



# Legislative Council

## Governor's Speech: Address-In-Reply

### Hansard

### Extract

08/09/99

**The Hon. M. I. JONES** [3.27 p.m.] (Inaugural speech): I speak to the debate on the Address-in-Reply and I will discuss the Governor's Speech during my inaugural speech. Firstly, Madam President, I somewhat belatedly congratulate you on your appointment to the position of President of the Legislative Council. Land, and particularly access to land, is deeply rooted in the Australian psyche. Patrick White, in his book *VOSS*, wrote about the Europeans coming to Australia, and being huddled together in coastal settlements. The settlers then set out to conquer the land. Patrick White then concluded that the spirit of the land actually conquers the Europeans. I will return to that issue shortly.

I was born in the north of England in 1946 and I am a true baby boomer, being born and raised during rationing. However, to compensate for bomb sites and shortages I was born to a loving family who have always underpinned my strengths. I attended State schools and enjoyed early academic success, but during my teens I sought the rewards of business and left school to enter my family's business. Rugby and white-water canoeing played a big part in my younger life. I played grade rugby for 13 years, playing in many countries. If my voice is at times nasal it is due to my nose having been broken more than once. In 1968 I went to Africa, visiting Gabon, Angola, Mozambique and South Africa. This was a particularly volatile era. Terrorists, deep apartheid and the Congo emergency were fresh in all our minds. These were exciting and dangerous times. I married during this period and, when our first son was born, I returned to the United Kingdom. In 1974 my young family and I moved to Australia. In 1977 my wife gave birth to twins. Sadly, we have divorced but we remain on good terms.

I trust absolutely in God. I also believe that to date capitalism is the only enduring economic system devised by man. I attend evening classes to study philosophy and I intend to continue with my studies. My first taste of political involvement was in 1984 when I joined the Liberal Party. I quickly rose to the position of branch president, which was not particularly difficult. I allowed my membership to lapse following disillusionment with that party. Having witnessed how the political system works, my appetite was whetted to want to be able to effect change through our Constitution, which has been an inspiration to me. The Outdoor Recreation Party was formed 3½ years ago to fight on a political basis for the rights of 93 per cent of the public who visit remote area national parks on horseback, by motor vehicle, mountain bike or motorcycle, and, furthermore, to fight for proper management policies and adequate funding of the National Parks and Wildlife Service.

Our goals are to restore fairness to who can access public lands and how, but not based upon age, physical fitness or amounts of disposable time; to better control the plague of feral animals; to better control noxious weeds which infest our natural estate; to engender trust between the public who wish to visit national parks and the authorities who are the custodians; and, similarly, to engender trust between the authorities and the public. Once achieved, as in the past, it is absolutely crucial to reinstate programs of co-operation and to ease the financial burden of maintenance of our natural estates, as expenditure by governments will never again be sufficient.

Further, our goals are to gain acceptance that there is nothing illicit in the public having rights to seek recreation in their national parks; to engender a love of our parks in our children based upon their spending time, preferably camping, in the parks; to make the elderly welcome in their parks; to reinstate the old slogan of the National Parks and Wildlife Service, now buried, of "Parks for the people"; to have our parks in pristine condition through caring for them; to reach a point where the Outdoor Recreation Party is no longer required to fight for access to public land as this right is accepted by all in society. We consider access to public lands for all Australians to be a fundamental right. Similarly we consider access for fishermen - or fishers, to use the neutral gender - to traditional places of fishing, to be a fundamental right.

The maintaining of the bicentennial horse trail in its original location we consider to be of great importance. Access to all public land for families, the elderly, the disabled is of paramount importance. Why should these groups be excluded from their own land? To restore our children, our disabled and our elderly to the vast areas denied them as wilderness is our noble goal. Without our children learning at a young age to identify with remote area parks, the future public funding of our large natural estate is doomed.

Many city dwellers think that our remote area parks are simply an extension of the Blue Mountains, as this is frequently the only experience they have of national parks. Wilderness areas are

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now so large, imagine how many city dwellers would ever have had their Blue Mountains experience if they had to leave their car at St Marys and walk! Snow skiers and their communities in New South Wales have to fund a disproportionate share of the national parks budget with virtually no say in the management of the snow fields. We are developing plans to improve skiing opportunities for all concerned.

We recognise that in accommodating the public, problems of behaviour, littering, erosion and environmental etiquette have to be addressed. We have therefore consulted a number of bodies in an effort to deal with such problems. Furthermore, in an atmosphere of co-operation and goodwill the Outdoor Recreation Party can organise both manpower and horsepower to greatly assist with the turning around of neglect, which is slowly but surely going to wreak irreparable damage on our natural estate.

The Outdoor Recreation Party has developed strategies to deal with such problems effectively. We consider our strategies to be of far greater value to New South Wales than simply locking up everywhere. Very soon we will have more national parks than policemen! Adequate and appropriate funding for the care of these parks may be beyond the means of any government unless action is taken soon. One million hectares is now locked away from all but the very fit or

those who have ample time to spend penetrating wilderness regions. The extreme Greens are demanding a further million hectares. Small areas are often very small or locked up in many wilderness areas without the so-called consultation process being conducted. I refer here to the use of natural reserves and State recreation areas, neither of which bear any resemblance to their titles.

The system of distributing information from the National Parks and Wildlife Service head office is a severe problem for even those living in Sydney. For people living in remote areas whose lives are frequently devastated by decisions made in Hurstville, they have little way of examining the draft plans of management, especially regarding wilderness, which are put on display at head office or in some regional office, or indeed of knowing such plans exist at all. I want the Parliament and general public also to clearly understand that in the remote area national parks survival for small native marsupials, in fact all wildlife, is an hour-by-hour life and death matter. The native bush is not a Walt Disney film set.

In locking up such areas you effectively lock in feral predators - foxes, cats and wild dogs, et cetera. Against their skills native animals, especially the smaller varieties of marsupials, bandicoots and so on, have no defences. When travelling at night along remote tracks in national parks the eyes of predatory feral animals are everywhere to be seen. Every fox and wild dog lives on a diet of Australian animals and birds. In 10, at most 20, years time, species eradication in New South Wales parks will be a serious problem. If we do not change direction quickly we will end up exactly where we are headed. When our children ask where have all the native animals gone, what possible reason can justify the neglect of this issue?

Over the next eight years I will monitor the eradication programs of the National Parks and Wildlife Service to try to keep its focus on this most important project - probably the most important challenge it faces. In the past the Outdoor Recreation Party has criticised the National Parks and Wildlife Service and has been very critical of former Minister Allan. Now is not the time to seek any form of redress; now is the time for getting things right. I call upon the Government to increase funding to the National Parks and Wildlife Service by a further \$80,000 over four years. Government funding of a whole platform of extreme green organisations can be scrapped to assist in the adequate funding of the service.

The Outdoor Recreation Party is prepared to help implement plans for the eradication of feral animals in all national parks, in association with the National Parks and Wildlife Service. Our party will assist in the implementation of private user groups to adopt tracks in the national parks to ease the maintenance budget of the service. Working bees will be set up to rid our natural estate of noxious weeds, lantana, blackberries, et cetera. To create an estate that is worthy of our children's children we cannot neglect it; we have to nurture it and we have to love it. To preserve our native fauna we have similarly to try to protect them from those they are defenceless against. We have once again to nurture and love them.

Locking up national parks is neglect. The wilderness areas if simply neglected will be the derelict lands of the future. It is unrealistic for us to call for the abolition of the Wilderness Act at this time; however, its modification and review is most necessary. In the Barrington Tops area the Hunter Regional 4WD Council has, for over 10 years, run a series of key access systems in association with State Forests. This program provides access to sensitive areas for the public in the four-wheel-drive vehicles. A real person, as opposed to a proprietary limited company, a club or any alternative entity, pays a \$200 deposit and takes full personal

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responsibility for the care of the area he is accessing. All assets are on the line. He or she can then lead a limited group through the area. When the trip is completed the key is returned and the deposit is refunded.

The key access system has worked splendidly all this time. Pristine sensitive areas have been maintained in perfect condition without problems. This is a perfect practical example of self-regulation, and there are many other examples. The process of establishing the wilderness under the Act must be reviewed, as I consider this process in the past to be at times corrupted. Can the Parliament believe that so much remote area land has been locked away from the public, who, by necessity, have to visit by noted vehicles, by a bureaucracy that has no appropriate research proving such vehicles do damage?

My life-long love of going bush was rekindled because my children reached the age of wanting to go camping. The Great Dividing Range of New South Wales is a recreationalist's paradise. For many years we enjoyed the freedom to visit many beautiful places. Visiting the remote areas over a prolonged period has awakened my sense to the mystic, spiritual qualities of the land. I beg your indulgence while I briefly share with you some reflections regarding my feelings towards the bush. Les Murray wrote:

The sheer space and size of this country is one of the great, poorly explored spiritual resources of Australia, since in the huge spaces of the outback, ordinary souls expand into splendid forms.

In a letter written in 1943 Carl Jung wrote:

I am deeply convinced of the - unfortunately - still very mysterious relationship between man and landscape.

In his book *Edge of the Sacred* David Tacey wrote:

We rarely consider ourselves as spiritual people, however our awareness is growing of the spiritual nature of the landscape. We are now learning how to sacrifice to our own inner depths, to the nature within ourselves, it is indeed difficult to know what we need to do for the sake of the elemental psyche within each of us.

How can the new bond between the people and the spiritual force of the "bush" be forged? I have grave doubts about the effectiveness of progressive governments and ecology groups simply telling people to care more about the environment.

Consciousness is the missing dimension in today's official discourse about the trendy demands to be seen to be green. The secular and purely moral approach to this problem simply will not work, because the issues are deeper than most activist programs will allow.

In a metaphysical sense my experiences have clearly proven to me that the land does conquer in a benevolent manner the spirit of those who participate in its bounty. Over time the land dictates all. We live in the grace the land affords us, and can only wonder at its power and majesty. I trust that my time here will see the expansion of the public land management debate. For many years now I have watched the debate decline into a narrow, one-sided, sad, deteriorating debacle. The National Parks and Wildlife Service has become an impenetrable fortress of the bastions of a monoculture.

For years now I have been searching for the real benefits to Australians of having land declared as world

heritage. I have consulted with former Prime Ministers, extreme greens and all sorts of supposedly knowledgeable people, but nobody can give me a reason that stands up to simple commonsense of the real benefits that exist. Looking past the hyperbole and propaganda, assigning sovereignty of vast areas of land to foreigners so that they can in turn grant us the right to look after it is nonsense. The World Heritage Emperor has no new clothes.

A personal disgust of mine is littering. In my 25 years in Australia, littering has improved considerably, although it is still a problem. As a start I call for the reintroduction of a nominal deposit on plastic soft drink bottles, refundable by the retailer, similar to the practice in South Australia. Another issue that greatly concerns many members of my party and motorcyclists in New South Wales is the installation of wire rope fencing along highways. Often the erection of such fencing is contrary to the manufacturer's guidelines. We consider these installations, too close to roadways, to be extremely dangerous, with the likelihood of the decapitation of motorcyclists who accidentally brush against such barriers.

Not only does the Roads And Traffic Authority incorrectly install such barriers, but the National Parks and Wildlife Service has commenced installations in the most dangerous of locations. For example, on the road from Thredbo travelling south over Dead Horse Gap towards Tom Groggins the dirt road is winding, often covered in snow, and with an adverse camber. A motorcyclist getting into difficulties on such a road would be extremely lucky to survive the safety fencing. Conventional crash barriers are more suitable. We seek to have wire rope fencing removed, modified or at least safely installed.

I have anecdotal evidence that in Europe both petrol and diesel is considerably cleaner than in

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Australia. I demand that the better products be made available to Australians. Furthermore, now that unleaded fuel has been available in Australia for some time a limited inquiry should be held into its actual, not simply perceived, benefits over half lead petrol and if the so-called half lead fuel can have the lead content further reduced. We seek to have cats registered and controlled. Although pets give great comfort to many in our community, cats are natural killers of wildlife and must be strictly controlled.

In the forest areas, particularly in the southern part of New South Wales, logging was all but outlawed. The Outdoor Recreation Party does not have a formal position on the timber industry. The Government promised the people increased tourism. To prevent the collapse of their communities people invested in tourism, so the Government moved to turn the national parks into wilderness areas and prevented all but the very physically fit bushwalkers, with lots of time on their hands and generally little in their pockets, from visiting the forest areas. Furthermore, where communities can promote fishing marine national parks are threatened, access by vehicles to beaches to cover the distances involved is prevented and there are low waterline boundaries to either national parks or wilderness areas.

Wonboyn in the State's far south is a perfect example. The old bogey of "We are here from the Government to help you" has never been more threatening than in New South Wales in 1999. Ecotourism is being promoted by a group of non-commercial people who resent people being in their own parks. I always look at what people or groups do, not what they say. When looking at the extreme greens, to date their antisocial behaviour will condemn any commercial initiative of the National Parks and Wildlife Service unless, of course, it is simply putting up the entry price to the snowfields. I intend to introduce ideas to reform the relationship between the snowfields and the people of New South Wales.

In both Ku-ring-gai and Guy Fawkes national parks the National Parks and Wildlife Service is trying to both humiliate and intimidate horse riders by insisting that horses wear contraptions resembling nappies and rubber boots. This is simply a ruse to deter all horse riding in these areas today and on all public land areas tomorrow. The rubber boots can cause a horse to develop a club foot and become lame. If the rules come to pass we will endeavour to extend such intimidation and humiliation to our equestrian Olympian guests next year. Needless to say the Outdoor Recreation Party will oppose this dreadful slight on our people.

Many people oppose the goals of the Outdoor Recreation Party. I believe them to be in the best interests of conservation and the people of New South Wales. I therefore put out a challenge to debate them with anyone, anywhere, any time, given reasonable notice, on television, radio or simply live debate. The story of the Outdoor Recreation Party is a simple story of a group of people disadvantaged by an uncaring Minister and the department placing their collective objectives before the needs of the people it is meant to serve. Fortunately the Constitution in March 1999 enabled small groups to stand for Parliament with an outside chance of being elected.

More than 200 candidates stood for approximately 80 parties. The preferential voting system enabled six members to be elected with less than a quota of primary votes. The preferential system also enabled multiple members to be elected from the major parties. For example the Attorney General, the Hon. Jeff Shaw, being at the head of Labor's ticket, received 1.3 million votes and was elected first on the upper House Labor ticket. By comparison, the second candidate on the Labor ticket received only 1,137 votes. I mean no disrespect to the Attorney General or anyone else, I am simply using that as an example of the system at work.

Great criticism was made of the tablecloth election. All sorts of commentators stated, "What a travesty of democracy it was!" and "It must not happen again!" Why? It was not a travesty of democracy. On the contrary, it was a brilliant example of democracy at work, for members of the public who are sufficiently disillusioned by the progress of their lobbyists are empowered by the Constitution to try for a seat in this Council. Hope for the little man, the battler, seeking redress within the system, not outside of it, is hardly a bad thing. The Outdoor Recreation Party is clearly a primary beneficiary of the current system.

Secondly, the tablecloth itself was successful. The informal votes for the Legislative Council were 274,594 out of 3,832,356, or 7 per cent. Seven per cent is hardly a rebuke; it is quite low. In 1974 the informal vote for the Senate was 20 per cent, which is a rebuke. So the irate commentators must have another agenda or they do not know what they are talking about. The public, with their accurate completion of the tablecloth ballot paper, to the objective mind have clearly endorsed the March election. The figures quoted are provided by the Electoral Office. So why have many commentators jumped upon the reformers bandwagon? I suggest the answer lies in the Government seeking seamless

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and unaccountable authority. The Opposition similarly can do without the irritation of a large crossbench when it inevitably returns to office.

Approximately 35 per cent of the voters did not vote for a major party and therein lies the true nature of

the Government's call for a reform. The major parties are clearly the losers of the tablecloth election. They do not like the results so a smokescreen of clichés and platitudes will be trundled out to obscure the true nature of their objection. I warn the major parties: Emasculating smaller parties, taking away those rights available to the little man, once realised and appreciated by the New South Wales electorates and properly heralded, will irreparably damage the would-be reformers.

The suggestion that high registration fees be introduced will also be damaging. Especially for smaller parties unable to meet their objectives through non-political means, the fee, if too high, will also be unfair, especially when compared with the electoral funding bonanza enjoyed by larger parties. At a stroke the proposers of reforms involving high fees will be doing to the political system what the lawyers have done to the legal system, which is to make it the domain of the wealthy. I warn that the public resentment of such changes, when eventually understood, will be considerable and will have to be borne by the Premier and government of the day.

If the results of restrictions on party voting thresholds, as have been proposed, are adopted, One Nation will probably hold the balance of power. The Greens and the Democrats may get a look in - hardly an improvement to the status quo! Which leads to why the upper House requires reform. I believe the product which the two-House system delivers to the people of New South Wales to be excellent. I believe we are, on the whole, governed well. If the process is tinkered with it stands to reason the product will be changed. Statistics certainly do not point to the upper House being a problem. In the recent history of the Legislative Council the number of times legislation was rejected or not passed in a form acceptable to the government of the day amounted to 10 times during the Greiner Government, legislation was only rejected twice during the term of the Fahey Government and since 1995 during the term of the Carr Government only four pieces of legislation have been rejected.

Therefore, the reality of this House always denying the government of the day the ability to govern does not stand up. But the Legislative Council can act when appropriate. No other upper House in Australia has three built-in constitutional mechanisms which can resolve disputes between the Houses. They are: first, conference between the managers, Government, Opposition, et cetera; second, joint sittings; and, third, the option of a referendum. If the election of members, with a very small primary vote, whilst major party members are elected with an even smaller primary vote, is so unpalatable, let an external academic based reform committee be formed of appropriate people and let the Parliament work through the process in its own time.

There is no crushing urgency; there are four years until the next election. Let logic, commonsense and wisdom rule the day, not false perception, redress or undue haste. The Legislative Council is not broken, so if people insist on fixing it, please allow time to properly assess the fixing, not simply jumping with a sledgehammer for no good reason.

I wish to thank my colleagues in the Outdoor Recreation Party for their tireless hours, endless encouragement, energy and creativity. I thank also the members and supporters who gave of themselves to assist in creating this opportunity for me to be their advocate in this place. I thank my family for their acceptance of their often absent father. I love them very much. Irrespective of what my colleagues in this place have perceived to be my position on issues, I trust I have clearly advised the Legislative Council of my agenda. I have always been prepared to become involved with issues that concern me. I trust this Parliament will in time be a witness to my preparedness to work and be involved in issues that define this House. I will conclude by stating my gratitude to my constituents for granting me the opportunity to represent them in this House. I promise to work tirelessly to restore sanity to the issue of public access to public land. I also pledge humbly to the people of New South Wales to devote myself to their wellbeing.