



**SECOND SESSION OF THE THIRTY-SIXTH PARLIAMENT**

**REPORT OF THE  
STANDING COMMITTEE ON ENVIRONMENT  
AND PUBLIC AFFAIRS  
IN RELATION TO  
THE PETITION OBJECTING TO THE PROPOSAL  
TO ESTABLISH A SEWAGE PUMPING  
STATION IN HESELTINE PARK,  
GLENLEIGH ROAD, BUSSELTON**

Presented by Hon Christine Sharp MLC (Chairman)

Report 4  
December 2002

## STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

### Date first appointed:

May 24 2001

### Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

#### **“3. Environment and Public Affairs Committee**

- 3.1 An *Environment and Public Affairs Committee* is established.
- 3.2 The Committee consists of 7 members.
- 3.3 The functions of the Committee are to inquire into and report on -
  - (a) any public or private policy, practice, scheme, arrangement, or project whose implementation, or intended implementation, within the limits of the State is affecting, or may affect, the environment;
  - (b) any bill referred by the House;
  - (c) petitions.
- 3.4 The Committee, where relevant and appropriate, is to assess the merit of matters or issues arising from an inquiry in accordance with the principles of ecological sustainable development and the minimisation of harm to the environment.
- 3.5 The Committee may refer a petition to another committee where the subject matter of the petition is within the competence of that committee.
- 3.6 In this order **“environment”** has the meaning assigned to it under section 3(1), (2) of the *Environmental Protection Act 1986*.”

### Members as at the time of this inquiry:

Hon Christine Sharp MLC (Chair)	Hon Bruce Donaldson MLC
Hon Kate Doust MLC (Deputy Chair)	Hon Frank Hough MLC
Hon Robyn McSweeney MLC	Hon Louise Pratt MLC
Hon Jim Scott MLC	

### Staff as at the time of this inquiry:

Rhys Brown, Advisory Officer (General)	Mark Warner, Committee Clerk
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## **Government Response**

This Report is subject to Standing Order 337:

*After tabling, the Clerk shall send a copy of a report recommending action by, or seeking a response from, the Government to the responsible Minister. The Leader of the Government or the Minister (if a Member of the Council) shall report the Government's response within 4 months.*

The four-month period commences on the date of tabling.



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**EXECUTIVE SUMMARY AND RECOMMENDATIONS FOR THE**  
**REPORT OF THE STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS**  
**IN RELATION TO**  
**THE PETITION OBJECTING TO THE PROPOSAL TO ESTABLISH A SEWAGE PUMPING**  
**STATION IN HESELTINE PARK, GLENLEIGH ROAD, BUSSELTON**

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**EXECUTIVE SUMMARY**

- 1 Deep sewerage has been identified as a priority for the urban coastal strip west of Busselton because of environmental concerns regarding the long term use of septic tanks (due to nutrient leaching). Also residents in the low lying areas are experiencing problems with septic and leach drain flooding from rising ground water.
- 2 Most residents want reticulated sewerage, but do not want any of the necessary infrastructures in the vicinity of their properties or in their local parks/reserves. Residents believe a pump station would affect the aesthetics and amenity of their area and reduce the value of surrounding properties.
- 3 The Water Corporation (the Corporation) requires a vacuum pump station (dimensions 9.3 metres by 12.3 metres by four metres high) to service the infill sewerage project known as *Sewage Reticulation Area Busselton 10F and 15B*.
- 4 From the Corporation's engineering and operating perspective the pump station site should be central to the area it has to service, so as to maximise plant performance and to minimise costs and the possibility of system failure. Heseltine Park and its immediate surrounds are the Corporation's favoured location.
- 5 The Corporation investigated 13 potential sites in the project area including eight reserves (local parks/reserves/public open space), three privately owned blocks and the grounds of the local primary school and hospital. Site assessment was based on engineering and operational requirements, cost and community/environmental considerations.
- 6 The Corporation's preferred site is Lot 95 Blue Crescent, a privately owned block at the western end of Heseltine Park. However the market price was approximately \$40,000 higher than the Corporation's independent valuation of \$130,000 to

\$140,000. This is higher than 'valuation plus 10%', which is the maximum the Corporation offers under its property purchasing guidelines. The Corporation's second site preference is in Heseltine Park itself as it is central and there is no land purchase cost.

- 7 The petitioners support the Corporation's infill sewerage project, but do not want the amenity and aesthetics of Heseltine Park adversely impacted by siting a pump station in it. Their preferred site is the reserve at the corner of Geographe Bay and Dolphin Roads, near the Dolphin Road boat ramp. Private residences are at a greater distance from this site and there is already a toilet block located there, which the pumping station could be designed to match.
- 8 The Corporation does not consider the Dolphin Road boat ramp site to be a viable option, because it is at the extremity of the area that is operationally feasible for a vacuum pump station. The site is not central to the project area and hence the pump station would be working at its operational limits. This would increase the possibility of system failure and, combined with the exposed foreshore location, would increase the maintenance and running costs. There would also be an additional capital cost of \$390,000 compared to the Heseltine Park site. The Corporation does not know if residents near the Dolphin Road site would object to the pump station being sited there, as it has not previously been proposed as a serious option.

#### RECOMMENDATIONS

- 9 Hon Frank Hough MLC dissented from recommendations 2, 3 and 4.
- 10 Recommendations are grouped as they appear in the text at the page number indicated.

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**Recommendation 1: The Committee recommends that the sewage pumping station required to service the Water Corporation's Sewage Reticulation Areas Busselton 15B and 10F not be sited in Heseltine Park, Glenleigh Road, Busselton.**

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**Recommendation 2: The Committee recommends that Lot 95 Blue Crescent be acquired by the Water Corporation and be used to site the vacuum pumping station needed to service Sewage Reticulation Areas 10F and 15B.**



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**Recommendation 3:** The Committee recommends that the Water Corporation obtain new independent valuations for Lot 95 Blue Crescent that reflect the current market value and use them in its negotiations with the owner of Lot 95 Blue Crescent, with a view to reaching an agreed price for the property.

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**Recommendation 4:** The Committee recommends that the Water Corporation take the necessary steps to enable it to go outside any land purchasing guidelines to facilitate the purchase of Lot 95 Blue Crescent at the agreed price.

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**Recommendation 5:** The Committee recommends that the Water Corporation ensures that the pumping station is thoroughly sound proofed and that the odour control technology and procedures are of the highest standard to ensure that the amenity of the property owners adjoining Lot 95 Blue Crescent is not affected.

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**Recommendation 6:** The Committee recommends that the Water Corporation make the unutilised part of Lot 95 Blue Crescent available as part of the public open space of Heseltine Park, and ensures that public access is maintained from Blue Crescent to the park, through Lot 95.

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**Recommendation 7:** The Committee recommends that the Minister for Planning and Infrastructure should review the current planning policy in relation to the siting of waste water infrastructure in areas of public open space.



**REPORT OF THE STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS**

**IN RELATION TO**

**THE PETITION OBJECTING TO THE PROPOSAL TO ESTABLISHMENT OF A SEWAGE PUMPING STATION IN HESELTINE PARK, GLENLEIGH ROAD, BUSSELTON**

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**1 INTRODUCTION**

- 1.1 On December 18 2001 Hon Barry House MLC tabled a petition (Tabled Paper #1085) objecting to a proposal by the Water Corporation to establish a sewage pumping station in Heseltine Park, Glenleigh Road, Busselton. However, the adjournment and subsequent prorogation of Parliament on August 9 2002 resulted in the petition lapsing from the Notice Paper of the Council.
- 1.2 The petition was re-tabled in the Council on August 21 2002 by Hon Barry House MLC (Tabled Paper #129).
- 1.3 The petitions stated that:
- the proposed site is inappropriate for such a facility;
  - there would be an adverse impact on adjoining and nearby residents;
  - the park was established by residents of Glenleigh Road and Blue Crescent and is currently maintained by them in conjunction with the Shire of Busselton;
  - the park is a unique natural environment and public open space and forms an integral part of the neighbourhood; and
  - the site selection and public consultation process followed by the Corporation was inadequate.
- 1.4 The petitioners requested that the Corporation's sewage pumping station proposal be rejected and that a more appropriate location for the station be found elsewhere in Busselton.

## 2 INQUIRY PROCEDURE

### The Committee's Role

- 2.1 The Committee's terms of reference provide that, where relevant, it is to assess the merit of matters or issues arising from an inquiry in accordance with the principles of ecologically sustainable development and the minimisation of harm to the environment. The concept of ecologically sustainable development was adopted as a goal by Australian governments, including Western Australia, in 1992 following the Earth Summit in Rio de Janeiro. Ecologically sustainable development is a philosophy defined by the National Strategy for Ecologically Sustainable Development as "*...development which aims to meet the needs of Australians today while conserving our ecosystems for the benefit of future generations.*"
- 2.2 The Committee also considers petitions that have been tabled by a member of the Legislative Council on behalf of a person or groups within the community. The Committee's object in reviewing petitions is to provide a forum for public discussion on matters of community interest and to allow interested persons, or groups, to bring their concerns to the attention of the Legislative Council.
- 2.3 The Committee is the only parliamentary committee in Australia that considers petitions. In all other jurisdictions petitions are simply recorded in *Hansard* and no further investigation is undertaken.
- 2.4 On November 14 2001 the Committee resolved to form a subcommittee to deal with routine administrative matters regarding petitions. The members of the Petition Subcommittee (the Subcommittee) are Hon Christine Sharp MLC (Convenor), Hon Robyn McSweeney MLC, Hon Louise Pratt MLC and Hon Frank Hough MLC.
- 2.5 Petitions are first tabled in the Legislative Council and then referred to the Committee and hence the Subcommittee. On receipt of a petition the Subcommittee generally invites the tabling member, principal petitioner and where it considers it appropriate, the relevant Government Minister(s) to make submissions concerning the issues raised in the petition. The Subcommittee can also make preliminary investigations to obtain background information on the issues from government agencies, private organisations and individuals.
- 2.6 The Subcommittee considers the submissions and other evidence and can make a recommendation to the full Committee to finalise or formally inquire into the petition.
- 2.7 The Committee usually resolves to finalise a petition without formally inquiring into it, if it considers that the issues raised in the petition have been adequately dealt with, or have been taken as far as possible at the time. In many cases where the Committee finalises petitions there has been some resolution of the issues raised in the petition, usually prompted by the Subcommittee's preliminary investigations.

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- 2.8 If the Committee resolves to finalise the petition the tabling member and principal petitioner are notified.
- 2.9 If the Committee resolves to formally inquire into a petition it may:
- arrange hearings at which discussion occurs on the various issues raised in the petition;
  - gather additional information; and
  - prepare a report on the petition, which is tabled in the Legislative Council.
- 2.10 As part of the Committee's policy, it may defer consideration of a petition in circumstances where the petition:
- concerns a subject matter that is within the terms of reference of another standing committee; or
  - raises matters which have received, or require, full debate by the Legislative Council.

### **The Petition**

- 2.11 On February 20 2002 the Subcommittee wrote to the tabling member and the principal petitioner requesting a submission regarding the matters raised in the petition. A submission was received from the principal petitioner on March 20 2002. The petitioners made it clear that they supported the Corporation's infill sewerage program in the area, but not the siting of the pump station in Heseltine Park.
- 2.12 On May 6 2002 an informal inspection of the proposed site for the sewage pumping station in Heseltine Park was undertaken by two members of the Subcommittee – Hon Christine Sharp MLC and Hon Robyn McSweeney MLC. Also present at the site inspection were Hon Barry House MLC (tabling member), petitioner's representatives (Mr and Mrs Fennessy and Mr and Mrs King) and Mr Lloyd Leith of the Corporation.
- 2.13 On May 16 2002 the Subcommittee wrote to Hon Nick Griffiths MLC the Minister for Government Enterprises requesting:
- a copy of the briefing note he received on the matter from the Managing Director of the Corporation;
  - information on the actual and proposed expenditure on the infill sewerage program in Western Australia for the years 1999/2000 to 2002/2003; and
  - details of the Heseltine Park sewage pumping station project and site selection process.

- 2.14 On May 16 2002 the Committee, on the recommendation of the Subcommittee, resolved to inquire into the petition on the siting of the sewage pumping station.
- 2.15 The Hon Nick Griffiths MLC Minister for Government Enterprises wrote to the Subcommittee on June 2 2002 and provided the information that had been requested.

### **3 BACKGROUND**

3.1 The Committee was advised by the Minister for Government Enterprises,<sup>1</sup> that the expenditure on the Infill Sewerage Program in Western Australia was:

- 1999/2000 \$87.2 million;
- 2000/2001 \$86.9 million;
- 2001/2002 estimated expenditure \$47.8 million; and
- 2002/2003 planned expenditure \$28.5 million.

3.2 One of the Corporation's infill sewerage programs is targeting the unsewered area in the vicinity of Heseltine Park, Glenleigh Road, Busselton. The 'catchment' being sewerred is the last section in the area to be deep sewerred. It is a long narrow strip in close proximity to the Geographe Bay shoreline approximately 1.5 km west of the centre of Busselton.

3.3 The Corporation has identified deep sewerage as a priority for this area because of environmental concerns regarding the long term use of septic tanks due to nutrient leaching. In addition, residents in the low lying areas are experiencing problems and health risks because septic tanks and leach drains are being flooded due to rising ground water. At places the ground water is only 0.8 metres below ground level.

3.4 The Corporation advised the Subcommittee that the project, which is known as the *Sewage Reticulation Area Busselton 10F and 15B* is expected to cost in the vicinity of \$6 million and is currently in the design stage. The Corporation submitted a development application to the Shire of Busselton on April 22 2002 and advised the Shire that if the Corporation could not obtain approval to site the pump station in Heseltine Park then the project may be delayed or even abandoned.

3.5 The Corporation plans to use a 'vacuum collection' sewerage system for the project. This requires an aboveground pump station to be sited as close as possible to the centre of the 'catchment' it will service. A vacuum system was chosen rather than a gravity system because of the significant cost saving and the fact that gravity sewerage

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<sup>1</sup> Letter dated June 2 2002 from Hon Nick Griffiths MLC, Minister for Racing and Gaming; Government Enterprises; Goldfields.

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pipes would have to be buried six to seven metres deep compared to two to three metres for a vacuum system.

3.6 The Corporation maintains that from a cost, engineering and operating (including least system failures) point of view the pump station needs to be located as near as practicable to the centre of the 'catchment', as is Heseltine Park. The pumping station dimensions are 12.3 metres long by 9.3 metres wide by four metres high and approximately three metres below ground.

3.7 The Corporation maintains that its odour control processes are more than adequate for the site and that the noise level at the pump station would be around 25 to 35 decibels ("A" weighted scale), which would not interfere with the normal lifestyle of the surrounding residents.<sup>2</sup>

3.8 According to the Shire of Busselton, Heseltine Park is vested in the Department of Land Administration and comprises two C class reserves:

- Reserve # 34260 which is gazetted Public Recreation, and
- Reserve # 35016 which is gazetted as Drainage.

#### **4 SITING THE PUMP STATION – THE ISSUES**

4.1 There is widespread support for the Corporation's infill sewerage project, however, none of the residents want the necessary infrastructures (for example, a pump station) sited near their properties or in their local area. The exception may be the Dolphin Road boat ramp site – see paragraphs 4.14 and 4.15 below.

4.2 The Corporation assessed 13 possible sites for the pumping station in the catchment area and ranked them on the basis of cost, engineering feasibility, operating efficiency and community/environmental issues. The sites assessed consisted of:

- three privately owned blocks of land,
- eight parks/reserves/public open space, and
- the local primary school and hospital grounds.

4.3 A privately owned vacant block (Lot 95 Blue Crescent) at the west end of Heseltine Park was the Corporation's preferred option and it was interested in purchasing the property. However, the Corporation's independent valuations of the property (approximately \$130,000 to \$140,000) were about \$40,000 below the December 2002 market price of approximately \$180,000 to \$190,000.

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<sup>2</sup> Water Corporation briefing note dated May 3 2002.

- 4.4 In a submission to the Committee the owners of Lot 95 Blue Crescent stated that they currently have the property on the market for \$187,000. The property is a duplex block and therefore commands some premium. The owners stated that the Corporation had never formally offered to purchase Lot 95 Blue Crescent and they had not been provided with the Corporation's property valuations.<sup>3</sup>
- 4.5 The Committee understands that based on current market values the valuations obtained by the Corporation would not now reflect present market value of Lot 95 Blue Crescent. Based on the original valuations obtained by the Corporation, the current market value of the property is significantly above the Corporation's guidelines for the purchase of private land, that is valuation plus 10%.
- 4.6 If the Corporation did purchase Lot 95 Blue Crescent it would still have to deal with objections from the residents whose properties adjoin Lot 95.
- 4.7 There is an additional cost to the Corporation of approximately \$180,000, compared to the Heseltine Park site, if the Corporation has to purchase Lot 95.
- 4.8 The Corporation advised the Committee that it may not be able to resume the privately owned land as there are other alternative sites that could be used (for example, Heseltine Park and other reserves in the area).
- 4.9 The Corporation's second site choice is Heseltine Park, as it is in the best location from an engineering and operational point of view and is the lowest cost option.
- 4.10 If Heseltine Park were to become the site for the pump station, deciding on its location within the park could generate a lot of ill feeling within the local community. The present uneasy 'consensus' is that if the pump station is sited in the park, it should go in the centre where it affects everyone equally. The centre of the park is not the best location to minimise the impact of the pump station on its amenity and aesthetics.
- 4.11 In their submissions to the Committee the five land owners with properties adjoining Lot 95 Blue Crescent, stated that they strongly objected to the proposal to build the sewage pumping station on Lot 95. They would prefer to have it sited in the centre of Heseltine Park because it would affect everyone 'equally'.
- 4.12 The main problems the adjoining land owners cited regarding the pump station being built on Lot 59 Blue Crescent were:
- that the surrounding land values would fall significantly, and
  - odour and noise.

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<sup>3</sup> Submission to the Committee from the owner of Lot 95 Blue Crescent, Mr Ray Carroll, dated 21/11/02.



- 4.13 The owners of Lot 95 Blue Crescent stated that they would prefer the pump station to be built in the middle of Heseltine Park rather than against the back (east) boundary of Lot 95. They would also consider selling Lot 95 to the Corporation at the current market value, if it would help to preserve Heseltine Park.
- 4.14 The site most favoured by the petitioners is Reserve 31372 4533 (public open space) adjoining the Dolphin Road boat ramp (that is, at the intersection of Dolphin and Geographe Bay Roads). Private residences are further away from this site and the station could be built close to the already existing toilet block and designed to blend with it.
- 4.15 The Corporation does not consider the Dolphin Road boat ramp site to be a viable option for the following reasons:
- it is at the western extremity of the area that is operationally feasible for a vacuum pump station to service the infill sewerage project;
  - the station would be at its operating limits at this site and hence the likelihood of equipment failure would increase;
  - the additional cost of utilising this site compared to Heseltine Park is estimated at \$390,000; and
  - the harsh environment of the foreshore location would add to maintenance costs and reduce the life of mechanical and electrical equipment.
- 4.16 There are other privately owned blocks of land in the vicinity of Heseltine Park, which from an engineering and operational point of view would be suitable pump station sites. However, they involve additional cost (land purchase) ranging from \$180,000 to \$250,000. The Corporation favours Lot 95 Blue Crescent at the western end of Heseltine Park above all other privately owned vacant blocks in the area.

## 5 CONCLUSIONS

- 5.1 The Committee recognised the importance of extending reticulated sewage to the West Busselton area known as *Sewage Reticulation Area Busselton 10F and 15B* and that the residents in the area want the project to proceed.
- 5.2 The Committee considered the information provided by the petitioners, the owner of Lot 95 Blue Crescent, the land owners with properties adjoining Lot 95 Blue Crescent, the Corporation and the Shire of Busselton and concluded:
- i) That on environmental and health grounds the Corporation's important infill sewerage program in *Sewage Reticulation Area Busselton 10F and 15B* should proceed.

- ii) That Heseltine Park is very important to the local community and because there is little parkland/open space in the area, the amenity, use, aesthetics and environment of Heseltine Park should not be compromised by the siting of a sewage pumping station within it.
- iii) That it appeared that the smallest number of residents would be affected by the siting of the pumping station on Lot 95 Blue Crescent. The Corporation is to consult with the five landowners whose land adjoins Lot 95. That is, the five landowners should be given a detailed briefing on what the construction and operation of the pump station entails.
- iv) That the Corporation should obtain new, up to date and independent valuations of Lot 95 Blue Crescent based on the current market value, and that these new valuations should be used in any negotiations to purchase Lot 95 Blue Crescent.
- v) That, if necessary, the Corporation should seek special dispensation to allow it to go outside its land purchasing guidelines and purchase Lot 95 Blue Crescent, as it is the Corporation's preferred site.
- vi) That the Corporation sound proofs and installs the latest odour control technology in the pump station when it is constructed and landscapes the building and its surrounds so that they blend in with the surrounding architecture and landscape.
- vii) That the Corporation make the unutilised part of Lot 95 Blue Crescent available as part of the public open space of Heseltine Park, and ensures that there is public access from Blue Crescent to the park, through Lot 95, which would otherwise not be available.
- viii) That the Minister for Planning should review the current planning policy in relation to the siting of waste water infrastructure in areas of public open space.

## **6 RECOMMENDATIONS**

### **6.1 Hon Frank Hough MLC dissented from Recommendations 2, 3 and 4**

**Recommendation 1: The Committee recommends that the sewage pumping station required to service the Water Corporation's *Sewage Reticulation Areas Busselton 15B and 10F* not be sited in Heseltine Park, Glenleigh Road, Busselton.**

**Recommendation 2:** The Committee recommends that Lot 95 Blue Crescent be acquired by the Water Corporation and be used to site the vacuum pumping station needed to service Sewage Reticulation Areas 10F and 15B.

**Recommendation 3:** The Committee recommends that the Water Corporation obtain new independent valuations for Lot 95 Blue Crescent that reflect the current market value and use them in its negotiations with the owner of Lot 95 Blue Crescent, with a view to reaching an agreed price for the property.

**Recommendation 4:** The Committee recommends that the Water Corporation take the necessary steps to enable it to go outside any land purchasing guidelines to facilitate the purchase of Lot 95 Blue Crescent at the agreed price.

**Recommendation 5:** The Committee recommends that the Water Corporation ensures that the pumping station is thoroughly sound proofed and that the odour control technology and procedures are of the highest standard to ensure that the amenity of the property owners adjoining Lot 95 Blue Crescent is not affected.

**Recommendation 6:** The Committee recommends that the Water Corporation make the unutilised part of Lot 95 Blue Crescent available as part of the public open space of Heseltine Park, and ensures that public access is maintained from Blue Crescent to the park, through Lot 95.

**Recommendation 7:** The Committee recommends that the Minister for Planning and Infrastructure should review the current planning policy in relation to the siting of waste water infrastructure in areas of public open space.



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Hon Kate Doust MLC  
Deputy Chairman  
Date: December 16 2002