually judicial, powers are given to make decisions upon issues that impinge on other people's lives. Members must exercise that responsibility without regard to their own private interests. The opposition successfully raised that issue about the current Minister for Mines and Petroleum, Hon Norman Moore. That is the same issue we raised about the member for Scarborough and the Minister for Planning; namely, that members cannot allow their private interests to become involved in their public responsibility.

Some people—the Premier in particular—do not seem to understand the point the opposition is making. He glosses over these issues as though we are somehow attacking someone because of their gender or because they are young. We are not doing that. If someone is given the responsibility as a member of this place, they have to exercise that responsibility without regard to their private interests. Firstly, I think members should not be lobbying any minister about anything to do with their private interests, and all members should read the Resolutions of the House section at the back of the standing orders under paragraph (8). I will quote paragraph (8)(a) so that members of the government can actually understand what it is —

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Members should not approach Ministers, public servants or public bodies on a matter connected with a private interest without appropriate disclosure.

Some people who are new to this place should listen and learn.

Mrs L.M. Harvey interjected.

The ACTING SPEAKER (Mr P.B. Watson): Member for Scarborough!

Mr M. McGOWAN: I do not know the member for Scarborough, but I do know this: if there are millions of dollars at stake for family members, a member should not go and lobby the minister without telling him that those millions of dollars are at stake.

Several members interjected.

Mr M. McGOWAN: That is a quite clear proposition that people in this place should understand, I hope without glossing over it and coming up with all sorts of extraneous and silly arguments about the gender of the person in question. I hope government members actually understand that if millions of dollars of private money are resting on a decision of a minister, that minister should be told that by the person lobbying him—particularly in that position of power and influence as a member of this place—and that member should disclose that fact to that minister. As the Minister for Planning revealed to us yesterday, he did not know. That is a clear breach of the members' code of conduct.

MR E.S. RIPPER (Belmont — Leader of the Opposition) [3.47 pm]: I support the amendment. I will begin my argument in support of the amendment by recounting a conversation I had with the member for Wambo before he was a member of Parliament. At the time he was seeking preselection and he came to talk to me, and I asked him about the question of leadership. Apart from my regretting having asked the question because he was able to cite leadership of 100 clearance divers in a war as his qualification for leadership, I did learn something very interesting about his philosophy. He said that one of the most important things a leader does is set the standards for those he leads, either explicitly or implicitly. That is the issue that confronts the Premier on this question of conflict of interest. The Premier has shown, by his contributions to this house, that he is not setting the standards for the people that he leads; that he has a blind spot about conflicts of interest. That is in quite distinct contradiction to the approach he took during the election campaign, during which he self-righteously—indeed, sanctimoniously—campaigns on the question of honesty and integrity. He said he would deliver a government of honesty and integrity, and, by implication, he made a negative accusation against the previous government on those grounds.

The member for Rockingham, as manager of opposition business, has explained some of the background to this issue and why it is particularly important for ministers of the Crown. Ministers have extensive powers in cabinet, but also outside cabinet—acting on their own without a check and balance from their colleagues—they have important personal powers as well. For example, look at the Mining Act 1978; there are 150 separate powers whereby the Minister for Mines and Petroleum has discretion, such as opening up land for mining, closing off land for mining, granting exploration leases, and applying conditions to those exploration leases. The Minister for Mines and Petroleum has dozens and dozens—indeed 150—separate powers.

I have never been an environment minister, but I understand that the Minister for Environment has very extensive powers to act in her own personal capacity as a minister, without reference to cabinet, without the check and balance that would be brought to her actions via the contributions of her colleagues. Therefore, this question of managing conflicts of interest is particularly important to the work of ministers—much more important than for any other member of Parliament—because of their extensive powers.

Spouse interests do count. If they did not, there would be no reason for them to declare their interests to the Cabinet Secretary. The Premier has attacked the opposition in this place for daring to raise the question of family interests. If the Premier believes his own arguments, why is it that, in his government, spouse interests are declared to the Cabinet Secretary?

Mr R.F. Johnson: You know exactly why.

Mr E.S. RIPPER: I know why. Contrary to the Premier's point of view, those potential spouse interests do count. Even the Premier knows that they count, because when he was in opposition he attacked the previous government. As recorded in *Hansard* of Thursday, 17 May 2007, he attacked Mr Bob Kucera in the following terms —

He failed in a cabinet meeting to declare his wife's ownership of Alinta shares when cabinet decided on an \$88 million grant to the benefit of Alinta and its partners. That forced his resignation. I do not

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believe the member for Yokine behaved particularly improperly on that occasion; I suspect he was more naive, stupid or neglectful. However, he breached the ministerial code and he lost his job.

Clearly, at that time the Premier did not take the attitude toward people raising the question of spousal interest that he is now taking toward the opposition. It is not surprising that the Premier, as a member of the then opposition, would take that point of view. It was taken by one of the failed opposition leaders, Matt Birney, who said that Geoff Gallop must sack his minister; he said that he had to sack Bob Kucera and that there was just no way out of it, quite frankly. Mr Birney said that if Dr Gallop did not sack Bob Kucera, his own credibility and, indeed, his ministerial code of conduct would be in tatters.

Mr R.F. Johnson: You know exactly why that was; it was because he did not declare a spousal interest.

Mr E.S. Ripper: It was about the question of a spousal interest. In fact, he had declared the interest in general to both the Cabinet Secretary and the Clerk of the Legislative Assembly, which is why people knew he had the interest. What he had not done was declare it at the particular cabinet meeting before the debate occurred on the issue in question. I do not want to debate his particular circumstances; I want to demonstrate that it has been common ground in this Parliament that spousal interests count when talking about conflicts of interest. Even the Premier when he was a member of the opposition took that point of view. However, it has not been his attitude when matters about his government have been raised in this house. He has attacked the opposition for daring to raise the issue of spousal interest. In fact, there is a deficiency in the accountability system because we have been able to raise those issues of spousal interest only through, if we like, almost accidental disclosures. The case of the Minister for Mines and Petroleum is classic. If the ownership of shares in that superannuation fund had not been known to the public, Minister Moore and his wife would continue to own those shares, and the conflict of interest would continue to prevail. It is only public knowledge, public disclosure and public pressure that caused divestment of those shares and the removal of the potential for a conflict of interest. The ownership of the shares would not have been known through the cabinet declaration of spousal interest process because those declarations are not made public. However, the information did become public because, in his parliamentary declaration, the minister declared his connection with the superannuation fund. His name was on the superannuation fund; it was the N. F. and L. Moore superannuation fund and presumably it still is. For that reason and that reason alone it was known to the opposition and to the public that Minister Moore's family holdings raised the question of a serious conflict of interest in the performance of his duty.

Mr C.J. Barnett: It was his wife's superannuation.

Mr E.S. Ripper: Even now, after the war is over, the Premier sets a poor example to the people he leads by re-fighting that issue and by again saying, "It was his wife's superannuation." By doing that, he implies that it does not count. What sort of message does that send to all the Premier's new members who are looking to him for moral leadership, but finding that leadership is lacking?

Again, on the question of the Minister for Environment, I do not think the Woodside connection of that minister would have emerged through the normal accountability processes. My understanding is that the question of a Woodside connection is not raised in her declaration of interests. It came about because businesspeople know what the minister's husband does, and that caused questions to be asked of the Premier, which then caused us to look at the situation. Throughout that whole debate, there was no public acknowledgement that the minister's husband owned shares in Woodside. We went through the whole debate about the minister's conflict of interest and that came to light only yesterday when she was asked a direct question in the other place. My view is that her husband's ownership of shares sharpens the potential conflict of interest that we were debating. It is a failure of standards and a failure of accountability for the ownership of those shares to not have been mentioned by the government, the minister or the Premier as we debated the Minister for Environment's potential conflict of interest. Even the minister has not fully accepted the implications, as indicated in her comments —

I will continue to meet with various groups, including officers from Woodside.

I do not think it is acceptable that she is transacting business with Woodside while her husband owns shares in that company. I think the Premier has unfinished business with regard to standards. He does not appear to want to deal with it. When these problems are put to the Premier at question time, he denies the problem. He says that there is no issue and then he makes reference to the gender and youth of the people concerned as though that is somehow a defence. He goes on to talk about them as good individuals. I think the defence is like Richard Court's defence: they are Liberals, they are good people and so the rules do not need to apply; they apply only to other people who are not Liberals and, in their view, are not good people. The rules either apply generally or are not worth talking about, certainly not in the way in which the Premier has talked about them.

We come now to the member for Scarborough. I quote again that code of conduct for members of this house, which reads —

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

Members should not approach Ministers, public servants or public bodies on a matter connected with a private interest without appropriate disclosure.

We have had a cute defence from both the Premier and the member for Scarborough. The member's defence is that this is not really a conflict because the land is owned by her mother-in-law. She neglected to say that it is the site of the family business, which she boasted about in her campaign and which is located on that land. The land in question is a bit more than "my mother-in-law's house". The family business that she runs with her husband is on that land.

Conflict of interest is about not only substance, but also perception. To demonstrate what the perception is, I will quote from a letter that was published in the *Stirling Times* —

... it is Mrs Harvey who stands to gain from the passing of the two planning amendments 457 and 458 and has long campaigned in support of these amendments.

One would allow eightstorey construction on her beachfront property and the other 12-storey construction on the Scarborough Beach Road frontage, centrally located business-zoned property that the Harvey family owns and from where they operate a business.

In her letter to the *Stirling Times* of July 12, 2005, Mrs Harvey said of beachfront landowners such as herself: "Why criticize their right to be involved in the decisionmaking process of the redesign of the area from which they derive their income.

"If they eventually make some money out of their investments then move on, then good luck to them."

That is the reported quote from the member for Scarborough before she became a member of this place. Clearly, the private interest is a lot more significant than the Minister for Planning realised and than the Premier has acknowledged, and it is a lot more significant than the member has acknowledged. She has been involved in email correspondence on the planning and development of this property. I will quote from an email sent to a councillor by the member for Scarborough—before she became a member—that shows her interest. The email states in part —

This is of obvious concern to us as the property we rent (at 21 Scarborough Beach Road) and those adjacent are marked in blue, although my understanding prior to having rather expensive drawings done for a renovation of our site was that the land that we are on is only rated to go to four stories in height and only if the adjacent blocks are amalgamated.

I would appreciate it if you could clarify this for me so that I can hopefully allay the concerns of the owners of our business premises.

That is part of an email that the member for Scarborough sent before she became a member of Parliament; therefore, I do not object to the sending of that email. However, the email is evidence that there is a serious private interest in this land, which she and the Premier brush off as land owned by her mother-in-law, and about which they ask how dare the opposition raise the question of this conflict of interest! The emails and the perceptions in the local newspaper give the lie to that attempted defence by the Premier; give the lie to the statements made by the member for Scarborough —

Withdrawal of Remark

Mr C.J. BARNETT: The Leader of the Opposition's comments are improper as they imply that the member for Scarborough was lying. He repeatedly said, "give the lie". I ask that the member withdraw that comment and rephrase the point he wishes to make.

Mr E.S. RIPPER: "Give the lie" is a common phrase to say that something is untrue. It is not a reflection on the character of a person; it is a reflection on the nature of the statement.

The SPEAKER: Leader of the Opposition, in this case I certainly understand from your perspective what the intent is, but there is certainly an interpretation that the particular member may be being referred to as a liar. I ask you to withdraw that comment.

Mr E.S. RIPPER: I withdraw any implication that any member of this house is a liar.

Mr C.J. Barnett: Just withdraw.

Mr E.S. RIPPER: I have.

Debate Resumed

Mr E.S. RIPPER: The Premier has failed in his duty as a leader. It is a very important duty of a leader. The advice given to me a couple of years ago by the member for Warnbro was that it is a very important duty of a

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

leader to set a standard for the people he leads. The Premier has not set that standard. What he has told members on the government side is, "Don't worry about this conflict of interest stuff."

Mr P. Miles interjected.

Mr E.S. RIPPER: I advise the member for Wanneroo that we will come to his standards in due course. I would not interject too much if I were the member for Wanneroo. We will come to the member in due course and we will see whether the Premier defends the way he handled his legal obligations in the election campaign.

The Premier has in this case failed to offer true leadership, he has failed to set standards, he has broken a promise and he has not delivered honesty, integrity and accountability in government; he has delivered deflection, denial and weak defence of actions that he should counteract by counselling and disciplining members.

The person I feel sorry for is the Minister for Planning. He was naively ignorant of the member for Scarborough's conflict of interest. He accepted her lobbying in good faith, only to find out when he made the decision that she had compromised him by her breach of the code of conduct in this place.

This amendment needs to be carried to send a message to all members of this house that these questions of conflict of interest are extremely important. We would not have had to put forward a motion like this if the Premier had honoured his responsibility and promise, set the standard, taken the lead and disciplined and counselled people when they breached standards regarding conflict of interest.

MR J.R. QUIGLEY (Mindarie) [4.06 pm]: I have a couple of comments to make on this amendment. First, I express some surprise at the stand taken by the Premier. I know that it was one of the Premier's goals or desires, as he saw it, to lift the standards of this Parliament, or lift the perceptions the community holds about this Parliament. I do not agree with some of the criticisms that he has levelled against people within the Parliament. A lot of former opposition leaders say, when they transfer to government, that the first thing they will do is lift the standards of the house. In pursuance of that, the Premier made the superficial suggestion that every member wear a jacket in the chamber. I remember a similar move in 1975 by former Prime Minister Fraser when he said that no safari suits would be worn in the House of Representatives. That was probably a relief.

It is easy to address the superficial matters, such as the wearing of jackets in this place, but the question of conflict of interest is rather more complex. It is at two levels. The first level involves those who are engaged in or presented with a conflict of interest. I have seen that occur over decades. Those members say that they have done nothing in pursuance of that conflict and that they have not acted in any way improper. I am not suggesting that the member for Scarborough has acted improperly other than as a member of this chamber. It is not about actual conflict; it is about the perception. When one is challenging a judge or other tribunal on the question of conflict of interest, it is not whether the person is seized of that conflict in his own mind at that stage, but whether a reasonable observer sitting in the back of the court or tribunal or observing a Parliament would have a reasonable basis to believe that the person has a conflict.

We are not talking about the nature of the decision that has been made. I understand that planning amendment 458 that came through the City of Stirling had been through a big process. What happens in the nature of the approach to the minister is a slump in public confidence in this Parliament, and a slump in public confidence in this chamber. I know what will be said in reply to this amendment—that nothing wrong has happened. However, that is not the issue. The issue is: how is this chamber going to be viewed by the citizens —

Mr T.R. Buswell: Where is your evidence to support this slump?

Mr J.R. QUIGLEY: The evidence?

Mr T.R. Buswell: Yes.

Mr J.R. QUIGLEY: That evidence cannot be put. That there is a slump in confidence is evidenced at an election. I agree. That is the only place at which we can measure the slump. However, the people out there in the community have long held the view that people enter local government particularly and state Parliament to advance their own interests. That is a commonly held perception in the community. One only has to listen to talkback radio when the callers say, "They're in it for themselves." To raise the standards of this Parliament in order to raise the way in which the community views the work that we do, we must all be on our mettle to never rise on any matter that we have a connection to—not that we have ownership of, and not that we are the principal of, but that we have a connection to. We should stay away from any matter that we have a —

Mr T.R. Buswell: What about your attacks on the Corruption and Crime Commission? How does that fit with your new approach to a slump in community confidence, just out of interest? I was not saying that I disagree with you; I just want to know how —

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O’Gorman; Mr Alan Carpenter

Mr J.R. QUIGLEY: Certainly, member for Vasse. I was speaking patently in my own interest at the time as I was under attack. I was under attack, as we all know, on a false basis. Members will recall that I was called to the Corruption and Crime Commission and was likened by the CCC, in a moment of silly rush, to a criminal, but when it put out its report, it congratulated me, lauded me, patted me on the back and said, “Well done, John.” At the time I attacked the CCC, I said that it was operating completely in a parallel universe. I am very grateful that it had a Bex, a little lie down, read *Hansard*, woke up to itself and congratulated me on my efforts. However, the point is that in this place, if we are to maintain public confidence in the Parliament, a member should not rise to speak on a matter with which he or she has a connection, and should not advocate on a matter with which he or she has a connection.

The conflict situation is laid out in our code of conduct, as the leader of opposition business in the house, the member for Rockingham, has already pointed out. It is not a matter in which a member has a pecuniary interest. That is not the threshold test. That is not the test that this chamber sets for all of us. It is not the test that we all collectively agreed to: that we have a pecuniary interest as the threshold test for a conflict. It is that members should not approach ministers, public servants or public bodies on a matter connected with a private interest without disclosure. I will go back to those last few words: “on a matter connected”—it is not a pecuniary interest—“with a private interest”. Family holdings are a private interest. One member of the family has a pecuniary interest. I agree that in the actual landholding the pecuniary interest does not lie with the member for Scarborough, but she is connected to it. Her husband runs a business there; her mother-in-law is the landlord. There is a connection.

Mr C.J. Barnett: But not a conflict of interest. There is not, is there, under the definition you just gave?

Mr J.R. QUIGLEY: It is. It is a genuine perception of conflict of interest. There does not have to be an actual conflict. For the environment minister, there is actual conflict; for Hon Norman Moore, there is actual conflict. That is different. They have the actual conflict in front of them each day—or Hon Norman Moore did until Mrs Moore divested herself of the shares, as I read in *The West Australian*, although I have not read the pecuniary declaration. That is actual conflict. However, just as real and just as objectionable in a court of law or anywhere else is if a person charged with deciding an issue has a perceived conflict. The reason why the perception is just as objectionable is not that it attacks or undermines the decision made by the decision maker; it is that it undermines the confidence in the system generally. Therefore, here we have two actual conflicts, and, in the member for Scarborough’s case, a strong perception of conflict. Whilst they exist, there is nothing that the Premier and there is nothing that a vote of this chamber can do to eliminate that slump in confidence. There is nothing that they can do to assuage public concern. There will be a division on this motion—I accept that, Mr Speaker—and I accept that the opposition, unless the member for Kalgoorlie has a deep think about his position, will lose by a hair’s breath, but that will not stop the problem. That is not going to preserve the good reputation of this chamber in the public mind—not a bit. What it will prove is that the Premier won the election. It will prove that. It will prove that he has more votes in this chamber than the opposition.

Mr C.J. Barnett: How many times have you been investigated?

Mr J.R. QUIGLEY: I have been acquitted four times, so I must have been investigated four times, Premier. I count them by acquittals and by pats on the back. Do not forget that we do not get investigated unless we get out there and do the work. If we sit on our thumb here, as the Liberals did —

Several members interjected.

Mr J.R. QUIGLEY: May I answer the Premier, Mr Speaker?

The SPEAKER: That is the member’s choice.

Mr J.R. QUIGLEY: I do not know—I did hear the Speaker expressing concern that members could not be heard when the member for Gosnells raised what I think was an objection to noise on our side of the house at that time.

The SPEAKER: I think, member, everybody in the house can hear you.

Mr J.R. QUIGLEY: Thank you, Mr Speaker. If we take, for example, the Mallard case, when the Mallard family went to the Liberal government in 1999, the Liberal government sat on its thumb and let an innocent man rot. Yes, I was investigated because I got off my tail and did something about trying to correct an injustice. However, that is not what the Liberals did when they came pleading with the then Attorney General, Hon Peter Foss, to do something. That might have exposed one of them to investigation for taking on crooked police. It might have exposed them to a bit of hard work and a bit of heavy lifting. If we are going to do the heavy lifting, we will get a crook back occasionally, and people will attack us, but, at the end of the day, it will be a slight

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O’Gorman; Mr Alan Carpenter

irritation. I know that outside the chamber I enjoy a reasonable relationship with the Premier, and I know that he would be very, very pleased that the CCC has seen fit, on more than one occasion, to praise my work and find no fault with it. I realise that that is contrary to the public perception that he has tried to whip up about me, but I have the elephant stamp—the mark. The teacher gave me the stamp of approval: “Everything you did, we praise you for, John.” Not one member on the other side who has attacked me over this issue has ever said one word about injustice.

However, I will return to the amendment. That crook Rowtcliff —

Mr M.J. Cowper: What about using your position outside the chamber?

Mr J.R. QUIGLEY: What is wrong with naming that crook Rowtcliff? The member has provoked me into that. He should not do that. If he keeps provoking me, I will name all the other crooked coppers too. None of them will thank the member for it. Rowtcliff was probably an understudy of the member. The member probably taught him his tricks. That is probably why the member is upset that I have mentioned it. Did the member for Murray-Wellington serve with Rowtcliff? The member should ’fess up—did he too have that great green bong in his kit bag? Is that where he learned it from?

Getting back to the perception that people use their position in this Parliament in relation to matters that they have —

Mr M.J. Cowper: You are a disgrace.

Mr J.R. QUIGLEY: I am sorry, what did the member say?

Mr M.J. Cowper: You are a disgrace.

Mr J.R. QUIGLEY: I am a disgrace!

Mr M.J. Cowper: Yes.

Mr J.R. QUIGLEY: In all the discussions that I have had with the member for Murray-Wellington, he has sought to excuse all of Caporn and Shervill’s conduct. He is the disgrace! The parliamentary secretary to the Minister for Police has had a pair of socks stuffed in his mouth and refused to criticise any crooked policeman. He has refused to criticise any crooked policeman and, to my mind, that raises a big question.

The SPEAKER: Order, member for Mindarie! I advise members on both sides that a motion is before the house. I believe that the member for Mindarie may have strayed just a little from that motion. I am a very lenient man, as the member for Mindarie would know, but I urge him to return to the substance of the motion.

Mr J.R. QUIGLEY: It was like one of those big heavy weather fronts that Mr Speaker used to describe. I did not stray from the motion. I was pushed from it and blown away by a couple of members on the Speaker’s right. However, I shall return to the substance of the motion.

Unquestionably, there is a perception that people enter public life for what they can get out of it for themselves. Although the public no longer believe it, I believe that the Premier, the member for Darling Range and everyone here—I will not name them all—make sacrifices to serve in public life. I believe that they give up things for the good of Western Australia. I believe that; however, all the work we do is diminished when one or more of our number then use their position in public life to advance matters to which they have a personal connection. It is beyond question that privately, out of the hearing of all members and the press gallery, and beyond scrutiny in the corridors of power, the member for Scarborough—contrary to the code of conduct, on which we had all agreed—raised with the minister a matter to which she had a connection. The member for Scarborough raised the matter without disclosing her private interest. Whatever we might think about building heights in Scarborough being four, eight or twelve stories high—and I have a personal opinion, but will keep it to myself —

Mr C.J. Barnett: Tell us.

Mr J.R. QUIGLEY: I agree with the minister. I agree with the City of Stirling and the community process that was conducted over a lengthy period. However, that is not the question.

Mr C.J. Barnett: Have you supported that?

Mr J.R. QUIGLEY: That is not the question. I have just told the Premier that it is not —

Mr C.J. Barnett: Have you got a property in Scarborough?

Mr J.R. QUIGLEY: No. The question is not whether the judge comes up with the right or the wrong answer —

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O’Gorman; Mr Alan Carpenter

Several members interjected.

Mr J.R. QUIGLEY: I have visited properties in Scarborough. Unfortunately, too many of the hotels in Scarborough are closing!

Mrs L.M. Harvey: Your son used to work in Scarborough.

Mr J.R. QUIGLEY: My son?

Mrs L.M. Harvey: Yep; he used to work in Scarborough, didn’t he? Yeah; in the 458-zone.

Mr J.R. QUIGLEY: Yes, he has done a lot of work in Scarborough; usually after midnight!

It is now a question of preserving the collective reputation of all members. What if we were all to talk in corridors to our friends who have suddenly become ministers and say, “Well, look, I can do this because I haven’t got the actual pecuniary interest—my name is not on the title—and I will just overlook the fact that this chamber prohibits that sort of conduct in relation to a matter involving a private interest.” It is beyond question that the matter raised involved a private connection that was not disclosed at the time.

In this case, the conflict-of-interest test is much lower than that for someone in the general community. In the general community we would look to the Norman Moore test and whether the member stood to gain financially by a decision. The test is much lower than that which brings undone the Minister for Environment whose husband works for Woodside, yet she is the minister regulating environmental matters —

Ms M.M. Quirk interjected.

Mr J.R. QUIGLEY: I am sorry, member?

Ms M.M. Quirk: It is a Chinese doona.

Mr J.R. QUIGLEY: Yes; the Chinese doona.

It is a much lower test. The Premier has challenged me about the number of times I have been investigated. As my late dear friend, Mr Singleton, QC, used to say over a Johnnie Walker and a Dunhill, “Mate, it’s not the amount of times you’ve been investigated; it’s the amount of acquittals you wear on your shoulder that they judge you by”; and every one, an acquittal—every one! The Corruption and Crime Commission got me down to its office and its officers asked me if I had read the members’ code of conduct. I said that I had. They asked me what I could tell them about it. I said, “Not much.” They asked me to describe the code and I told them it was a motherhood statement. Motherhood is good: come into the chamber, be honest, be good, do good, be transparent. They are the very basic principles espoused by the Premier before he took office. Although the Premier has to maintain a public facade, I cannot but think that privately he is bitterly disappointed by the behaviour of Hon Norman Moore and, to a lesser extent, by the behaviour of the member for Scarborough.

MR J.H.D. DAY (Kalamunda — Minister for Planning) [4.27 pm]: I will make some brief comments about the role of the member for Scarborough and the approval of amendment 458 in the City of Stirling. Most of the important aspects have been covered already, either by response in question time or by way of the personal explanation given by the member for Scarborough earlier today. In that explanation, the member indicated that she regretted not raising with me her wider family interest in land covered by amendment 458.

Mr M.P. Whitely: Did she do that before we brought it to the Parliament’s attention?

Mr J.H.D. DAY: She made that point here today.

Mr M.P. Whitely: Did she do it before today?

Mr J.H.D. DAY: She made a personal explanation today in response to the issue being raised.

The member for Scarborough has made it very clear that her husband’s family interest in a property in the area was no secret; however, as the Minister for Planning, I was not aware of that interest. If I had been the minister for the past two, three or more years, or had lived in the Scarborough area, or been involved politically in that area, I probably would have been aware of that interest. As members will know, I have a hills electorate and that is where most of my focus has been. While in opposition, my focus was on other portfolio areas—most recently, until soon before the election, in water resources and energy, and in other portfolios prior to those. In reality, I was not aware of the member for Scarborough’s family connection to property in the area and that connection therefore had no effect on my decision. However, the member for Scarborough has made it very clear that at public meetings and discussions on this issue—which has gone on for a number of years—she has always declared up-front her family’s interest in that land. It is not something that the member has sought to hide in any

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

way. Although I have not been present at those meetings, I have been advised that the member has been completely open and up-front about the matter at all times.

I wish to state also that in my recollection of the first time this matter was discussed in the member for Scarborough's presence—at most, two or three weeks ago—I initially raised the issue. I made the point that I was very well aware of amendment 458; it had been presented to me by officers of the Department for Planning and Infrastructure. Unless I was given a very strong reason not to do so, I was about to agree to that amendment, or to the main components of that amendment. Therefore, that was a view that I had already formed in my mind, not on the basis of representations from the member for Scarborough, but on the basis of the professional advice that was given to me by officers of the Department for Planning and Infrastructure, who were passing on the recommendation of the Western Australian Planning Commission. Therefore, the role of the member for Scarborough in my making a decision on this issue was absolutely negligible and, really, virtually nil. Having inquired of the member for Scarborough about her views on the subject, I was pleased that she was supportive of the change that was going to be made. I am certainly well aware that it has been a well debated issue in the Scarborough area and a somewhat contentious matter, and goes back some years. Therefore, I was pleased the member for Scarborough was supportive of the change, but certainly it did not change my decision in any way on this issue.

I can understand that the opposition would seek to engender this debate for political reasons. That is what happens in the political arena, and this has been a pretty fast learning curve for the member for Scarborough, no doubt. However, I believe the reality is that she has been open and upfront about the issue in all the public discussions about this matter. She assumed that I knew of her family's connection; in fact I did not, but that did not make any difference to the final outcome.

I also reiterate that the process for the final approval of amendment 458 has been going on for about four years. More specifically, the amendment was initiated in formal terms by the City of Stirling in 2006. It was approved for recommendation to the Western Australian Planning Commission by the City of Stirling Council in June 2007, and the process has gone on from there. The member for Scarborough has been elected for about 10 weeks. Her presence in relation to this whole issue has been very, very recent indeed. Most of the consideration of this issue occurred under the previous Labor government and the previous Minister for Planning and Infrastructure. I would be interested to know whether the opposition supports this amendment, now that it has been agreed to for the most part.

Mr P. Papalia: It is not the point, is it?

Mr J.H.D. DAY: It would be interesting to know whether the opposition supports the amendment that has been agreed to. I suspect that it does and is keen for this development to occur, as is the government.

I think that the role of the member for Scarborough has been adequately debated. She has explained her situation and, as I have said, her views had no effect on the decision that I finally took, which was on the basis of advice from representatives of the Western Australian Planning Commission. The decision was taken following years of discussion and preparation of this amendment, which I believe will lead to a good outcome for Scarborough, the wider region and, indeed, the whole Perth metropolitan area and Western Australia.

MR C.J. BARNETT (Cottesloe — Premier) [4.33 pm]: This amendment to the address-in-reply states —

but regret to inform His Excellency that the government has failed to provide the standards in government that it promised the people of Western Australia

I understand why the opposition would move that amendment, because the people of Western Australia have not forgotten the standards of the Labor Party in government. Not for one moment have they forgotten. If members opposite do not realise it, that is why they lost the election—because of their standards in government. That is the reason Labor lost the election—make no mistake about it! If members opposite want to come to this place on a daily basis and debate standards and propriety, I assure them that we will be happy to do so. I tell new members that some time ago I made a speech about a football team. I went through members of the Labor Party and I picked my best 18 on the ground. They were members who had transgressed in some way. I think I started off with the former —

Ms A.J.G. MacTiernan: That is right! You made accusations about me —

Mr C.J. BARNETT: And the member got picked! She was in the team! She was there. She was one of the first ones picked. Not only could I find a first 18 —

Several members interjected.

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O’Gorman; Mr Alan Carpenter

Mr C.J. BARNETT: I can find a first 18, two reserves and a full interchange bench of transgressors opposite—one after the other.

Ms A.J.G. MacTiernan: Are you going to apologise for what you said about my involvement in Port Coogee, when I was exonerated in all these reports?

Mr W.J. Johnston interjected.

Mr C.J. BARNETT: Another one investigated! Another one! The member for Cannington put his hand up. The public think very highly of him for his performance in the state election campaign! He was the mastermind of the Labor sleaze. That’s him! Stand up and make a speech; we would like to hear it.

Mr W.J. Johnston interjected.

Withdrawal of Remark

The SPEAKER: Order, member for Cannington! I may have misheard, but if the member for Cannington called the Premier “mate”, I would urge him to withdraw that comment.

Mr W.J. Johnston: I did not say that.

The SPEAKER: Thank you, I just needed that clarity.

Debate Resumed

Point of Order

Mr P.B. WATSON: The Premier called the member for Cannington a sleaze; that is unparliamentary.

Mr C.J. BARNETT: No, I did not.

The SPEAKER: There is no point of order.

Debate Resumed

Mr C.J. BARNETT: As I continue, I will just make the observation that I referred to the member for Cannington as the mastermind of the sleaze campaign—and he was; it is well known.

Mr W.J. Johnston: A fair bit to work with.

Mr C.J. BARNETT: It is the standard he wants to follow.

I do not propose to go through that speech again. There was the first 18, two reserves—that was traditional when I used to play football—and a full bench of interchange players. We even had a rookies list, I guess, if members look around now. The member for Cannington might be on the rookies list. Members opposite need plenty of front to come into this place and talk about ethics and standards. Need I remind members opposite that five ministers —

Withdrawal of Remark

Mr E.S. RIPPER: I think the Premier has made an allegation against the member for Cannington. He said he was on the rookies list and he has been talking about a list of corrupt people. I think that is an allegation that he should withdraw.

Mr T.R. Buswell: He is talking about your members of Parliament!

The SPEAKER: There is no point of order, but I would be interested to hear the Premier’s remarks.

Debate Resumed

Mr C.J. BARNETT: I do not intend to go through the football team story again.

Ms A.J.G. MacTiernan: Not through that farrago of lies you went through before. You are so free, aren’t you, with your words and you never apologise when you’re wrong!

The SPEAKER: Order, member for Armadale!

A government member: Do you still have a cup of tea with the Plunketts?

Ms A.J.G. MacTiernan: Absolutely! Mr Plunkett is a very good friend of mine—as good a friend of mine as anyone is a friend of Mr Barnett!

Mr C.J. BARNETT: Five ministers! It was a government that was in paralysis because one Labor member after another was under investigation by the Corruption and Crime Commission. Reports are still coming out about former Labor ministers and CCC inquiries. The member for Mindarie—multiple investigations —

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

Mr J.R. Quigley: Multiple praise, multiple plaudits —

Ms A.J.G. MacTiernan: He was exonerated. He actually does something; if you sit there like a sack of potatoes, no-one is going to listen.

Mr C.J. BARNETT: Not many members of this house have been bailed up in Swanbourne by half a dozen squad cars. I mean, it is not a normal event but —

Several members interjected.

Mr C.J. BARNETT: Is it a normal event? That does not normally happen. I have never been pulled over by half a dozen squad cars or whatever.

Several members interjected.

Mr C.J. BARNETT: A government with the sort of record that the former Labor government had would realise that it was probably beyond redemption and had very little opportunity of resurrecting a whole series of careers. What would it do? Its members would come into this place and try to drag others down to their level. Well, it ain't going to work; I can tell members opposite that right now. They will not drag good people down —

Mr J.R. Quigley interjected.

The SPEAKER: Order, member for Mindarie!

Mr C.J. BARNETT: — to the standard that they had in government. It will not happen!

Mr J.R. Quigley interjected.

The SPEAKER: Order, member for Mindarie!

Mr C.J. BARNETT: It will not happen. I do not taint all members opposite with that same brush at all, but in their government, members opposite had some serious offenders in terms of propriety and conduct. Do not try to cast the slur on decent people. That is what members opposite are doing. Today in question time, and yesterday, members opposite came in here trying to damage the standing of the newly elected member for Scarborough.

Mr J.R. Quigley interjected.

The SPEAKER: Order, member for Mindarie!

Mr C.J. BARNETT: Members opposite should have a close look at the campaign in Scarborough and the integrity of the people involved in that campaign. I am proud to positively support the member for Scarborough. She is an outstanding person—through her career, through her business involvement and through her family. She advocates, as those who listened to her maiden speech would know, for small business and she advocates for her area; it is what every member should do and what most of us in fact do.

Mr R.H. Cook interjected.

Mr C.J. BARNETT: The member for Kwinana is a lobbyist, is he not?

Ms A.J.G. MacTiernan: Was the Premier not a lobbyist for the Chamber of Commerce and Industry?

Several members interjected.

Mr C.J. BARNETT: The issue of so-called high-rise buildings, or high-density development, in Scarborough has been a major issue probably for at least 10 years, if not longer. It relates to not only the building codes and what can be developed, but also antisocial behaviour and the nature of the area. I recall that the previous mayor for Stirling wanted quite radical changes to the area. There have been all sorts of proposals for the ocean-front area. I would think it has been the most contentious, visible and hotly debated issue in the Scarborough area for a long, long time; probably since the days of the “Snake Pit”, which the member for Mindarie can probably recall!

Mr J.R. Quigley: Green desert boots with pink shoelaces!

Mr C.J. BARNETT: I knew the member would be able to provide detail!

The member for Scarborough and her husband's business—which she has been involved in—are well known in the area. It is a longstanding family business. Throughout the campaign, the member for Scarborough was at pains at any public meeting, whether it was for development or against development, to make her interests known.

In question time today, the Leader of the Opposition asked me about the member for Scarborough's declarations of property and the like, and a chorus of interjections came from opposite that she has not declared it. I thought, “That does not sound right to me.” What the Leader of the Opposition tried to do was to convey a false

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

impression. When do new members have to declare their interests? By 8 December. Has every member opposite already put in their submissions? Of course they have not! An honest person —

Mr E.S. Ripper: The Premier said she had declared.

Mr C.J. BARNETT: I made the comment —

Ms A.J.G. MacTiernan: The Premier had not checked the facts. He said she had declared it.

Mr C.J. BARNETT: I had assumed that new members had already done it. I was unaware that under the legislation they have 30 days to declare. All new members, on both sides, have 30 days. Yes, I plead guilty; I was not aware of that clause in the legislation, but the Leader of the Opposition was. He came in here deliberately to create a false impression that somehow the member for Scarborough had not declared that interest when he knew full well that new members of Parliament, including those on his side, did not have to declare for 30 days. They have not declared it; nor are they required to. The Leader of the Opposition was too smart by half, bordering on dishonesty, trying to create an impression to the media that this member had failed to declare. It was blatantly dishonest on his part. The Leader of the Opposition should be ashamed of that because he tried to create a false impression, and he may have done so.

Withdrawal of Remark

Mr M. McGOWAN: The Premier referred to the Leader of the Opposition on two occasions as “dishonest”. I would submit that is unparliamentary language, and, I might add, unbecoming of a Premier of this state who daily indicates that he is going to lift standards in this Parliament yet acts in that fashion. I would ask him to withdraw that comment.

Mr R.F. JOHNSON: Mr Speaker, I do not believe there is a point of order here. The Premier did not say that the Leader of the Opposition was dishonest. He certainly did not say that. If he had said that, it would have contravened standing orders. What the Premier said was that it was dishonest for the Leader of the Opposition to come in here and say something that was not true. There is a very big difference, Mr Speaker.

Mr E.S. RIPPER: On that point of order, the house has long drawn a distinction between alleging that someone has misled the house and alleging that someone has deliberately misled the house. “Deliberately misleading” has always been taken to be the same as an accusation of lying. I would regard an accusation of blatant dishonesty as being in the same category as the phrase “deliberately misleading”. I draw the Speaker’s attention to an earlier ruling that has set a standard in this house that the use of the phrase “giving the lie to” is not parliamentary. If that be the case, then I believe use of the words “blatant dishonesty” is an accusation against a member and is also unparliamentary.

The SPEAKER: In many senses the Leader of the Opposition has read my mind. It is my intention to ask the Premier to withdraw the comments.

Mr C.J. BARNETT: I withdraw the comments.

Debate Resumed

Mr C.J. BARNETT: When the Leader of the Opposition came into this house today, at a minimum he sought to mislead, did he not? The way in which the Leader of the Opposition asked the question, he sought to create the impression —

Mr E.S. Ripper: Absolutely not. I sought to hold the Premier to account to apply the standards of —

Mr C.J. BARNETT: This is my speech. The Leader of the Opposition sought deliberately to create the impression, for the media presumably—whom I imagine he spoke to beforehand—that the member for Scarborough had somehow not declared her interest. I think the member used the term “too cute by half”. Is that right; did the Leader of the Opposition say “too cute” in question time?

Mr E.S. Ripper: No. I said I did not hear the Address-in-Reply debate.

Mr C.J. BARNETT: The Leader of the Opposition implied that there was something that she had deliberately done wrong; “too cute”.

Mr E.S. Ripper: I described the Premier’s defence as “too cute”.

Mr C.J. BARNETT: I make the point that in question time this Leader of the Opposition set out to create the impression that somehow the member for Scarborough had not declared her interest or the interest —

Ms A.J.G. MacTiernan interjected.

The SPEAKER: Order, member for Armadale!

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

Mr C.J. BARNETT: They have sought to create that impression. I put it that the Leader of the Opposition knew full well that under the legislation, new members on both sides were not required to declare their pecuniary interests for 30 days. That comes up on 8 December and we now know, because of the honest nods of a few members on both sides, that most members probably have not yet submitted that. Yet this Leader of the Opposition tried to create the impression that maybe somehow the member for Scarborough had concealed this.

Ms A.J.G. MacTiernan: He did not! That is an inaccurate claim by the Premier; an unresearched claim!

Mr C.J. BARNETT: Yes, he did. That was his lead question and members opposite all interjected on cue.

The SPEAKER: I call the member for Armadale to order for the first time!

Mr C.J. BARNETT: I have no doubt in my mind that that was the Leader of the Opposition's strategy, and members opposite all interjected on cue. That is another reason why the people of Western Australia lost faith in the previous government. They are not impressed with that sort of behaviour.

Ms A.J.G. MacTiernan: The issue was about her declaration to the Minister for Planning.

Mr C.J. BARNETT: The member for Armadale can speak later. The opposition came in here seeking to slur a new member of Parliament, who has not even been sworn in for 30 days and who will honestly declare any interest she or her immediate family has.

Mr E.S. Ripper: Did the Premier make that up?

Mr C.J. BARNETT: Under standing order 148, the member for Scarborough made a personal explanation, as she should properly do. She made the comment that she regrets that she did not again make it very clear to the Minister for Planning when she spoke to him that the property where her husband's business is conducted belongs to her mother-in-law. Maybe the member for Scarborough, and all members on both sides, now realise that when we are in public office the standard is above and beyond anything that anyone can reasonably expect. However, to imply that somehow she had sought to misuse her position as a member of Parliament or mislead the Minister for Planning or somehow conceal her pecuniary interest is totally wrong. It is mischievous and it does the Leader of the Opposition no credit at all. I have been at pains not to launch into personal attacks on members opposite.

Several members interjected.

Mr C.J. BARNETT: I will take on the issues, but I do not get into personal and private relationships. Can members opposite tell me when I have? They should give me an example of when I have gone into a member's personal family life. I had a go at the member for Collie-Preston.

Several members interjected.

Mr M.P. Murray: I think you wanted me to leave Parliament, didn't you?

Mr C.J. BARNETT: The abalone man!

Mr M.P. Murray: At least I'm not a sniffer!

Mr C.J. BARNETT: This member had been on a trip to Europe on aquaculture and fisheries issues, and he was caught taking abalone out of season! That is not a personal family issue, but he should be held accountable for that.

Mr M.P. Murray: Didn't you just say that you don't get into personal issues? You've just absolutely tied yourself up in a knot.

Mr C.J. BARNETT: Nicking abalone is not a personal matter, it is against the law.

Mr P.B. Watson: So is going over 100 kilometres an hour in a school zone.

Mr C.J. BARNETT: Yes, and I lost two demerit points. Correction: I was not doing 100 kilometres an hour; I was doing 52 kilometres an hour in a 40 kilometre zone.

Several members interjected.

Mr C.J. BARNETT: We are accountable for everything we do as individuals in our public lives and our private lives, but one standard I wish to uphold is that wives, husbands and children are not public property.

Mr T.G. Stephens: What were you saying to the Leader of the Opposition earlier today?

Mr C.J. BARNETT: He was talking about the declaration of spouse's interests.

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Mr T.G. Stephens: So it is all right for you to attack the Leader of the Opposition about his partner?

Mr C.J. BARNETT: Who is his partner?

Mr T.G. Stephens: Too cute by half.

Mr C.J. BARNETT: The issue we are talking about is the declaration of financial interests of a partner of a minister.

Mr T.G. Stephens: Your nose is growing, Barnett!

The SPEAKER: I think the member for Pilbara knows the rules of this place. If he wishes to refer to the Premier, I suggest he refer to the Premier, not by any other name.

Mr T.G. Stephens: Your nose is growing, Mr Premier!

Mr C.J. BARNETT: I will not even get to the member; I will leave him till later.

If the opposition thinks it is good politics to come to this chamber and attack new members of Parliament on very tenuous grounds, it will not raise the standard; it will set the bar to a level at which it will open up its wives, husbands, children and families to personal attack. That is where the opposition is heading if it goes down this path. It will not get such a response about family members from me, but it should make no mistake that that is the path it is going down, and I strongly warn the opposition to think about that very carefully. Our family members do not need to be drawn into the environment that members of Parliament voluntarily enter into; it is our job, for which we are paid. I suggest that the opposition think very carefully if it wants to go down that path. That is why I asked the question when the Leader of the Opposition was talking about declarations. The Leader of the Opposition is now demanding that all the financial interests of a minister's partner be made public. I pose a rhetorical question to the Leader of the Opposition: is that what he wants? Does he want all the interests of his partner made public? Will we then go to children, parents and grandparents? How far does the Leader of the Opposition want to go to make it almost impossible for any decent, successful person to stand for Parliament? Does the Leader of the Opposition want to drag this Parliament down to the level that his party displayed in government? I will not allow him to do that. I will not allow him to attack people such as the member for Scarborough; I will not allow him to drag down the reputation of Hon Norman Moore's wife, who is an outstanding school principal; and I will not let him try to spoil the career of Hon Donna Faragher, who is an outstanding young person. I am not going to allow him to do that. If the Leader of the Opposition comes to me to tell me that any member of this government has done wrong or behaved illegally, improperly or criminally, I will act. However, he should not come to this chamber and slur decent people, their reputations and families.

Several members interjected.

The SPEAKER: Members!

MR T.R. BUSWELL (Vasse — Treasurer) [4.54 pm]: I want to make a couple of comments on a personal level in support of the member for Scarborough. In common with the member for Fremantle, I have filled an interesting place in this house. In common with the member for Fremantle, I did not see that position through to fruition, if fruition is measured by the contesting of an election campaign. There are a variety of issues surrounding that; some members have raised some of those issues today, and they are more than welcome to do so again if they so wish. The comment I wish to make relates personally to the member for Scarborough, whom I met when she first indicated that she was considering a career in Parliament and was going to nominate as the Liberal Party candidate. She struck me as being an outstanding individual at that time; an outstanding mother, an outstanding person and an outstanding businessperson. I make these comments only to offer a personal reflection on her character in support of —

Mr M.P. Whitely: The last thing she needs is your endorsement.

The SPEAKER: Member!

Mr T.R. BUSWELL: It is interesting, Mr Speaker. I will finish my endorsement in a second. I am always interested to enter into debate about these things. The member for Mindarie talked about the perception, on a reasonable basis, that ministers may engage in activities that are of personal benefit to them. There is a member of this house—the member who just spoke—who owns a property in Bassendean, at 7 Rosetta Street. If members were to look at a map of Perth, they would see that 7 Rosetta Street is quite close to the river.

Mr M.P. Whitely: It's 800 metres from the river.

Mr T.R. BUSWELL: They would see that 7 Rosetta Street is probably close enough to the river for it to be possible for a property developer of professional standing to determine that a change of policy by government to

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provide public access to what is currently private space along the river could possibly make an impact on the value of that land.

Mr M.P. Whitely: It’s zoned parks and recreation, you fool! It’s 800 metres from the river, and the area is zoned parks and recreation.

Mr T.R. BUSWELL: I am not here to talk about that; it is obviously a sensitive matter to some people in the house. I am here to offer my personal views on the member for Scarborough. Here we have a person who some people may perceive —

Mr M.P. Whitely: Only a fool could possibly think that! That’s why you think that.

The SPEAKER: I think I have given you, member for Bassendean, plenty of indication that the interjections you make in this place might sometimes be interpreted by you as being helpful to the process, but there is a point at which you need to desist. I call the member for Bassendean to order for the first time.

Mr T.R. BUSWELL: The term “fool” is one that some of us confer on ourselves by what we say and the ways in which people interpret what we say. We will leave that interpretation for another day. The issue is that that is Rosetta Street, Bassendean. Some people may form that view. I do not know, but it is a perception that some people may form. The member did not just talk to the minister about it; he came to this house on one, maybe two, occasions and used up the time of Parliament making a formal grievance about the fact that some people—I again use the words of the member for Mindarie, not my words—may have formed the view on a reasonable basis that he had a direct financial benefit to gain if the policy change were to be fulfilled.

Mr M.P. Whitely: That’s absolute rubbish. You could not form that view on a reasonable basis.

Mr T.R. BUSWELL: I am not here to talk about that. The member may even have written or spoken to me, or joined some of his constituents who live in Ashfield to talk to me about Homeswest densities in Ashfield being too high, and they would be right. However, some people may form the view that if someone who owned a property in Ashfield raised that issue and the Homeswest densities were lowered, it may have an impact on housing values. I do not know, but does the member own a property at 9 Margaret Street, Ashfield? This is a very murky area. That is the point I am trying to make.

Mr P.B. Watson interjected.

The SPEAKER: I offer the member for Albany similar advice to that I offered the member for Bassendean. You have had plenty to contribute, but if you want to speak to the motion, I suggest you speak to the motion. Continual interjection does not help this process. I call the member for Albany to order.

Mr T.R. BUSWELL: At the end of my former political life, which I shared with the member for Fremantle, I had the opportunity to be involved in what could probably be called some of the early skirmishes of the campaign. I visited the member for Scarborough’s electorate, which, at that time, she was contesting and is where she lives. I will share with the house some of the conversations we had. We talked about high-rise development on the beachfront at Scarborough. The member went to great lengths to point out to me that she and her husband lived in a property in that vicinity. She went to great lengths and showed absolutely no intent at any stage to not share that information with me. When we spoke about matters surrounding the fishing industry or the intersection of Scarborough Beach Road and West Coat Highway, which are quite near the family business, she always raised it with me in a very open way. The point I am trying to make is that, based on my observations, the member for Scarborough is the sort of person who would let people know that type of information because she sees it as important. She asked me for advice and I sought advice from others on how she should conduct herself at public meetings and public forums. I think members will find that that conduct has been impeccable.

Mrs M.H. Roberts: She asked for advice from you on how to behave!

Mr T.R. BUSWELL: I did seek advice from others—I thought I would throw that in.

It is funny because we have just heard the Leader of the Opposition suggest that we should lay on the table of the Parliament the ministers’ declarations of pecuniary interest. That will be fine if we go down that path in due course. Why, during eight years in office, did the Labor Party not do that? Why did not the member for Midland show us her declarations, for example, in relation to the heritage property?

Mrs M.H. Roberts: You are welcome to them.

Mr T.R. BUSWELL: She never signed them. Some people may perceive that deregistering her property had an impact on its value. I am not saying that I am one of them. Why do we not look to see whether any former ministers were in cabinet when decisions were made about East Perth? Perhaps the former government decided

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

to spend money on projects in and around East Perth. Maybe a minister owned properties in and around East Perth. I do not know whether people will form that view; that is for others to determine. However, I know that some members served in the last cabinet who owned properties in East Perth. The former Minister for Planning and Infrastructure owned properties in Harold Street.

Mrs M.H. Roberts interjected.

Mr T.R. BUSWELL: People may, on a reasonable basis, form a view, to use the member for Mindarie's terminology. If the former Minister for Planning and Infrastructure, for example, gave a tick for the East Perth Redevelopment Authority to get involved in a major redevelopment in East Perth and she owned properties at 65 and 67 Harold Street, some people may form the view that it had an impact on the value of those properties—I do not know; some may. Does that mean she is in the same situation as the member for Scarborough? Yes. I know about 65 and 67 Harold Street because of that former minister's unfortunate pursuit of the Plunkett family. Heaven forbid, member for Midland, other members might have owned properties in East Perth at the time. Maybe the Treasurer—I am the Treasurer now; the member for Belmont is the former Treasurer.

Mr E.S. Ripper: I will step in if you need me!

Mr T.R. BUSWELL: I am presuming I am still the Treasurer. Actually, I could do what I think is called the hospital handball!

Several members interjected.

Mr T.R. BUSWELL: This is a very awkward area to be involved in. I am not suggesting that anything was wrong with the former Minister for Planning and Infrastructure owning two blocks in Harold Street, Highgate or the former Minister for Housing and Works and her family and associates owning properties in East Perth or, indeed, even with the member for Girrawheen owning property in East Perth. Was that declared when those decisions were made around the cabinet table?

Mrs M.H. Roberts: Were any of those properties in the EPRA region? No.

Mr T.R. BUSWELL: Could people form a view on a reasonable basis? Of course they could. If the government wants to beautify East Perth and build a museum in East Perth, the northern end of which Harold Street runs pretty much into, people might form that view.

Mr E.S. Ripper: Come on.

Mr T.R. BUSWELL: Has the Treasurer seen a map of Harold Street? The member for Belmont is not the Treasurer; I am the Treasurer; he is the former Treasurer.

Mr E.S. Ripper: I know the difference between the address you are talking about and the location of the museum. They are kilometres apart.

Mr T.R. BUSWELL: They are not kilometres apart.

Mr E.S. Ripper: They are.

Mr T.R. BUSWELL: They are not. I have risen on this occasion to, firstly, personally support the member for Scarborough, who I have found at all times has wanted to be advised and sought to do the right thing. I thought it was important that the house know and that it was on the public record. Secondly, I have sought to perhaps provide an overview of the sorts of directions that these types of debates can take. I looked very briefly through the declaration of interest form in the office out the back. My advice to the house is that we must be very careful in dealing with these matters. My advice to the Leader of the Opposition is not to take advice from that individual who is talking to him.

Mr M. McGowan: Get on with it; don't act like that.

Mr T.R. BUSWELL: Seriously, I would not. He should not do it to himself. This will be good. I will wait to hear what he has to say when he stands up. I will stand here until he has finished—but I will not. These are areas that we should explore with caution. Thank you.

MR R.F. JOHNSON (Hillarys — Minister for Police) [5.06 pm]: Mr Acting Speaker —

Several members interjected.

The ACTING SPEAKER: The member for Hillarys has the call.

Mr R.F. JOHNSON: Thank you, Mr Acting Speaker. I will be brief.

Several members interjected.

The ACTING SPEAKER: Order, members!

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

Mr R.F. JOHNSON: The clock is running. I want members to put the whole of this in perspective. Today is day six of this Parliament's sitting. The member for Scarborough has had only six days—not 60 or 600 days—to come in here and represent her community, yet the opposition has chosen to viciously attack a very good and very talented new member, who I think is a very committed person. I was aware of some of her family's involvement in business in Scarborough. She did not try to keep that secret from me or anyone else. There are two areas here: firstly, an ordinary member of Parliament—not a minister—as we all are, must fill in those financial interest forms and provide them to the Clerk of the Legislative Assembly. Existing members must provide the information each year by 30 September and I am sure that they will have done that. New members do not have to submit their forms until 6 or 8 December. Quite clearly, not every new member has done that yet.

Ms A.J.G. MacTiernan: We are not criticising the member for that.

Mr R.F. JOHNSON: Let me tell the member for Armadale one thing. Members do not have to include on the form what assets their spouses own, for a very good reason. The Members of Parliament (Financial Interests) Act 1992, which requires members to submit financial interest returns, was introduced by members opposite when they were previously in government. My wife will tell members that she does not own anything in her own name.

Mr P.B. Watson interjected.

Mr R.F. JOHNSON: We share things. If she did, and I had to declare in Parliament—an establishment that is open to the entire Western Australian public—everything she owned, she would be, understandably, very distressed. Why should she declare everything? She is a person in her own right; she is my wife.

Mr J.R. Quigley: This issue has nothing to do with standing orders.

Mr R.F. JOHNSON: She is my wife, and she has rights, as does every member in this place. I am sure that partners of members opposite would not want to disclose every little asset they own. We must do so because we are members of Parliament. The first issue was the financial interest register of this Parliament. The second is the register in which we must declare not only our financial interests and assets but also those of our spouses, whoever that might be, and that is the cabinet record. That is to ensure that a minister participating in a decision at cabinet level on a matter in which either he or his wife holds an interest declares that interest, leaves the room and abstains from voting. That is okay, because it is not public knowledge. The minister's spouse does not have to declare to the world every little thing he or she owns. They should not have to.

Mr E.S. Ripper: Would Minister Moore and his wife have sold the shares if that information had not been made public?

Mr R.F. JOHNSON: I can assure the Leader of the Opposition that Minister Moore would not have taken part in any discussions or outcomes of cabinet in which he or his wife had an interest. That is the difference. That is different from what happened in the time of the previous government.

Mr C.J. Barnett: The shares belonged to his wife.

Mr R.F. JOHNSON: Exactly—the shares belonged to his wife.

When the present opposition was in government, it was different. I felt sorry for Bob Kucera. He erred because he was in cabinet when a decision was made, but what he did unfortunately contravened the code of conduct for cabinet ministers. If the minister or his or her spouse holds an interest in an issue, the minister must not take part in deliberations on that issue. The minister must at least declare the interest when the matter is being discussed in cabinet. Unfortunately, Bob Kucera did not do that. It was probably an oversight on his part, but he paid a very heavy price for it.

Mr E.S. Ripper: He did not necessarily know that the decision would apply to the shareholding he had, because it was a decision in general, not a decision for a particular company.

Mr R.F. JOHNSON: Ignorance of the law is no excuse—the Leader of the Opposition knows that. I am sure that Bob Kucera would have known that he and his wife owned whatever shares they owned through the shareholding of his son-in-law. I am not attacking Bob Kucera. I think he was very unfortunate. It was an oversight, I am sure, but he paid a very heavy price for it. That is the difference. However, the opposition is accusing one of the government's brand-new members—a quality new member—of doing something very wrong. The opposition wants to embarrass her on her sixth day of this Parliament. I say, shame on members opposite. If the opposition really wants to have a go at some of the new members, it should give them a bit of time in the chamber, and if there is something of substance on which to have a go at them, then by all means it is the right, indeed the duty, of the opposition to bring that to the attention of this Parliament and the public.

Mr J.R. Quigley: We are bringing attention to a breach of standing orders.

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

Mr R.F. JOHNSON: I would keep quiet if I were the member for Mindarie. He gets himself into trouble so many times because his gums flap up and down when they should not. He should not do that.

Ms A.J.G. MacTiernan: He is a hero; he has actually achieved something.

Mr R.F. JOHNSON: Yes, he gets sore gums; I know that. That is the big issue —

Ms A.J.G. MacTiernan: He rescued an imprisoned man. He has taken on the police force.

Mr R.F. JOHNSON: For goodness' sake, does the member for Armadale never stop?

Several members interjected.

Mr R.F. JOHNSON: I always get interjections. What was he doing to me? The opposition is whiter than white; members opposite have done nothing wrong in their entire lives! Today we see hypocrisy in its highest degree. The opposition is the party that had the problems over the past eight years. The then Premier took decisive action, in my view. He took the action that he should have taken. I do not criticise that for one minute, but I can criticise the actions of those against whom he took action. It is very unfortunate, and some people have lost their livelihoods and their standing in society because of those actions. Now the opposition wants to criticise and crucify one of the government's brand-new members.

Mr T.G. Stephens: It's your leader we're trying to crucify.

Mr R.F. JOHNSON: The member for Pilbara should not take a holier-than-thou attitude; it is very unbecoming of him. I will not stand by and watch the opposition criticise and try to crucify a very good brand-new member. If opposition members have something of substance in about 60 days, not six days, then they should stand up and let us hear it, but they should at least have some evidence that there has been some wrongdoing. In this case there has been no wrongdoing—none whatsoever.

Mr E.S. Ripper: There has been a breach of the code.

Mr R.F. JOHNSON: A breach of what code?

Mr E.S. Ripper: A breach of the members code. Perhaps you have never read it.

Mr R.F. JOHNSON: Yes, I have.

Mr E.S. Ripper: I refer to section 8(a) of the Code of Conduct for Members of the Legislative Assembly, which reads —

Members should not approach Ministers, public servants or public bodies on a matter connected with a private interest without appropriate disclosure.

There was no disclosure to the Minister for Planning.

Mr R.F. JOHNSON: I am sure that there was disclosure. There was disclosure through the minister's office, as I understand it, and there was disclosure when the member filled her forms in, and everything else, but pertaining to that particular member, not to her husband or her husband's family. I ask members opposite not to be hypocrites and not try to be holier-than-thou. Members opposite are trying to crucify a very new member. All I can say is, shame on them.

MR J.A. MCGINTY (Fremantle) [5.15 pm]: It is quite extraordinary that in the two and a half months since the state election held on 6 September, four members of the government have been embroiled in one way or another in issues relating to the propriety of their behaviour concerning questions of conflict of interest. We have had the spectacle of Hon Norman Moore, who was, as I understand it, both a contributor to and a trustee of the Norman and Lee Moore superannuation fund, and the holding of shares by that fund gave rise to a conflict of interest with him as the Minister for Mines and Petroleum. It was something that the Premier was initially happy to defend, but now most people, if not everyone, have come to the view that it was an indefensible position that gave rise to an untenable conflict of interest.

Hon Donna Faragher had a conflict of interest arising out of her husband's initial employment by Woodside Petroleum, and his later revealed shareholdings in Woodside, when, as Minister for Environment, she would be making a number of decisions that could well touch upon the value of those shares and the employment of her husband. Some preventive measures were taken in an attempt to deal with that matter, but in my view they were insufficient.

The member for Scarborough has an interest in land that was rezoned in the Scarborough area, through her mother-in-law's direct property holding, through her husband's business, and through her own direct holding of land in an area that would be beneficially affected by the rezoning in question. I do not think it would be beyond

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the realm of speculation to say that, as a result of that particular rezoning decision, there will be an improvement in the value of the assets held by the family in question. The issue that arises here is not whether the member for Scarborough is a good person. I am happy to accept that she is. However, when she lobbied the Minister for Planning to approve that issue, she did not tell him of her interests. That is a breach of the standards that we would expect.

Mr C.J. Barnett: You just made a comment that the member for Scarborough lobbied the Minister for Planning. On what do you base that comment?

Mr J.A. McGINTY: I base it on the answer given by the Minister for Planning this week.

Mr C.J. Barnett: She inquired about where the decision was at—but lobbied? I don't think so, Attorney General.

Mr J.A. McGINTY: I think if the Premier were to go back and check the *Hansard*, he would find that the Minister for Planning conceded that he had been approached.

Mr C.J. Barnett: Former Attorney General—very former.

Mr J.A. McGINTY: Sorry?

Mr C.J. Barnett: I called you Attorney General. Old habits die hard!

Mr J.A. McGINTY: Yes, they do! I thank the Premier!

I make this point. As I heard the Minister for Planning, he said that he had been approached by the member for Scarborough, who did not disclose her personal interest in the matters in which she or her family could be enriched as a result of the decision that she urged him to make.

Mr J.H.D. Day: In reality, she was not actively lobbying or pushing for me to do it, or whatever. She expressed her support for it, but it was not a case of seeking a meeting or actively lobbying.

Mr J.A. McGINTY: It was not lobbying, but she expressed her support for a decision the minister ultimately made. Let us not bother splitting hairs on this.

The fourth member is the Premier who has refused to see, most probably because he has a blind spot when it comes to these matters, that there is a very real conflict of interest in this case and he, as the Premier, the upholder of standards and values, has a duty to act positively rather than defending the indefensible out of some misguided sense of loyalty to his members.

These issues will arise from time to time. They arose when we were in government. What was the previous government's response? Firstly, it set up the Corruption and Crime Commission, a very powerful body designed to prevent misconduct, inappropriate behaviour and corruption in the public sector. That is arguably the most significant thing that could have been done to ensure integrity in the public sector. That action was taken by the Labor Party in government to achieve that standard.

Mr C.J. Barnett: It has spent almost all of its time investigating the Labor Party. It kept it busy. Look at the reality.

Mr J.A. McGINTY: The Premier even defended Norman Moore's action in tabling a petition—having dealings with Noel Crichton-Browne. He defended the indefensible. The Premier's problem is that he is blindly defending his team, because he thinks that is what is required or he genuinely cannot see the issue at hand.

Mr C.J. Barnett: I said it was ill advised.

Mr J.A. McGINTY: Not initially. The Premier was out there defending him and that was his initial reaction. His team might find it inspiring that he would defend the indefensible when he knows that people are wrong.

We did a second thing in government. Members need only look to the actions of Premiers Gallop and Carpenter during their tenure; when they were confronted with a problem they acted decisively. That cannot be said about this Premier after two and a half months in office. Where conflicts of interest are abounding, his first reaction is to defend them by saying that no wrong has been done, and he tries to invent a straw man or woman by saying that we are in here attacking young women. Everybody knows that that is not the case. The issue that is being raised is the question of conflict of interest and what is the appropriate behaviour from a Premier who genuinely wants to see integrity in government. He should make the hard decisions as Premier Carpenter and Premier Gallop did when they were confronted with difficult decisions involving their members. We did not see what we are seeing now from this Premier; that is, he is defending the indefensible. It is the major difference between the parties.

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

I know that the public and the media are currently cutting the Premier a fair bit of slack. Arguably the issue that has dominated the public impression of his government in the two and a half months that it has been in office includes personal enrichment, conflicts of interest and the inability to be able to restore propriety and decency in his government.

I have already made the point in respect of the member for Scarborough, for whom I bear no malice or ill will. It is not about whether she is a good person; it is about whether she broke the code of conduct that required her to disclose to the Minister for Planning in her discussions with him her interests, which include her family's interests, in the relevant pieces of land in Scarborough and to also disclose to him whether there was likely to be, as a result of that decision, a benefit to her or her family arising out of the proprietorship of those pieces of land. She did not do that, and that is the point that has been made.

The Minister for Planning has acknowledged this issue has been a difficult learning curve for the member for Scarborough. However, it is important, if integrity is to be upheld, that these matters be raised and reported on to make sure that people learn from these experiences. The reason I raise this issue is that collectively, as members of this house, we do learn the lessons of history. I refer to the unsavoury circumstances involving the former member for Kalgoorlie, Hon Matt Birney. He was involved in a series of issues relating to an alteration he made to his declaration of pecuniary interests. I will not go into the circumstances now, but it ultimately led to his downfall as Leader of the Opposition. One of the points raised in the course of that debate was what it is that needs to be declared. What the member for Kalgoorlie failed to do initially was to declare shareholdings that he held, I think both personally and through some sort of a trust arrangement. It is my view that a significant number of members of this house are not complying with what is required when it comes to declarations of their personal financial interests, as required in the declaration of pecuniary interests procedure. A separate procedure applies to members of cabinet, and I will come back to the need for that process to become more transparent in light of the way that these issues have evolved.

I will go back one step. What is required to be disclosed is not only the ownership of a family trust—I suspect that several members on the government side have family trusts—but also each and every piece of property held in that family trust if the member has a greater than 20 per cent voting entitlement in respect of the property in that trust. In other words, if there are fewer than five trustees of the family trust with equal voting shares, then full disclosure must be made. It is my view that a number of members are in breach of that provision. We require that it be done properly. We all make mistakes at times; we are not perfect. Currently, there is reasonably widespread avoidance of that provision and it puts a significant number of members in breach of the declaration of pecuniary interests procedure. It is not only the fact that there is a family trust, but also, as I read the relevant legislation, all the holdings of the property in that family trust must be disclosed. The same provision applies to private superannuation arrangements, such as the fund held by Hon Norman Moore. I have not looked at his declaration, but I understand that he did declare it.

Mr C.J. Barnett: It was his wife's superannuation.

Mr J.A. McGINTY: With due respect, the fund name was "The Norman and Lee Moore Superannuation Fund" and, as I heard the debate, he had made some contribution to the property in that trust. As I understand it, it was a contribution over which he had some control—a 50 per cent voting share—and he was required to disclose it.

Mr C.J. Barnett: He did.

Mr J.A. McGINTY: He did, and that is my point.

Having looked at a number of the disclosures that have been made, I believe that we have not had full disclosure by members, many of whom sit opposite. I sound this as a cautionary warning, rather than making a specific allegation: what needs to be disclosed by members is both the existence of the private superannuation fund and the property and shares held by that fund. It is my belief that has not been done. If one looks at what has been disclosed to date, only one member has disclosed that he or she has received income from a family trust. The whole purpose of having a family trust is to distribute property in a way that is tax advantageous and then distribute the income from that. I would be very surprised if only one member of this house has received income from a family trust over the course of the past 12 months. It may be the case, but it does not ring true to me that that is the case. These lessons were brought home to us in the light of the Matt Birney affair. It is something from which all members should have learnt and picked up on and ensured that they addressed this issue with far more rigour. It is important that members be reminded that it is their duty to publicly disclose assets that could give rise to a conflict of interest.

In many aspects our rules are linked in reasonably closely with those of the House of Commons in Britain. In respect of members, any interests in shareholdings held by a member, either personally or with or on behalf of

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the member's spouse or partner or dependent children, in any public or private company, subject to certain minimum thresholds, should be registered. In respect of ministers, which is really what I think this issue is substantially about, the relevant United Kingdom provisions state the general principle as follows —

Ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their public duties and their private interests, financial or otherwise.

They go on to state —

On appointment to each new office, Ministers must provide their Permanent Secretary with a full list in writing of all interests which might be thought to give rise to a conflict. The list should also cover interests of the Minister's spouse or partner and close family which might be thought to give rise to a conflict.

Again, there is the obligation to disclose the interests of close family relatives such as a husband and, I would suggest, in the case of the member for Scarborough, although this deals with ministers, interests of the extended family when there is a direct and immediate interest. The provisions further state —

The personal information which Ministers disclose to those who advise them is treated in confidence. However, an annual statement covering relevant Ministers' interests will be published.

This goes very much to the question that was asked by the Leader of the Opposition in question time today about whether the Premier will publish the declarations that are made by ministers to the cabinet secretary. On an annual basis, that is public information in Britain, from which we derive our system substantially. However, a shortcoming in our system at the moment is that what is disclosed to the cabinet secretary does not become public. I think it should. That is just my view. On our side, we have not had the opportunity to discuss it.

Mr C.J. Barnett: I acknowledge the case you make, but do you think that I should just unilaterally divulge the private affairs of a private citizen?

Mr J.A. McGINTY: I think it is fair enough for the Premier to take it back to discuss it with his ministers, which today he undertook to do, with a view to doing exactly that. That is my view for this reason —

Mr C.J. Barnett: It is not difficult for me. I do not have a personal problem with that, but I am not about to presume that for other members' spouses.

Mr J.A. McGINTY: No, and that is fair enough. The Premier undertook to take it back to discuss it with his cabinet colleagues to ascertain their views. I commend the Premier for undertaking to do that, because I believe that could be a significant improvement on matters as they currently stand. At the moment there is too much room for speculation because there is not full disclosure. I happen to think that that would be a good move. The Premier has undertaken to discuss it with his colleagues and to come back on it. It is a view that I support. However, the Premier needs to have that discussion with people—I agree with that—and the situation is the same on our side. The issue has been raised and posed directly today. People need to discuss it to determine what they should do.

Mr C.J. Barnett: Do you think opposition frontbenchers should do the same?

Mr J.A. McGINTY: Yes, that is my view, but I make this qualification: we are not in a position to make executive decisions that might have the effect of changing a share price. As we all know, disposing of a property to our spouse is not regarded as adequate disposal for the purposes of the share register. Therefore, the answer to the Premier's question is that it really ought to apply. Opposition members are, in a sense, like government backbenchers, because we are not making the decisions that cabinet ministers are making.

I make this point: the relevant British provision in respect of ministers goes on in these terms—it is somewhat stronger than our own provision —

Ministers must scrupulously avoid any danger of an actual or perceived conflict of interest between their Ministerial position and their private financial interests.

That is classically the situation with our two upper house ministers who have been problematic in the past few weeks. It continues —

They should be guided by the general principle that they should either dispose of the interest giving rise to the conflict or take alternative steps to prevent it. In reaching their decision they should be guided by the advice given to them by their Permanent Secretary and the independent adviser on Ministers' interests.

Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

... Where exceptionally it is decided that a Minister can retain an interest, —

It says “exceptionally” —

the Minister and the department must put processes in place to prohibit access to certain papers and ensure that the Minister is not involved in certain decisions and discussions relating to that interest.

The final bit that I want to refer to states —

In some cases, it may not be possible to devise a mechanism to avoid a conflict of interest. In any such case, the Prime Minister must be consulted and it may be necessary for the Minister to cease to hold the office in question.

In other words, the minister is removed if he or she cannot adequately deal with that conflict of interest.

This debate is about the integrity of Parliament and the integrity of government; it is not about personalities and those sorts of issues. I think it is time that we changed for the better the system of declaration, including for individual members, because I think it is being honoured in the breach at the moment. I will be very interested to see which members make changes to their declarations as a result of what I have said today about what is required to be disclosed, because I believe it is not being disclosed at the moment by members. I advocate that the Premier give some consideration to the British practice of disclosing cabinet ministers' declarations of interest so that any issues of conflict can be appropriately dealt with.

MR J.M. FRANCIS (Jandakot) [5.34 pm]: I promise to keep this short. I was going to go over the declaration of members' financial interests and the requirement of the Clerk of the house to lodge them. However, I think I should start by saying that I believe I have an interest to declare. I live in the suburb of Atwell, in the electorate of Jandakot. During the election campaign I spoke to the then leader's office and suggested that we allocate some money to build a police station near my electorate that would service my area. Why did I do that?

An opposition member interjected.

Mr J.M. FRANCIS: No, this is important. I am getting to that; that is okay. In January this year, in the suburb of Atwell, there were three house break-ins a month. Six months later there were 24 a month—a 425 per cent increase in the number of house break-ins in my suburb, in my electorate of Jandakot. According to the logic of the member for Mindarie, is it possible that a reasonable person could conclude that if I could manage to reduce the crime in my suburb, the value of my house would increase?

Mr J.R. Quigley: No, it's not.

Mr J.M. FRANCIS: Of course it would. Any reasonable person would say that if the property —

Several members interjected.

Mr J.M. FRANCIS: Those guys opposite are drawing a very long bow on this. If we spent \$10 million building a police station in my electorate that increased the value of my house because it reduced the number of break-ins, should I have to declare that? Do members opposite want to talk about building car parks? What about car parks? If we build car parks near my train station and near opposition members' train stations, will they increase the value of our houses? Absolutely; I should hope they would.

Mr P.B. Watson: Go back to sea.

Mr J.M. FRANCIS: Go back to Albany.

Several members interjected.

The ACTING SPEAKER (Mr V. Catania): Members, I am finding it difficult to hear what the member for Jandakot is saying. It is hard enough to hear in this place without all the talk that is going on.

Mr J.M. FRANCIS: Thank you, Mr Acting Speaker. I wanted to make the house aware of a letter from Peter McHugh, the Clerk of the house, dated 6 November. It is headed “Declaration of Members' Financial Interests”. I raise this because I got the impression that in question time today the Leader of the Opposition tried to trick the Premier into believing something that was not quite right. That is what he did. His intentions were quite clear to me. The letter states —

In accordance with the *Members of Parliament (Financial Interests) Act 1992*, you are required to lodge a Primary Return with the Clerk not later than **8 December 2008**.

It goes on to refer to the legislation, and then states —

Further forms are available from the Legislative Assembly office. I reiterate that the latest time —

He says it twice —

Extract from Hansard

[ASSEMBLY - Wednesday, 26 November 2008]

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Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

for submission of the return is the **close of business at 4:30 pm on 8 December 2008**.

I raise this because it is very important. The member for Scarborough, like all new members, received the same letter. I am absolutely certain of that. Therefore, is it reasonable to expect her to have lodged the return before 8 December? Absolutely not. I ask the house to think about this. We draw a very long bow when we start accusing members of breaching an act when really they have not. We still have more than a week to lodge our returns.

MR J.C. KOBELKE (Balcatta) [5.38 pm]: I rise in support of the amendment to the Address-in-Reply, which in effect is that the government has failed to provide the standards in government that it promised the people of Western Australia. It is not about the member for Scarborough; it is about the government and the lack of leadership by the current Premier. I remind the house that it was this Premier, when he was in the Court government, and one or two others who time after time came into this chamber and voted with the then honourable Mr Shave when we were trying to protect hundreds of pensioners and self-funded retirees who were losing their savings. It was not just a matter of standards in this house; it was a matter of trying to protect people. Why did the then Premier not go against Minister Shave and stand up for those people who were to have their life savings stolen? I put this to members because we have seen this Premier behave in the same way during the past two weeks. The then minister was “a good bloke”; and bloke or woman, once in the Liberal Party—that is, the club—they are all good people who will “do the right thing”. Despite the fact that hundreds of millions of dollars were stolen from pensioners, the minister was “a good bloke” and could not be called to account.

Once again we see that this Premier is not willing to uphold the standards. He is willing to cast an attack and talk about corruption and the behaviour of the last government, but he is not willing to deal with the issues; as we saw in the case of Hon Norman Moore. Standards about the disclosure of spouses' interests are clearly laid out in black and white and anyone who has read the code knows that the standard was not being adhered to. This “honest” Premier, who said he was going to keep the standards, twisted the words of the code and said, “Oh, we weren't breaching the standards.” Everyone else knew that Hon Norman Moore was not meeting the disclosure standards —

Mr C.J. Barnett: He disclosed! He disclosed as required.

Mr J.C. KOBELKE: He was not meeting the standards. A minister discloses the interests of his spouse and declares an interest that then disqualifies the minister from involvement in decisions that might directly affect matters that relate to the interest of the spouse. The Premier did not want to keep that standard, but he did not come out and say, “We are changing the standards.” This “honest” Premier made no statement about changing the standard—he obfuscated. He used mealy-mouthed words and said; “Oh well, we are meeting the standards.” He promised higher standards, but did not deliver them. The public knew that Hon Norman Moore was not meeting the standards and when everyone knew, the pressure built up and the minister had to give in. However, this was not a case of the Premier taking a lead to establish the standard—he was dragged to ensure the standards were met.

In the case of the member for Scarborough, I feel that she has been badly treated by the Premier. Before she became a member of Parliament she had the right to advocate on behalf of family members on rezoning matters—we all have that right. She did that and she had every right to do so. I would advocate on behalf of my relatives. However, once a member of this place, paragraph 8(a) of the ministerial code of conduct requires that —

Members should not approach Ministers, public servants or public bodies on a matter connected with a private interest without appropriate disclosure.

It has been clearly established, and we know from the minister himself, that a matter connected with a private interest was not properly disclosed. However, a new member was involved, and we all know that people make mistakes. Had the Premier taken the time to look at the detail and had he advised the member for Scarborough to make a statement—as he indeed quite correctly did—then a simple statement that the code had been breached and the breach acknowledged by the new member would have satisfied everyone. That would have been the end of the matter. However, that was not the approach taken by this Premier. The Premier tried instead to obfuscate and to create a smokescreen by running off in different directions instead of dealing with the issue.

I can take two examples from this Premier who, time after time, has called himself “honest”. In one response the Premier said that the member for Scarborough really did not have an interest because the property belonged to her mother-in-law. The Premier tried to paint a picture in which there was no connection or interest. However, when the Leader of the Opposition asked his question, the Premier said that he would expect any member to make representations on a matter relating to his or her electorate. The fact is that the member for Scarborough

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Mr Mark McGowan; Mr Eric Ripper; Mr Colin Barnett; Speaker; Mr John Quigley; Mr John Day; Mr Peter Watson; Mr Rob Johnson; Mr Troy Buswell; Mr Jim McGinty; Mr Joe Francis; Mr John Kobelke; Ms Alannah MacTiernan; Mr Tony O'Gorman; Mr Alan Carpenter

made these representations prior to her membership of this place—clearly linking her interests to those of her family and the planning matter—and then on speaking to the minister, the member did not declare her interest. As I have said: we all make mistakes. But what did the Premier do? The Premier tried to make out that the member for Scarborough was only doing what every member of Parliament would do on behalf of his or her constituents. Was that honest, given the issue goes to a family connection? That is clearly a matter for this house to consider. The Premier tried to shrug off the issue by saying, “Oh, the member for Scarborough did what every member would do.” I find it hard to accept that as an honest response to the issue. Then we come to the second part of the Premier’s response in question time: namely, that the member for Scarborough would be covered if her interest had been declared on the pecuniary interest form. The Leader of the Opposition did not raise the pecuniary interest register but the Premier raised it in defence of the member for Scarborough. The Premier suggested that the member for Scarborough had entered her interests into the record—onto the pecuniary interest register—and was therefore covered; this, from the Premier who promised higher standards and yet said something false in order to support the member for Scarborough. I repeat: I feel sorry for the member for Scarborough because we have a Premier who has failed to exercise leadership on these matters and who has—in a less than honest fashion—suggested that the Leader of the Opposition’s question had been answered because the matter had been declared in the pecuniary interest register. He has made matters worse for the member for Scarborough.

During the debate, we find that this Premier, who labels himself “honest”, gets up and twists his words, saying that it was the Leader of the Opposition who raised the matter of the pecuniary interest register. The Leader of the Opposition said no such thing! It was the Premier who made up that untrue story and who said that the pecuniary interest register would support it, when that was not the case. It was the Premier who then claimed the opposition had made the assertion about the pecuniary interest register in a question, when the opposition had done no such thing! I ask members: is that an honest way to deal with the question? Is it honest to take something which is not true, twist it around and use it as a way to reduce the heat on the real issue? That, I believe, demonstrates this Premier and his standards. The Premier simply has a broad view that the Liberal Party is made up of good blokes and good women. He does not have to worry about the detail or take the issue seriously because all that matters is that the Liberal Party has the numbers in this place and does not have to observe standards. It is clear from the amendment before us that this Premier and his government, while promising higher standards, have no intention of delivering them. We need the Premier to learn from the lessons involving two members of the other place, and the lesson in this place involving the member for Scarborough. This issue could have been dealt with quickly and set to one side as a simple slip up by a new member—that would have been the end of it. Instead, the Premier has not dealt with the substance of the matter or upheld standards. He can verbally spray us on this side of the house but, as the member for Fremantle and others have pointed out, when errors were made and things went wrong on our side of the house, the matters were taken up and dealt with under the leadership of Premier Carpenter and Premier Gallop. This Premier clearly lacks the honesty and the strength to grasp the detail and make the call to deal with these issues. We have all read the code of conduct and no argument has been made other than that the code of conduct was breached. I do not think any of us hold that breach against the member for Scarborough; it was a slip up by a new member. However, the Premier has totally failed to deal with the issue and on that basis he has lowered the standards in this place. I hope that he will learn from this and, in the future, try to fulfil his election promise to do something about raising the standards in this place.

MS A.J.G. MacTIERNAN (Armada) [5.49 pm]: I will make one small comment because I think the issues have been very well canvassed. Notwithstanding some of the obfuscation on the other side, it is quite clear that what we were talking about in this place in relation to the member for Scarborough was not about a failure to meet her obligations in relation to the register of interests but it was very much about a clear failure to meet her obligations under our standing orders. We accept that she is a new member, but it is very important, as has been said in this place time and again, that these standards be understood and that, when there is a breach, that it is brought forward.

I want to address the comment made by the Premier on several occasions that this is all about the Labor Party and this side of politics—the opposition—attacking women. I find it truly extraordinary that a party that has not been able to find one woman from its own team in the Legislative Assembly to be a minister and has had to bring in a recruit from outside to ensure that it has a least one woman on the front bench of the Assembly has the audacity to come into this place and say that we are about attacking women. How inconsistent is it? When we point out the fundamental conflict of interest that Hon Norman Moore had because of the interest he and his wife had in shareholdings under a superannuation scheme, we were told we were picking on women because Hon Norman Moore is married to a woman! When we pointed out these problems in relation to Hon Norman Moore, we were attacking women! When it comes to Hon Donna Faragher and the problem of her husband having

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various shareholdings and interests, we are told that we are attacking a young woman. This is absolutely ridiculous! What we have on the other side of the house is a boys club. It has been a boys club for many, many years. The great promise of the Liberal Party—that great liberal tradition—was lost long ago and it has become a party that is really quite hostile to women. I find it absolutely extraordinary that the Liberal Party’s leader can come into this place and attack us for trying to ensure, regardless of gender, that members are required to maintain the standards in relation to conflict of interest. I think that everyone in the state of Western Australia knows the parlous relationship that the Liberal Party has with women and the great difficulty it has recruiting women and preselecting women. Indeed, even the Premier’s chief of staff, having been denied the opportunity to stand for election in Cottesloe, has now been denied the opportunity to be preselected for the Senate; she has had to stand aside yet again for a male. The gender of the person is not relevant to the set of standards but the rules that we all must operate by are.

Amendment put and a division taken with the following result —

Ayes (28)

| | | | |
|-------------------|----------------------|------------------|-------------------------------------|
| Ms L.L. Baker | Mr J.C. Kobelke | Mr A.P. O’Gorman | Mr T.G. Stephens |
| Mr A.J. Carpenter | Mr F.M. Logan | Mr P. Papalia | Mr C.J. Tallentire |
| Mr V.A. Catania | Ms A.J.G. MacTiernan | Mr J.R. Quigley | Mr A.J. Waddell |
| Mr R.H. Cook | Mr J.A. McGinty | Ms M.M. Quirk | Mr P.B. Watson |
| Ms J.M. Freeman | Mr M. McGowan | Mr E.S. Ripper | Mr M.P. Whitely |
| Mr J.N. Hyde | Mrs C.A. Martin | Mrs M.H. Roberts | Mr B.S. Wyatt |
| Mr W.J. Johnston | Mr M.P. Murray | Ms R. Saffioti | Mr D.A. Templeman (<i>Teller</i>) |

Noes (30)

| | | | |
|-------------------|-----------------|------------------|-----------------------------------|
| Mr P. Abetz | Dr E. Constable | Dr G.G. Jacobs | Mr D.T. Redman |
| Mr F.A. Alban | Mr M.J. Cowper | Mr R.F. Johnson | Mr A.J. Simpson |
| Mr C.J. Barnett | Mr J.H.D. Day | Mr A. Krsticevic | Mr M.W. Sutherland |
| Mr I.C. Blayney | Mr J.M. Francis | Mr W.R. Marmion | Mr T.K. Waldron |
| Mr J.J.M. Bowler | Mr B.J. Grylls | Mr P.T. Miles | Dr J.M. Woollard |
| Mr I.M. Britza | Dr K.D. Hames | Ms A.R. Mitchell | Mr J.E. McGrath (<i>Teller</i>) |
| Mr T.R. Buswell | Mrs L.M. Harvey | Dr M.D. Nahan | |
| Mr G.M. Castrilli | Mr A.P. Jacob | Mr C.C. Porter | |

Amendment thus negatived.

Motion Resumed

MR A.P. O’GORMAN (Joondalup) [5.57 pm]: First of all, I would like to thank my electorate of Joondalup for once again entrusting me to represent them in this Parliament. This is the third time, and I believe I am the first member for Joondalup to represent that area three times in a row. I think the previous two members were one-termers, so to speak —

Mr R.F. Johnson: It’s because I keep speaking up for you!

Mr A.P. O’GORMAN: I would like to acknowledge the member for Hillarys, who gives me great support in this place and in the northern suburbs. I hope he will do the same when I ask him about additional police numbers in the northern suburbs. I hope that he will support us on that matter as well.

I also thank my family because I know that they put up with a lot in having me in the family, in Parliament at all hours of the day and night and getting phone calls at home at all hours of the day and night from constituents. My wife, Bernadette, stands by me all the time and I believe she has made an ultimate sacrifice in that she has held back her career as a teacher to make sure that our family stays together and I can be in this place to represent the electorate of Joondalup. My daughter Jessica gets right behind me in politics, as does my daughter Samantha, who also came out on the election trail with me to do some doorknocking, deliver pamphlets and things like that. My son, Charles, also gets out there and ensures that the work is put in behind the scenes to make sure that I get elected each time. All three of my children have partners and they also understand the rigours of being in a political family, if I could put it that way.

I also wish to thank the people on my campaign committee, some of whom have helped me over many years. Hon Ken Travers has been with me since I first challenged the member for Hillarys’ seat in 1996. Hon Ken Travers was instrumental in getting me elected in 2001 and 2005. In the 2008 campaign he took a bit more of a back seat, but nevertheless was always there in the background to assist.

I also would like to thank my electorate office staff: June Turner, Julie Pettitt and Emily Gerschwitz. An election campaign is rather difficult on electorate officers. They are in the office every day, often answering questions about campaigns and policy and things like that, and they still have to run the office as though it is a normal,

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everyday office—which of course it is—and deal with electorate office issues. They also got involved in my campaign and helped quite strongly. Julie's husband and June Turner's former husband both assisted in my campaign. They did what I like to call the manual labour of putting all the posters and stakes together. I thank all those people.

I thank Peter Clough, a close friend of mine, who has also helped me in my campaigns. Peter and I go back to about 1996. I wish to thank Andrew Stanbury, the president of the Joondalup branch of the Australian Labor Party, as well as members of the Joondalup branch and the Moore Electoral Council who volunteered to staff the polling booths. The polling booths in the Joondalup electorate were superbly staffed in the last election. Significant numbers of people were working constantly.

I will now cover a few issues in my electorate. It is a shame the Minister for Police is not in the house at the moment. I refer to Beldon Primary School. The minister, if he has read the local papers, will have noticed that the parents, students and teachers at Beldon Primary School are particularly upset that both crosswalk attendants will be withdrawn from April 2009. This is a decision that has been reached by the crosswalk committee. It is pretty harsh that both crosswalk attendants are to be removed at the same time. I ask the Minister for Police to go back to the crosswalk committee and ask it to reassess the situation and maybe remove one attendant at a time. The school is keen to keep a B-type crossing, for which it will have to either voluntarily staff the crosswalk or pay for a crosswalk attendant. The school does not meet the criteria exactly. It is on a dangerous road. There was a high-speed chase through there recently, and I believe there was a fatality at the end of that chase. The chase happened to go through that area right at the time that the students were coming out of school.

I plead with the Minister for Police to reassess the situation. I know it is one of those issues that are very hard to deal with. Resources are tight within the police department for crosswalk attendants, and those resources have to be shared around. I ask that at least one crosswalk attendant be maintained so that we do not have big issues in this area in the future.

I will talk briefly about Belridge Education Support Centre. Belridge Senior High School is the only state high school in my electorate. There are a number of private high schools, but Belridge Education Support Centre is part of Belridge Senior High School. The school has been built up over the past 12 years under the stewardship of Miss Christine Rowe, who is the principal. She has built it up from a school that had 25 students to one that now has 84 to 86 students on a regular basis. Because she has managed to increase the numbers, the school has been reclassified and Miss Rowe has to move on because she does not have the correct classification to be principal of that school. It is incumbent on the Minister for Education to look at staffing, particularly in relation to principals who take their schools from fairly low levels of attendance and numbers of students to a high level. We should have a mechanism to keep that principal there, particularly in education support, because most educational support is built on trust, and the trust of those young people with disabilities takes a long time to build up; also the trust that those parents have built up. All the students at Belridge Education Support Centre basically idolise Christine Rowe as the principal because of what she has done for them. The parents also think she is a wonderful person who has done a great job in raising the standards of that school. I urge the Minister for Education to look at the staffing and to not take it on a pure numbers basis, but take into account many other factors, such as pastoral care and the parents' wishes. The students at Belridge Senior High School do not come just from the electorate of Joondalup, they come from all over the northern suburbs. The school is very strongly supported by the parent body.

I will now move on to a consideration for the Minister for Sport and Recreation. During the election campaign, commitments were made on both sides of the political divide for funding for the Joondalup Arena Community Sport and Recreation Association. This is an organisation that comprises four different sporting groups: rugby league, rugby union, Joondalup Netball and Joondalup Little Athletics. These organisations have come together because, individually, they have not got the wherewithal and the resources to build individual clubrooms. Many discussions have taken place between Arena management, the City of Joondalup and the Department of Sport and Recreation to build stand-alone clubrooms for all four clubs to use, including storage space, toilet facilities and meeting rooms. That project has fallen short. It has received community sport and recreation facilities funding but it has fallen short to the tune of about \$200 000. Both sides of politics promised \$200 000 to this project during the election campaign. I ask the Minister for Sport and Recreation to indicate whether that is still on the cards from the government's point of view. Is the \$200 000 for the Arena Community Sport and Recreation Association to build its clubrooms, as promised by both sides, still on the table?

Mr T.K. Waldron: I cannot answer that at the moment, member.

Mr A.P. O'GORMAN: Both sides of politics made the commitment during the election, so I hope it is still there.

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Mr T.K. Waldron: A lot of commitments have been made.

Mr A.P. O'GORMAN: If the minister does not deliver this one, we will be on his case. The minister will be going a lot balder and a lot greyer by the time we are finished with him!

The Joondalup-Kinross football and cricket club operate out of Windermere Oval. That club has approached me in recent weeks because it also has a community sport and recreation facilities fund grant to extend its clubrooms at Windermere Oval. That approval has gone through. It is not an issue for the Minister for Sport and Recreation at the moment; it is an issue for the Minister for Planning because there are two different allocations of land and there needs to be a transfer of land. That transfer is currently held up in the Department for Planning and Infrastructure. We need to get that moved along. It has been fairly difficult for the club to get that moved along. I have written to the minister, and I will be following up with him to make sure that we can get that transfer of land so that the club can utilise the funds before the time frame runs out. Failing that, I will be asking the Minister for Sport and Recreation for an extension. The Joondalup-Kinross football and cricket clubs will be in there fighting for that to happen. A couple of other clubs in my area have spoken to me about seeking funds for extra lights et cetera at their club grounds, including the Edgewater Woodvale football club. I am sure that, after a chat with the member for Kingsley, she will support me in getting community sport and recreation funding together.

I want to mention one or two things that have been delivered. A week or so ago, along with Hon Peter Collier, I turned the sod for the start of Craigie Heights Primary School in Craigie, which was a project undertaken by the previous government to amalgamate two schools in the Craigie area. One school in the area had between only 80 and 90 students and so the school communities came together and decided to amalgamate the two schools on the proviso that a new school would be built. Both those schools were more than 30 years old and one of them was a fairly run-down facility, despite the best efforts of the community to maintain it properly. It was a prefabricated construction that contained asbestos. That school has been demolished now and the asbestos has been removed safely. All the students from that school are in the old Camberwarra Primary School, which is an old brick and tile school. The new school will be built and operational for the first term of 2010.

I will talk briefly about the City of Joondalup and some of the things that it would like to do and has done recently. Paid parking came into operation during the election campaign. Some of the local residents have been up in arms about that because they have been required to purchase parking permits at a cost of \$50 per permit. I took the matter to the council on the Tuesday before the election. To the credit of the council, it has delayed the purchasing of permits until March next year to allow for further consultation. In addition, businesses in and around the Joondalup central business district have approached me and a total of four businesses have told me that they intend to move out of Joondalup because it is too difficult for them to carry on their business there. They have lost 40 per cent of their turnover because people can no longer park outside their businesses. I accept that what the City of Joondalup is doing will benefit those businesses in the long term but some leeway must be given to the businesses in the short term. Perhaps the city could grant the first hour or two as free parking rather than charge commuters a fee from the minute they park their car.

The City of Joondalup is seeking extended trading hours and has applied to become a tourism precinct, which is fine. I support anything that promotes Joondalup and its economic development. However, before we can go down the road of extended trading hours in Joondalup, we have to take into consideration the Commercial Tenancy (Retail Shops) Agreements Act. I have been approached by a number of tenants of the brand-new Lakeside Joondalup Shopping Centre in Joondalup and they have told me that the demands that are being placed on them by the shopping centre are extortionate, to say the least. Many of those businesses have closed down. The fruit and veggie shop, a Lenard's chicken store and a butcher have vacated the shopping centre. They are not national companies. They are small operators who believe that the costs and the way the tenancy leases were set up were extortionate. I urge the Minister for Commerce to look very closely at the Commercial Tenancy (Retail Shops) Agreements Act and to move quickly to introduce amendments to it so that at least a lease register can be set up to provide some transparency to small business owners.

It is a shame that the Treasurer is not in the chamber at the moment because I wanted to ask him a specific question about stamp duty. In June 2007, after the former Treasurer brought down the budget, the member for Vasse raised the issue of collecting stamp duty on motor homes. Some members might remember that in the May 2007 budget the then Treasurer removed stamp duty from caravans, trailers and camper trailers. The member for Vasse, who is now the Treasurer, asked why the application of stamp duty was not removed from motor homes. The member for Vasse said in *Hansard* —

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I have a couple of quick questions relating to a topic I raised during my second reading contribution—the self-propelled caravan. The self-propelled caravan, as it has been put to me, is what we might call a recreational vehicle, and what others might call a Winnebago, camper van or motor home.

[Member’s time extended.]

Mr A.P. O’GORMAN: The member for Vasse continued —

I support the extension of stamp duty exemption to camper trailers and caravans; it brings us into line with what a lot of other states have done for some time. Was any thought given to extending the exemption to those classes of vehicles? I notice that the Treasurer, in his second reading speech, commented about the tremendous impact this will have on intrastate tourism. It is a fact that an increasingly large percentage of people choosing this style of accommodation or transport, especially but not only retirees, are using camper vans or recreational vehicles as opposed to caravans.

The member for Vasse supported the extension of the stamp duty exemption at that time and wanted to introduce that measure when in government. Will he do that in his first budget? I sincerely hope he does. I know that if he were here, he would be challenging me because I argued that the stamp duty exemption should not be extended to motorhomes because when a caravan is being towed, there is a car in front of it and stamp duty is paid on the propelled portion of the rig. I have talked to people in the industry and they have convinced me that what we have now set up is a different system for motorhomes and caravans. A motorhome is simply a caravan with a mechanically propelled part. We should charge stamp duty only on the mechanically propelled part. I urge the Treasurer to take that into consideration during his deliberations.

I will move on to talk about parliamentary standards. We have had a debate in this place this afternoon about parliamentary standards. I congratulate the female members opposite on being elected. It is exceedingly difficult for females to get elected because to be heard they have to behave like boys, but I do not believe that that is what they need to do. Only two of the new members of the Liberal Party in the Legislative Assembly are female. I will ask them if they support what I am talking about. There are a number of church ministers on the other side and I will ask them also if they support the member for Vasse being the Treasurer. We all know about his escapades in this house late one night in the last term of government when he was less than gentlemanly, shall we say. He opened the bra strap of a Labor staffer in this place then denied it and carried on about it. We have also heard about his chair-sniffing antics. I thought that after all the publicity he received from that he would have learned a lesson, but he has not. I was told today that in the chamber yesterday he referred to the Deputy Leader of the Opposition as Captain Pugwash. I wondered what it was about because I did not understand it. I looked it up and discovered that Captain Pugwash was a cartoon character from the late 1950s and early 1960s and was televised on BBC TV.

Mr D.T. Redman: It was also on Western Australian TV, too.

Mr A.P. O’GORMAN: Yes, it was on the ABC. The Treasurer said that he had been in the ABC shop looking at Captain Pugwash and his cabin boy Roger, which was a direct reference to the Deputy Leader of the Opposition, the member for Kwinana. The character’s name was actually Tom the cabin boy and I wondered why he got it wrong. He likes to pride himself on getting things right, although he often does not. I looked further into the matter and it appears that a second group of characters was developed. However, the second group of characters had a sexual innuendo to them. Their names were a double entendre. It is real Benny Hill-type stuff. I wonder if our Treasurer has learned his lesson about what is and what is not appropriate in this place. He certainly should have learned his lesson that it is inappropriate to open a staffer’s bra strap; that is totally unacceptable. It is certainly unacceptable to sniff a chair once a female staffer has left it and it is unacceptable to carry on with that sort of Benny Hill-style attack and antics in this place. I would have thought that, as the Premier has been going on about standards, he would have told the Treasurer straightaway to pull his head in. I wonder whether the women and the ministers of the church on the other side are supportive of the way this member acts and behaves in this chamber. To raise the standards, we need to take the member to task, put him back in his place and say that we do not accept sexual harassment of women and Benny Hill-type double entendres in this place.

MR A.J. CARPENTER (Willagee) [6.20 pm]: I would like to take a few minutes of Parliament’s time to make some comments in the Address-in-Reply debate. I apologise to the member for Kalgoorlie for jumping the queue. Today may be the last day for this Address-in-Reply debate. I have listened to everybody speak and I think it is probably only right that I should say a few words.

Firstly, Mr Speaker, I congratulate you on your election to the position of Speaker. It is a long journey from being captain of Albany Senior High School to being Speaker of the Western Australian Parliament! You were my first school captain back in 1970 and you were prominent for two things: your thinness and your great

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humour. You have maintained that; you have worked in the ABC and broke new ground at Channel 7. When you were at Channel 7 you used a fly swat to point things out on the weather map, rather than the conductor's baton, which was all the vogue in those days. You then went off to Geraldton. Congratulations on your elevation to the position of Speaker. He is not in the chamber, but I also congratulate the member for Mount Lawley on his election as Deputy Speaker, and all the Acting Speakers. I am sure it will be a very rewarding experience. I remember Richard Court giving advice to new members: never read the standing orders, because one might find oneself having to perform the duties of Acting Speaker. It was probably advice that we should have ignored at the time. I am sure that everybody who serves in that position gains a better understanding of Parliament and all that goes with it.

I congratulate the member for Cottesloe on his success—I have already done this publicly, but I do so now to put it in *Hansard*—in what was a remarkable election victory for him and his team. It is a rare privilege to serve as the Premier of Western Australia. The member for Cottesloe is a long-serving member of Parliament at very senior levels, and I am sure that experience will stand him in good stead. We are in very interesting times and it will be a great challenge. I also congratulate the Leader of the National Party for what he was able to achieve during the election campaign. It was very unfortunate, of course, for our side, but the position taken by the Leader of the National Party was nothing short of politically brilliant. Equally, I extend my best wishes and congratulations to the ministerial team. Those members who are new to the position of minister will find it exciting and full of reward. There is really nothing better than to be part of policy development—I realise that policy development is now an ongoing thing—and to see policy formulated, acted upon in government, and translated into a reality that can affect people, hopefully for the better, in the state of Western Australia. It is an amazing honour and a great experience. I wish the government well.

I can remember that as a backbencher, just after being elected, one of the first issues I pursued was to get traffic lights installed on a dangerous corner in my electorate, the corner of McCoy Street and North Lake Road. I could not believe the excitement when the lights were actually installed by Main Roads. I went there with a local newspaper and had photographs taken and so on! Going from that level to a ministerial position is even more rewarding. One gains a sense of great achievement over the years when one serves as a minister.

I say good luck to all new members of Parliament on both sides of the house. I have listened to all the speeches and some of them were absolutely brilliant; they have been fascinating on both sides. We have a very interesting and talented group of new members, and there is probably now a new dynamic at work in the Parliament. Many new members will go on to become ministers and serve in leadership positions. I wish members luck in whatever role or position they ascend to.

Parliamentary life is quite amazing. It can swing from the ultimate in tedium to the ultimate in excitement, and from great joy and exhilaration to complete and utter despair. Many members in this chamber have gone through that experience. At times parliamentary debate can provide great illumination on issues. Unfortunately, when people watch question time they see the theatre and they think it is like that all the time. It is actually the best live theatre in Perth; it is brilliant theatre and entertainment, but it is not really reflective of the bulk of the work that is done in Parliament. Much of what goes on here is good debate and a lot of the positions we end up with are consensus positions. It works well to the betterment of the people of Western Australia. It is like a Rossellini movie in which there is no real script; there are themes, and characters have roughly defined roles to work through, and there is an outcome at the end. I have learned that one often says things in the excitement or heat of battle in Parliament that one may regret later or wish one had not said, but we all do these sorts of things; it is part of the theatre of Parliament. We are all human beings, we are all very different and we are all fallible.

I take this opportunity to thank all the people who served with me in government, both when Geoff Gallop was Premier and when I was Premier. In my view, the ministerial team and the people who supported it were an outstanding group of people who were committed to seeing Western Australia advance in a fair, equitable and sustainable way. Geoff Gallop made a great point of driving that sustainability message as Premier. There were some extremely difficult moments—there is no doubt about that—for both Dr Gallop and me, particularly in relation to the Corruption and Crime Commission. The CCC gets attention almost every day in this chamber. It has created great tensions, great issues, great challenges and confrontations for individuals in political and public life in Western Australia. One has to make decisions when one is in a leadership position, and the CCC threw up some horrendously difficult circumstances to deal with and decisions that had to be made. I knew, in my role as Premier, that these would have profound ramifications for some of the individuals involved, but these decisions really have to be made. I will not go into details about each decision, because if I mention one and neglect another I will create a problem. The CCC has, I think, been extremely powerful in reshaping the political landscape of Western Australia. The previous government put the CCC in place and we anticipated that it would create a new dynamic in politics, and it has. In the long term it will undoubtedly produce a better and more

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accountable and open system of government, but there have been some real issues in its early years of operation. Some individual lives have been extremely unfortunately affected. One of the issues concerning the CCC that needs to be addressed is the length of time it takes for it to resolve issues, from the time that matters are raised in a public forum to the time matters are finally dealt with and recommendations are made. The process can take a very long time—up to 21 months in some cases. In the meantime, people's lives and careers are at least put on hold and in some cases destroyed. When one is in the position of leader and has to make decisions about such matters, one always tries to make the right decision. The rights and wrongs of many of those decisions and judgements are still being debated, and that may well continue for a long time. The CCC will evolve from this point forward and I hope that the people who have been subject to the activities of the CCC and who have been shown to be completely and utterly innocent of any wrongdoing but who have had their careers put on hold, or others who feel that they are still being unfairly tarnished or stigmatised by the CCC, can eventually move on and rectify that situation.

There are many achievements of the previous Labor governments for which we can be, should be and are rightfully proud, in the economy, health, education, community safety, public transport, management of the environment, law and electoral reform, and other issues across the board. I do not have the time to mention all the achievements, but I would like to mention some. When we first came to government, the economic situation was very different from what it was in 2007 and obviously very different from what it is now. The economy was in a slight decline, and we had inherited five budget deficits over a period of eight years. Our stated aim was always to produce budget surpluses, but at the same time invest in the economy in a responsible and sustainable way. That was what we set out to do, and that is what we did. The now Leader of the Opposition, the former Treasurer, I think did a remarkable job, especially in those early years, in reining in the natural propensity of ministers—including me—to want to spend, and spend heavily, in their portfolio areas. We managed, against the odds, to produce surpluses in those early years, when the economy was nowhere near as robust as it became.

By 2005 the economic growth rate in Western Australia was four per cent, up from the decline in 2001. By 2008, earlier this year, it was seven per cent. It is true, as the point is often made, that we were the beneficiaries of the growth of the Chinese market. To benefit from that growth we had to position ourselves to take advantage of those external circumstances, and I believe that we did. What was a \$75 billion economy in 2001 had become a \$140 billion or a \$150 billion economy by 2008. Western Australia went from producing 30 per cent of Australia's export effort to about 38 per cent this year. We set ourselves a target of retaining our AAA credit rating, which we did.

In 2001 the net debt-to-revenue ratio was 33 per cent, with a capital works program of \$3 billion in Western Australia. By 2007-08 net debt to revenue was 24 per cent, with a capital works spend of \$7.5 billion. So the capital works spend more than doubled, but the net debt-to-revenue ratio was below what it was when we came into office. Our estimated capital works program from 2008 to 2011-12 was \$26 billion, and the net debt to revenue would still have been comfortably under that self-imposed cap, although right on the limit if our proposition to the state National Party of Australia for \$1 billion extra over four years for regional funding had been accepted. Incidentally, that agreement we sought to strike with the National Party was, by mutual acceptance, contingent on existing plans in the forward estimates not being dumped—I think the National Party leader would agree with that—and that the AAA credit rating would not be jeopardised. It could have changed the political scenario in Western Australia dramatically, obviously, in the longer term, but it was not to be and I will not dwell on it.

Whilst we were in government we were investing in the state's future. That is what we said we were doing with our surpluses resulting from the strength of the economy. We were investing it heavily into infrastructure, investing for the future and investing in the expansion of our economic capacity. We were seeking to position Western Australia for long-term economic and, therefore, social success. A strong economy translates to business investment and jobs. Business investment soared in Western Australia during our time in government. There was a real decline in business investment in Western Australia of five per cent from 1998 to 2001, and 25 per cent growth from 2006 to 2008.

There was a long, long list of major new projects. The economy had been flat and there had been very few new projects. There had been no cranes on the Perth skyline for many years. During our time we saw the rise in production of Fortescue Metals Group, the expansion of activities at the iron giants in the Pilbara, and the renegotiation of the concessional loyalty agreement with BHP and Rio Tinto, which, incidentally, in the budget figures we produced this year brought an extra \$500 million in the four years from the final year of this year's budget forward estimates. I do not know what impact the recent changes in the international financial scene have had on those figures.

Extract from Hansard

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New players came into the iron ore market in the Pilbara, and there is much more to come. I was speaking today to one of the people associated with the huge project up there, just to see whether it was still going ahead, and, yes, it is. There is the development of the iron ore industry in the mid-west, and potentially still in the great southern, which will be a boost for the economy down there. Also, there is the Boddington gold operation, and approvals for the expansion of the alumina industry, although there are some changes going on there, I know. There is BHP's Ravensthorpe nickel project, which I hope still goes ahead; I understand it will, even against the background that it is now operating in. There are offshore gas projects, most notably, of course, the massive Gorgon project, and the beginning of the Pluto project. We have been criticised for the speed of our approvals process. The Pluto project went from nothing to the beginning of construction, I think, in about 20 months—less than two years, anyway. That was commented on by Don Voelte publicly, and the government was praised for the speed at which those approvals were granted, bearing in mind the project's very, very sensitive location in the Burrup Peninsula. I think it is the biggest single company investment project ever undertaken in Australia. There was also the extension of the Argyle diamond mine. Moving away from resources, there was Australian marine complex development, and so on and so on. The Western Australian economy grew, boomed, and became incredibly exciting and extremely robust.

Governments have to ensure that those opportunities are translated into opportunities for the general public through employment and training. We had seven per cent unemployment in Western Australia in 2001. The dire scenarios that have been projected for 2009-10 estimate that we might have unemployment up around six per cent; I think that currently it is three per cent. In 2001 it was seven per cent; we got it down to three per cent. Youth unemployment was 22 per cent; we more than halved it. The figure for long-term unemployment was 12 000; we got it down to 2 800.

To get people into employment, they have to be prepared. The most illuminating thing that I found when I became Minister for Education and Training was that we were not preparing our people for the needs of the Western Australian economy. We had to change the education and training system. Change brings tension and friction, but it had to be done. We controversially raised the school leaving age from 15 years of age to 17 years of age. In 2004 there was a year of debate about whether we should do it, during which we were supported by the then opposition. I was grateful for that support. I think it was a fundamentally important step to take, to change that leaving age from 15 years of age to 17 years of age. It effectively ruled out the option of kids dropping out of school at 15 years of age and doing nothing. They needed to be at school or in training or in employment, or any combination of those. A lot of changes had to be made to allow that flexibility.

To give members an idea of the impact of that, in 2001 there were 18 000 people in apprenticeships and traineeships in Western Australia; at the beginning of this year there were 36 000. In pursuit of all that, we had to recruit and build the public sector. There has been a lot of discussion about the growth of the public sector. The economy was growing; we had to grow our capacity to service it. We recruited 2 200 additional teachers. We opened 60 schools—15 will be opened next year by the new government. We spent 50 per cent more per student in education and 70 per cent more on education. We introduced an allowance so that students could go from years 10 to 12, the \$400 it-pays-to-learn allowance.

[Member's time extended.]

Mr A.J. CARPENTER: I turn to health. Health is always a huge and difficult challenge for any state or territory government. It is a challenge in every state and territory in Australia. We actually, I think, had in process a very, very strong health reform program, which I hope continues under the new government. We employed an extra 2 500 nurses—that was the growth in the public sector that we hear about—and 900 extra doctors. We reduced elective surgery waiting lists by half, and the waiting time by half. I believe that the blueprint for physical reform of the health system is an outstanding blueprint.

We undertook the transformation of that public health system, investing \$600 million in new and expanded regional hospitals as part of a \$5 billion statewide program, including the Fiona Stanley Hospital. The member for Fremantle was the architect of this reform, following on from former Minister Kucera, and he described the Fiona Stanley Hospital as the flagship of reform in the health sector. We funded general practitioner clinics across the metropolitan area. We hear now about regional areas. Critically, we developed hospitals in Geraldton, Derby, Fitzroy Crossing and Broome, Port Hedland is underway, and so it goes on. There was a massive change in the provision of health capacity in the regions.

One of the interesting comments I got after the election campaign was from a prominent member of the National Party, who said to me that the state Australian Labor Party had delivered very, very well and strongly in many parts of regional Western Australia. But the royalties for the regions program cut through that anyway. As a political tool, it overrode what we had sought to do in the regional areas.

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In community safety, which is a very important issue for any state or territory government, we employed an extra 600 police. We heard today about the burglary rate in Atwell, but across-the-board burglary rates went down by something like 36 per cent. I hope that the Minister for Police can emulate that figure. The rate of car thefts went down and the rates of a variety of other levels of crime went down. Spending on police increased to what is now 18 per cent per capita more than the average rate in other states. We opened 19 new police stations and introduced a variety of law reforms that included tougher penalties and so on. Yes, that is reflected in the prison population and has created that spill-on problem that needs to be addressed.

One of the most outstanding achievements we can look back on with pride is our contribution to public transport in Western Australia. We extended the urban rail line north to Clarkson. I believe that it must be extended to Butler. It would be an absolute travesty if that does not happen. I am glad that bipartisan support for the extension of the rail line to Ellenbrook was indicated during the election campaign. We built the line to Thornlie and upgraded stations all along the Armadale line but, most dramatic of course, was the line constructed to Mandurah, with the two underground city stations. It is a magnificent project that the member for Armadale will always be associated with and for which she will always be thanked. It was her vision and tenacity that brought that project into reality. Members may have forgotten that, at the time, there was a storm of criticism about that decision. However, the member for Armadale convinced people in government and the general population that it was the right thing to do. The alternative proposal we heard about from the Liberal Party was hopelessly flawed and would have been a failure.

Underway now is the Perth Arena, that great entertainment venue, which will be an asset with the capacity to host 14 000 people for major international events. The new theatre in Northbridge, which we decided to call the Health Ledger theatre and which, because of that, has already attracted international attention, is under construction, but we are no longer the government. It will be Perth's first truly dedicated performing arts centre—a long-overdue addition to the cultural landscape. We provided the biggest single state government arts funding injection in the state's history with former Minister McHale's Ignite package of \$73 million to transform dance, theatre, music and visual arts, as well as change the shape of WA's cultural landscape. As the new member for Kwinana reflected, Perth has changed. We need to showcase Perth as an international place for not only economic but also cultural activity. We need facilities and cultural experiences to reflect the fact that Perth is now a bustling, dynamic international city and to attract and retain the best here. I sincerely hope the new government maintains that momentum for changing Perth in the way we began.

No-one could argue about the need to invest heavily in WA's regions, and no-one does. The National Party's royalties for regions campaign was extremely effective politically; it was a simple and clever message that cut through. We did invest heavily in regional Western Australia—the transformation of many regional cities, for example. I will not use the example of Albany; I will use Geraldton. Our first regional cabinet meeting following our election in 2001 was at Geraldton. The place was on its knees. Geraldton is almost physically unrecognisable now. It is a massive disappointment to me to have lost former member for Geraldton, Shane Hill. After all the work he had done for his electorate, he did not deserve that result, with all due respect to the current member. Shane won against the odds in 2001 and was centrally involved in the transformation of that mid-west city.

The members for Kimberley, Pilbara, North West Coastal, Collie-Preston and Albany deserve the highest praise for winning against the background of that swing against us in the election, and I congratulate them. Clearly, though, as Premier and as a government, we did not do enough to satisfy the expectations of many people in those regional areas, despite our efforts and 30 or 40 regional cabinet meetings and policies directly aimed at the regions. It will be an interesting challenge now to see whether the new government can convert its rhetoric about royalties and focus on the regions into reality. It will not be easy.

Early this year, in a speech to the Committee for the Economic Development of Australia, I outlined our intention to pursue three major public infrastructure facilities in Perth: the new stadium at Subiaco to replace the present Subiaco Oval, a new museum on the old East Perth power station site and the redevelopment of the Perth foreshore to create a new precinct between Barrack Street and the Narrows Bridge. I know that these matters have attracted some debate and discussion already. Economic circumstances have changed dramatically in the past few months. The new government has announced that they are no longer priority projects; in fact, I think it has announced that two of them will not go ahead and will be replaced by the Northbridge link—the sinking of a portion of the central city rail line. That is a very good project, but I hope it does not mean the end of these other projects, especially the proposed foreshore development. It is the Premier's prerogative to have new priorities in government, but I urge the Premier to reconsider the dismissal of the foreshore project, and echo the member for Armadale's comments to allow the planning and environmental process to continue. It would be a transformational project for the City of Perth.

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The development of a new sports stadium is a once-in-a-half-century opportunity that must not be lost. I urge members to maintain the new stadium as the option that we pursue, even if it means a delay because finances are an issue. Delay would be better than staged redevelopment of Subiaco Oval, which I think would seriously let down Western Australia in the long term. Similarly, the opportunity for a magnificent new museum on the riverside location at East Perth is too good to let permanently slip, and I urge the Premier to not allow that to happen.

Other projects we started will go ahead, and there is a long list: the Bunbury Highway, replacement for the Perry Lakes stadium, the Albany waterfront and entertainment centre, Indian Ocean Drive—the issue was all about timing—and many schools, colleges and hospitals. They will add significantly to the quality of life in Western Australia.

The member for Fremantle should be congratulated on his contribution to law reform in WA and the electoral law reform he was able to steer through this Parliament. It was almost inconceivable that there was such opposition to one vote, one value. Look at the result! It is a basic fundamental of a democratic system, and the member for Fremantle deserves credit.

We saved the old-growth forest and Ningaloo; created new national parks and marine parks; built a desalination plant and commissioned a second; and enabled a massive roll-out of native title settlements on an almost unthinkable scale, considering the nature of the debate in 2000, on the basis of brilliant work done on native title by the now Leader of the Opposition. We took an active role in expanding the Clontarf Academy and other projects for Indigenous people. Yes, I had a disagreement with Lieutenant-General Sanderson about the nature of our approach, but I respect him as a very well-intentioned man, and I have written to wish him the best in his new role with the new government.

Many good parliamentary members of the Labor Party lost their seats at the election, and I have publicly accepted—and do so again—full responsibility for the result, and offer my regret and apologies to those members who lost those seats. They all contributed strongly to our effort and their loss was no fault of theirs. It is a matter of sadness that they are no longer in the Parliament. The new leader of the parliamentary Labor Party, the member for Belmont, has embarked on a strategy to reconnect with the community to help ascertain what should be done for Labor to win back the support we lost at the last election. I congratulate him for that; it is the right thing to do.

Essentially, people want to know that they are being heard and that their needs are being addressed. It is simple. They want to know that the government is listening and that people are responding to their needs. As a government goes on year after year it can appear that it has lost touch and, over the passage of time, the number of people who feel that their needs, aspirations and expectations are not being met can grow into a substantial number. After eight years, a government must be particularly adept at ensuring that that process does not become a tide. There are many other issues, one of which is the relationship between the state and federal governments. Premier, there is a great opportunity now in the Council of Australian Governments reform process for a better dialogue. I was pleased to see that the Premier had a constructive first meeting with a good dialogue between the states and the commonwealth. The Premiers and the Treasurers together in those formats allows for a much better arrangement than the previous one. I trust and hope that the COAG process delivers a good outcome for Western Australia in what is going to be a very trying time over the next few years.

I would like to thank all the staff who worked with me as minister and Premier over the years. They were outstanding and no-one could have hoped to work with and be supported by a better group of people. I thank my campaign team in the seat of Willagee for their help and support at the last election. I have a very strong group of people who worked with me, some on every campaign I have been involved in. I will not name them individually because, if I do, I will leave some out that I should mention. I am very grateful for the campaign support that I received in Willagee. I would like to thank all the team very much and, of course, the electors of Willagee who voted me back into Parliament. I am the only person who has been a member for Willagee. It is a great honour and a great privilege to represent them in this place, and I thank them.

In the past eight years under Labor governments Western Australia has grown, becoming the economic powerhouse of the nation. Change has been for the better. I hope and trust it will continue to do so and be so through the years ahead and through the difficult years immediately ahead of us.

[Applause.]

Debate adjourned, on motion by **Mr R.F. Johnson (Leader of the House)**.