



PARLIAMENT OF WESTERN AUSTRALIA

VALEDICTORY SPEECH



MR JOHN BOWLER, MLA
(Member for Kalgoorlie)

Legislative Assembly

Valedictory Remarks — Motion

Wednesday, 14 November 2012

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MR J.J.M. BOWLER (Kalgoorlie) [2.18 pm]: I congratulate the members for Belmont and Kimberley who have come from two vastly different backgrounds into politics, but who have achieved really the same result—to look after the people of Western Australia. Congratulations to you both.

Firstly, I recognise in the gallery my wife Mary Anne, three of my sons Jimmy, Daniel and Joseph, and most importantly Daniel's wife Cristy, who is expecting our first grandchild at the end of next month, and there is another one on the way as well as that one.

I want to raise something that many members may be surprised at—that is, the Corruption and Crime Commission and my time during what started as an inquiry into a development at Smiths Beach. I concede from the outset that I should not have passed on the draft committee report. I was careless and did not pay attention to the confidential cover, but I did it to get the best results and the best outcome for the people of Western Australia, and in the end that was achieved. As a former journalist of 30 years' experience I want to raise the shameful role that the media, and particularly experienced journalists, played in that period. They played into the hands of the official press releases of the Corruption and Crime Commission and the unofficial leaks of the CCC. In the recent Lloyd Rayney case the judge criticised the tactics of police—their public statements and their public arrests obviously tipping off the media along the way. The same thing happened on a regular basis with the CCC and the Smiths Beach inquiry, as that juggernaut rolled on and destroyed lives along the way—lives that later proved, too late in many cases, that they had nothing to answer for. Within American journalism—being a journalist for 30 years I studied this—McCarthyism is regarded as a black mark in the nation's history, as reporters and entire newsrooms failed to deliver truth, balance and honesty and many good lives were ruined. That was, until a person named Edward R. Murrow stood up to Senator Joe McCarthy. Within days that dark period in American journalism was a thing of the past. We journos in all western democracies would like to think that we would be the Ed Murrow of our times if the same situation arose. Who was there in Western Australia during the CCC times? Who questioned its tactics? Who questioned the leaks? Who questioned the public hearings that ambushed good people who in time proved they had done nothing wrong? No-one, other than Paul Murray. I believe he was the only one who stood up and questioned some of those processes.

Not only were good public servants ruined, but colleagues of mine such as Norm Marlborough, Tony McRae and the late John D'Orazio lost their portfolios by innuendo and just the opinions of the CCC. I believe it had to come out with those opinions to justify its tactics and the tens of millions of dollars spent in those inquiries. When there are those dramatic public hearings, taped phone calls and homes being bugged, those things have to be justified and if a conviction cannot be obtained, an opinion must at least be brought down that something wrong was done. To give an example, in my case, as Minister for Resources, I used section 111A of the Mining Act, which is a rare discretionary power a minister has, on five occasions—three times involving clients represented by Brian Burke and Julian Grill. On each of those three occasions I found against Burke's and Grill's clients, most famously in the Shovelanna case of Rio Tinto versus a small company called Cazaly Resources, which was worth between \$200 million and \$300 million. Thankfully, I came down 3–0 against Burke and Grill, but it could have just as easily been 3–0 the other way, because I really just treated each case on its merits, and I suppose, lucky for me, that is the way they came.

As I have said, those investigations came from the proposed Smiths Beach development all those years ago. Disgracefully, those efforts to get approval for the development are still ongoing after more than a decade. Vested interests of those who already live there, and the public service's fear of approving something from that celebrated, infamous case, has seen it drag on to unbelievable time frames. This case, I believe, is symptomatic of the approvals process in Western Australia, particularly in our more cherished areas, which generally are on our coastline. I come from an inland electorate. People in my electorate cannot afford a holiday in their own state. They go to the Gold Coast, Bali or elsewhere in Asia because we have made our beautiful, wonderful coastline the exclusive domain of a privileged and rich few. It almost appears as though if someone does approve development, somehow or other they are corrupt. What about the corruption of doing nothing? What about the corruption of preventing Western Australians realising and appreciating the true beauty of our state?

Staying with approvals processes, as I have said before in this place, we tend to take for granted the money that flows from mining. There is a high level of paperwork and red, green and black tape. I think the member for Belmont raised an excellent point: we should aim to finish native title and have it spread throughout

Western Australia by the year 2022. It should be a goal of all governments to complete that. I know we generally think we all work hard, but the rate of progress has been terribly slow. Sometimes I feel that level of red tape is just bogging down our industry. The best barometer of the mining industry in Western Australia is exploration. I was told that last week 40 drilling rigs were parked in Kalgoorlie. At the beginning of this year there was not one. That does not include the bit of downturn we have seen in the Pilbara. This is the gold and nickel industry, and maybe the rare earths just south of Laverton, and that adds to that. The industry can survive only by exploration and drilling, because mines start dying the day they start being mined, and we have to find more.

Hardly a day goes by in my Hannan Street office that a prospector or a small company representative does not knock on the door seeking assistance with an approval or administrative problem. The effective and dedicated hard work of the Minister for Mines and Petroleum, Hon Norman Moore, and his erstwhile adviser Bob Stevens, solve many of those problems, but those people whose problems they do not solve and those people who do not knock on my door do one of two things: they either pay for the extra time and the extra cost involved or they go overseas with their exploration dollars. Governments do not mean to increase red tape, or cause delays; no government means to do that. Every minister sitting on this side in this government wants to reduce red tape, as did those from the previous Gallop and Carpenter governments. But the very nature of our cell-like departments and the cells within those cells and the cells within those cells means that the guy sitting behind the desk at the end of the day thinks that if he increases the amount of paperwork he has or if he makes people do more, it will somehow or other make him and his job more important, make him justified and make things get better.

I give two examples of wasted effort. The first is that in 2004 the annual report for a prospector doing pushing and scraping—very basic exploration; it is almost not mining, just detecting with a metal detector—was four lines on a page describing the rehabilitation work done, and it was accompanied by some photos. It read —

From the 27th of April to the 14th of May one Ha of land on M27/18 and half a Ha of land on M27/37 was pushed and detected for gold. On completion of work the ground was rehabilitated by being leveled off furrowed and having removed scrub dragged back over the surface (se attached photos) ...

That was a 2004 report. Now a very detailed nine-page report is required. It includes a requirement to list and name the various weeds on a tenement, as if most prospectors know the botanical names of weeds on their tenements and they really care about it. An aerial photograph must be provided—a prospector usually has a helicopter sitting on standby and can just say, “Just get up boys and photograph my lease”!—as well as a huge swathe of information, which, while it might make the clerk in the department feel good and keep him busy for half a day, will do nothing to improve the environment. Prospectors walk into my office with these forms and ask, “What is going on? Can you help me fill them out?” I cannot fill out half of this. In the last case to come before me, the prospector had not done any work on the tenement in the preceding year, yet he was told he still had to fill out the nine pages and provide it in triplicate, and if he did not have it into the office by a certain time, he would lose his tenement. So, he did not do any work, yet he still had to fill out the nine pages and provide it in triplicate or he would be punished. That is what we have got to.

The second example of waste involves a tailings dam in the Pilbara. The tailings dam had been approved; it was all set to go until local Indigenous people pointed out to the mining company that it had made a mistake and that there was actually a sacred site where it was proposed the dam would go. Very rightly so, in consultation with local people, the mining company moved the tailings dam just slightly. It was going to be the same size, the same design, but it was just to be moved a couple of hundred metres away from the previous site. It took the company another \$1 million and over a year to get the same approval it had at the previous location. There was a new requirement. Some zealot in Perth had decided that the tailings dam had to withstand a 100-year flood at the same time as there was an earthquake.

The only thing I was worried about was the meteorite strike that could have hit the tailings dam at the same time as the flood and the earthquake! I do not know the calculations on the likelihood of all those three things happening, but that will be the next step.

It is no wonder that our rating as a place to come and explore has diminished within Australia. I know successive governments—I was Minister for Resources—want to maintain our place as Australia’s premier mining jurisdiction. We have slipped in almost every category. Australia itself has slipped on a worldwide basis. We have to improve these areas. Money in the world now can flow anywhere. It owes no allegiance to Western Australia or Australia; it can go anywhere it likes. Thankfully the exploration incentive scheme is helping to get some geologists and some drilling rigs back in the bush, but when there are these other government delays, government costs and other unnecessary processes that undermine this funding from royalties for regions, it is time that something was done. As I have said before in this chamber, our state needs a powerful red-tape tsar on a permanent basis going through the departments. I believe that person would more than pay for themselves.

Talking of royalties for regions, one of my proudest moments was after the last election when I played a leading role in creating the biggest game changer in Western Australian regional politics. It pleases me to see now that all major political parties totally support the retention of royalties for regions.

Another initiative I was instrumental in developing four years ago with the help of the member for Bassendean, one of the famous halfback line who sat along here, was balancing the membership of the four main standing committees of this chamber so that the opposition has the majority, and therefore the chair, on two of the four committees, and the government has the other two. I think that system has worked. I hear the occasional grumble. I think in general it has worked. I call on the Deputy Premier, who is in the chamber, and the opposition to recommit to that before the election so that regardless of who is in government; that new structure will remain in place.

I move on to my beloved Kalgoorlie and the surrounding area, which is traditionally called the goldfields. There are many official goldfields in Australia; the eastern goldfields is but one of 11. As a young journalist at the ABC I sent off a national story once and said, "This happened in the goldfields." A terse reply came back from an editor in Sydney: "Which goldfields?" I said, "You know, the goldfields." He said, "Mate, there are 11 goldfields in Australia. Which one?" I said, "Sorry; the eastern goldfields of Western Australia." I would like to rename the goldfields to the "woodlands". Why? The image of the goldfields is one of dust, dirt, desert, whereas the image of woodlands is of beauty, greenery, beautiful salmon gums and wattles. I and the people who live in the goldfields—probably all except my son Jimmy—think the bush is beautiful. It is worth changing for image alone, and as we know, in politics you can often change people's minds just by a name and by having the right marketing.

I have supported the concept of the great western woodlands. Before the last election both parties supported funding that program—I think about \$3 million-plus—and the process whereby under the great western woodlands structure, all current users of the goldfields and the woodlands would continue to have access to the funding, but there would be a big campaign to fight feral animals and weeds and to reduce fire. I am led to believe by the experts that before we came to this country, bushfires were not so much uncommon, but they never burnt very far and they burnt out very quickly. We have changed the nature of the scrub, and so when bushfires now get a hold, they destroy massive areas. They are working on a way of reducing that, and I support that.

Over the last four years I have been worried that the extreme environmental groups involved, such as the Pew foundation and the Conservation Council, will start moving the goalposts. My experience with extreme groups is that they are never satisfied. In fact, I am a foundation member of DAMAGE—that is, dads and mums against green extremism. All members can all join; see me after the speech. My concern is that those groups will ratchet this up.

Mr Speaker, can I seek an extension?

The SPEAKER: Extension granted, member for woodlands.

[Member's time extended.]

Mr J.J.M. BOWLER: I like your work. It is catching on already.

I should have gone to the government. I did actually go to the Premier and the Minister for Environment, but I should have been more forceful in seeking legislation to define the great western woodlands and define the conditions under which it operates now. I know the opposition and the government support that. I am worried about the long-term future when those conditions will be ratcheted up, and mining in particular will be excluded from that huge area. If mining is excluded, it would really spell the demise of Kalgoorlie. I call on whichever party makes government at the next election to introduce a bill that defines the great western woodlands and the conditions and the parameters under which it operates.

Moving on, I am very proud of the dollars spent in my electorate, from Wiluna right down to Norseman and all the towns in between. I think more has been spent in Wiluna in the eight years it has been in my electorate than was spent in the previous half century. However, I want to talk about two of my failures. The first is in Indigenous affairs, where the Wongatha people, beautiful people, are no better off after me being in this place for 12 years. I know this is a national problem, but that does not excuse me. I just do not think I put enough time into trying to overcome this massive problems that they face. In saying that, I realise that government is not the answer. The only answer is that they are the answer. We have to give them the tools to deal with their own problems.

As the member for Pilbara has said previously in this place: how do you make people more self-sufficient by taking governance off them when they are already almost in poverty? That is a huge problem; it is a difficult problem, but it is something that we as a state have to spend more time, effort and thought in addressing. An example of what I am talking about is the school breakfast program. In my first term, I raised money to kick one off in Kalgoorlie. I am now opposed to that. I think we need to phase that out. We cannot stop those programs overnight and send the kids home hungry or have them at school all day hungry. We have to phase it out so that the parents and, more importantly, the children themselves know that it is normal behaviour for parents to feed their children—that they have the solutions, they have the answers. If we impose our answers and our solutions to them, there will never be an answer.

My other failing comes from a hypothetical question; that is, is life better in Kalgoorlie than when I came here 12 years ago? To be honest, the answer is no. The recognition of that is one of the main reasons I am stepping down from this position. Too many people in my electorate work too many hours. People are on family destroying—style rosters, at the end of which they do not have time for themselves, let alone their families and certainly not our community. The institutions, the service clubs, the sporting clubs and the various activities that make up a town, make up a community and make up a lifestyle are all diminishing. As the late Doug Krepp once told me—I mentioned him in my maiden speech; he is a former Liberal branch president in Kalgoorlie—we should work to live, not live to work. Sadly, that is not happening. Western Australians, not just in the goldfields, members of Parliament, but in the northern half of this state, are working 72 hours or more a week, three or four weeks at a time. Those rosters are ridiculous. Although I consider myself the strongest supporter of mining in this place, I believe it is time this place started tackling the issues that are destroying not only families and individuals, but also towns in my electorate. Over the past four years there has not been one question in this chamber about those family-destroying, town-destroying and individual-destroying work practices. Can anyone remember one question? I cannot. Yet, we have had countless questions as a result of those problems, including the need for more Homeswest homes and the need for more social workers. Guess what causes all those problems? Guess what causes the need for more houses when husbands and wives divorce and the kids roam the streets and appear before the courts? There are more people in the justice system. What is the root cause? These ridiculous hours of work to which we, as a Parliament, have abrogated our responsibility. We have let that go on. I urge those members left here to look at this problem, like Indigenous Affairs, to make it a cause célèbre in the coming four years.

I might be giving a mixed message. On the one hand I am saying: help mining and be aware that mining will not continue to lay the golden eggs if we do not facilitate it. And on the other hand I am saying: make mining more family and worker friendly. But I believe all of that can be achieved. We just really have not looked at that in recent years.

I now want to thank all those people who have helped me over the past 12 years. I give special thanks to my staff, all of them talented and committed to serving the electorate, and none more so than Steve Kean, Georgie Blazevic—who worked for Alannah MacTiernan—Beth Richardson and Alexis Johnson. They work with me now, but before then I had working with me Charmain Craigan, Rosemary Braybrook, Brett Angus, Gary Brown, Kim Adams, Sarah Dowes and a few others. As the member for Churchlands said yesterday—and I agree with her—our greatest satisfaction is just helping people. It is not getting the hospital built or the new school—those things happen in normal terms; the departments determine where they go—my greatest satisfaction is just helping people. When I walk down the street, having forgotten all about a person's problem, they may confront me to say, "Mr Bowler, thanks for that", but I have forgotten what the issue even was! But it makes you feel good. To me, that is the most rewarding thing.

From a legislative point of view, clearly the most rewarding legislation I have been involved in was gay reform. I remember sitting on the half-back line with the members for Albany, Bassendean, Southern River and the now member for Mindarie when the opposition was saying, "You're gone. We've got your name, and your electorate will know everything you've supported about this." Thankfully, the people of Western Australia moved on. Even the opposition moved on, because by the time the next election came, that was accepted. We have now moved on. To me, that is the best legislative reform I have been involved in.

I also thank my ministerial staff: Simon Corrigan, Tim Walster, Ian Thomson—who I will catch up with in London in a couple of weeks' time; there will be a party because he is the best party starter anyone has ever seen!—Paula Hickey, Lisa Davenport, Judy Kurowski, Brooke Bindon, Stuart McLagan, Laura Tasker and Kate Wang, to name a few. The great thing about my ministerial staff is that we are still friends. We regularly have lunches and a bit of a reunion. It is great that we remain friends.

There are so many people who have worked on my three campaigns that I dare not try to mention them all, but I will mention a couple. Firstly, I mention Burt and Beryl Davis from Laverton. They are so loyal. They attended the Laverton polling-day booth all day; twice when I was a Labor candidate and the last time as an Independent. The next person I thank is the late, great Ben Clark from Norseman, a life member of the Labor Party. He was always smiling and laughing, regardless of his own hardships. He was just a beautiful person. I thank Eddie Rochester, who, in coming on board my last campaign when I ran as an Independent, probably cost himself a life membership of the Labor Party. Eddie was Ian Taylor's right-hand man. He filled that role for me as well. Of course there is Ian Taylor himself—the best friend anyone could ever want, who has always been there for me and always provided sound and very wise advice. Then there is Julian Grill, who some may say embroiled me in the Corruption and Crime Commission, but I believe it was the other way around. I should not have sent that confidential document. Julian and his lovely wife, Leslie, have remained friends, and will remain so, for the rest of our lives.

Lastly, I want to say to all members here, particularly the members for Albany, Collie—Preston and South Perth—my closest friends—and all those I have worked with, that knowing you has made my life richer. You are all so talented and committed to making this state a better place. Although I sometimes—usually at the end of a rowdy question time—bemoan the herd mentality and grumble a bit, I think you are all doing a great job. I believe that

proof is in the pudding. Look around you. We live in the best country in the world and in the best state in that country. Somehow or other, while we criticise each other, we must be doing something right. In particular I remember those of us who were elected in 2001 but are no longer with us: the young, vibrant, bright-eyed Jaye Radisich; the human dynamo and great community servant John D'Orazio; and my friend Paulie Andrews, for the twinkle in his eye and that horrible slanting smile I will never forget! Thank you all.

[Applause.]
