

DEPARTMENT OF HOUSING — ASBESTOS MANAGEMENT POLICY

**76. Mrs L.M. HARVEY to the Minister for Housing:**

May I first acknowledge the members of the Como Combined Probus Club from the member for South Perth's electorate who are in the public gallery today.

Minister, I read with interest today remarks made by the member for Willagee with respect to the Department of Housing's asbestos replacement policy. Can the minister please update the house on the departmental policy, and the part the Dividing Fences Act plays in this question and how it protects property owners?

**Mr T.R. BUSWELL replied:**

I will, thanks, member for Scarborough. By way of background, since 2008 the Department of Housing has been implementing an asbestos management plan. It is often criticised for not implementing it quickly enough. It is a very serious issue; asbestos needs to be treated appropriately and properly. By 2011, 792 properties with asbestos-containing materials remained to be dealt with, and more than \$2 million has been allocated for that purpose. Of those, 323 properties had asbestos fences that an independent audit deemed needed replacement. Of those, 152 were in the south metropolitan region, and we plan to replace them with Colorbond. I think it is entirely sensible. The department wrote to adjoining property owners, and the letter basically outlined what had happened and the course of action, and said to them that under the law in Western Australia, the Dividing Fences Act, adjoining owners pay 50 per cent. I think that is entirely appropriate: the taxpayer pays for our bit of land and the private landowner next door pays for their bit of land and gets a nice new Colorbond fence, but, more importantly, a safe Colorbond fence. The Department of Housing went further; it said in its letter that if property owners experienced problems in making their payment, the department would enter into terms with them—in other words, on a one-by-one basis, the department will work out what it can do.

This matter clearly upset the member for Willagee. He produced a press release, and he was on Howard Sattler's radio program yesterday afternoon banging on and on about this. He said that it was a measure of the desperation of the failed privatisation of Homeswest housing maintenance for the government to ask private landowners to pay half the cost of implementing an internal department policy—that is, for getting rid of asbestos and applying the law. He said that it may be valid for the department to ensure all public housing stock is free from asbestos but that it is not valid to demand private property owners to foot half the bill of the policy. He then said that these were simple bullyboy tactics from the government and the Minister for Housing, who had clearly lost control of his department.

In light of the member for Willagee's public comments on the Howard Sattler program, can I ask him a question? Did he get one of those letters? Did the member for Willagee get one of those letters? Did Peter Charles Tinley get a letter from the Department of Housing in relation to his property at 18 Pagneil Court, Hamilton Hill? He did not get a letter? He owns the property at 18 Pagneil Court, Hamilton Hill, which adjoins a Department of Housing property. Did the department tell him that he would have to pay half the cost of the fence? Does he own —

Several members interjected.

**The SPEAKER:** Member for Mount Lawley, I formally call you to order for the first time today. I am on my feet; it will be the way this place works for the rest of this year. I do not know whether the line that the Minister for Housing is pursuing at the moment is of relevance to members in this place; he may want to discuss this matter with the member for Willagee outside this place, but at this point, I ask him to return to the substance of the question asked by the member for Scarborough, and I am going to ask him to not further reflect on the member for Willagee.

**Mr P.C. Tinley:** How does this sit with your privacy?

**The SPEAKER:** Member for Willagee! I am on my feet; I am formally going to call you to order for the first time today.

**Mr T.R. BUSWELL:** Thank you, Mr Speaker.

**Mr P.C. Tinley:** You sacked a staff member for it, have a crack! Come on! You're spineless!

**The SPEAKER:** I am not particularly interested in the interjections. Minister, if you wish to resume, I am going to ask you to come back to the substance of the policy, not any individual member or matter. I am going to ask members to my left to respect the decision I have made in this regard.

**Mr T.R. BUSWELL:** It was a question asked in two parts; I think I have dealt with the first part. The first part deals with the member for Willagee's vigorous opposition to our policy to get asbestos out of homes. It may be construed that it has a financial impact on him. The second part dealt more broadly —

Several members interjected.

**The SPEAKER:** Do members want question time to continue? I am sure they do. Minister for Housing, I am going to formally call you to order for the first time today. I wanted no further reflection on the member for Willagee, but you immediately did that. If you want to continue answering this question, you will return to the substance. If you do not, I am going to sit you down immediately.

*Withdrawal of Remark*

**Mr M. McGOWAN:** Mr Speaker, can I just make my point of order?

**The SPEAKER:** You can make a point of order.

**Mr M. McGOWAN:** Back onto standing order 92, the minister made an imputation and personal reflection on the member for Willagee. I request that the Minister for Housing withdraw it.

**Mrs C.A. Martin** interjected.

**The SPEAKER:** Member for Kimberley, I formally call you to order for the first time today. Minister for Housing, I agree with the Leader of the Opposition. I ask that you withdraw that comment.

**Mr T.R. BUSWELL:** Thank you, Mr Speaker. I withdraw that comment.

*Questions without Notice Resumed*

**Mr T.R. BUSWELL:** In doing so, I will move on to the second part of the question. The second part of the question dealt with dividing fences more generally, as I recall. I want to explain to the house very quickly why we have dividing fences legislation in Western Australia. I will be brief, but I think it is important to put this on the public record. A matter was drawn to my attention by a lady—I think she is about 80 to 85 years old. I am holding a photo of her rear fence. It is an atrocious rear fence. I make this point to highlight the value of the dividing fences legislation. Her neighbour does not see this fence because the house is on somewhat of a sloping block and the back fence is hidden by a pool. When it rains, debris and waste from the neighbouring property floods through into the neighbour's fence. For many years that neighbour has been requesting that their neighbour fix this fence. In 2010 that person contacted their neighbour at their place of work, and their neighbour gave an undertaking to repair the fence. They did not. Last year, in August, the City of Stirling, the responsible local government authority, met with the neighbour who needs to repair the fence, and that neighbour gave undertakings that work would start within three weeks to repair that fence. That was in August last year. That has not happened. The City of Stirling has now changed its view somewhat in relation to that fence and is now saying it is a private matter that has to be followed up under the Dividing Fences Act. I am going to go out and meet this 85-year-old lady next week and discuss this matter with her and with the Mayor of the City of Stirling, I hope. Mr Speaker, you can imagine my surprise when I understood that the owner of the property behind this 85-year-old pensioner was none other than Hon Ken Travers.

Several members interjected.

**The SPEAKER:** I formally call the member for Victoria Park to order for the second time today. I formally call the member for Bassendean to order for the second time today. The member for Victoria Park is trying to ask a question; people are interjecting.