

**STANDING COMMITTEE ON ESTIMATES AND
FINANCIAL OPERATIONS**

2013–14 AGENCY ANNUAL REPORT HEARINGS

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
FRIDAY, 7 NOVEMBER 2014**

**SESSION THREE
DEPARTMENT OF PARKS AND WILDLIFE
AND
SWAN RIVER TRUST**

Members

**Hon Ken Travers (Chair)
Hon Peter Katsambanis (Deputy Chair)
Hon Martin Aldridge
Hon Alanna Clohesy
Hon Rick Mazza**

Hearing commenced at 1.15 pm

Mr PETER DANS

Acting Director General, examined:

Mr PETER SHARP

Director, Parks and Visitor Services, examined:

Dr MARGARET BYRNE

Director, Science and Conservation, examined:

Dr JOHN BYRNE

Director, Corporate Services Division, examined:

Mr PAUL BRENNAN

Acting Director, Forest and Ecosystem Management Division, examined:

Mr ROD HUGHES

General Manager, Swan River Trust, examined:

Dr KERRY TRAYLER

Principal Scientist, Swan River Trust, examined:

Ms JENNIFER STRITZKE

Acting Manager, Statutory Assessments, Swan River Trust, examined:

The CHAIR: On behalf of the Legislative Council Standing Committee on Estimates and Financial Operations, I would like to welcome you to today's hearing. Can the witnesses confirm they have read, understood and signed a document headed "Information for Witnesses"?

The Witnesses: Yes.

The CHAIR: Witnesses need to be aware of the severe penalties that apply to persons providing false or misleading testimony to a parliamentary committee. It is essential that all your testimony before the committee is complete and truthful to the best of your knowledge. This hearing is being recorded by Hansard and a transcript of your evidence will be provided to you. The hearing is being held in public, although there is discretion available to the committee to hear evidence in private, either of its own motion or at a witness's request. If, for some reason, you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session before answering the question. Government agencies and departments have an important role and duty in assisting Parliament to review agency outcomes on behalf of the people of Western Australia. The committee values your assistance with this.

Did anyone wish to make an opening statement? If not, we will go straight to questions.

Mr Dans: I would like to tender the apologies of the director general.

The CHAIR: Thank you. Who would like to go first?

Hon RICK MAZZA: I will go first today. Just looking at the *Annual Report on State Finances*, there is an entry in here where agencies are required to report contaminated sites to Parks and Wildlife. I just wondered how many contaminated sites have actually been reported to Parks and Wildlife.

[1.20 pm]

Mr Dans: The Contaminated Sites Act is administered by the Department of Environment Regulation rather than Parks and Wildlife.

Hon RICK MAZZA: In this report it says —

... report known and suspected contaminated sites to the Department of Parks and Wildlife ...

Mr Dans: I suggest that might be an error.

Hon ALANNA CLOHESY: What is the report?

Hon RICK MAZZA: It is the *Annual Report on State Finances: September 2014*.

Mr Dans: Certainly the department does not have the responsibility for contaminated sites. The Department of Environment Regulation administers that act.

Dr J. Byrne: That may well relate to the previous financial year. It is not reported to us; it is reported to the Department of Environment Regulation. We disclose in a financial statement the contaminated sites at our land, but have no involvement in contaminated sites not on our land.

Hon RICK MAZZA: This must be an error because it goes on to say —

DPW has not yet finalised the classification of sites that have been reported by agencies.

It may appear that we have got an error. In that case, I will have to leave that alone. I will leave that for another time. What department did you say that was?

Mr Dans: Department of Environment and Regulation.

The CHAIR: Rick, I think Dr Byrne was interested to have a look at the statement, so it may be worth providing him, if you do not mind, with a copy of the section and, knowing Dr Byrne, he might be able to shed some light on it or assist us in knowing whether it is an incorrect statement.

Hon RICK MAZZA: I will take it around; no problem.

The CHAIR: Do you have any further questions?

Hon RICK MAZZA: Not on that.

Dr J. Byrne: I confirm that is clearly an error. That is an error in this statement in the *Annual Report on State Finances*. That has an error in it on that particular page.

Hon RICK MAZZA: Thank you for clearing that up; we will advise those responsible.

The CHAIR: I am sure next time you are talking to Treasury, you will enjoy pointing it out to them, Dr Byrne!

Hon RICK MAZZA: As we are coming into the fire season, I just wondered what preparations have been undertaken by Parks and Wildlife; how your prescribed burning program is going for this year; and whether you have still got some time left on that.

Mr Dans: Prescribed burning has been going particularly well since the spring burning season commenced. We measure it on a financial-year basis. As of this morning I ran a quick report. I anticipated a question like this. We have done about 66 000 hectares year to date which, compared to the 78 000 which we did for the whole financial year last year, is a particularly good start. There probably will not be a large amount more done up in the swan region, to the east of the metropolitan region; it is drying out pretty rapidly. But in the south west to the east of Bunbury and down into the Warren region, around Pemberton and Manjimup, there is plenty more opportunity to build on that figure prior to the height of summer.

Hon RICK MAZZA: What is the target for the year?

Mr Dans: We have a nominal target for our three south west forest regions, which is, basically, sort of south west of a line from Lancelin to Denmark, of 200 000 hectares.

Hon RICK MAZZA: You said you have done 66 000 so far this year?

Mr Dans: That is right.

Hon RICK MAZZA: If my memory serves me correctly, in the estimates hearing I think I asked a similar question and there was some discussion around changing the target prescribed burn, so instead of having just 200 000 hectares as a target, I think there was some discussion around having more specific areas for prescribed burning around towns and those sorts of things. I am just a little concerned that if that new modelling takes place, more remote bush area may build up a very high volume of flammable material, fuels, and cause an issue if there is a wildfire.

Mr Dans: We are certainly looking at additional performance indicators. Rather than the raw hectares that you burn, we are looking at trying to, I suppose, put a value on the hectares, because perhaps a small number of hectares adjacent to a town site or a high-value piece of infrastructure might be more valuable than 1 000 hectares way out in the east away from dwellings, roads or infrastructure corridors. We are looking at additional performance measures. We are acutely aware that whilst we do have to do the small town site protection burns and things, it is absolutely imperative that the larger landscape-scale burns, more remote from communities—we have to keep the fuel loads going at a reasonable level there as well. It will be a balancing act between small community protection and infrastructure protection burns and the larger landscape-scale burns, more remote.

Hon RICK MAZZA: The more remote stuff you might have on a longer rotation; is that what you are saying?

Mr Dans: Not so much a longer rotation; it might be in some instances. It is going to have to be about getting the balance right because the bushfire risk management planning processes that the government is progressing will inevitably require us to pay greater attention or a significant amount of attention to some of those town site protection burns, if you like, where state forest or national park comes in very close and abuts a town site.

Hon RICK MAZZA: Where did the 200 000 hectare target come from initially? Is that from the royal commission after Dwellingup?

Mr Dans: No. It was a ministerial committee that was set up. I think it was about the mid-1980s, but I could confirm that. Under a previous government there was a ministerial inquiry or a committee inquiry similar to this to inquire into the amount of prescribed burning that was being done, and that was the department's submission at that time. The Department of Conservation and Land Management, as it was, submitted that that was an effective number to keep a rotation at, or around about, 12 years.

Hon RICK MAZZA: If we are going to look at more targeted burns around town sites and infrastructure and we are still considerably below the 200 000 hectares per year, would it be fair to say that to get to the more remote stuff, the rotation will be a lot longer?

Mr Dans: We are going to be looking at every opportunity that we can to undertake the burns. We will be commencing burns. We will be required to commence burns later in the day and we will be taking every opportunity on weekends and things to do them. We have absolutely got to maximise our achievement now. We have got a full workforce and we are well positioned to do it. Our objective is to do community protection burns while maintaining an adequate level of landscape-scale burning.

Hon RICK MAZZA: Just getting on to the personnel now and equipment. With Parks and Wildlife fire trucks, have you embarked on a program to upgrade those fire trucks with fire blankets and

being able to drench them with water and all those safety issues that they are looking at putting into trucks now?

Mr Dans: We have had fire blankets in all of our heavy fire appliances for a number of decades. Following the tragic burnover incident at Black Cat Creek at Albany in October 2012, we have embarked on a significant campaign to update all of our heavy fire fleet. We have fitted roll-down radiant heat shields to the windows. We have replaced a lot of the plastic components. We fitted underbody fireproof lagging to electric and hydraulic components and most recently completed—just in advance of this bushfire season—we fitted cab deluge systems or vehicle deluge systems, which partitions something in the order of 1 000 litres of water to spray on the cab in the event of a burnover and the wheels and the like. That will last about something in the order of 10 to 15 minutes.

Hon RICK MAZZA: What percentage of your fleet would have those safety —

Mr Dans: One hundred per cent of our fire trucks have it. We are still investigating, as are lots of Australian jurisdictions, alternatives for light fleet because some of those roll-down heat shields inside the cab obscure driver vision. In a truck where you have got a lot more headroom, it is a lot easier to do it. There is a lot of research going on across Australia for light fleet. But it is the heavy fleet—the gang trucks and the crew trucks—that are the ones that are right on the fire line.

Hon RICK MAZZA: What training programs do you have for personnel for your burning?

[1.30 pm]

Mr Dans: Again, following the Black Cat Creek fire, we have introduced mandatory preseason training for every single person involved in fire management, and across the department that is something in the order of about 800. We have got about 300 front-line firefighters, and they go through the same training as the 400-odd support people who might assist with logistics or mapping or, you know, assisting in an incident management team or something. Everyone gets the same training, mandatory preseason, every year. Everyone who participates has to do a preseason fire fitness test. For specialist roles, there are specialist role-specific training courses that we run ourselves as the Department of Parks and Wildlife. Then a number of those role-specific courses are delivered jointly with the Department of Fire and Emergency Services.

Hon ALANNA CLOHESY: I was wondering where the draft Kalbarri National Park plan was at?

Mr Dans: I will ask the director of parks and visitor services to help you with that one.

Mr Sharp: The draft has been out for public comment. It has been reviewed and we are anticipating a final management plan will be presented to the Conservation Commission in February.

Hon ALANNA CLOHESY: Is it near completion stage now?

Mr Sharp: Yes.

Hon ALANNA CLOHESY: How long has it taken for that plan to —

Mr Sharp: It has been one of our more prolonged plans. It has been in preparation for four years. It has taken a bit of time. One of our staff who had intimate knowledge of that plan actually works two days a week and is based out of Geraldton, and she has carried on responsibility for finalising the plan, so it has taken a bit longer than we thought.

Hon ALANNA CLOHESY: Other than staffing issues, what else have been the things that have slowed down the progress of the plan?

Mr Sharp: The plan deals with the park and the surrounding lands to the park, and it provides for strategies in terms of additional estate to go into the park. We have to give detailed consideration to all the interests of adjacent pastoral lessees and other landholders there. These things take time, but we are pushing it through as quickly as possible.

Hon ALANNA CLOHESY: What are some of the key features of the plan?

Mr Sharp: Kalbarri National Park is going to be subject to some further development in terms of the roading and the tourist sites there. We have recently expended several million dollars under the royalties for regions program in upgrading the Loop and some of the tourist destinations there. We hope to finalise the sealing of the road. Roading is a big problem in that park, as you would know. We have a lot of tourists who complain about their vehicles being damaged when they are driving out there, and we are very cognisant of that and the government has committed to improving facilities there. That is uppermost in our mind. Other issues we are addressing are arrangements with local Aboriginal people in terms of wanting to move into an arrangement of joint management of that park over time, and setting up proper governance arrangements.

Hon ALANNA CLOHESY: Thanks. I want to move on to a different issue—the status of the merger with Swan River Trust and key issues involved in that merger.

Mr Dans: I understand that the necessary legislative instruments are in the process of being prepared. Some of the building and accommodation issues are being worked through at the moment. It is a matter, as I understand it, and the general manager might be able to shed a bit more light; he is probably closer to that issue than what I am —

Hon ALANNA CLOHESY: I will ask that question of him separately, but from a DPaW perspective —

Mr Dans: As I was saying, the building and accommodation issues are being worked through and I understand that there is an intention to make some moves towards the end of this month or perhaps early December.

Hon ALANNA CLOHESY: For the legislative framework?

Mr Dans: No, for the building and accommodation issues.

Hon ALANNA CLOHESY: What are some of the issues involved in that?

Mr Dans: It is essentially making room for something in the order of 50 new employees at the Kensington site.

Hon ALANNA CLOHESY: Why was it decided that the employees should move to the Kensington site?

Mr Dans: I think it was an issue of economics and a fairly costly and long-term CBD lease coming to an end, as I understand it, around the end of the calendar year. It was seen as an ideal opportunity to rationalise the accommodation footprint across the metropolitan area, which is a process that the department and its predecessor—Environment and Conservation—have been doing for a number of years.

Hon ALANNA CLOHESY: What is the total cost of shifting those 50 staff into this accommodation in terms of the refurbishment of the accommodation, for a start?

Mr Dans: I am afraid I would have to take one that as a supplementary.

[Supplementary Information No C1.]

Hon ALANNA CLOHESY: Are there any issues in terms of the size of the accommodation with the influx of the Swan River Trust staff? Are there any issues in terms of the amenity of the building and how you fit that many more people in, reconfiguring and refurbishing?

Mr Dans: There has been some reconfiguration of various functions and things that were, I suppose, being undertaken on that Kensington campus, if you like, or the Kensington site. I think in respect of the office space available for employees, it is quite adequate and complies with all the Building Management and Works specifications and requirements for space per FTE and the like.

Hon ALANNA CLOHESY: Including OHS space per employee—dimensions?

Mr Dans: Absolutely. I am sure there would be no inconsistency between what Building Management and Works specifies and what is considered appropriate from an occupational safety and health point of view.

The CHAIR: What has happened to the relocation of the agency to Bunbury?

Mr Dans: That is a matter of government policy, Chairman. I am not aware of where that particular initiative is at, at the moment.

The CHAIR: Who is ultimately responsible for implementing the government policy to relocate you then?

Mr Dans: First and foremost, there will need to be a commitment to commence construction of a new facility at Bunbury, which, as I understand it, has not yet ticked all the boxes that are required and the various authorities and the like.

The CHAIR: Is someone doing planning work on the relocation?

Mr Dans: There was an amount set aside in the current financial year's budget for some business planning, as I understand it—an amount in the order of \$200 000 to \$300 000—Dr Byrne may be able to confirm—to start that planning process.

The CHAIR: That is allocated to your agency, though?

Mr Dans: That is correct, yes.

The CHAIR: Who is actually doing that work?

Mr Dans: I think our manager of building and accommodation is undertaking that work.

The CHAIR: Do you know what that work will entail?

Mr Dans: I am not specifically party to that. I know they are looking at sites and constraints of sites and the particular cost implications of the various options at the moment.

The CHAIR: I might ask you to take on notice what exactly they are looking at, and also when do we expect that that will be brought to a conclusion in terms of the planning side of it before a decision is made about whether to proceed?

[*Supplementary Information No C2.*]

The CHAIR: No-one has done the work on identifying what offices you currently have as an agency. Let me go back a step. What offices do you currently have as an agency in the Perth metropolitan area?

Mr Dans: We have the Kensington site; we have the swan coastal district office, which is at Wanneroo; we have the Perth hills district office at Mundaring; a work centre at Jarrahdale; and Dwellingup is probably Peel region. We have our swan region and regional parks unit are located on Hackett Drive in Crawley. Part of our science and conservation division is located at Woodvale on an A-class nature reserve bordered by Ocean Reef Road and the freeway.

The CHAIR: I see it regularly. Most of those regional offices though, they would not be part of any relocation would they? So the swan coastal, out at Wanneroo, they would need—the operational staff looking after your Perth assets—same with Mundaring and Jarrahdale and the like. How many corporate staff would be able to be relocated out of the metropolitan area to a Bunbury office?

[1.40 pm]

Mr Dans: That is part of the planning that is going on now. Some of the functions that are undertaken predominantly in the south west—fire management, for instance, some of the forest management functions—would be probably the most logical candidates. But we already have an office in Bunbury, which has fire management, forest management and our regional operations working from it, housing something in the order of 90 to 100 people.

The CHAIR: So maybe as part of A2 if you could give us some idea of what staff are suitable for relocation to Bunbury, to a new office—I do not need the specific positions, but the type of staff and the general numbers that we would be looking at.

Mr Dans: As I said, it would be along the functions that are predominantly—the business functions of the department that are —

The CHAIR: It is more the numbers that I am interested in. Also on page 24 of the annual report you talk about putting in some new facilities at former pastoral leases. Have you now taken over all of the pastoral leases that you expect to receive as part of the renewal of pastoral leases? There was a process a couple of years ago that identified pastoral leases that were not going to be renewed because you wanted to put them into the conservation estate. Have you now taken all of those over under your management or are there still some to be handed over?

Mr Dans: Most of the exclusions of particular leases and things were scheduled to come over in 2015, and, as I understand it—the director of parks and visitor services might provide a little more accurate information—some of the negotiations are still ongoing for that process. I am not precisely aware of the date, but I understand it is the end of the 2014–15 financial year. The small parts that are scheduled to come across to us—what are known as exclusions—are scheduled to come across to us through that process, which is being administered by the Department of Lands.

The CHAIR: Do you have any more information?

Mr Sharp: There were early-surrender provisions in the 2015 pastoral exclusion process that was signed off by all pastoral lessees around the place, and we took some of those early-surrender arrangements. The rest of the pastoral exclusions come into effect when the pastoral leases expire on 30 June 2015 and they are rolled over into the new pastoral leases. The Department of Lands is currently working with all the pastoral lessees in terms of preparation of new lease documents, and, as you would be aware, that has been a matter of some concern for lessees. But certainly we have had pastoral exclusion agreements, and we have gone back and advised the Department of Lands that we will take the responsibility for managing those nominated exclusion areas that were identified and agreed—we will take the responsibility for managing those areas on 1 July 2015.

The CHAIR: Right. Do we have any idea, in terms of square metres or square kilometres, I suspect we will measure it in, of what you have currently received as part of the early-surrender provisions and what you expect to receive on 1 July 2015?

Mr Sharp: I cannot tell you those figures, but I can provide them to you.

[Supplementary Information No C3.]

The CHAIR: Do you receive, in terms of your forward estimates, additional funding to manage those additional reservations? I do not know what we are going to call them. I assume they will be —

Hon RICK MAZZA: Parks?

The CHAIR: I am not sure. Are they going to be conservation areas? What will they be classified as, and what funding comes with them?

Mr Sharp: There is no funding attached to them, but they have formed the basis of initiatives that the department is undertaking, such as the Kimberley science and conservation strategy and other initiatives through environmental offsets arrangements with Gorgon et cetera. We have taken on board all the—we purchased two pastoral leases at Lorna Glen and Earraheedy, so that is part of that package. With regard to resourcing, there are no additional resources attached to that. We will be providing resources into the management of those areas in accordance with our rollout of Indigenous land use agreements, because before those excluded areas can become parks and reserves, we will have to negotiate Indigenous land use agreements with native title claimants. Part of that process, of course, will entail looking at resourcing provisions for those. It is a stepwise

approach. We are really at the stage of waiting until that land is subject to exclusion. In the medium term —

The CHAIR: But someone will need to manage it from 1 July?

Mr Sharp: I was just going to say that. In the medium term, one of the best outcomes you can have for a lot of those areas is just to get the pressure of the stock off those areas that we have identified as having high biodiversity conservation values and let the natural vegetation systems recover, and that will require us to enter into some arrangements with the pastoral lessees, of course, to ensure that the stock are kept off those areas.

The CHAIR: Whose responsibility is it for de-stocking them, and then whose responsibility is it to stop stock coming back onto those areas? Whilst I can understand your point to a degree, things like dog control and the like, who is then responsible for that, because, again, if that is left unattended, that could become a problem not just for your own areas but for neighbouring properties?

Mr Sharp: We would take on those responsibilities of dog control et cetera in those areas that we are responsible for managing. With regard to keeping the stock off there, that is the responsibility of the pastoral lessees. That has always been their responsibility and it will continue to be their responsibility; it is just there is a change in the boundaries of where their fence lines might be. With regard to closing waters and de-stocking, we would take on responsibility of closing waters if we go down that path. De-stocking is usually the responsibility of the pastoral lessee, because he wants to take his stock off those areas and get them onto his pastoral lease.

The CHAIR: That is only a part. Are you expecting to get any whole pastoral leases other than the ones you have already bought?

Mr Sharp: No; I do not think so.

The CHAIR: If we can just get the detail of how much of the land that was pastoral leases, say, five years ago when this process—I guess it goes back to Doug Shave, in fact. The process for identifying high-conservation areas, when did that occur?

Mr Sharp: Twelve years ago, I think.

The CHAIR: Since that point of identification, how many former pastoral leases have been handed over, and then also what do you expect to receive after 1 July 2015? It would strike me that is still going to require you to have additional resources, is it not? You are not going to be able to do that from internal resources—the management of all those issues that you have got to deal with?

Mr Sharp: It depends on the ability of our regions and districts to accommodate their programs and patrols and things. It may well be that people are moving around in their districts of responsibility and it does not put an inordinate workload on them to extend that, but I cannot tell you specifically.

The CHAIR: When will we know what additional resources are required to manage those areas that you will receive on 1 July?

Mr Sharp: We will have a better handle on the resources that are required when we have actually taken possession of the lands. It is going to require us to, obviously, undertake active management on the ground to a certain extent, but I cannot enunciate what the extent of those resources is at this point in time.

The CHAIR: I find it hard to believe that we would not be trying to identify what is required, because you will need some resources from day one, I would have thought.

Mr Sharp: There will be. There will be the opportunity for us to direct resources from our existing operations and through new initiatives, like the Kimberley science and conservation strategy. There are resources coming in, and, as I said, through native title arrangements, a lot of these areas are subject to native title claim, and they will be subject to negotiations through a native title

process, and those Indigenous land use agreements tend to focus on resourcing arrangements as well. It is a process of identification and negotiation and finalising agreements.

[1.50 pm]

The CHAIR: There has been a lot of talk about the viability of pastoral leases. What would be the capacity of the agency to take over all the pastoral leases south of the Kimberley?

Mr Dans: The matter of viability is managed by the Pastoral Lands Board and the Department of Lands. There would not be a capacity to have everything south of the Kimberley. That is an enormous amount of land. It is not really doable, Chair.

The CHAIR: I think that is one of the reasons I was asking you, because there is a lot of debate about it. It strikes me that at the end of the day, what we have actually got to do is work out how we make the pastoral leases viable and keep them going. If we accepted the argument that they are not viable and turned them back over to the public realm, it would be your responsibility, and I would have thought that just physically and in terms of expertise, the critical mass of expertise you would require would be enormous.

Mr Dans: If it were to revert to unallocated crown land, we would have some responsibilities—partial management responsibility—which is essentially just fire preparedness, but not fire suppression; so fire prevention and preparedness, and feral animals and weeds, which would be beyond our capability.

The CHAIR: That is what I thought. We will just allow Barb a chance to take over for Dr Byrne.

Proceedings suspended from 1.52 to 1.54 pm

Dr J. Byrne: I really appreciate accommodation at committee meetings of my disability. Thank you.

The CHAIR: It is worth it for the government to have someone of your quality, Dr Byrne.

Hon RICK MAZZA: You mentioned earlier about closing the waters when you take over some of those stations. Some years ago when you closed waters there was a bit of an animal welfare issue of goats coming into the homestead without water reported in *The West Australian*, from memory. What safety measures will be in place when you close those waters to ensure that animals have drinking water from such time as feral animals are disposed of or native animals are moved elsewhere?

Mr Dans: I understand it is generally done in a staged manner. It is not just go in and shut down every water point in a lease in one hit. It is a gradual shutting down to try to get the animals moving off the actual property that we are trying to destock.

Hon RICK MAZZA: With the issue that happened previously, was that something where too many waters were shut at the one time?

Mr Dans: I am not 100 per cent. I can remember the time; I think it was Boxing Day when it was front page of *The West Australian* a number of years ago. Member, I cannot recall the precise details that led to that. The shutting down at the water points had been going on for a while in that particular instance. I do not know the reason the goats perished at the homestead.

Hon ALANNA CLOHESY: Can I come to some questions on notice prior to the hearing I submitted to you in relation to substantive equality? You might have wondered why I was asking you about how the Department of Parks and Wildlife meets the Department of Environment Regulation obligations in this area. It is because they said you did. In the second part of that, part of your answer is that you are not required to meet obligations of environmental regulations substantive equality but you are required to meet substantive equality requirements. How many staff has the department allocated to analysing and responding to your substantive equality requirements?

Mr Dans: I might ask Dr John Byrne if he can respond to that question please.

Dr J. Byrne: The Department of Environment Regulation is a separate agency. It is responsible for meeting its own requirements in regard to substantive equity.

Hon ALANNA CLOHESY: Yes. I suspect what was happening was that in the split of the agencies, they considered they had a responsibility in relation to staffing component of meeting substantive equality requirements.

Dr J. Byrne: We help the Department of Environment Regulation with a big range of the issues of equity and diversity—disability access plan and substantive equality. We share a committee, chaired by the Department of Parks and Wildlife. They come along to that committee. Basically, they have adopted our plans for the time being—Parks and Wildlife plans have been adopted for the time being. Nonetheless, they are responsible for those plans formally. We are helping them as part of our bureau service to them.

Hon ALANNA CLOHESY: Okay. That makes it perfectly clear. The second part then is what FTE allocations are there within DPaW to meeting substantive equality requirements?

Dr J. Byrne: We do not have people specifically working on that. It is part of everybody's duty, to support diversity and disability access; it is part of the responsibility of every employee in the department to make sure we meet those requirements. We do have a reconciliation action plan that sets out actions with various people responsible for that. It is not really a matter for full-time equivalents, which are difficult to measure, but we are progressing towards meeting those plans.

Hon ALANNA CLOHESY: Is it possible to get a copy of that plan tabled or on notice?

Dr J. Byrne: Yes, definitely.

[Supplementary Information No C4.]

The CHAIR: I notice under “Significant Issues and Trends” you say that priority will be given to preparatory work for the proposed new Biodiversity Conservation Act to replace the Wildlife Conservation Act 1950. Interestingly, I think I found a discussion paper on the new biodiversity conservation act when cleaning up my office from sometime last decade. What does that mean in terms of preparatory work; are we talking about preparing for the implementation of the act or preparing the act for introduction to Parliament?

[2.00 pm]

Mr Dans: I think it is the latter, Mr Chairman—just finalising a bill and drafting instructions and the like.

The CHAIR: It is still not at the stage of being drafted; it is still preparing drafting instructions?

Mr Dans: Doctor, are you up to speed on that?

Dr M. Byrne: It is in the process.

The CHAIR: Of being drafted or instructions being prepared for drafting?

Dr M. Byrne: Yes.

The CHAIR: That suggests to me we are not going to see it this term of Parliament, are we?

Dr M. Byrne: That is still the intention.

The CHAIR: Will it be a green bill first, or be brought straight into Parliament? I am not sure what point you consider the start and end of the consultation on this one. Is it the intention to release a draft bill in a green bill format before introducing it formally to the Parliament? Has that decision been made?

Dr M. Byrne: I do not think so because we are working on a previous draft that was already there and updating that so we have been able to move it forward more quickly.

The CHAIR: Is there a public date for when we expect to have it completed and introduced to the Parliament?

Dr M. Byrne: No, not that I am aware of.

The CHAIR: A perennial for me, as I am sure you will remember, is Gngangara regional park. Every year I ask the question and every year I see more degraded land left with pines cleared building up a fire hazard and all sorts of things. What are we doing about it; is there any money to fix it; is there any money to do anything with that land? I drove past some of it yesterday and there does not even seem to be any fire burning over it. It must be starting to become quite a fire risk, is it not?

Mr Dans: There has been an ongoing program of burning once harvest has been completed. Harvest debris is being burnt off a lot of those lots. There is a line item, I think, in the order of \$400 000 per annum for the Gngangara concept. That has been used, as we discussed in estimates, for reseedling, rehabilitation and revegetation trials. That work is ongoing. There has been some recreational facility development, I understand, as well to cater for off-road motorcycles and the like in the area.

The CHAIR: Is there any time frame for developing a long-term plan and how we will deal with that land?

Mr Sharp: There were some efforts done before but I do not know what is being done.

The CHAIR: Nothing at the moment?

Mr Dans: It is not a top priority at the moment, Mr Chairman.

The CHAIR: Maybe I need to take some of my colleagues and the media out there and show it to them and then they might get it up the list of priorities.

Dr M. Byrne: There has been some discussion with the commonwealth Department of the Environment to get some funding through their 20 million trees program to revegetate areas of Gngangara pine, particularly with banksia woodlands for Carnaby's cockatoos.

The CHAIR: As we are clearing it, we are losing vegetation for Carnaby's cockatoo but we are not replacing it at the moment, are we?

Dr M. Byrne: There are some revegetation programs within the metropolitan area for revegetation of the banksia woodland to provide feed habitat.

The CHAIR: Where are they?

Dr M. Byrne: I cannot give you that off the top of my head. Certainly at Jandakot a lot of banksia woodland is being revegetated around the Jandakot area.

The CHAIR: Is that the stuff that was as a result of the Water Corp overdrawing on its allocation about 10 years ago and the water table dropping?

Dr M. Byrne: No; it is for an offsets program for the development there. There is also some work I believe going on around the Gingin area.

The CHAIR: But nothing on the Gngangara mound itself?

Dr M. Byrne: No, we are not doing anything on Gngangara at the moment.

The CHAIR: Can we maybe get that list of where the projects are and how much is being spent on each one of them and where they are.

[*Supplementary Information No C5.*]

The CHAIR: I am happy for you to take on notice a list of your properties in the Perth metropolitan area. I should have asked it earlier as part of that question, and who owns the property. Is it owned by the agency or is it crown land and you have a vesting order on it, and whether there are any other

limitations on the land; for instance, the property you have on Hackett Drive, is that able to be used by people other than yourselves or is it part of a conservation estate and if it was not DPaW in there, it would not be something that you would necessarily be able to sort of let someone else use?

[*Supplementary Information No C6.*]

The CHAIR: I might move on to questions specifically about the Swan River Trust so if members do not have further questions of the Department of Parks and Wildlife, we can excuse you. Thank you for your attendance this afternoon. I am sure you are aware of the spiel I give at the end of these things. We will send you the transcript in 10 working days and any additional questions. Once again, thank you for your attendance. Good luck with it all.

I was going to ask about what is happening with the sea walls on the Swan River in South Perth and the issues there, and also alongside Kwinana Freeway, and the work that is needed for storm mitigation with rising sea levels.

Mr Hughes: As the committee will be aware, the Swan River Trust is jointly responsible with whomever is the landward manager on any part of the shoreline for maintenance of that shoreline. Through our river bank program we deliver, generally speaking, \$1 million a year to match funding with the land grid manager. This year and the following two years we have an extra \$1 million per year, so that is \$2 million per year from the state. With regards to the seawalls in the South Perth–Perth area, we are working with the City of South Perth and Main Roads in particular in relation to the Western shoreline along Como and the like. We have got some work happening as we speak redoing the walls on the upstream side of Mends Street Jetty. That will be finished in the next few months. The larger and more complex issues along the western foreshore are the subject of a management planning process with Main Roads, South Perth, ourselves and coastal engineers. We are taking a much longer look at that, and that will be a series of different treatments, as needed, in the different areas depending on what the pressures are. That will be a mix where we can do soft engineering but it will include hard engineering. We are even considering the feasibility of whether some barrier structures in the river itself could be meaningfully employed there.

The CHAIR: When do we expect that to be completed?

Mr Hughes: It is not going to be completed—the river wall maintenance and structural responses are ongoing.

The CHAIR: But there are already regular problems with the impact of the river on the freeway. I assume that the first stage is to try to minimise the impact of the river. I know work has been done in the past about that, but it seems to me that during the big storm surges we still get days when the river breaks the banks and comes onto the freeway. So is part of it to try to find a permanent mitigation for that?

[2.10 pm]

Mr Hughes: Ongoing mitigation, absolutely. I cannot give you a finish date for any of that. As I say, different sections of it will be attended to as we can secure the funding and have the solutions that we think will work on those sites.

The CHAIR: That kind of raises my next question. Have we identified the seawalls that need work on them on the Swan River? What is the total that currently require work on them, and what is the time frame that it will take at the rate of \$1 million a year to actually fix all the seawalls that require restoration?

Mr Hughes: We do not focus entirely just on river walls; we look at the whole of the shoreline—some 300 kilometres—and clearly where you have very important infrastructure like a roadway, Mounts Bay Road and the like, you give priority to that. So in 2007–08, we conducted an end-to-end assessment and did precisely that process of setting priorities, and that has been guiding the riverbank project over the last several years. We are also, if you like, migrating that data and current

assessments into an asset management system so that we can map out ahead where our priority effort needs to be, and western foreshore clearly comes up as one of those. So it might not be so fruitful for us to do the exercise of how much across the entire gamut of works needs to be done at \$1 million per year but rather we just look at those priorities, do the assessment and see where those priorities are; and if they need to be dealt with by additional funding, we have made that known to government, working, obviously, with Main Roads in the case of the freeway, and in the case of Mounts Bay Road, for example, some years ago we were fortunate to receive a special allocation to attend to that work.

The CHAIR: Are we able to get a copy of the end-to-end study that was done?

Mr Hughes: Certainly.

[Supplementary Information No C7.]

The CHAIR: I was taking a walk along some of the upper reaches the other day and noticed some of the erosion problems that are occurring in the upper reaches as well. I can imagine you have got a fair bit of work on in trying to manage those areas as well. It struck me that we are not actually keeping up with the work that is required. I would have thought there must be some date that we are aiming for to try to have a plan for at least the next stage of work on protecting the Kwinana Freeway from storm surges and rising sea levels. When do we expect to have that plan ready to go and to seek funding for it?

Mr Hughes: The draft plan as I understand it was just presented to council in the last few weeks, so perhaps we can take on notice when exactly that plan will be finalised.

The CHAIR: That is for the City of South Perth?

Mr Hughes: That is right, yes, and then it will come formally to the Swan River Trust.

The CHAIR: Are they responsible for any of the work along the Kwinana Freeway?

Mr Hughes: They are very much involved. As I said, the Swan and Canning Rivers Management Act provides that the Swan River Thrust is responsible with whomever is the landward manager, in this case the City of South Perth, in much of that area as the vested entity. However, because of the importance of the Kwinana Freeway to Main Roads, they have joined as a party in that exercise.

The CHAIR: I was going to say if you are the City of South Perth you might just say, "We will let the asset go until it gets near Arthur Road on the other side of the freeway." In fact it would probably make for a better environment if the freeway was washed away. I am sure the South Perth residents would be quite happy.

Mr Hughes: I think Main Roads is cognisant of that.

The CHAIR: Can you take that on notice and give us where that plan is up to, and if you have a rough idea of what we expect the cost of the mitigation strategies to be? Have we got to that point yet of working out what the strategies will cost?

Mr Hughes: To the western foreshore?

The CHAIR: Yes.

[Supplementary Information No C8.]

Mr Hughes: There would have been some costings. I have not seen that at this stage, though. I think we are still looking at best fit for the response in each section.

The CHAIR: I think Main Roads —

Mr Hughes: As a rule, we know that river walls cost up to \$8 000 a linear metre.

The CHAIR: But you are suggesting some of them might have to be treatments in the river itself, which would be significantly higher than that, would it not?

Mr Hughes: I am not an expert on this, but in fact it may not. It may be an area where if you can do some soft treatment elsewhere, it will ameliorate some of the storm action on the hard engineering at the river's edge.

Hon ALANNA CLOHESY: My colleague Hon Stephen Dawson asked some questions on notice prior to the hearing, and I would like to follow-up on some of the issues. He asked in particular in relation to the Elizabeth Quay development about the dredging works and how frequently the water quality was measured. In part of that, he asked about the results of the assessments of the water quality measurements, including levels of heavy metals, pesticides and asbestos. Can you tell us what are the water quality trigger levels for water quality assessment? As part of that question, I do not think we actually got the detail of the results of those assessments, as asked for in the question.

Ms Stritzke: I do not know all the trigger levels off the top of my head. But the way that was designed was that the ANZECC trigger levels were used; that is, the standard water quality assessment trigger levels were used for marine ecosystems. In some cases, for some anolytes, there is not always a trigger level available in the marine categories, so then we use the fresh-water category. That was also put into the context of the Swan River background levels. Monitoring was done for several years prior to the works being undertaken. So the ANZECC trigger levels were used, and then also an understanding of what happens in our local ecosystem as well.

Hon ALANNA CLOHESY: Is it possible to get the results of the assessments?

Ms Stritzke: I am not quite sure what you are asking for. Do you mean tables of analytical water quality results?

Hon ALANNA CLOHESY: Yes.

Ms Stritzke: Yes; there is no reason why they cannot be provided.

Dr Trayler: We will probably provide the sampling and analysis plans for which the limits were set in the first instance. That could be provided as well.

[Supplementary Information No C9.]

The CHAIR: I assume it is mainly those recordings for where those levels have been exceeded?

Hon ALANNA CLOHESY: Yes. The Australia and New Zealand Environment Conservation Council trigger value.

Dr Trayler: Threshold limits were set as part of the project and a combination of different triggers was taken from different mechanisms to provide those, and those levels are in the sampling analysis plan that I think would be useful.

Hon ALANNA CLOHESY: Thank you.

Why was asbestos not monitored? Is it because it was not part of the ANZECC —

Ms Stritzke: I do not think asbestos was monitored, because it was not expected that it would be sort of a high risk in the methodology that was being proposed for the dredging. The concerns of the trust were primarily related to protection of the ecosystem. I am not sure.

Hon ALANNA CLOHESY: Whose decision was it not to monitor asbestos levels?

Mr Hughes: As far as I am aware, that was agreed as part of the negotiation up-front on the sampling and analysis program and plan, but I think, as Ms Stritzke says, asbestos is not regarded as the risk issue in that particular location from dredging in the wet river. But we can give further information on that if you like.

Hon ALANNA CLOHESY: That would be useful.

[Supplementary Information No C10.]

Hon ALANNA CLOHESY: And can we have the reasons why it would not be, obviously, other than it is wet?

Mr Hughes: Okay.

[2.20 pm]

Hon ALANNA CLOHESY: Also, as part of those questions, he asked how many times faecal coliform organism levels have exceeded recreational water guidelines in the past three financial years. Your response to that was that the Department of Health does that. Does the Department of Health inform the Swan River Trust when faecal coliform organism levels have exceeded recreational water guidelines?

Mr Hughes: I will ask Dr Trayler to answer that.

Dr Trayler: We receive a tabulated report from the Department of Health that gives us some idea across the three years about how particular site locations are tracking. For the period 2008 through to 2013, which is the most recent information we have received, it shows that most sites at the lower end of the system were fine with regard to pathogens, faecal coliforms particularly. There were a couple of sites at the top end of the system, one around Guildford Road Bridge, another site around Midland, and one just above Reid Highway, that had tipped a certain criteria that they have for their testing, and that was indicating they were not as good a quality, particularly the one site above Reid Highway, which was indicating it was fairly poor water quality at that location and would not be recommended for primary contact at that location.

Hon ALANNA CLOHESY: Okay. So I will hold on to that question.

Dr Trayler: Yes.

Hon ALANNA CLOHESY: Do know what the site was around Reid Highway—where they do the reading around Reid Highway?

Dr Trayler: I could consult my notes. I might have that information here, if that would help.

Hon ALANNA CLOHESY: Yes, that will be great.

Dr Trayler: It does not make it specifically clear. That information is on the website that is provided by the Department of Health. There is a web location where you can look at where all the locations are.

Hon ALANNA CLOHESY: So where they did the sample from?

Dr Trayler: Yes.

Hon ALANNA CLOHESY: With a map?

Dr Trayler: There is a map.

Hon ALANNA CLOHESY: Maybe we can take it on notice in case I cannot find it.

[*Supplementary Information No C11.*]

Mr Hughes: It is where the health department monitors popular swimming spots, and they make that information publicly available, with a general warning against swimming after rainfall. I think we have also noted that in the answers there.

Hon ALANNA CLOHESY: Yes. What I was also trying to get at, though, was that what they do not necessarily provide is a historical list of how many times those levels have been exceeded. How many times has the Department of Health notified the Swan River Trust in the last three financial years that those levels have been exceeded?

Dr Trayler: My understanding is that we get one of those tabulated information sheets annually from the department.

Hon ALANNA CLOHESY: So they do not notify you every time a level has been exceeded; it is only on an annual basis?

Dr Trayler: We just get a summary report from them. The monitoring is done with the local governments, so the local government would be aware that there is an issue at that location.

Hon ALANNA CLOHESY: So it is the local government's responsibility to notify the public that there is an issue in the area?

Dr Trayler: I confess; I am not aware of whose responsibility it is to notify, but I think it would be the local government.

Mr Hughes: In general, the health department has responsibility for issuing health warnings with respect to the river. I suppose the issue here, though, is that at any given minute, a point in the river may not be a really good spot to go swimming. But it may be a transient issue as well. I think we mentioned that rain can come in and can wash some dog faces into the river, and if you happen to take a reading at that point, you will get an elevated reading. So it would be impractical to make a response to every incidence of exceeded or elevated levels.

Hon ALANNA CLOHESY: So at what point do they make a decision that that beach is not fit for swimming? Do the levels have to be exceeded over a period of time?

Mr Hughes: These are questions probably for the health department, I must say. This is an environment in which I do not think the health department can guarantee that any bit of the environment is actually completely free of contaminants, if you know what I mean; any beach or any part of the river is the same. So, it tries to not speak for the health department, but to inform the community of the general risks, and then perhaps the specific risks when it has got readings at those popular swimming sites. But 300 metres downstream, obviously, from a sampling site, you do not have data; you make no recommendations and you make no guarantees.

Hon ALANNA CLOHESY: Is it possible to get on notice the data that you have been sent from the health department in relation to levels being exceeded over the last three financial years?

Dr Trayler: Yes.

[Supplementary Information No C12.]

Hon ALANNA CLOHESY: Apart from swimming beaches, which department is responsible for monitoring water quality, particularly around storm-water drains after heavy rainfalls? Is anyone responsible?

Mr Hughes: The health department in terms of pathogens and the like has that program. We certainly have a very comprehensive program in relation to water quality on other matters, and, if you wish, we can speak about that, but that is not focused specifically on stormwater outfalls.

Hon ALANNA CLOHESY: You do not have a responsibility in terms of stormwater outfalls, but maybe the Department of Health does?

Mr Hughes: The health department is responsible for matters of public health.

Hon RICK MAZZA: I went to an Auditor General's briefing on the Swan River Trust recently. I think there was a fair bit of discussion at the time on phosphorous levels. I cannot remember whether it was phosphorous or sulfate. I think it was phosphorous. Since the argument, there has been no reduction of phosphorous levels in the Swan and Canning Rivers, despite the initiatives that have been in place so far. Has the trust got any indication of when they can start turning back the levels of phosphorous that we have got in our Swan River?

Mr Hughes: I might ask Dr Trayler to enlarge on this. We monitor within the river, but also the major tributaries coming into the system, and we report that at pages 54 and 55 of the annual report. The key nutrients of interest to us are phosphorous and nitrogen. There will never be an end to this endeavour, because we will always have a growing population, I suppose, or a population, which is

an ongoing source. But we have a range of programs that are intended to, where possible, intercept, reduce and the like. There is a catchment-to-coast approach, as we call it, to do that. But since the 80s I think we can in fact say that there has been a reduction where some of our tributaries are meeting the targets that we have set for them, but perhaps Dr Trayler can enlarge.

Dr Trayler: Consistent with the annual report, aside from Ellen Brook, since 2008 the majority of the catchments are actually meeting the short-term targets now assessed against their long-term targets for total nitrogen, and since 2001, 93 per cent of the tributaries have met the short-term target. Ellen Brook is again another one that has not met the target—is not likely to meet the short-term targets. The target setting that we have is designed deliberately to incrementally set a stronger and more difficult target for us to meet. We start with the short-term targets and trying to meet those, and, once they have met those, we try to then meet the longer-term targets.

[2.30 pm]

Hon RICK MAZZA: You have a long-term plan to try to try to reduce those phosphorous levels?

Dr Trayler: That is right. We are seeing improvements in the catchments, where we have targeted activities, but also through the impacts of climate change, potentially bringing less nutrients in through the system. What we find is that there will be a lag associated within the estuary. The estuary retains a large amount of sediment that comes into the system, particularly in the upper reaches of our estuary, and it is in those upper reaches where we get the dynamics within the estuary of low oxygen conditions that can release nutrients from the sediment. They are bound nutrients that would otherwise stay there, but under the anoxic conditions that we get periodically, particularly in the upper reaches, we are getting more nutrients being released into the system.

Hon RICK MAZZA: Is that algae bloom outbreaks that cause those sorts of things?

Dr Trayler: That is right, and then that is contributing through to the algal bloom. So while we are having success in part through some of the works that are happening in the system, and obviously there are large-scale works happening in places like Ellen Brook, where we are concerned about the amount of nutrients coming through there, it will take time before the estuary starts to respond with respect to the nutrient levels within the estuary itself.

Hon RICK MAZZA: Is the nutrient levels one of the biggest threats to the estuary?

Dr Trayler: Yes. Nutrient enrichment and organic loading is one of the biggest threats, particularly to the upper reaches of our waterway, because it is driving algal blooms, and because with the algal blooms we get decomposition and we get the oxygenation events, and then with the oxygenation events, it is the real component that starts to impact on the biota.

Hon ALANNA CLOHESY: Because of the time, I will not actually ask you this question, but I will tell you that I am going to put on notice why Ellen Brook has not met its short-term and long-term targets. I would be very interested. Partly it is to do with nutrients, I think.

Dr Trayler: Yes. It is a lot to do with the soil types in the area.

Hon RICK MAZZA: I have one accounting question. In fact, on page 62, the line item “Supplies and Services” shows in 2013, \$3.8 million, and that has jumped to \$6 million. I wonder what is the nature of that increase of \$2.2 million?

Mr Hughes: If needed, I can get more accounting advice, but I believe it is to do with the way we account our services. The staff of the Swan River Trust, as you may be aware, are actually employed through the Department of Parks and Wildlife, and I think in one year we were accounting in a certain way, and then we switched it. So in essence our employment arrangements have not changed, but our accounting has.

The CHAIR: Are we doing any monitoring to identify whether there are any impacts on the Swan River from the development of the stadium on the Burswood site?

Ms Stritzke: The developers themselves are undertaking monitoring in accordance with the management plan during the works. That monitoring is pretty comprehensive and it covers the groundwater on the site as well as surface water that is in the lake on the site—it is a river-fed lake that is connected to the river—and within the river itself, and then the trust does its sort of standard ongoing monitoring.

The CHAIR: Do we test for asbestos in that area?

Ms Stritzke: Yes. My understanding is that there are asbestos risks in that area for sure, but the trust has not had, I guess, detailed involvement in that. The Department of Environment Regulation is part of the site conditions working group that helps manage that project, and they sort of address whether or not asbestos is being managed appropriately on the site.

The CHAIR: Maybe you could take on notice any sampling you have done and what sampling you are doing as the trust in terms of your normal sampling in that area of the river; so, what you would normally test for as part of your ongoing sampling of the waterway in and around the Burswood Peninsula? I realise it is complex, because you also have the problems of PCBs and other contaminants on the other side of the river. In fact one of the questions I was going to ask you was about a study done in November 2013 into the benthic macroinvertebrate survey in the Swan River. That followed on from a range of studies trying to identify sources of contaminants and PCBs. That recommended as a priority that site CB106 should be investigated in relation to the peak contaminants reported here and the associated different macroinvertebrate assemblage. Is that occurring; will it occur?

Dr Trayler: I am not familiar with CB106 specifically.

Mr Hughes: We might have to take that on notice.

[*Supplementary Information No C13.*]

The CHAIR: I guess there has been a range of commentary over a number of years now about that area. That is one of the reports. So maybe as part of the supplementary information, in terms of ongoing monitoring in that whole, I guess, area from Claisebrook around to Point Fraser, what is our strategy and plans for fixing the problems there? What problems have been identified, and how are we addressing them? What has been recommended from the various studies, and what action has been taken in response to those recommendations? We will make that, along with the Burswood sampling, all part of supplementary information C13.

I will finish the hearing now. The committee will forward any additional questions it has to you via the minister in writing in the next couple of days, together with the transcript of evidence, which will include the questions you have taken on notice. Responses to these questions will be requested within 10 working days of receipt of the questions. Should you be unable to meet this due date, please advise the committee in writing as soon as possible before the due date. The advice is to include specific reasons why the due date cannot be met. If members have questions, I ask them to email them to the committee as soon as possible after the hearing. On behalf of the committee, thank you very much for your attendance today.

Hon ALANNA CLOHESY: Thank you. We hope to see you back again very soon!

Hearing concluded at 2.37 pm
