

*Standing Committee on Environment and Public Affairs — Forty-third Report —
“Overview of Petitions: 1 July 2014 to 30 June 2015”*

Resumed from 26 November 2015.

Motion

Hon STEPHEN DAWSON: I move —

That the report be noted.

I am a member of the Standing Committee on Environment and Public Affairs; in fact, I am the deputy chair of that committee. I am pleased to say that it is a good committee and it is in fact the only committee of its type throughout Australian Parliaments. We are the only Parliament across the country that has a committee that deals with petitions tabled in the house of our Parliament. This report we have in front of us today deals with the petitions that were tabled between 1 July 2014 and 30 June 2015. Members need only skim through the report to see the variety of issues that we as a committee deal with on a regular basis. Over that time we have had petitions relating to the government's introduction of a fee for 457 visa holders to attend schools in this state. We have had petitions on the disposal of waste in rural areas and pesticide use on public lands. We have had petitions on crime prevention, the government's outsourcing of disability services accommodation to the private sector, golf courses, recycling and composting, water fluoridation, waste-to-energy incinerators and motor vehicle examination fees. They are just a few of the issues that the committee has dealt with over that time.

Every petition that is tabled in this place goes to the committee and for every petition that comes before us, the committee goes through a process of requiring a submission from not only the member who tabled the petition in this place but also the principal petitioner. The process allows them the opportunity to advise us why their petition should be investigated further. It is fair to say that sometimes we do not get any response from either the member or the principal petitioner. At that stage, the committee really cannot do too much more work, so those petitions are often finalised at that stage. For the great majority of petitions, we get a submission from the petitioner and the petitioning member, and we send those submissions and statements off to responsible ministers for feedback. Every petition that is tabled in this place gets consideration, and for the vast majority of those petitions a lot more work and investigation is done on the effects or impacts of the issue. I know it is often frustrating for members in this place that our committee system, being the beast that it is, does not allow us to let other members know what is going on at the time or what is happening with their petitions. The only way a member in this place can follow what the committee is doing is to look at the committee's website. Under the petition title on the website, members can see not only the submissions that have come in but also, as we progress, any other piece of correspondence from ministers, local government authorities or whomever. Although it is frustrating that committee members cannot talk about their deliberations, members can track this information. I know from talking to members in this place, they occasionally get frustrated and wonder what is happening with their petition. I make this point by way of information: members can track petitions and they can tell those people who have given them the petition to table to follow the work of the committee on the website.

We have very good staff on the committee and we all work extremely well together; however, it takes time to get responses either from petitioners or indeed ministers. It is often a frustration that ministers do not reply in a speedy time frame. We normally give three to four weeks for a response from ministers, but sometimes we do not get a response and we have to chase up a response. Sometimes we get responses from ministers that do not deal with the issues that are raised in the petition or that tell us there is not an issue. In fact, on a number of occasions we have delved further into an issue because the response from the minister has not been quite right or was disingenuous. It is a frustration, I have to say. A number of petitions in this report may well have had a similar experience. It is a frustration that some ministers, in both this place and the other place, do not treat this committee with the proper—what is the word I am looking for?

Hon Sue Ellery: Respect.

Hon STEPHEN DAWSON: Yes, respect. As I said, we are lucky to have this committee in this place. No other Parliament has such a committee and ministers should respect us. Our committee operates without fear or favour. It comprises two Liberal Party members, two Labor Party members and a National Party MP. We come from all walks of life and different electorates, both city and country, but we work well together to ensure that each and every petition that comes before us gets proper consideration. We are lucky to be one of those committees in this place where members work well together. We do not spend time fighting; we roll up our sleeves and get the work done to make sure that each and every petition is properly considered.

During this reporting period, 42 petitions were tabled in this place and came before the committee; in fact, we had 50-odd petitions in front of us. That is a substantial amount of work. Although people can get frustrated

Hon Stephen Dawson; Hon Amber-Jade Sanderson; Hon Ken Travers; Hon Alanna Clohesy; Hon Simon O'Brien

because we are not providing constant reports on the website or in the chamber, a lot of work is being done to make sure that petitions are given proper scrutiny. Members may not always get an answer that they like or the scrutiny that they want for a petition they have put before the committee, but they can rest assured that a significant amount of work has been done to at least consider the issues and to get responses back from government ministers on the issues raised. Quite often members will see, as we saw last year, that a number of the petitions included in this omnibus overview of petitions report warranted their own report to this house. A number of standalone reports came from petitions tabled by members. I encourage members to use this process—use it or lose it, some people say.

We have a very good system. I have taken the opportunity to raise a number of issues, including 457 visa holder education fees. I have to say that I think our committee process helped lower that fee. Members will remember that when the fee for children of 457 visa holders to attend school was initially suggested, the government intended to charge \$4 000 per student in every family. I am pleased that the Minister for Education is here this afternoon and that the government has backtracked on that issue.

Hon Peter Collier: I was very happy to backtrack on that.

Hon STEPHEN DAWSON: Thank you, minister. I am pleased that has been done. That is not to say that I agree with those fees now or that I do not think some of the families who are forced to pay those fees now do not go through a level of hardship. I understand that there is a hardship system or criteria to help some families, but I do not think it is broad enough. Having been involved in the committee's consideration of the issue and also having spoken to families since, I know that is one issue that is affecting families in this state. It is an issue that I would like to see us reconsider into the future.

Hon AMBER-JADE SANDERSON: Madam Deputy Speaker, I too rise to speak —

Hon Simon O'Brien: It's not Morley yet!

Hon AMBER-JADE SANDERSON: Chair, I am rusty; I have been away for four months on leave.

I, too, rise to speak on the Standing Committee on Environment and Public Affairs' report "Overview of Petitions 1 July 2014 to 30 June 2015". The petition I wish to say a few words on relates to the Metro Central Joint Development Assessment Panel. That petition generated an inquiry, not by the environment committee but by the Standing Committee on Uniform Legislation and Statutes Review. I am taking this opportunity to make a few comments on that inquiry as I was on leave at the end of last year.

The committee conducted a really thorough inquiry, immersing itself very deeply into the world of joint development assessment panels. I learnt more about planning than I ever knew and ever thought I needed to know. What surprised me was the depth of feeling around these panels, on both sides of the argument. People felt very strongly that they were working either very well or very badly. In itself, having strong feelings about the panels meant there was an issue around them. Those disparities of views were very striking for me.

One of the major issues with DAPs and the decisions of DAPs is local government planning schemes. Many local governments have failed to update their planning schemes and planning amendments over the years. The Minister for Planning has discretion to force local governments to do that. However, my understanding is that that is rarely done. There are planning schemes, certainly in the East Metropolitan Region, that have not been updated for around 20 to 25 years. That makes them completely irrelevant for today. That is the case particularly in the outer suburban regions, in which there will be major developments. To just update local planning schemes piece by piece is not necessarily the most appropriate way to deal with that issue. Therefore, local governments need to take responsibility and update their planning schemes regularly.

Another issue is consultation. It has become clear through not only this inquiry but other community processes in which I have been involved that one person's definition of consultation is not another person's consultation. To just put an advertisement in *The West Australian* on a Saturday and have it buried on page 54 is not advertising a scheme. It is also not engagement and consultation. People engage in consultation processes in many ways, whether online, in writing or by video link. Government departments and local governments need to engage in those processes appropriately so that people have access. However, that engagement and consultation has been woeful. Those are fundamental issues, and they are part of the problems with the JDAPs and DAPs. The problem is that even when local governments do amend their planning schemes, the community is often not aware of it. That means that an application for a development may be made to a development assessment panel, and it is approved because it fits into the local government planning scheme, and the community is outraged about how that could have happened. Therefore, we need to unpack that process and go back to the beginning and ensure that when local governments make amendments to their local planning schemes, they take responsibility and engage the community.

I think it is fair to say from the public evidence to the committee that the property sector is relatively happy with the way in which DAPs are operating. Given the disparity of processes and the range of regulations across local governments, I absolutely see the need for DAPs to be in place. However, some of the processes that are undertaken by DAPs are a little questionable. One of the issues is whether DAPs are following due process in providing information to the community on the reasons for decisions. That sometimes makes people in the community think that there is some sort of conspiracy and that decisions are stitched up. I do not believe that for one minute. I believe that the people who sit on JDAPs and DAPs have the appropriate range of skills and the utmost integrity, and base their decisions on the proper framework. However, the processes that lead to those decisions need some altering and tinkering so that people feel that the decision is open and their point of view has been well heard.

I have made the point about community consultation. The state government has a role to play in driving local governments to update their planning schemes more frequently. The state government also needs to take a greater role in not only educating people about the importance of urban infill, but providing the infrastructure to support urban infill. Every contested DAP decision that the committee came across was around infill, essentially, and the anxiety of people who live in an existing suburb about having their amenity affected, with too much street parking and too much traffic, and the sewerage and water infrastructure not being able to cope. Those sorts of infrastructure issues need to be supported by the state government. We cannot continue to have urban sprawl. I support appropriate infill. People generally support the concept of infill. However, they do not support having 100 cars parked in their street. If an appropriate rail or bus network or transport hub was located close by, I am sure that infill developments would be better supported and not so controversial. The government needs to play a much greater role in not only educating people about the reasons why we need to increase infill in our city, but also providing the necessary infrastructure for those developments. The apartment development in Railway Avenue, Maylands, just off Caledonian Avenue, is a good example of that.

Hon Ken Travers: On the old Ross's Auctioneers site.

Hon AMBER-JADE SANDERSON: Yes. That development did create some anxiety; however, that apartment complex is an appropriate development for that site. It is located between two train stations. The people who live in those apartments would probably not need to have a car, because they could access work, the city and their friends and family by public transport. The government needs to take the lead role in education and in the planning and development of the infrastructure requirements.

I will conclude with those comments on that petition about development assessment panels, and I congratulate the committee on a good report. Thanks for looking at all the petitions.

Hon KEN TRAVERS: I want to make a couple of quick comments on the forty-third report of the Standing Committee on Environment and Public Affairs. One of the petitions that is dealt with in the report is petition 73, regional transport services, which was tabled by Hon Darren West. The report states at page 54, in paragraph 3.122 —

The petition opposes the closure of the Tier 3 rail lines and requests the Legislative Council investigate the decision and reinstate all recently withdrawn country transport systems.

That raises two issues. The first is the tier 3 rail lines. We have had a number of discussions in this chamber in the past on that matter, and sadly it has still not been concluded. The second is the withdrawal of some country bus services. I remember going to Boyup Brook with Mick Murray, the member for Collie–Preston, to talk about this issue. There has also been the closure of some bus services in the wheatbelt, and that has had a significant impact on those communities.

I want to talk about tier 3 rail. As I have said, that issue has not been resolved and it continues to be a festering sore and an indictment on the government of Western Australia. I particularly want to make some comments about some quotes in the report from the Minister for Transport. Paragraph 3.124 of the report refers to a letter that the committee received from the Minister for Transport, Hon Dean Nalder, MLA, dated 7 April 2015. The report quotes the letter as follows —

The operation and investment in the rail network is primarily a commercial matter between Brookfield Rail and its customers. This was the original purpose of leasing the rail network. Tier 3 rail lines could be recommissioned, should demand justify the required investment. However, neither Brookfield rail (Brookfield) nor Cooperative Bulk Handling (CBH) have indicated they are willing to make the necessary investment.

I do not know whether that is what the committee found as the key paragraph, or whether it even understood, when it wrote that into the report, the significance of the comments in that paragraph. It is an absolute nonsense.

Hon Stephen Dawson; Hon Amber-Jade Sanderson; Hon Ken Travers; Hon Alanna Clohesy; Hon Simon O'Brien

There is no mention in the report of whether the committee spoke to Co-operative Bulk Handling Ltd about its role. It is simply wrong to say that CBH is not willing to make the necessary investment. Hopefully in the time that is available to me this afternoon, I will explain why that statement is disingenuous and does not accurately reflect what is happening in Western Australia with regional freight rail.

Before I do that, I want to read paragraph 3.125 of the report, which states —

The Minister indicated that the government was willing to discuss the possible re-commissioning of Tier 3 lines:

The Government has communicated its willingness to engage in discussion to determine whether a viable business case for recommissioning the Tier 3 lines can be developed, or alternatively consider an industry proposal that adheres to Treasury requirements. To date the Government has not received a proposal that meets these requirements. A proposal for further public investment in the lease rail network will need to be assessed against other budget, Royalties for Regions and public priorities.

The report states in paragraph 3.126 —

The Committee concluded its inquiry into the petition on 22 April 2015.

The first committee of this place I served on was the Constitutional Affairs Committee. Hon Simon O'Brien will recall that that committee received petitions. I served on it under the guidance of Hon Murray Nixon as chair, with my colleague Hon Ray Halligan. We always prided ourselves on being able to get good outcomes for people who presented petitions to us. We would often get good outcomes without even having an inquiry, just by sending letters, but we pursued matters raised in petitions and that made this place very different from the other place.

For the minister to suggest that matter, and for the committee not to have pursued a follow-up into whether that statement was correct, considering everything that has gone on, is, in my view, a shame. I take this opportunity to explain to the chamber the real problem with reopening the tier 3 lines in Western Australia: the rail access code in Western Australia is a basket case. A review is being undertaken at the moment. The statements made by the minister might be accurate, but we have a rail access code that is almost impossible for the users of the rail line to access. It is only because we have an organisation such as Co-operative Bulk Handling that has extremely deep pockets and can afford the lawyers to try to navigate their way through the dysfunction that is the rail access code in Western Australia that we are even getting an insight into the problem.

The other problem is that the rail access code in Western Australia sets up a potential charging mechanism that is still unable to be declared. They have been at the Economic Regulation Authority now for almost a year, and they are still negotiating about who the arbitrators will be to determine a fair price for access to the rail system. One of the problems is that the rail access —

Hon Jim Chown: That is not correct; there has been no request made by CBH to go into arbitration.

Hon KEN TRAVERS: These are the games the government plays. Hon Jim Chown knows as well as I do that they are down there trying to solve this matter, and it is lawyers at 50 paces because of the inaction of this secretive government. Hon Jim Chown is the man who tabled a direction yesterday that stated that the government would not even allow public servants to come and talk to a committee of this Parliament. Hon Jim Chown has no moral authority left on these sorts of debates.

Hon Jim Chown interjected.

Hon KEN TRAVERS: Those are the sorts of nonsense games we get: "They haven't made a request". The lawyers are going through negotiations about trying to set up the framework for the arbitration. Then we have these glib lines that are intended to try to confuse people and cover over the inadequacy of the rail access code and the incompetence of the government that is administering the lease at the moment in Western Australia. If we had a rail access code that resembled the sorts of access codes in place for this sort of infrastructure anywhere else in Australia and the ease of being able to access a decision on pricing, it would be very different. The rail access code in Western Australia is currently set up to deal with the pricing system in such a convoluted and difficult manner and has such a range that, arguably, the ceiling price is for the complete replacement of the rail network. That is a nonsense! Rail networks in place as the tier 3 line —

Hon Jim Chown: Have you read the recommendations from the recent review on the matter? Have you read them?

Hon KEN TRAVERS: Hon Jim Chown can stand all in good time; this is a time-limited debate.

Hon Jim Chown interjected.

Hon Stephen Dawson; Hon Amber-Jade Sanderson; Hon Ken Travers; Hon Alanna Clohesy; Hon Simon O'Brien

The CHAIR: Order! Hon Ken Travers has the call.

Hon KEN TRAVERS: This government is not only secretive, but also tries to smother debate and cut out the opportunity for people to debate. The simple fact of the matter is that the rail access code sets up a bizarre regime whereby the ceiling price is for complete replacement. The telecommunications code was done at a time when there was an expectation we would see the end of copper wire and a transfer over to fibre optics—that was a possibility until the current federal government got its way. The simple fact of the matter is —

Hon Jim Chown interjected.

The CHAIR: Order, members! The constant badgering when a member has the call and is speaking does not get recorded in *Hansard*, so it is really futile. Hon Ken Travers has the call.

Hon KEN TRAVERS: But make sure *Hansard* records that it was Hon Jim Chown badgering!

The bottom line is that this is a structural flaw that needs to be fixed—only then will there be a sensible outcome that is not about a multinational company having the massive ability to make exorbitant profits well above what is a reasonable rate of return on the cost of maintaining and keeping those lines open. If we had a proper rail access regime, the statements by the minister could be taken at face value as being accurate statements, but it is just disingenuous in the current regime to suggest that there has not been an attempt by CBH to use those lines, and that it would be willing to, under a reasonable rail access code, make a reasonable contribution to Brookfield Rail. Members, let us not forget that this goes back to a failed privatisation by the Liberal-National government back in 2000. It is going to do it, and we have to be aware that it will make the same mistakes with the other failed privatisation agenda it has coming up.

The CHAIR: I remind members, because it has been a while since we dealt with committee reports, that each member has three lots of 10 minutes they can use up in relation to commenting on any report.

Hon Ken Travers: I'll let Jim have the call first, though!

The CHAIR: I give the call to Hon Alanna Clohesy.

Several members interjected.

The CHAIR: Members! Hon Alanna Clohesy has the call.

Hon ALANNA CLOHESY: I would happily hand over my 10 minutes to Hon Jim Chown if I thought he would get to his feet.

Hon Peter Collier: No, I want to hear you!

Hon ALANNA CLOHESY: I thank the Leader of the House for listening to me finally about the Gidgegannup urban precinct. Finally the government might be listening; what a bonus!

I refer to the fifty-fourth petition on the Gidgegannup urban precinct that is referred to in this report. I tabled that petition on behalf of Gidgegannup residents and business owners who were concerned at that time about moving the zoning of a lot of the area around the Gidgegannup town site from rural to urban deferred. Since that petition was tabled, the Western Australian Planning Commission has changed the zoning again from urban deferred to urban. That is of extreme concern. In consultation with the residents and businesses of Gidgegannup, I moved a motion of disallowance on the zoning regulation tabled in this place. That disallowance was not supported by the government. I moved that disallowance because the residents were concerned that they had not been consulted properly and that the planning was being done in a vacuum. Hon Amber-Jade Sanderson pointed out that a number of local planning strategies have not been updated for a long time, and that is certainly the case for Gidgegannup. The Western Australian Planning Commission's move from rural to urban deferred was done in the absence of a more recent local planning strategy. The recent move from urban deferred to urban is again of extreme concern to residents because the concerns raised in the petition that was tabled that the committee inquired into have still not been addressed, even though the government indicated in its response to the petition that some of them would be.

Let me go through some of the concerns raised by the residents, which still hold firm now, even though the zoning has been changed again. As we know, urban zoning will allow development to go ahead. Urban deferred zoning does not allow development to go ahead; it allows planning to go ahead. Although little planning has continued around Gidgegannup in the urban deferred zoning period, residents have significant concerns about future developments. Some of those concerns relate to no firm plans for the provision of basic infrastructure—things that we take for granted such as water, sewerage, electricity and, of course, telecommunications. Let me take each of those individually. As yet, the Water Corporation has no firm plans on how to bring drinking water into Gidgegannup. It is a major issue because if there is no drinking water, we have to rely on rainfall. As we know, Western Australia's rainfall has been declining dramatically over recent years. We need plans to install

Hon Stephen Dawson; Hon Amber-Jade Sanderson; Hon Ken Travers; Hon Alanna Clohesy; Hon Simon O'Brien

rainwater tanks for residents to use in an environment that has little or no rainfall. That is of extreme concern. Plans to bring water to the Gidgegannup town site are an engineering puzzle. This problem is not just limited to Gidgegannup; it is a problem across the spine of the hills, if we like, because it requires bringing a pipe across from the C.Y. O'Connor pipeline.

Hon Darren West: You need another one.

Hon ALANNA CLOHESY: Of course. That is extremely difficult across the hills, particularly with the kind of geology in the hills. There is very little drinking water and extra costs are needed to build rainwater tanks.

Then there is sewerage. Humans bring all kinds of waste, including human waste. There are no plans for a town sewerage waste scheme for Gidgegannup and there are no solutions yet on how to dispose of human waste—sewage—from Gidgegannup yet the WA Planning Commission has moved the zoning from urban deferred to urban. How to dispose of human waste in a town site that could see its population increase by another 5 000 is of extreme concern. Without those plans, the residents are extremely concerned about how waste will be disposed of.

Another concern expressed by the residents in this petition, and which still remains even though the zoning has been changed to urban, is the provision of telecommunications. Members who have visited Gidgegannup, live in Gidgegannup or have even just driven through Gidgegannup and surrounding areas, will know that telecommunication reception in that area is extremely poor. That is a problem for the people who live there, who have difficulties using their mobile phones and accessing the internet. It is a day-to-day problem. It becomes a crisis when there is a bushfire—there have been fires in the area recently—because people need to contact local bushfire and emergency services and be in contact with their families. Because of poor telecommunications and no plans to address the big black holes that exist in telecommunications, it will soon become a tragedy. The residents believe that. They tell me that they live in fear, particularly during bushfire season, because of poor telecommunications. Even though the zoning has been changed to urban to allow development to continue at full pace, nothing has been done about addressing the poor telecommunications in the area. Similarly, developments that will allow an increase in population of between 1 500 to 5 000 will have a significant impact on the main road that goes into and through Gidgegannup—that is, Toodyay Road. Members will have heard me talk of my extreme concern about the need for safety upgrades to Toodyay Road. The government has responded to some recent accidents on that road and has done some safety upgrades but there is still a shortfall of around \$30 million in the government's budget for a significant upgrade to Toodyay Road. Although I acknowledge that some work has been done, there is a real need for a safer road through Gidgegannup and into Perth. More planning is needed for safety upgrades but, more importantly, more money is required for safety upgrades. Of course, we can reduce road use. Toodyay Road is getting pretty congested with the increase in trucks. Because the government has shut down tier 3 rail lines, there has been a significant increase in truck movements and there is likely to be an even further increase in truck movements on Toodyay Road because of planned mining in the area. That aside, one way that we can address reduction in traffic movement is by providing public transport. There are no plans for public transport in Gidgegannup.

The CHAIR: Members, the question is that the report be noted.

Hon ALANNA CLOHESY: There is much to talk about when discussing the lack of planning and the change of zoning in Gidgegannup. I was talking about the need for immediate and long-term safety upgrades on Toodyay Road. Hon Darren West will support me in this as he is very aware of the concerns of residents but also because Toodyay Road extends to his electorate of the Agricultural Region. There have been a number of tragedies on that road. It needs to be looked at completely—from beginning to end—to see the various ways it changes when it gets into the Agricultural Region. There are significant concerns there.

As I was saying, one of the ways to reduce traffic on any road is to improve public transport. There is no public transport into or out of Gidgegannup and none is planned. This is a significant concern to residents for a number of reasons. First, the increase in population will put pressure on the roads but also without public transport, it will reduce opportunities for current residents and future residents—those whom developers want to move to Gidgegannup. They will find it difficult to travel from Gidgegannup to anywhere else to go to work, find a job, go to school, be dropped off at child care, undertake social activities or go shopping. All those activities will be severely curtailed if there is no public transport into and out of Gidgegannup. Of course, the government had promised a rail line to Ellenbrook but we now know the full story about that. That promise was broken dramatically. Extending hard rail lines could assist in providing public transport to Gidgegannup and other areas because it could provide transport hubs for local residents and other hubs around which people can go to work and do their shopping et cetera. Looking at public transport options for Gidgegannup and surrounding areas is a really important task that needs to be performed if there is going to be any development. There is no question that there will be development but it will be development at the cost of all these things. Of course there will be development because the zoning has been changed to urban, which is a big green light to move ahead to build up

Hon Stephen Dawson; Hon Amber-Jade Sanderson; Hon Ken Travers; Hon Alanna Clohesy; Hon Simon O'Brien

to 5 000 residences. The terms of the petition into which the committee inquired outlined other concerns expressed by residents and business owners including —

significant inconsistencies between the development proposal and local planning documents and strategy ...

As I pointed out, over the years there has been a number of planning documents in the area not just for Gidgegannup but right across the hills. These planning documents provided the context for development not only in Gidgegannup, but also north, south, east and west of Gidgegannup. The planning documents provide a coordinated and consistent strategy to ensure that development is not out of context in the area and that services and other infrastructure can be provided in a consistent way. However, those planning documents were not referred to in the consideration of changing the zoning and, in addition, they were significantly out of date and in the process of being updated. Nonetheless, the zoning was changed and, of course, residents were concerned that they were facing a change in zoning and a sudden development in their town site and there was no strategy around that; it was just straightforward development for the sake of it.

One of the other concerns raised by residents in this petition was that there was no community consultation on the proposed master plan. The Western Australian Planning Commission, in changing the zoning from rural to urban deferred, conducted consultation with interested stakeholders including some of the residents and government agencies that would have been responsible for the provision of infrastructure into the town site. That became a report by the Western Australian Planning Commission in support of its decision to move from rural zoning to urban deferred zoning. That was the extent of the consultation that residents were invited to be involved in, and that is of extreme concern to them. They do not know what is really planned for their town site. There had been earlier development plans by previous developers and a master plan had been developed. However, with the current proposal there had been no consultation on a master plan and residents were unclear about whether that master plan would be the same as the one from several years ago or whether it had been changed. With no consultation on a master plan about what is happening on a town site, the residents are left in the dark. They do not know how many dwellings or what facilities are likely to be developed or what the impact will be on the current facilities. For example, the Percy Cullen Oval has just been redeveloped by the City of Swan with some new buildings as part of the clubrooms. It is a lovely development and the oval is a beautiful oval that is used quite extensively by locals from right across the area, not just from Gidgegannup town site. The oval is surrounded by beautiful bush but the locals are not clear on what will happen to the bush in the current proposals for development. The locals are not allowed to encroach on any of that bush to further any of their activities around the Percy Cullen Oval but they are unclear on what will happen around the area. That is just an example of the impact of a lack of consultation.

I could continue with much more but that provides members with a reasonable overview of the complex issues and what happens when governments do not listen to locals about issues of concern in their local area and when there is no overarching planning strategy so that people can be clear about what will happen in their backyard. It is also a picture of what happens when governments do not keep up with community need particularly around road safety and improvements in local infrastructure including public transport. They were the issues that the committee inquired into on the basis of that submission. These issues will come up time and again until the government listens to the local community and provides it with the support it needs and deserves in terms of new development in the area.

Hon SIMON O'BRIEN: Hon Stephen Dawson gave some very useful guidance on how the Standing Committee on Environment and Public Affairs works and functions. I listened with interest to the contrast provided by Hon Ken Travers who referred way back in history to a former committee that looked at petitions, the Standing Committee on Constitutional Affairs and Statutes Revision—CONAF—as it was called. It did some very useful work too but in a slightly different environment so I thought I might acquaint members briefly with one of the key differences between that committee and the current, more sophisticated, highly evolved system that we have now.

Back in those days there was a filtering process for petitions in this house called Laurie Marquet. He was the Clerk of the Legislative Council and had very definite views dating back to antiquity about what could be brought to this house as a petition. For example, no petition on matters that were going to be the subject of debate in the house, such as a bill, would be accepted and certified by the Clerk. If a matter in a petition had other avenues of recourse that had not been exhausted by the petitioner, it would not be certified. We now receive many petitions that are a little different from those received in CONAF's day, and it is our committee that now receives those sorts of petitions. By way of example, they might say, "We, the undersigned, are dead against this proposed bill to do such and such and ask that the Legislative Council vote against the bill."

Hon Stephen Dawson; Hon Amber-Jade Sanderson; Hon Ken Travers; Hon Alanna Clohesy; Hon Simon O'Brien

Depending on the process or where the process is up to, the fact of the matter is that that is the sort of petition whereby the petitioners' views have been brought to the attention of this house of Parliament by the tabling and reading-in of the petition. Where else are we meant to go as a committee? Are we meant to go and do some inquiry into the bill and come back and say, "No, we can't uphold this petition" or "Oh, no, they're right; we recommend you defeat the bill"? Of course not. We have other standing committee procedures to examine bills and do so in a rather different way. I just thought I would mention that as one example to members so that they understand what we are trying to do as a committee.

As Hon Ken Travers said about CONAF in its day, we too work to resolve matters by getting a good outcome or a just outcome, and sometimes it may just be that those petitioners on the petition at hand simply want their voice to be heard. They do not want to put in further submissions and come and give evidence; they just want to have their petition tabled, so that is done. We might finalise petitions at that point.

Then there are other sorts of petitions, of course, that ask us to do all sorts of things. I think the one Hon Ken Travers referred to on transport matters asked the Legislative Council to bring back a system of something or other, or to do some other executive action. We do get petitions to say, "We ask the Legislative Council to make this go away, or provide \$1 million for that, or change the course of government policy on something else", and of course we do not have the executive power to do any of those sorts of things, even if they might have merit. What we can do as a committee is make sure that the concerns, desires, aspirations and the cases supporting those aspirations are brought to the attention of the relevant ministers of state, and we do get a response from them and we may conduct further inquiries; it all depends on the merits of the individual situation.

Let me conclude by briefly pointing out the eternal conundrum, whether it is the Standing Committee on Environment and Public Affairs or the Constitutional Affairs Committee. Petition 44 was tabled by Hon Alyssa Hayden on 24 June 2015 and contained 59 signatures, and generally they were opposed to the Rosehill Golf Course redevelopment in South Guildford; that is what that petition was all about. We were asked to investigate the metropolitan region scheme amendment; there was an allegation that the amendment was incorrectly classed as minor, and that the classification amounted to an attempt to bypass the Parliament, which is a serious allegation. It was further alleged that until the time the petition was tabled, no affected landholder or member of the public had been notified or consulted about the proposed amendment, that certain key matters had been overlooked by the Western Australian Planning Commission and so on. That was not an extraordinary invitation for inquiry, but a good example of the sort of thing that we work through. We were able to drill down—and we did—through those various matters and examine the matters specifically raised in the petition, and we reported in some detail about the 59 petitioners who were opposed to the Rosehill Golf Course development.

Without going into the full story, I also draw members' attention to petition 51, shortly after petition 44, also tabled by Hon Alyssa Hayden; this one contained 63 signatures, and it was a petition in favour of the Rosehill Golf Course development. Again, that adds another dimension. In all these things, of course —

Hon Darren West: Who won?

Hon SIMON O'BRIEN: Goodness and light won under our supervision, Hon Darren West!

Debate interrupted, pursuant to temporary orders.

[Continued on page 306.]

Sitting suspended from 4.15 to 4.30 pm