

**STANDING COMMITTEE ON PUBLIC
ADMINISTRATION
AND FINANCE**

**TRANSCRIPT OF EVIDENCE TAKEN
AT MANDURAH
ON TUESDAY, 27 AUGUST 2002**

SESSION 2

Members

**Hon Barry House (Chairman
Hon Ed Dermer (Deputy Chairman)
Hon Murray Criddle
Hon John Fischer
Hon Dee Margetts
Hon Ken Travers
Hon Sue Ellery**

HIGGINSON, MR WILLIAM
Partner and Landowner,
examined:

HIGGINSON, MRS JEAN
Partner and Landowner,
examined:

The CHAIRMAN: Welcome to the committee. Have you read and signed a document titled "Information for Witnesses"? Have you understood the document?

Mr Higginson: Yes.

Mrs Higginson: Yes.

The CHAIRMAN: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to the witnesses. To assist the committee and Hansard please quote the full title of any document quoted or referred to during the course of this hearing. Please speak into the microphones.

The transcript will become a matter of public record. If, for some reason, you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants the request, any public or media in attendance will be excluded from the hearing. Please note that until such time as the transcript of the public evidence is finalised, it should not be made public. I advise that premature publication or disclosure of evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege. Would either of you like to make an opening statement?

Mr Higginson: I live in Baldivis. The original use of my property was as part of the Peel estate; it was used for farming. Much of the vegetation is regrowth. Because we have been locked out of large sections of our property over the past 11 years or more, the regrowth is quite high. As you would know, if you left your backyard in that state for that period you would not be able to get out the door.

All the landowners in the Stakehill Road area have been locked out through one government proposal or another over this period. The effect of the restrictions on private property is an immediate devaluation of property. When restrictions are placed on private land, the land is no longer worth what a person paid for it. The market value drops straight away because of the restrictions. The result of this persecution by the Department for Planning and Infrastructure and the Government is a disgrace to Australian society. The stress-related illnesses contracted by people break up families. Marriages break up; fathers will not talk to sons and neighbours fall out. These are the initial effects of these restrictions on private property. Secondly, most people get into financial hardship and bankruptcy. Many people have had heart attacks. The heart attacks are driving many landowners into an early grave. There is no satisfactory solution in sight because the politicians will not pull the bureaucrats into order and make them do as they are told; they have no control over them at all. There is no time frame for an end to the misery. Land is sold to the Government for a fraction of its value in order for the landowners to keep their sanity. The Department for Planning and Infrastructure is running a covert business from a

government office. This is what is taking place. The bureaucrats move papers round and round in the time between elections. They have no intention of coming to any satisfactory solution with anyone whatsoever; it is fraud. There is also a breakdown in the democratic fabric of the country. We have three different sets of laws running at the same time. We have a law for the Government; we have a law for the councils; and we have a law for the rich. We then have a law for the little Aussie battler. He has to carry the weight of all the mistakes made by all the bureaucrats and politicians.

For instance, I am 66 years old and I cannot get a pension. I have spent more than 50 years in the work force. I cannot get a pension because I own land. I cannot get anything for the land because of government restrictions. The only buyer I can sell to is the Government, which will not give me a quarter of the value of my properties. I bought my properties because of their beauty. I chose them carefully over many years. I sold everything I had in the United Kingdom in order to buy the properties. I could not now buy back the front gate of any of the properties I sold in the United Kingdom. I invested all my money here, which was the right thing to do as I live here and I believe in Australia. I love the Australian people and I love the Australian country. I cannot take any more of the bureaucratic system that drives people to an early grave for no other reason than to steal their property. This is a new development in this country; it was not occurring when I arrived in 1968. It is a modern thing.

I am putting forward the necessity for politicians to take responsibility to bring the bureaucrats under control. What is being done to people is nothing less than evil, especially with Bushplan. It destroys people's basic moral and democratic rights. The latest development is that a person cannot even paint his house the colour he wants.

Without the knowledge of the landowners a government department has the right to work out methods of defrauding the landowners of their properties and, indeed, of their basic democratic rights. No guidelines are given to the government departments. The landowners have no right of redress and no opportunity to see the minister. If a person sees the Ombudsman, as we have done, he is unable to help because he can go no further than the department that has created the problem in the first place. The fair trading minister said that he could not do anything. The Attorney General promised to do something, then changed his mind. We wanted to be part of the royal commission; we wanted a full and proper inquiry into this. The Office of the Information Commissioner will not give us the necessary documents to allow us to take legal action. There is a bikie code of silence over all the government departments. They all get together and say, "Okay, we have got to quash this until the next election when we can shred all the paperwork." After 11 years, the result is that not one question has been answered. Law protecting private property does not exist. We need a bill of rights; we must have one because we have no defence whatsoever against these people.

The CHAIRMAN: What are you reading from?

Mr Higginson: This is my own scribble. I can supply a copy if you want.

Mrs Higginson: It is just his notes that he has scribbled on. I can provide a copy.

Mr Higginson: I have a list of the people we have contacted and asked to do something. We have contacted the Department for Planning and Infrastructure, which is the instigator of the problem in the first place. We have contacted the Ombudsman, who will not do anything. We have contacted the Minister for Consumer and Employment Protection, who will not do anything. The Premier will not do anything.

We have already told the committee about the freedom of information office; we cannot get the paperwork. We have also contacted the Attorney General, Mr Norm Marlborough and the United Nations. We have obtained a copy of the basic rights of man from the United Nations. How do they get away with this? This country is a signatory to the United Nations. United Nations documents state that we have a right to earn a living from our property. No-one has the right to take property from us without compensating us. We have had our assets frozen for 11 years. The only just and fair way for the Government to act is to get an immediate valuation of property as soon as the Department for Planning and Infrastructure puts forward any plan. Owners should be paid at least 10 per cent per annum of the valuation. People will need the money to fight government departments. It has cost us far more than that. We have also contacted Hon Judy Edwards, Hon Dee Margetts, the Prime Minister, the Leader of the Opposition, the Department of Environmental Protection, the City of Rockingham, Hon Alannah MacTiernan, Kieran Bierdal of the Department for Planning and Infrastructure, Bush Forever, Hon Paddy Embry, Hon Jim Scott and Mr Mark McGowan.

We have also made submissions on the south west corridor plan, the swan coastal wetland policy, town planning schemes, the Everall report, the O'Brien report and Bushplan. Were involved with the last inquiry on this set-up. We sent extracts from the last inquiry to many of the aforementioned people because it was so damning against the planning department. We expected some action to be taken but the recommendations were simply filed and lost. We have a copy but we expect that no-one else has read it. It is the third inquiry to have taken place. What will happen to it? Will someone do something with it or will it be filed until it is shredded?

Mrs Higginson: I will just go over a few things that Bill mentioned. This issue was originally put on the south west corridor plan in 1991-93. We discovered that there have been years of planning and our property, along with that of 36 other landowners, was to be taken for parks and recreation. We found out two weeks before the finalisation of the scheme and our group was granted an extension of time. We have been fighting since that time. The Stakehill Road area has a wetland on one side. Our property is located on the road through the middle. All the properties adjoin the Stakehill, Mandurah and Sixty Eight Roads; it forms a square. We have been so-called "negotiating" with the Government since we discovered the plan. The wetland is really just bush; it has been taken off the wetland list and put on Bushplan. The owners have said that they would allow the Government to take the areas designated as wetland - if sold for a proper price - if we were left with the surrounding high dry land. That would enable us to carry on our businesses and to keep our homes. We have made several submissions; the Everall report was instigated by the planning department and the O'Brien report was prepared by the council. We have had five or six different reports including the Semeniuk report. Everybody has had a go. Through all the planning - including Bushplan - a dotted line was placed around the wetland, allowing us to keep our land. Over the past eight years we have considered that that would be the final decision by the Government. We discovered in November that the planning department had put the original plan - derived from the 1980 map - back into action. It would take all our properties, businesses and homes. We were not told of this because, by law, the department was not allowed to say anything until it was approved by the minister. Because we found out about it and kicked up a big fuss, it is now in the hands of the minister and she is reviewing it. After all the consultations, the money spent, the toing-and-froing, and the maps shown to us over

the years, we believed that we would be able to keep our homes and businesses. The planning department, out of the blue, has reverted to the first plan. It has not considered our participation in the system. The system does not work. Everyone who participates in these meetings does not hear our side of the story. Before Bushplan went forward, I rang all the departments involved; that is, the Water and Rivers Commission, the Environmental Protection Authority and the Department of Conservation and Land Management and asked for the person dealing with the Stakehill area and Bushplan. I asked for any information they had regarding our situation, in which we had been fighting for our rights over the last eight or so years. Not one of them knew of us, what we had said, what we thought, how the process worked or what our investments were. Not one of them. These people were going to the meeting regarding Bushplan, which was supposed to be a whole-of-government approach, along with participating landowners and they did not know one thing about the situation. That is why we finished up losing everything when the final judgment came out. The system does not work.

Bill talked about freedom of information. The letter I now refer to dates back to 29 September 2000, before Bushplan was developed, from the Western Australian Ministry for Planning. It refers to the freedom of information application for Stakehill Swamp-Jarvis Road lots and our application for paperwork associated with the procedures on our plan. It states -

... the Ministry is not willing to examine all of the 3,000 to 4,000 folios relating to your request because it would divert a substantial and unreasonable portion of this agencies resource away from its operations.

It went on to state that it would cost \$1 800 to get someone to copy 4 000 folios. The cost of 4 000 copies came to \$800 and further work required at \$30 an hour came to \$3 000. The total came to \$5 600 for pieces of information that we did not want. We wanted the folios that they would not send us.

Bill spoke about the Attorney General. We received a letter from the Attorney General's office signed by Danny Cloghan, the Chief of Staff to the Attorney General. The letter states -

Thank you for your card dated 11 March 2001 in which you raise the issue of a Royal Commission and certain issues pertaining to the Planning Department. The Attorney General has asked me to reply to you in this matter.

The matters you raise are of concern to the Attorney General and will be investigated in consultation with the Minister for Planning and Infrastructure.

The Attorney General will investigate the matter in conjunction with the Minister for Planning and Infrastructure. The letter continues -

I believe that this matter needs to be handled by the Minister for Planning and Infrastructure to enable a more direct investigation of your concerns.

We have received no further correspondence regarding any of this. We have heard nothing. At home I have a box that is one and a half meters by one meter in size and about 8 centimetres deep.

Mr Higginson: We cannot lift it.

Mrs Higginson: That box is full of letters to and from the Government and different paperwork that we have collected over the last 11 years. We spend one day a week lobbying various areas to get some rights to our property. At present, it looks as

though we are right back where we were 11 years ago with no rights whatsoever. We have run a successful water garden nursery on our property for 20-odd years. We grow water lilies and the like. The property we bought had water on it at the time. Now it has not. However, when we originally bought it we were going to build ornamental lakes and walkways. This has all been stopped. My two sons work with Bill and I. We are not supposed to be working.

Mr Higginson: We are retired.

Mrs Higginson: We are supposed to be on a pension now. However, when I go to the retirement pension guy and ask him to work out a way in which we can live on our assets, he asks what our assets are. I tell him that we have three 20-acre blocks on which the Government has full restrictions. We can work on about two of the 60 acres. The Government has restrictions on all that land. We are not allowed to use the land or sell it and the Government is not paying anywhere near the proper price for it. This is our retirement fund. I have said to the guy that my house is connected to the business, which the boys want to continue running. Although the rest of the people in the area are allowed to subdivide their five-acre blocks, we are not allowed to subdivide ours. I have asked the guy how can we retire. He just laughs. That is the result of 50 years of work by my husband. I have put my whole life into this business. It is my baby if you like. This should have been the best water garden nursery in Western Australia. We supply all the shops with water plants and the like. We have no natural water on any of the blocks now. Every living creature that relies on the water, which has dried up because of the droughts, lives in my ponds. I look after all the turtles and the frogs and animals like that. However, the Government still wants to close my business down and it will do anything it can to do so. The latest requirements are that you have a licence for this, that and the other, and I cannot get any of them. When we opened the business 24 years ago we did not need those licences. I cannot upgrade the business licences so I cannot sell our work as a business. The council will not come to the party and we are in absolute limbo.

Mr Higginson: The Government destroyed our life by taking away our life savings, our life work and our dreams. The great Australian dream is to own your own property. That dream has now been turned into a nightmare because of a handful of Greenies and politicians who will not do the job and represent the people. They are afraid of the bureaucrats and they cannot move them. When they hit the stone wall of bureaucracy, they just back off. Just like you people in Perth. You can go into Parliament and in question time you can raise this matter and solve it; bang, finished, no problem. However, we cannot get anybody to do that for us. We cannot get the politicians to take the job seriously. We cannot get the bureaucrats to do anything except stab people in the back. The basic system of democratic rights is coming to an end. We are becoming a police State. We get fined for digging a hole and we get fined a further \$1 000 a day until we fill the hole back in.

We cannot put in a firebreak. The insurance companies tell us we must make the place safe. Down the bottom of the property we pushed some of the regrowth back to protect our property from the danger of fire. This country has gone crazy with the amount of fuel that is laying on the floor ready to go up in flames. It is crazy. It happened in America where 17 firefighters died in the last big blaze. The blaze took over four States and hundreds of people were injured in the fire. There was billions of dollars worth of damage and we are doing exactly the same thing here in Australia. We have the land but we cannot shift the timber on the floor or clear up the debris. We must leave it there because somebody who does not understand conservation is

making the rules for other people to obey. We are the conservationists. We have conserved that land all the time we have had it, not the few conservationists who say "Look what we have saved". We were told by the agriculture board to push all the tuarts down and push the hill over the top of them to start a market garden on the property. It told us not to worry about the soil. We gave the board soil samples; we were very naive. It said not to worry about the soil as the soil only holds up the plant. We were told to use superphosphate and dieldrin and we would then get a good crop for which there is a big market. My wife is in tears because she cannot push down the trees. Therefore, we found another way of earning a living and because we have done what is right, we are now looked upon as being criminals by the Greenies. They look at my property with the intent to steal. That is the situation. Where is our future? I cannot be given my life back. I cannot start again.

Mrs Higginson: Physically I cannot do what I want to do now because I am 11 years older. We cannot separate our home from the business. We do not know if the business will survive. Mr Hillyard and a group of people go around our area paying out people who cannot survive any longer.

The CHAIRMAN: Who is he?

Mrs Higginson: Mr Hillyard comes from the Department for Planning and Infrastructure. You will hear all about him later from other people coming in to make a presentation.

I will now read from a prepared speech that we gave the committee that will summarise our thoughts. For years we have wanted a senior independent inquiry or a royal commission into the Western Australian Department for Planning and Infrastructure. We think the system is corrupt and we are not sure if that corruption is just within the running of the system. We have come to the conclusion, along with many Western Australian residents, that the WA planning department and associated departments are out of control. If democracy is to survive we must ensure that we have a better Government that reflects the aspirations of a modern Australia. After clawing our way out of the penniless slums in the United Kingdom in the 1950s and 1960s through sheer hard work, to owning a property and running a successful business, like many other migrants do, we must comply with all modern regulations, and learn about efficiency, time control and customer relations, coupled with the Aussie "fair go" ethic. Nothing, but nothing, can prepare you in your life for the shattering ordeal of being included in a government initiative, in our case the Bush Forever plan. Thousands of people are on various other initiatives throughout the State such as those involving Wattleup and Hope Valley under various Environmental Protection Authority regulations. Nothing can prepare you for confronting the unyielding monolith; that is, the Department for Planning and Infrastructure and its associated government agencies. The amount of money spent on procedures, endless submissions, outside consultants, grants to unaffected groups, hostility and inefficiency and a code of misinformation or silence appear to defraud the hapless victim of their assets and business and cause stress, frustration, illness and even death. It destroys their confidence in the democratic system and makes a mockery of the Anzac tradition. It also adds to the distrust towards politicians who instigate these schemes. These excessive property grabs undermine the stability of the system and must be addressed by an independent inquiry. The system appears to be corrupt and this must be verified or vindicated by an independent inquiry. Procedures and attitudes towards the private landowner should be independently assessed and recommendations made that will give a fairer, cheaper, quicker and less stressful

outcome. There should be no more property grabs until the backlog of shattered rights is addressed and thoroughly investigated. All those people throughout the State whose private property, assets and lifestyle have been disrupted either now or in the past should now raise their concerns and let us get this out in the open and dealt with.

The CHAIRMAN: Thank you. Are there any questions from the members?

Hon SUE ELLERY: Mr and Mrs Higginson, you may have heard the question I asked our earlier witnesses. Your evidence is really about two things. One is the restrictions that the law, in your case under Bush Forever, has put on your rights to deal with your property. I understand the strength of feeling that you have about that matter but I will put that to one side for a moment. The other part of your evidence was about the bureaucratic system and how you were able or not able to get information about your rights under those laws or about how you might take different steps under those laws. Given that this is the committee of politicians who might make recommendations on how that system can be improved, do you have any specific suggestions on how we can improve the system?

Mrs Higginson: There is another paper, which I gave to the gentleman. All the papers you have received from us were written more than a year ago. I do not have a copy of that paper now, because I gave it to him. There are one or two points. The first is that in each dispute there should be a central person who deals with all aspects of the dispute. In other words, it would be someone like a private ombudsman. I think that idea was raised by the last person who spoke to the committee. That person would be responsible for getting any information that was required by a specific group of people, instead of things just being sent out willy-nilly.

Another point is that time frames should be fixed. The Government should have sorted out these boundaries fairly. We think we have been fair because we are giving over 80 per cent of our property and are keeping only two five-acre and one two-acre blocks, and they still do not want us to have that. It should have been done fairly from the start. We should have been paid proper compensation from the start instead of being threatened that we would never be paid, or that if we were paid, it would be when we were dead anyway. If it came to the table early, it would save a lot of money, because it must be really expensive to run it over a long period and with many different people involved. There is a better way, but it has to be brought down to a small number of people.

There is also the issue of rights. It took us four years to understand what anybody was talking about. There should be simplified rights, such as those that are explained when a person is arrested by a police officer; for example, that the person has the right to do this, that and the other. Our land has been confiscated just as if we were all big drug runners; however, we have not been told what are our rights. Actually, we do not think that we have any. We do not know whether there is any provision in the law for us. A simple set of rights should be built up so that people can understand what position they are in, what rights they have and what effect something might have on them. I do not know whether Bill can think of any other points.

Hon SUE ELLERY: Thank you; that is quite useful. The document you have circulated will be provided to all members.

Mrs Higginson: Most of the stuff we have given you is in the public domain already.

Mr Higginson: One thing that we cannot understand is that multi-billionaires are given enough land in this State to build their own country, yet people like us are

having our life savings stolen by the same department. The whole thing is out of control. The politicians are going to have to force the bureaucrats, because they will not do it on their own. Unless you actually force the bureaucrats to do something, it will get worse and worse. They are entrenched. It is like the planning department. The people in the planning department should be moved around every three years. They should be moved out. They should not be allowed to become so entrenched in their positions. It is their job now to defraud the public. The more they defraud the public, the better are their wages and the greater the promotion that they can get. We cannot stop them, but you can.

Hon ED DERMER: Mr and Mrs Higginson, I have been reading through the documentation you have provided and have endeavoured to get my head around the history. I would like to make sure that I have a clear understanding of that history. The properties were purchased in 1974?

Mr Higginson: That is right.

Hon ED DERMER: Since that time, you have developed the properties for various purposes, including the lily pond plants and the fish ponds etc, which is now the basis of the current business that you run from the properties. In 1992, you found out by accident that the property was included in the south west corridor plan.

Mrs Higginson: That is right.

Hon ED DERMER: I am very concerned to hear that you were not properly notified. Will you explain how you found out, by accident, that you had been included in the plan?

Mrs Higginson: A neighbour heard of it and rang us. We rang our neighbours and they rang their neighbours. We called a meeting. Somebody from the department came down to the meeting and said that he would try to get a two-week extension so that our group could be part of the process. In the early days of our struggle, nobody was told anything. At the moment people are finding out a little bit more, but it is mostly because of the pressure that groups like ours have put on the department.

Hon ED DERMER: Do you know how your neighbour found out?

Mrs Higginson: No.

Mr Higginson: People are not notified. The Government can put a plan over your house without your knowledge and the whole thing can be passed by Parliament without you knowing a thing about it. In fact, they boasted about that.

Mrs Higginson: They said that they did not need to tell us. A 1980s map shows our land zoned as parks and recreation. The first we heard about it was when the plan had been almost passed.

Hon ED DERMER: That was in 1980, and it was in 1992 that you heard that you were included in the plan.

Mr Higginson: Yes.

Hon ED DERMER: You obviously had this business up and running between 1974 and 1992. In 1992 you were advised that you were part of the corridor plan. Could you briefly explain what part of your business you have had to stop operating since learning about the corridor plan?

Mr Higginson: It was such a beautiful property. Our original plan was to put in walkways through the natural bushland so that we could incorporate weddings and

that type of thing within the business. We planned to have lakes full of water lilies and all the necessary water plants to provide the decorations. We also planned a tearoom and so forth. Of course the business of selling the plants was to be the essential part of it, but businesses do need to expand. Other people in the same type of business have been allowed to expand. They are now leaving us behind. We were one of the first businesses of this kind.

Mrs Higginson: We cannot get permission to do anything else.

Hon ED DERMER: Is it a question of your business being frozen in the state that it was in in 1992? You have not been allowed to execute the plans that you had been developing.

Mrs Higginson: Yes.

Hon ED DERMER: You have not been told that you are now unable to do something that you were doing prior to 1992.

Mr Higginson: We cannot expand.

Mrs Higginson: We do not have the proper paperwork. If we wanted to sell the property as a going business - although that would never happen - the buyers would ask for all the paperwork from the council and others. We would not have any of it, because they would not provide it. It was before the paperwork. We should now get paperwork for various stages of the development, but we have been told that we cannot. This is not on the land that was originally reserved, but on the dry, high land.

Hon ED DERMER: As a buffer?

Mrs Higginson: We do not know what it is; it is not supposed to be a buffer. We are not allowed to touch any of the land, either on the wetland plan or the Bushplan. We have no rights on any of it. We run the business, but we have no idea where that business now stands. We originally asked what to do. We told them that we could do all this stuff. A few years ago I asked a guy at the council where my business now stood, because we could not put up any more sheds, were not allowed to dig any more dams, and could not even put in the bloody firebreak. He said, "Well Mrs Higginson, we know exactly what your business is, we know where you are and what you are doing. Unless you do something different with the business, you are all right with what you have got." I asked whether I could have that in writing and he said that we could, but that we would never get it. We do not have anything in writing. We have been liasing with the minister's office. We went to see the minister's adviser. Since March, we have found out that they have taken all the land again. That was between November and January. We have gone through consultations in which they promised that it would be knocked back and redone; however, we do not have one shred of evidence - we have no written agreement on any of those meetings or anything that was said, has been done, or is going to be done. We do not have one letter. We have asked them to send us a copy of the discussions of the meeting, but nothing has come. The whole group has tried. We have sent e-mails. They say it is all right and that it is all in hand. That has occurred all the way along - it is all in hand, but then, all of a sudden, you find everything is gone. You get no written confirmation.

Mr Higginson: We bought unrestricted rural property. That is on the title. That title allows us to carry on our business. No-one has the right to stop us from running that business, but new laws are invented every week, as you know. They simply put the paperwork on the table. If no politician picks it up, it is passed. That is what is wrong with this country; there are too many people governing and not enough people

working. At the end of the day, we have to produce something to sell. If everybody were in the same boat, this country would have far fewer problems. In fact, the problems would soon go. If people could relate to other people's problems, the problems would not be created in the first place.

The CHAIRMAN: Time marches on. Hon Murray Criddle had a question.

Hon MURRAY CRIDDLE: No, I think I understand exactly where you are coming from. I have the outline of what you require. It seems to me that you require a time frame, a single authority, something to identify your rights -

Mr Higginson: A bill of rights.

Hon MURRAY CRIDDLE: And, perhaps, compensation.

Mr Higginson: Definitely compensation.

Hon MURRAY CRIDDLE: That summarises what I have heard from you today. If you agree with that, I will not ask you a question.

Mr Higginson: Yes.

Hon ED DERMER: I would like to explore one more area, but we will need to do it fairly quickly. There is a reference to the option for resumption that, if I read this correctly, you appear to have been offered. In your submission you state -

. . . we were told that the Government, if the property was resumed would take about 8 years before it would pay out for the land and that we would not be able to develop any of it in that time and that they would pay very low prices.

I find that very surprising.

Mrs Higginson: No, it is normal.

Hon ED DERMER: Did the Government offer to resume the land?

Mrs Higginson: This was when the south west corridor plan was being formulated. We had everybody down - people to do with parks and recreation and Kings Park. That was what the gentleman before us said. They toddled around the place and told us that they wanted to take this land, but that they did not want to pay for it. That was what was said originally. Then they said that if they did take a portion of the wetland, they would pay us, but that it would be a fairly low amount and it would take at least eight years after the town planning scheme went through before the money would be available. We could kick-start that by applying to do something on the land, but, generally speaking, they said it would take eight years. True enough, it was about eight years before they brought out the new plan. We did not agree with any of that.

Hon ED DERMER: Did they offer to resume the land or did they say that they might offer to resume the land at some time in the future?

Mrs Higginson: No, they tried to resume the land. The group, as a whole, fought against that. We got someone to prepare a plan for us - Greg Rowe and Associates. You will hear about this later in the day, because someone else will talk on this issue. We offered to sell the land to the Government at a reasonable price if we were allowed to keep our dry land for subdivision further down the track.

Hon ED DERMER: And that offer was declined?

Mrs Higginson: The offer was declined and we were left in limbo until this new proposal.

Hon ED DERMER: Did they actually offer to resume the land? That is different from saying that the land might be resumed some time down the track.

Mrs Higginson: No, they did not offer to resume the land. It was knocked on the head.

Mr Higginson: Are you asking whether we received something in writing?

Hon ED DERMER: I am trying to establish how someone could make an offer and say that the cheque would arrive in eight years time.

Mrs Higginson: They were more or less telling us what would happen if the procedure went through.

Hon ED DERMER: So at no time did they formally make an offer to resume the land?

Mrs Higginson: Not to us. They have bought out several members. I will not speak on that issue because other people will go into that in detail at three o'clock.

Hon ED DERMER: Thank you.

The CHAIRMAN: I am particularly interested in the time frame in which to impose some discipline on government agencies that you mentioned. You mentioned that the lack of a time frame had caused you enormous problems. What would you consider to be a fair time frame?

Mrs Higginson: I would say between 18 months to three years if it was really difficult. We also had a problem when there was a change of government. At the time, Hon Richard Lewis was the Minister for Planning and Barry Carbon was working for the Environmental Protection Authority. Our problems go back three planning ministers. We participated in the last set up, but when the Government changed, the process was finalised and we had start again. The issue must be resolved within the timeframe of a Government because as soon as it changes, we are thrown into limbo again - we are literally abandoned.

The CHAIRMAN: I am sure that sounds reasonable to some people.

Mr Higginson: I inquired of the government department what happened to all the paperwork of the former Government after the election. I was told that all the paperwork is shredded, which is why we have to start again. We were on the computer system under the Liberal Government but when the Labor Government took over, everything disappeared.

The CHAIRMAN: If a Government agency shreds documents, it is committing an offence.

Mr Higginson: That is what we were told, and we have to start from the beginning again.

Hon ED DERMER: Did you get that in writing?

Mrs Higginson: Nobody gave us anything in writing.

Hon ED DERMER: Did you get the name of the person who told you that?

Mrs Higginson: Most probably, but it was a while ago now. We got so many things.

In all fairness, we have tried to negotiate with the Government. However, we are hostile to it now. Somebody will get hurt one of these days.

Mr Higginson: Very badly hurt.

Mrs Higginson: I have a plan from the council that states one of its recommendations. Members can see the lines that have been drawn around the so-called wetlands and how we have been left with our dry land and businesses, or so we thought. The original map from the 1980s shows where all the road and land was taken. The map the minister now has is exactly the same as the map from the 1980s. All the paperwork we were sent has been destroyed.

The CHAIRMAN: Will you leave those documents with the committee, or give us references?

Mrs Higginson: I can do that.

The CHAIRMAN: We have gone past our timeframe; however, is there anything you would like to say in closing?

Mr Higginson: As I said before, we would like the committee to get together with the rest of the politicians and understand the situation in which people have been put under the heritage laws, Bushplan and other side laws. We are so overgoverned that we cannot stand the load any longer. There is a federal planning department, a state planning department, councils with planning departments and other groups of people, which receive government grants, who advise those departments what to do. The number of departments must be culled. We do not sufficient people to take the pressure of all the red tape. We are dying under the pressure of red tape. The country will grind to a halt as a result. Australia will suffer unless the politicians get together and do something about it.

The CHAIRMAN: That is the brief we have undertaken. It is a broad brief and we are genuine in our endeavours to do something about it. I thank you for your input today.

Mr Higginson: I would like to apologise if any member feels offended by our attitude towards the committee. We do not have an argument with the committee, but with the system.

The CHAIRMAN: We appreciate your frankness.

Mrs Higginson: How long will it be before this committee reports?

The CHAIRMAN: Our job is to report to the Legislative Council by the middle of next year. We will certainly report over all our dead bodies before the next election, so it will not come to the situation whereby -

Mr Higginson: Is there any chance that any member of the committee will raise these concerns in Parliament during question time? The situation is such that I am considering getting a length of chain and chaining myself to Parliament House and shouting my case from the balcony. I do not mind getting arrested or going to prison; the issue must be brought to a head.

The CHAIRMAN: Our committee is made up of parliamentarians from all the parties in the Legislative Council. This is a standing committee. I do not advocate doing what you have suggested, but if you want to take up individual issues with individual members of Parliament, you are perfectly free to do so.

Mr Higginson: We have done that.