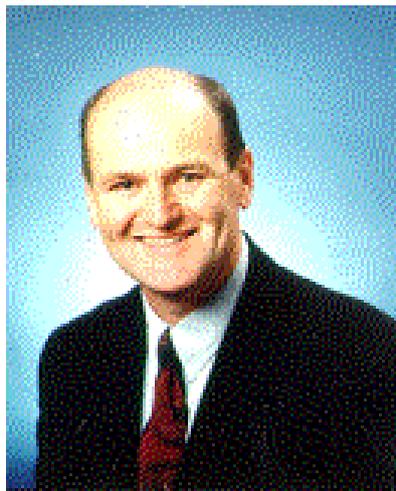




**PARLIAMENT OF WESTERN AUSTRALIA**

**INAUGURAL SPEECH**



**Hon Norm Kelly, MLC**  
(Member for East Metropolitan)

**Estimates of Revenue and Expenditure**

**Legislative Council**

**Tuesday, 27 May 1997**



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## ESTIMATES OF REVENUE AND EXPENDITURE

### *Consideration of Tabled Papers*

**HON NORM KELLY** (East Metropolitan) [7.30 pm]: Mr President, I congratulate you on your election today.

I appreciate being given this opportunity to give my inaugural speech to Parliament and in particular to be partially responsible for this historic new era of the Legislative Council. I am confident that this era will result in a greater awareness and understanding of the valuable role the Council can play in Western Australian politics. As a result, I anticipate an increase in the respect that the public has for this Parliament, a respect that has been seriously eroded over recent years.

My presence here is the result of the hard work, dedication and love of a number of people and I welcome the opportunity to be able to thank those people now. Firstly, my family: I thank my partner Gail for her enthusiasm, commitment, confidence, support and love over the last 10 years. Her qualities and gifts have been an inspiration to me. Her work in the area of community psychology has also developed my awareness of the way the general community has steadily become disfranchised from Governments in recent years. This is a sad indictment and one that my colleague and I hope to rectify. Similarly, my daughter Kathy has enriched my life, not only in love and passion, but also in the understanding of the difficulties faced by young people today. She has further strengthened my resolve to address the social inequities that exist in our society. These inequities are particularly prevalent in the areas of housing, education, employment and women's health issues.

As much as I would like to think that my electoral success was due to my personal charm and charisma, I am well aware that we all gain most of our votes by representing our political parties. It is pleasing to see a number of Australian Democrats members and supporters in the gallery today to witness this historic day for our party. To them I also wish to give my thanks. The members of the Australian Democrats are well aware that their party does not have huge resources. We do not receive the large donations from industry or employee groups that major parties receive. Because of this, we put extra demands on our members and supporters in the form of workload and expense. This was typified by the work of the Democrats' Legislative Assembly candidates at the state election who were aware of their limited chances of success, but who, with their families and friends, put in so much hard work for the overall success of the party. I am indebted to their many hours of work, which was not for personal gain but because of their belief in a party that delivers responsible policies with an emphasis on scrutiny, open government, accountability and bringing about social justice and environmental protection. It is fitting that they share in our success, for our success is largely due to their efforts, and I greatly appreciate their commitment and enthusiasm.

In embarking on this political career - and I hope that "career" is the correct word to use - I am indebted to the advice and support given to me by the Australian Democrats' current Western Australian senator, Senator Andrew Murray, and to the former senator and current convenor of the party in Western Australia, Jack Evans. Their experience, expertise and advice, which was so unconditionally given, have made this career transition for me so much easier to make.

I would also like to thank the voters of East Metropolitan Region for their support in the recent election. With a non-major party vote of more than 23 per cent, the voters of East Metropolitan Region demonstrated that they were keen to see a minor party representative exert some degree of balance and scrutiny in this House. I am looking forward to fulfilling that role and taking on that challenge.

The East Metropolitan Region covers almost 4 000 square kilometres and has very specific needs and concerns. These needs can be largely forgotten after an election campaign, but I will work hard to address the region's needs over the next four years.

The East Metropolitan Region is currently facing a push to destroy the semi-rural aspects of the area by decisions allowing hazardous mining in the Mundijong area and increasing noise pollution from Perth Airport that impacts on residents in the Kalamunda area. Heritage and conservation areas are under threat and planning changes are being undertaken without proper consultation with the public. The isolation faced by residents in this widespread area through the weakening of the public transport system is also of major concern. The state election result, where both the Labor Party and the Liberal Party lost support, demonstrated that the major parties must also pay attention to the concerns of East Metropolitan Region residents.

On a statewide basis the Australian Democrats' vote was 6.6 per cent, so it is reasonably democratic that the Democrats now fill 6 per cent of the seats in this Council. It is true to say that this degree of proportionality is coincidental, given the huge degree of malapportionment that is a blight on this House. The introduction of statewide proportional representation, based on five regions each returning seven members to this House, as recommended by the Commission on Government, is a necessary reform to ensure that the wishes of the people are accurately reflected in this Parliament.

I have studied the standing orders of the House and I hope to contribute to the integrity of this Chamber. I would like to encourage the Government to finally embrace the will of Western Australians who want the Legislative Council to be a true House of Review. I must admit I have been extremely disappointed that the Government has failed to do this over the last few months. It has blatantly disregarded the wishes of the people. At the state election last December Western Australians clearly stated that they wanted a coalition Government, but they also made a decision to elect a Legislative Council that did not have a Government majority. Instead, the people of Western Australia wanted an upper House that would scrutinise legislation, put in place legislative mechanisms which encourage openness and freedom of information, and ensure that the Government remains accountable to the people. Western Australians obviously have been able to see the benefits that come with an upper House acting as a House of Review. For the past 20 years the Senate has provided a great example of the benefits that can be achieved, without obstructing a Government's ability to govern. A House of Review should act as a counterbalance to the sometimes extreme measures of both coalition and Labor Governments.

Western Australians clearly voted for a Senate-style House of Review for their State. Unfortunately, the Government has chosen to ignore this message. This Government used the composition of the recently retired Council to push through legislation which it knew was in need of stronger scrutiny. Likewise, it has the dubious honour of taking the longest time in history to fill a casual Senate vacancy - all this for political expediency and gross manipulation of our political system. It is no wonder that this Government has lost any vestige of legitimacy with the Western Australian public in the area of labour relations.

This Government should not be fearful of this new era in Western Australia's history. The Legislative Council is under new management, but I am confident that, through a multipartisan approach, the five parties represented in this House will be able to produce better legislation for the people of Western Australia. The Australian Democrats have a strong history of producing reasonable and workable legislation in the Federal Parliament and in the Parliaments of New South Wales and South Australia. Hon Helen Hodgson and I are committed to continuing that tradition of responsibility in this Parliament. This is a historic time for the Australian Democrats. It is the party's first representation in the Western Australian Parliament, and I am sure we will show ourselves to be worthy contributors to the legislative processes of this House.

As one of the first members of the Australian Democrats in this Parliament I will outline some of my personal philosophies and those of my party's policies as they pertain to several of the portfolio areas for which I am responsible. For 20 years the Australian Democrats have been at the forefront of the fight to protect the nation's natural resources, such as the campaign to save the Franklin River, drafting Australia's first World Heritage legislation and establishing the woodchip fighting fund. In a similar way, I will fight to save Western Australia's natural heritage areas, such as Shark Bay, Ningaloo, our native south west forests, wetland systems and national parks. This fight has become increasingly crucial in Western Australia as our environment is placed under considerable pressure, largely due to the greed of developers and the drive for profit by large corporations.

My desire to become active politically has been generated largely by my anger at seeing the major parties shift away from addressing the very real environmental and social problems that we, as a society, are facing. I believe that for too long, the environmental and social ramifications of legislative decisions have been largely ignored in the desire to achieve economic fulfilment. Those economic goals are necessary but they should not be achieved at the expense of a degraded environmental heritage and the breakdown of the social fabric of our society.

Our disappearing native forests, our fragile coastline, our denigrated farming and pastoral lands, and our limited freshwater resources are all under further threat unless true leadership is undertaken by the representatives of Parliament and the current and future Governments.

Taxpayer funded reports, such as last year's smog report, should not be withheld from the public. The public is entitled to that information. In an open and accountable system of government access to those kinds of reports must be guaranteed.

A recent United Nations report stated that the continued failure to arrest the world's environmental problems could be summarised in four words - lack of political will. It is not a question of inadequate technology, insufficient availability of funding or human resources; it is simply a lack of political will.

This Government has the opportunity, with the support of the Democrats, to make substantive, positive changes for the future of our State's natural heritage. A cleaner, protected and sustainable environment will not only improve the quality of life for the current population but also ensure that future generations will benefit. These benefits will

be evident, firstly, in the opportunity for future generations to inherit a natural, unspoilt environment and, secondly, they will have an opportunity to adopt values of conservation and sustainable development, not the values of economic greed and destruction.

The continuing urban sprawl in Western Australia places increased pressure on our limited water resources, increases pollution and is an inefficient, wasteful use of existing infrastructure and resources. Present planning strategies and decisions do not adequately address the demands on our metropolitan area. At the same time, our wetlands remain insufficiently protected from the encroachment of unnecessary developments.

Our native south west forests are being logged at an unsustainable rate. The Giblett block near Pemberton is currently under threat of destruction from corporate interests who have only the profit motive to drive them. It is our duty, through legislation, to provide the social conscience to limit the avarice of these powerful corporate groups. I urge the Government to resist the temptations of a quick economic fix derived from this destruction. We need to plan for the long term sustainable use of forests through the development of value added industries such as tourism, and a timber industry based on the production of furniture and other quality products. Such a plan could firmly establish hundreds more long term jobs in the area. Native flora and fauna species under threat of extinction would be given protection and a sufficient forest area would be maintained for future generations to enjoy. If any native forests are to be logged it should be done on the basis of supplying a demand for value added, high quality timber products, not for the provision of structural timber and woodchips which can be adequately supplied by the use and development of plantation timber resources.

It is not practical to have a single government agency, such as the Department of Conservation and Land Management, responsible for the conservation and at the same time the commercial exploitation of the land under its control. But of course there needs to be a political will to make these changes. The Australian Democrats have shown that political will for the past 20 years. It is an essential part of the Democrats' philosophy. It is a philosophy that my colleague and I will demonstrate over at least the next four years.

Perth's dependency on cars and our serious air pollution problem are well documented, and I will push for a higher priority to be given to the development of alternative fuel sources such as wind, tidal and solar power. Our whole system of energy production and usage needs to be seriously challenged and addressed. It is an area where the Government could show true leadership. One possible way would be for the Government to utilise its combined purchasing power to install LPG into its vehicle fleet. Such a conversion would have a positive impact on Perth's air pollution, reduce costs in the medium term and, most importantly, provide a positive example to the general community of ways to tackle this problem. The flow on effects could mean cheaper LPG installations for the public, more widely available LPG, vehicle manufacturers installing LPG at the factory and, of course, a cleaner environment for our State. But once again there needs to be a political will - a political will that reflects the concerns and desires of the wider community.

It is critically important to remember that we are merely custodians of our natural environment and that we have a collective duty to pass on to future generations our natural heritage in the best possible condition. One of the basic principles of the Australian Democrats is a belief in participatory democracy. Our membership is attracted to the empowerment they experience in being able to equally participate in the formation of party policy and elections. Unfortunately, a lack of true participatory democracy in the state political system has meant that the general community has become disillusioned, frustrated and, as we have seen from recent events, angry at being removed from the democratic process.

It is not good enough to say that an election result is a mandate for a government to do whatever it wants for the next four years, irrespective of the social, environmental and economic impacts of those changes. One way to restore integrity in the political process, and to begin to give back some of the power to the people, is through the use of referendums. Today is a significant day. It is the thirtieth anniversary of Australia's most momentous referendum. The 1967 Aboriginal referendum had the effect of beginning to empower Aboriginal people. Similarly, we should look at the regular use of referendums to empower our community to enable all Western Australians to have a democratic voice on a number of issues. That could include issues such as the possible legalisation of voluntary euthanasia, which is a moral and community issue. It is not an issue that should be caught up in the party political game, but one that should, instead, be decided by a majority of Western Australians, exercising their personal judgment and democratic rights.

The major political parties should have nothing to fear from the use of democratic rights. The provision of a structure for individuals to voice their agreement or disapproval of such critical issues will result in a greater transfer of power to the people. It will not diminish the power of Parliament; instead, it will enhance the representative nature of the Parliament. The community will become more aware of the complex issues that must be resolved by politicians and, consequently, people will have a greater respect for politicians and the parliamentary process.

When political institutions work towards excluding people, resentment and anger build up. When the community is included in the decision-making process, politicians can base their decisions on a more accurate knowledge of the feelings of their electorates. The decisions of Parliament will then gain greater acceptance and legitimacy in the community. This is particularly true of moral issues, which should not be decided on strict party lines.

Another shift in emphasis that I would like to see occur in the work of this House is an increased awareness and appreciation of the social impact of the decisions we make. This covers all portfolio areas, because a change in any one area necessarily impacts on its surrounding environment. In recent years we have seen a substantial extension of retail trading hours based on supposed consumer demand. However, in making these changes insufficient research has been carried out to assess its impact on the social structure of our society. Small businesses are struggling against their suddenly diminished status in the marketplace, with proprietors having to work longer hours for the same, or less, income. Larger businesses are able to exploit the new laws through gaps in the legislation.

The separation of our working life from our leisure time has become increasingly blurred. Participation in team sports has dropped, other social activities have become fragmented, and our sense of community has diminished. What are the benefits of extended trading hours? Profits are generated, but only for the larger businesses and chain store groups. Yes, there is a degree of convenience for the consumer, but should we not all take a responsible attitude and consider the impact of extended trading hours on the social cohesion of our society? At times, we should be able to experience some minor inconvenience for the good of a stronger, more integrated society.

While looking at the social impact of our laws I would also like to comment on the steady erosion of the social welfare structures in our society. Those most vulnerable to budgetary cuts, such as the disabled and their carers, single parents, the aged, Aborigines and ethnic groups, are often the targets for proportionally the most drastic cuts in services. Although we may be waiting for a magical social dividend to materialise, it is wrong to use such an economic term as "dividend" for something which should be a readily accessible and basic entitlement; a basic entitlement that includes reasonable standards of living, with adequate access to health, housing and social services.

The social implications of economic decisions are not being adequately considered. For example, a relatively minor budgetary tightening of child support services can impact far more heavily on the coping abilities of parents living in isolation. The broader social consequences are not as easily assessable in economic terms, but this does not make these consequences any less real or important.

The argument that people will benefit from the trickle-down effect of investment in large development projects is a fallacy. The profit motive that drives companies acts like a sponge, drying up the trickle long before it reaches the people who are most in need of it. The dividend that is paid out is available only to a few local and overseas shareholders.

Health is another area where people, through government action, are losing control of their own lives. As legislators we must hand back some of that control. We must allow people to have access to their medical records and we must restore dignity to people so they can make decisions about their own bodies and lives. As legislators we need to keep pace with technology. The advantages of genetic engineering mean that we are consuming genetically manipulated foods; but there is still no requirement for such foods to be adequately labelled. This means that consumers are kept in the dark and in ignorance of the facts. Fear develops through ignorance. Once again, we need to allow people to be aware of possible choices so they can then make their own informed decisions.

I cannot conclude this speech without commenting on my observations of the working of this House in recent months and, in particular, on the events of the last couple of weeks. I have learnt a good deal of the customs of this House and, hopefully, a sufficient number of the procedures. Although I have great respect for the traditions of this place, the Council needs to change its image in the eyes of the electorate by establishing a modern tradition as a true House of Review. This can be done by proper scrutiny of Bills, an expanded committee structure and a more efficient use of sitting hours.

History has shown that this place has generally been either a rubber stamp or a house of obstruction, with almost four times as many Bills defeated in the Council when there has been a Labor Government. This was a criticism that was levelled at the federal Senate in the past, but in recent decades it has become a model for state upper Houses. It is up to all of us to take this opportunity and turn the Legislative Council into a true House of Review, as has happened in the Senate.

The Australian Democrats were instrumental in bringing about that change federally, and Hon Helen Hodgson and I are committed to contributing in a similar way here. We were elected on a platform of accountability, review and open government, and we will persistently push for that during our time here. Although I am sure it presents the possibility of being disliked by both sides at various times, our contribution will be both positive and constructive.

The recent passing of the labour relations legislation, and the delay in nominating a Senate replacement for the late Senator John Panizza, should be a salutary lesson to all of us. It has highlighted the ability to bypass the proper democratic functioning of this House if one has the numbers. It has also destroyed the wider community's confidence that its elected Parliament is acting in a proper and moral way. This Government has massively damaged the credibility of Parliament, but we now have the opportunity to repair the damage.

I hope that this Council can now restore that confidence and respect for the Parliament through its actions over the next four years. There should no longer be a need to push through legislation without proper debate and scrutiny. There should also be no need to engage in time wasting speeches or frivolous debates. The community demands better than that; it is our job to deliver. The new configuration of this Council means it now has increased significance to Western Australians. It is, therefore, an opportunity to show Western Australians by our actions that their trust in this Council can be restored.

I bring into this House the benefits of a wealth and variety of working experiences from a number of locations throughout Western Australia. These experiences have taught me a good deal about the impacts that political decisions have on local communities. A combination of these experiences has driven me into politics. It is not a lust for power, but an anguish that we are living in an inequitable society that is being torn even further apart.

In my deliberations on legislation before this House, I will always be guided by two questions: First, who will benefit from the legislation; and, second, will Western Australia be a better place in which to live once the legislation is enacted? We are living in a society that has the potential to become more isolated, uncaring and greedy. We need to use our influence in this House to provide Western Australians with an environment that will promote a strong community spirit, participation in the democratic processes, a substantial natural heritage for future generations, and a commitment to social justice. It is time for this Legislative Council to take on the role of a properly functioning upper House. It is also the role that will take this Council out of the nineteenth century and into the twenty-first century.

I look forward to working with members of this Council to achieve these goals. To my family, friends and supporters of the Australian Democrats, the people of East Metropolitan Region, and members of this Council, I pledge to contribute my best over the next four years to provide Western Australia with an effective House of Review.

[Applause.]

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