



SECOND SESSION OF THE THIRTY-SIXTH PARLIAMENT

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

**SESSIONAL REPORT ON INQUIRIES
AND
PETITIONS**

JANUARY 1 TO AUGUST 9 2002

Presented by Hon Christine Sharp MLC (Chair)

Report 2
September 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 at the time of this report:

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:

Rhys Brown, Advisory Officer (General)

Mark Warner, Committee Clerk

Felicity Beattie, Advisory Officer (Legal)

David Driscoll, Senior Committee Clerk

Address:

Parliament House, Perth WA 6000, Telephone (08) 9222 7222

Website: <http://www.parliament.wa.gov.au>

ISBN 0 7307 6469 9

CONTENTS

1	INTRODUCTION – COMMITTEE PROCESS.....	1
	SELF-INITIATED INQUIRIES	2
	INQUIRIES INITIATED BY PETITIONS	2
	PETITIONS	3
	PROCESS WITH PETITIONS	3
	BILLS	4
2	SELF-INITIATED INQUIRIES.....	5
	ALCOA REFINERY AT WAGERUP INQUIRY	5
	NORTH EAST HILLS SETTLEMENT PATTERN PLAN AND THE NORTH EAST CORRIDOR EXTENSION STRATEGY INQUIRY	6
	SWIMMING POOL FENCING INQUIRY	7
3	INQUIRIES INITIATED BY PETITIONS.....	8
	GNARABUP WASTE WATER TREATMENT PLANT (PETITION #11)	8
	SEWAGE PUMPING STATION HESELTINE PARK (PETITION #21).....	8
	Background.....	9
4	BILLS.....	11
	GENE TECHNOLOGY BILLS INQUIRY	11
5	PETITIONS FINALISED	12
	LIVE SHEEP TRADE (PETITION #9)	12
	HILLVIEW ESTATE SUB-DIVISION (PETITION #15)	13
	NUCLEAR ACTIVITIES (PROHIBITION) BILL 2001 (PETITION #23).....	14
	PANGEA PROPOSAL FOR A NUCLEAR WASTE DUMP IN WESTERN AUSTRALIA (PETITION #24)	15
	MORATORIUM ON GENETICALLY ENGINEERED PRODUCTS (PETITION #28)	15
	'MURUJUGA'- BURRUP PENINSULA ROCK ART (PETITION #31).....	16
6	PETITIONS CONTINUING.....	17
	YEELIRRIE MINERAL TENEMENT (PETITION #4).....	17
	ESTABLISHMENT OF A RENEWABLE ENERGY POWERED ECOTOURIST DISCOVERY CENTRE WITHIN THE PROPOSED GUILDERTON REGIONAL PARK (PETITION #13)	17
	WESTERN POWERS UNDERGROUND POLICY (PETITION #20)	18
	Western Power's General Policy	18
	COCKBURN CEMENT DREDGING PROPOSAL - OWEN ANCHORAGE (PETITION #22).....	21
	Cockburn Cement's Initial Proposal.....	21
	EPA Assessment.....	21
	Appeals	22
	Conclusions of the Appeals Convenor	22
	Decision of the Minister for the Environment and Heritage	23
	LEGISLATION TO PROVIDE THE SAME RIGHTS AND PRIVILEGES UNDER LAW (PETITION #25)	23
	HEATHCOTE SITE (PETITION #26)	24
	RAMADA HOTEL DEVELOPMENT (PETITION #27)	25

MRI SCANNERS FOR PRINCESS MARGARET AND FREMANTLE HOSPITALS (PETITION #29).....	26
VEHICLE STAMP DUTY (PETITION #30).....	27
WESTERN POWER TRANSMISSION LINE ALIGNMENT, WATERLOO-BUSSELTON (PETITION #32).....	28
PERTH MINT GOLD SWINDLE - MURPHY ALLEGATION AGAINST WALLER (PETITION #33).....	29

REPORT OF THE STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

SESSIONAL REPORT ON INQUIRIES AND PETITIONS

JANUARY 1 TO AUGUST 9 2002

1 INTRODUCTION – COMMITTEE PROCESS

- 1.1 This sessional report covers the period from January 1 to August 9 2002 and is the second overview report on inquiries and petitions considered by the Legislative Council Standing Committee on Environment and Public Affairs (the Committee) in the First Session of the Thirty-Sixth Parliament.
- 1.2 The first report was presented as the *Overview of Petitions and Inquiries August 2001 – December 2001, Report 1*, March 2002.¹
- 1.3 The Legislative Council passed the terms of reference for the Committee on May 24 2001 and appointed seven Committee members on June 28 2001. The Committee is essentially an amalgamation of two previous committees from the Thirty-Fifth Parliament, the Standing Committee on Ecologically Sustainable Development and the Standing Committee on Constitutional Affairs.
- 1.4 The functions of the Committee are to inquire into and report on:
- public and private policies, practices, schemes, arrangements or projects in Western Australia which affect or may affect the environment;
 - any bill referred by the House; and
 - petitions.
- 1.5 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

¹ Parliament of Western Australia, Legislative Council, Standing Committee on Environment and Public Affairs, *Overview of Petitions and Inquiries, August 2001 – December 2001*, March 14 2002; Tabled Paper #1285.

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.

1.6 The Committee can:

- self-initiate inquiries, where it sets its own terms of reference for each inquiry;
- make preliminary investigations into issues raised in a petition, prior to deciding if the matters should be formally inquired into;
- conduct a formal inquiry into a petition, where the terms of reference are generally set by the matters raised in the petition; and
- inquire into Bills referred to it by the Legislative Council, where the inquiry focuses on the terms of the Bills as drafted, while the policy of the Bills is generally not a matter for inquiry.

Self-Initiated Inquiries

1.7 The Committee inquired into Alcoa Refinery at Wagerup.

1.8 The Committee undertook preliminary investigations into:

- North East Hills Settlement Pattern Plan and the North East Corridor Extension Strategy; and
- Swimming Pool Fencing.

Inquiries Initiated by Petitions

1.9 Prior to the prorogation of Parliament on August 9 2002, the Committee was formally inquiring (see paragraphs 1.13 to 1.20) into the following petitions:

- Gnarabup waste water treatment plant – (Tabled Paper #617, Petition #11); and
- a proposed sewage pumping station in Heseltine Park – (Tabled Paper #1085, Petition #21).

Petitions

- 1.10 The Committee 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.
- 1.11 The Committee is the only parliamentary committee in Australia that reports on all petitions. In many other jurisdictions petitions are simply recorded in *Hansard* and no further investigation is undertaken.
- 1.12 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.

Process with Petitions

- 1.13 Petitions are first tabled in the Legislative Council and then automatically 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.
- 1.14 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.
- 1.15 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.
- 1.16 If the Committee resolves to finalise the petition the tabling member and principal petitioner are notified.
- 1.17 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.
- 1.18 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.
- 1.19 This report provides an overview of petitions that the Committee has resolved to inquire into formally and those into which the Subcommittee has made preliminary investigations. It contains a status comment on each petition in the following terms:
- *finalised* – the Committee considers that the issues raised in the petition have been adequately dealt with or have been taken as far as possible at the time; and
 - *continuing* – the Committee is continuing with its inquiries, subject to the petition being re-tabled in the session of Parliament following the August 9 2002 prorogation (see paragraph 6.1).
- 1.20 All transcripts of evidence given in public and all the Committee's reports are available at the Parliament of Western Australia website at <http://www.parliament.wa.gov.au>. Committee reports can be purchased from the State Law Publisher and are also available at the Alexander Library and other selected libraries.

Bills

- 1.21 On June 26 2002 the Legislative Council referred two Bills to the Committee pursuant to SO 230A(3). The Bills were the Gene Technology Bill 2001 and the Gene Technology Amendment Bill 2001.

2 SELF-INITIATED INQUIRIES

Alcoa Refinery at Wagerup Inquiry

2.1 On November 8 2001 the Committee resolved to inquire into the Alcoa Refinery at Wagerup. The terms of reference for the inquiry are:

To investigate concerns regarding the Alcoa Refinery at Wagerup with specific regard to:

1. *environmental impacts;*
2. *occupational health and safety;*
3. *public health;*
4. *loss of amenity;*
5. *social impacts; and*
6. *the adequacy of regulatory mechanisms covering these issues.*

2.2 Refer to the Committee's *Overview of Petitions and Inquiries August 2001 – December 2001, Report 1*, March 2002 for information on the progress of the inquiry prior to January 2002.

2.3 On February 18, March 20, April 10 and 17, May 8 and July 8 and 12 2002 the Committee conducted hearings in Perth and heard evidence from:

- the Yarloop & Districts Concerned Residents Committee;
- two private medical practitioners;
- two members of the public who claimed their health had been affected by the Wagerup emissions;
- the Manager, Alcoa Alumina Refinery Wagerup;
- the Environment, Health and Safety Manager, Alcoa World Alumina;
- the Manager, Workers Compensation and Employee Benefits, Alcoa World Alumina Australia;
- the Professor of Medicine, Yale University, Newhaven, United States of America (a consultant for Alcoa);

- the Manager of Stack-Air Australia;
- a former Director of the Department of Environmental Protection and Alcoa consultant;
- a consultant expert and senior lecturer in environmental science (specialising in air quality) at Murdoch University;
- a former Alcoa employee;
- the recently retired State Mining Engineer of the Department of Mineral and Petroleum Resources;
- the State Secretary of the Australian Manufacturing Workers Union;
- the Manager of the Special Projects, Environmental Regulation Division of the Department of Environmental Protection;
- representatives of the Population Health Division of the Department of Health; and
- the Department of Mineral and Petroleum Resources' Mines Occupational Physician.

Status - The Committee's inquiry into the Alcoa Wagerup Refinery is continuing. The first draft of the Committee's report has been commenced and it is anticipated that the final report will be completed in the first half of 2003.

North East Hills Settlement Pattern Plan and the North East Corridor Extension Strategy Inquiry

- 2.4 The Committee obtained background information through hearings and submissions regarding the environmental issues (for example, sewage disposal and nutrient leaching) concerning the North East Hills Settlement Pattern Plan and the North East Corridor Extension Strategy, to determine if it should formally inquire into the matter.
- 2.5 On March 20 2002 the Committee resolved that due to its current workload (the Alcoa Refinery at Wagerup and Gnarabup Water Treatment Plant Inquiries and petitions) it would defer consideration of the North East Hills Settlement Pattern Plan and the North East Corridor Extension Strategy.
- 2.6 Refer to the *Overview of Petitions and Inquiries August 2001 – December 2001, Report 1*, March 2002 for information on the progress of the inquiry prior to January 2002.

Status - At the time of writing this report the Committee had not resolved whether to inquire further into this matter.

Swimming Pool Fencing Inquiry

2.7 On March 13 2002 the Committee resolved to inquire into and report to the Legislative Council on the adequacy, appropriateness, and the scope and purpose of the regulations imposing an obligation on owners or occupiers to fence swimming pools.

2.8 On July 12 2002 the Committee sent letters seeking submissions on the issues surrounding swimming pool fencing and the adequacy or otherwise of current legislation to:

- the Minister for Housing and Works;
- the Royal Life Saving Society of Western Australia;
- the Western Australian Local Government Association;
- KIDSAFE; and
- the Swimming Pool and Spa Association (SPASA)

2.9 A submission was received from SPASA on July 23 2002.

Status - The Committee's inquiry into this matter is continuing.

3 INQUIRIES INITIATED BY PETITIONS

Gnarabup Waste Water Treatment Plant (Petition #11)

- 3.1 On August 30 2001 Hon Dee Margetts MLC tabled a petition (*Tabled Paper #617*) opposing the Gnarabup Waste Water Treatment Plant. The petitioners claimed that the sewerage plant was previously and is currently damaging the environmental, geomorphological², flora, fauna, speleological³, Aboriginal heritage, community, health and social values inherent in the site.
- 3.2 Refer to the *Overview of Petitions and Inquiries August 2001 – December 2001, Report 1*, March 2002 for information on the progress of the petition/inquiry prior to January 2002.
- 3.3 On March 13 2002 the Committee conducted a hearing in Perth and heard evidence from the Regional Manager, South West Planning Services, Department of Planning and Infrastructure.
- 3.4 Additional information has been obtained from government agencies and organisations to help with the Committee's deliberations. Subject to the petition being re-tabled after prorogation on August 9 2002, the Committee intends to report on this matter.

Status – continuing (subject to the petition being re-tabled after prorogation on August 9 2001)

Sewage Pumping Station Heseltine Park (Petition #21)

- 3.5 On December 18 2001 Hon Barry House MLC tabled a petition (Tabled Paper #1085) objecting to a proposal by the Water Corporation (WC) to establish a sewage pumping station in Heseltine Park, Glenleigh Road, Busselton.
- 3.6 The petition stated that:
- the proposed site is inappropriate for such a facility;
 - there would be an adverse impact on adjoining and nearby residents;

² Definition - study of the physical features of the earth's surface and their relation to its geological structures.

³ Definition - scientific study of caves.

- 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 WC was inadequate.
- 3.7 The petitioners requested that the WC's sewage pumping station proposal be rejected and that a more appropriate location for the station be found elsewhere in Busselton.
- 3.8 A submission was received from the principal petitioner on March 20 2002 in which the petitioners made it clear that they supported the WC's infill sewage program in the area, but not the siting of the pumping station in Heseltine Park.
- 3.9 On May 6 2002 an informal inspection of the proposed sewage pumping station site 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) and representatives of the petitioners and the WC.
- 3.10 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.

Background

- 3.11 The Minister for Government Enterprises advised that the expenditure on the Infill Sewage Program in Western Australia had declined from \$87.2 million in 1999/2000 to an anticipated \$28.5 million in 2002/03.
- 3.12 One of the WC's infill sewage 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 kilometres west of the centre of Busselton.
- 3.13 The WC has identified deep sewage 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 and leach drains are being flooded due to rising ground water. At places the ground water is only 0.8 metre below ground level.

- 3.14 The WC advised 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 WC submitted a development application to the Shire of Busselton on April 22 2002 and advised that if the WC could not obtain approval to site the pumping station in Heseltine Park then the project may be delayed or even abandoned.
- 3.15 From the WC's engineering and operating perspective the pumping 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 WC's favoured location.
- 3.16 The WC investigated 13 potential sites in the project area including eight reserves (local parks/reserves/public open spaces), 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.
- 3.17 The WC's preferred sites are Lot 95 Blue Crescent, a privately owned block at the western end of Heseltine Park and Heseltine Park itself.
- 3.18 The petitioners do not want a sewage pumping station sited in Heseltine Park as it will adversely affect its amenity and aesthetics. 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.
- 3.19 Subject to the petition being re-tabled after prorogation on August 9 2002, the Committee intends to report on this matter.

Status – continuing (subject to the petition being re-tabled after prorogation on August 9 2001)

4 BILLS

Gene Technology Bills Inquiry

- 4.1 On June 26 2002 the Legislative Council referred the Gene Technology Bill 2001 and Gene Technology Amendment Bill 2001 to the Standing Committee on Environment and Public Affairs pursuant to SO 230A(3).
- 4.2 The purpose of the Gene Technology Bill 2001 is to establish the Western Australian component of a national scheme that regulates activities involving gene technology, and genetically modified organisms, by applying precisely the same system as applies under the relevant Commonwealth Act in those situations where the Commonwealth Act is constitutionally unable to reach.
- 4.3 The purpose of the Gene Technology Amendment Bill 2001 is to enable annual charges to be levied on licences authorising certain dealings with genetically modified organisms. The Gene Technology Amendment Bill 2001 deals with matters that involve consideration of section 46(7) of the *Constitution Acts Amendment Act 1899* (the imposition of taxation).
- 4.4 The Committee's inquiry will focus on the terms of the Bills as drafted. The policy of the Bills, as evidenced by the Second Reading Speech and Explanatory Memorandum, is not a matter of inquiry for the Committee.
- 4.5 The Committee sent letters to 57 stakeholders and interested parties requesting written submissions on the Bills by August 6 2002.
- 4.6 Subject to the Bills being re-tabled and re-referred to the Committee after prorogation on August 9 2002, the Committee intends to report on this matter.

Status - continuing (subject to the Bills being re-tabled and re-referred to the Committee after prorogation on August 9 2002)

5 PETITIONS FINALISED

Live Sheep Trade (Petition #9)

- 5.1 A petition was tabled by Hon Giz Watson MLC on August 23 2001 (*Tabled Paper #593*) opposing the continuation of the live sheep trade.
- 5.2 The petitioners expressed concern at the continuation of the live sheep trade for the following reasons:
- i) annually more than 100 000 sheep exported from Fremantle die traumatically during transshipment to the Middle East;
 - ii) regulations covering road transportation and loading are not being adequately policed; and
 - iii) the live sheep trade is undermining the more lucrative, job creating processed meat trade.
- 5.3 The petitioners requested that the Legislative Council “...investigate and recommend a time frame in which this cruel, wasteful and uneconomic trade can be terminated.”
- 5.4 Refer to the *Overview of Petitions and Inquiries August 2001 – December 2001, Report 1*, March 2002 for information on the progress of the petition prior to January 2002.
- 5.5 The Committee sought and received additional information from the Minister for Agriculture Forestry and Fisheries, the Australasian Meat Industry Employees’ Union (AMIEU) and the Department of Agriculture and passed copies onto the tabling member and principal petitioner.
- 5.6 The AMIEU is opposed to live exports as it believes it has led to the demise of the meat industry in Australia and in Western Australia in particular it has been responsible for the closure of 12 abattoirs/processing plants between Wyndham and Albany. This has resulted in the loss of over 4500 jobs in the meat industry and 2000 jobs in support industries and businesses.
- 5.7 The AMIEU believes the situation has been further exacerbated by the recent closure and demolition of the WAMMCO International Linley Valley small stock and beef abattoir, despite appeals from the AMIEU and the Farmers Federation to keep it on a care and maintenance program. The AMIEU fears that the meat industry (abattoirs/processing) will continue to decline to the point where a valuable support industry for primary producers will be lost forever.

- 5.8 The Department of Agriculture provided mortality figures of live animal exports showing that:
- of the 6.6 million sheep exported to the Middle East in 2001 1.26% died (83,160). This was a record low and reflects a declining trend in mortality over the past few years; and
 - of the 0.8 million cattle exported from Australia in 2001 0.18% died (1440). This was down on the 0.22% mortality rate in 2000.
- 5.9 The Minister for Agriculture, Forestry and Fisheries advised that he had asked the Primary Industries Ministerial Council (PIMC) to consider restricting the export of live ewes (other than for breeding) and the matter would be addressed by PIMC at its meeting in May 2002.
- 5.10 The Committee believed it had taken the matter as far as it could at the time. The Committee therefore resolved to finalise this petition. The tabling member and principal petitioner were advised accordingly and the Committee suggested that if they had continuing concerns regarding the matter, that they address them directly to the Minister for Agriculture, Forestry and Fisheries.

Status – finalised

Hillview Estate Sub-division (Petition #15)

- 5.11 Hon Simon O'Brien MLC tabled a petition (*Tabled Paper #872*) on November 8 2001 opposing the sub-division of the Hillview Estate (Edward Millen) for the purpose of public housing and homeless children.
- 5.12 The petitioners requested that the Legislative Council legislate to
- ...have the property ceded to a trust or board as an arts, crafts, sciences, cultural, function and conference centre). Thus making the property available to the public of Western Australia not only honouring it's [sic] memorial status, but also the historic and heritage past.*
- 5.13 Refer to the *Overview of Petitions and Inquiries August 2001 – December 2001, Report 1*, March 2002 for information on the progress of the petition prior to January 2002.
- 5.14 The Committee sought and received a response regarding the matters raised in the petition from the Minister for Housing and Works. The Minister stated that there had been broad community consultation and that the Government's primary objectives were to:

- develop the site in a manner that offsets the cost of preserving the heritage buildings, and is therefore cost neutral;
- ensure community access to parts of the site;
- integrate development in harmony with the heritage and community values; and
- conserve the significant heritage buildings on the site.

5.15 The Committee believed it had considered the main issues raised in the petition, namely:

- that the property is ceded to a trust or board as an art, crafts, science, cultural, function and conference centre; and
- that the sites memorial status and historic and heritage past be honoured.

5.16 The Committee believed that the Minister and Committee had addressed the significant issues raised in the petition. The Committee therefore resolved to finalise this petition and the tabling member and principal petitioner were advised accordingly.

Status – finalised

Nuclear Activities (Prohibition) Bill 2001 (Petition #23)

5.17 A petition was tabled by Hon Giz Watson MLC on February 21 2001 (*Tabled Paper #1230*) concerning the passage of the Nuclear Activities (Prohibition) Bill 2001.

5.18 The petitioners requested that:

- the Legislative Council consider the health and welfare of the present and future residents, the integrity of the Western Australian environment, in legislating against the activities of the nuclear industry in this State;
- the Legislative Council debate and pass the Nuclear Activities (Prohibition) Bill 2001 introduced by Giz Watson MLC on June 12 2001 as soon as possible; and
- the Government ensures that the Bill passes the Legislative Assembly and becomes law as soon as possible.

5.19 The Committee believed that the views of the petitioners had been brought to the attention of Parliament by the tabling of the petition. The matter involved the Nuclear Activities (Prohibition) Bill 2001 which was to be considered by the House, therefore

the matter would be dealt with during debate. The Committee does not believe it is appropriate for it to inquire into or report on matters before the House.

- 5.20 The Committee therefore resolved to finalise this petition and the tabling member and principal petitioner were advised accordingly.

Status - finalised

Pangea Proposal for a Nuclear Waste Dump in Western Australia (Petition #24)

- 5.21 A petition was tabled by Hon Giz Watson MLC on February 21 2001 (*Tabled Paper #1231*) concerning the Pangea Nuclear Waste Repository.

- 5.22 The petitioners were opposed to the Pangea proposal to locate a high level nuclear waste dump in Western Australia. The petitioners requested that the Legislative Council consider the health and welfare of the present and future residents of Western Australia. They consider the environmental impacts to be more important than profits from a high level nuclear waste dump that will present problems of a large magnitude for generations to come.

- 5.23 The Committee believed that the views of the petitioners had been brought to the attention of Parliament by the tabling of the petition and that as the matter involved the Nuclear Activities (Prohibition) Bill 2001 which was to be considered by the House, therefore the matter would be dealt with during debate. The Committee does not believe it is appropriate for it to inquire into or report on matters before the House.

- 5.24 The Committee therefore resolved to finalise this petition and the tabling member and principal petitioner were advised accordingly.

Status - finalised

Moratorium on Genetically Engineered Products (Petition #28)

- 5.25 A petition was tabled by Hon Dee Margetts MLC on April 17 2002 (*Tabled Paper #1374*) concerning a freeze on genetically engineered food and organisms entering Western Australia.

- 5.26 The petitioners were concerned that genetically engineered food and organisms had not been adequately tested and that the introduction of genetically engineered food and organisms into Western Australia posed an unacceptable risk to the environment and public health.

- 5.27 The petitioners requested that the Legislative Council investigate placing a moratorium on the introduction of genetically engineered products, community concerns and potential harmful impacts of these products and recommend:

- a strong, enforceable liability and insurance regime on genetically engineered products;
- an adverse reactions register where the public can report illness from genetically engineered products;
- that a cost benefit analysis on the introduction of genetically engineered products be carried out; and
- that an analysis of the adverse impacts of genetically engineered products on other growers and marketers, including the bio-dynamic and organic industry be conducted.

5.28 The Committee believed that the views of the petitioners had been brought to the attention of Parliament by the tabling of the petition. The matter involved the Gene Technology Bill 2001 and Gene Technology Amendment Bills 2001 that are to be considered by the House, therefore the matter will be dealt with during debate. The Committee does not believe it is appropriate for it to inquire into or report on matters before the House.

5.29 The Committee therefore resolved to finalise this petition and the tabling member and principal petitioner were advised accordingly.

Status - finalised

'Murujuga'- Burrup Peninsula Rock Art (Petition #31)

5.30 A petition was tabled by Hon Robin Chapple MLC on June 18 2002 (*Tabled Paper #1489*) concerning preservation of *Murujuga*, the Burrup Peninsula and the rock art province.

5.31 The petitioners requested that the Legislative Council consider the cultural and ecological importance of the region known as *Murujuga*, the Burrup Peninsula and surrounding rock art province in the Pilbara region of Western Australia. The petitioners also requested that the Council seek through all legislative avenues to afford permanent protection to this province and divert industrial development to the alternative location of Maitland Industrial Estate.

5.32 The Committee considered the issues raised in the petition and resolved on July 12 2002 not to inquire into it.

Status – Finalised

6 PETITIONS CONTINUING

6.1 Note: Due to the prorogation of Parliament on August 9 2002 all petitions lapsed from the Legislative Council's Notice Paper. In each case the tabling member and principal petitioner were advised of the affect of prorogation and informed that if they would like the Committee to proceed with the petition it would have to be re-tabled in the Legislative Council. One signature on the petition would be sufficient to initiate this process.

Yeelirrie Mineral Tenement (Petition #4)

6.2 Petitions were tabled by Hon Giz Watson MLC on June 20 2001, June 27 2001 and on February 21 2002 (*Tabled Papers #429, #446 and #1229*) and Hon Robin Chapple MLC on October 24 2001 (*Tabled Paper #802*) concerning the 35 000 tonnes of radioactive ore remaining uncovered at Yeelirrie.

6.3 The petitioners requested that the Legislative Council investigate the health and environmental impacts of allowing 35 000 tonnes of uranium ore to remain on the surface at the Yeelirrie mineral tenement. They also requested that the Government rehabilitate and make safe the contaminated area.

6.4 Refer to the *Overview of Petitions and Inquiries August 2001 – December 2001, Report 1*, March 2002 for information on the progress of the petition prior to January 2002.

6.5 The Minister for State Development advised the Committee that it was premature to require Western Mining Corporation (WMC) to undertake rehabilitation of the stockpiled ore at this time. He noted, however, that he would be reviewing the situation in mid 2002 in line with any proposal that WMC may submit. The Minister will consider WMC's and the State's obligations under the State Agreement and the relevant Government policies at that time.

6.6 The Committee will maintain a watching brief on the matter subject to the petition being re-tabled after prorogation on August 9 2002.

Status – continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Establishment of a Renewable Energy Powered Ecotourist Discovery Centre within the Proposed Guilderton Regional Park (Petition #13)

6.7 A petition was tabled (*Tabled Paper #620*) by Hon Robin Chapple MLC on August 30 2001 requesting that the Government establish a renewable energy powered ecotourist

discovery centre for the purposes of education and recreation within the proposed Guilderton Regional Park south of the Moore River.

- 6.8 The petitioners requested that the Government take this opportunity to both protect the estuary and coastal heath land and also to build a unique showplace which will serve local and international communities into the future.
- 6.9 Refer to the *Overview of Petitions and Inquiries August 2001 – December 2001, Report 1*, March 2002 for information on the progress of the petition prior to January 2002.
- 6.10 In response to a request from the Committee, the Minister for Environment and Heritage advised that she was still consulting with the Minister for Planning and Infrastructure on how the Government might give effect to its election commitments regarding the Moore River South Development. The Minister for Heritage will advise the Committee when the Government has determined a course of action.
- 6.11 The Committee will maintain a watching brief on the matter subject to the petition being re-tabled after prorogation on August 9 2002.

Status – continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Western Powers Underground Policy (Petition #20)

- 6.12 A petition was tabled by Hon Sue Ellery MLC on December 18 2001 (*Tabled Paper #1078*) concerning Western Power Corporation's (WP) underground power policy.
- 6.13 The petitioners requested that the Legislative Council take action to determine:
- the degree to which WP's underground policy is consistent with public expectations and or public policy, particularly in non-metropolitan areas;
 - the degree to which WP has over-ridden orderly planning procedures in this State and in particular determinations of the Western Australian Planning Commission (WAPC) in attempting to implement its underground power policy; and
 - the fairness of the monetary contribution required from private land owners in order to implement WP's power policy.

Western Power's General Policy

- 6.14 WP's underground power supply policy states

As of July 1 1995 installation of underground electricity services was made mandatory for all new subdivisions in urban and fringe urban areas of the South West Interconnected System.⁴

6.15 Where new subdivisions are of 10 hectares or less, existing overhead distribution power supplies will be required to be relocated off the property (for example down a road reserve) or undergrounded.⁵ The rationale for this requirement is that as land is developed (subdivided) there is pressure to maximise its utilisation. This often results in conflict between future land owners and the overhead powerline. The major problems being:

- risk to public safety and security of supply due to breaches of safety clearances;
- increased difficulty of access for operation and maintenance due to construction of fences, walls and other property improvements; and
- easements to protect distribution powerlines (that is for safety clearance) are of limited practical use as they are often forgotten about or ignored by property owners.

6.16 WP states that there is a growing public expectation that overhead powerlines will be removed from properties or placed underground. It believes that by implementing this at the subdivision stage simplifies the issue and ensures equitable sharing of costs amongst future owners.

6.17 The petitioners provided the following information:

- They have a small four hectare property about 1.4 kilometres from and outside the gazetted townsite of Dwellingup on which they have a dwelling and small marron farm.
- Approval from WAPC was received to subdivide the property into two lots of two hectares each.
- The property currently has an overhead powerline (OHPL) going through it and out the other side. The OHPL traverses at least four other rural properties (as small as two and a half hectares) before it reaches the petitioners' property and traverses two on the other side of their property.

⁴ Western Power Corporation's *Underground Distribution Schemes Policy and Installations Options*, 2nd Edition, March 2002, p2-1.

⁵ Western Power Corporation's *Policy Manual* May 1992 and *Supply Extension Policy Manual*, April 2002.

- WAPC initially set as a condition of subdivision that the power would have to go underground (cost \$21,198) or be relocated off the property (cost \$32,682 plus significant vegetation clearing costs and environmental damage). This condition was set by WAPC on behalf of WP under the agreement the two agencies have (similar agreements exist between WAPC and other agencies, for example Water Corporation).
 - The petitioners appealed WAPC's decision to impose this condition. After an extensive on-site investigation by an Officer of the Planning Appeal Office it was recommended to the Minister for Planning and Infrastructure to uphold the petitioners' appeal. The condition of subdivision was duly altered to state that an above ground power supply was sufficient, providing it met WP's requirements. WP was notified of the Minister's decision.
 - WP responded by stating that it would not provide an overhead power supply to the property despite the Minister's and WAPC's decision. WP believes the safety issues involved are too great.
 - WP's insistence on underground power across the petitioner's cleared property (that is to be subdivided) would in practice see OHPLs enter the property and leave the property with an approximately 140 metre length being undergrounded.
- 6.18 There is currently a 'stand off' between WP and WAPC as to who has final authority to determine what conditions should be set regarding an appropriate power supply (that is overhead, underground or relocated) for subdivisions, particularly rural subdivisions.
- 6.19 While WP refuses to accept that the existing OHPLs are an acceptable form of power supply in the petitioners' case, the subdivision of their property may not be able to proceed. However, if subdivision did proceed it would be unlikely that WP would provide the new owner with a power supply connection from the existing OHPLs.
- 6.20 The Committee sought additional information from WP on June 20 2002 regarding the issues raised by the petitioners and is waiting for a response. The Committee will consider the issues further subject to the petition being re-tabled after prorogation on August 9 2002.

Status - continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Cockburn Cement Dredging Proposal - Owen Anchorage (Petition #22)

- 6.21 A petition was tabled by Hon Giz Watson MLC on December 20 2001 (*Tabled Paper #1106*) concerning the dredging of Owen Anchorage/Cockburn Sound by Cockburn Cement for lime shell sand.
- 6.22 The petitioners are opposed to Cockburn Cement's 32 year plan to dredge some 783 hectares (1879 acres) of seabed, including extensive areas of seagrass meadows in Owen Anchorage and Cockburn Sound. The petitioners requested that the Legislative Council consider the long term environmental consequences of the proposal.
- 6.23 The information below was obtained from the Office of the Appeals Convenor.⁶
- 6.24 The proposal and the Environmental Protection Authority (EPA) decision were published in EPA Bulletin 1033. The proposal attracted 19 appeals of which 17 were against the proposal. The appeals went before the Office of the Appeals Convenor for the Environmental Protection Act. The Appeals Convenor prepared a report on the proposal and appeals for the Minister for the Environment and Heritage and the Minister handed down her decision on the proposal on June 28 2002.

Cockburn Cement's Initial Proposal

- 6.25 Cockburn Cement proposed to continue dredging shell sand from Success Bank and Parmelia Bank and commence dredging on West Success Bank as part of its long-term dredging proposal. The dredging was proposed to be carried out in two stages, the first stage from within the State Agreement area and the second stage from the area outside the Agreement area, on West Success Bank.
- 6.26 Stage One would remove an area of 168.5 hectares of seagrass and 264.5 hectares of bare sand. Stage two would remove an area of about 350 hectares of bare sand. Stage One of the proposal is partly along the alignment of a potential second shipping channel. The proposal for a shipping channel was not part of the EPA's assessment.

EPA Assessment

- 6.27 The long-term dredging proposal was assessed at the level of Environmental Review and Management Programme (ERMP), which was released for a 12 week public review period. The EPA considered public submissions on the proposal and reported to the Minister in November 2001 via EPA Bulletin 1033.
- 6.28 The key EPA conclusions were:

⁶ Appeal Convenor's website, www.wa.gov.au/appeals, Bulletin #1033, Appeal #170/01.

- recognition of the important role that seagrass plays as a primary producer and as a habitat;
- that some limited removal of seagrass would be unlikely to have a significant impact on Owen Anchorage; and
- that dredging operations be relocation to the area of West Success Bank where there is no seagrass, as soon as practicable, and that this be achieved in a time frame considerably less than the 12 years proposed by Cockburn Cement.

6.29 The EPA recommended that the proposal could proceed subject to the above conditions.

Appeals

6.30 The grounds of the 19 appeals received against EPA Bulletin 1033 were extensive and while most issues related to the environment, some related to non-environmental matters. Of the appeals, 17 did not support the EPA's assessment on the basis that the EPA should have taken a greater account of environmental impacts. Two appeals, while supporting the proposal, objected to statements made by the EPA in Bulletin 1033.

6.31 Meetings and round table discussions were held between the Appeals Convenor and the Appellants for and against the proposal. Cockburn Cement also provided a further written submission on a revised proposal to reduce the impact on seagrass areas.

Conclusions of the Appeals Convenor

6.32 The Appeals Convenor concluded that the dredging of areas of seagrass should be restricted as much as possible. The reduced proposal negotiated with Cockburn Cement will reduce the impact on seagrass areas within Stage One of the proposal from 168 hectares to 53 hectares, or a reduction of 116 hectares of seagrass. This represents about 31% of the area of seagrass proposed to be dredged in the original proposal.

6.33 The reduced proposal involves widening the existing shipping channel to 350 metres and the completion of the second shipping channel to a width of 350 metres. In addition, Cockburn Cement would also dredge 52 hectares in Parmelia Bank and 19 hectares in Success Bank. The area of the proposed shipping channel may need to be dredged and completed prior to the removal of shell sand on the edge of the existing channel for shipping safety. Based on estimated resources, dredging in Stage One should be completed in a time frame of six to eight years.⁷

⁷ Ibid.

Decision of the Minister for the Environment and Heritage

6.34 The appeals are allowed to the extent that:

6.34.1 Dredging in Stage One of the proposal be reduced to the following areas:

- widening of the existing shipping channel to 350 metres;
- completion of the second shipping channel to a width of 350 metres;
- 19 hectares in Success Bank; and
- 52 hectares in Parmelia Bank.

6.34.2 Notwithstanding the areas available for dredging, access to the modified Stage One area within Owen Anchorage be limited to an absolute maximum of eight years.

6.35 The Committee will consider the issues raised in the petition in light of the Minister's decision, subject to the petition being re-tabled after prorogation on August 9 2002.

Status - continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Legislation to Provide the same Rights and Privileges under Law (Petition #25)

6.36 A petition was tabled by Hon Giz Watson MLC on March 20 2002 (*Tabled Paper #1295*) concerning human rights for intersex, androgyne, transgender, transsexual, transvestite, sistergirl, gay, lesbian and bisexual people.

6.37 The petitioners support human rights for intersex, androgyne, transgender, transsexual, transvestite, sistergirl, gay, lesbian and bisexual people. The petitioners requested that the Legislative Council enact legislation that accords to such people the same rights and privileges under the law that are enjoyed by the majority of the State's residents. The petitioners also requested that the legislation prohibit discrimination on grounds of gender identity, gender history, gender expression, sexual physiology or sexual orientation.

6.38 A submission on the issues raised in the petition was received from the principal petitioner on June 7 2002.

6.39 The Committee will further consider this matter subject to the petition being re-tabled after prorogation on August 9 2002.

Status - continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Heathcote Site (Petition #26)

- 6.40 A petition was tabled by Hon Giz Watson MLC on April 10 2002 and again on June 18 2002 (*Tabled Papers #1353 and #1490 respectively*) concerning the Heathcote Site and the Heathcote Co-ordination Agreement.
- 6.41 The petitioners requested that the Government of Western Australia:
- adhere to the terms and conditions of the Heathcote Co-ordination Agreement;
 - does not attempt to vary or alter the Agreement or negotiate a new agreement;
 - initiates the necessary planning and amendments to rezone the lower part of the Heathcote site from Public Purposes (Hospital) to Parks;
 - acknowledges the cultural, heritage and recreational uniqueness of this land.
- 6.42 The petitioners also requested that the Legislative Council investigate this matter and recommend to the Government of Western Australia that it preserve this land for public use and access in perpetuity.
- 6.43 A submission was received from the principal petitioner on April 24 2002 addressing the issues raised in the petition.
- 6.44 The Committee wrote to the Minister for Housing and Works, Minister for Environment and Heritage, and Minister for Planning and Infrastructure on May 23 2002 requesting information on the issues raised in the petition.
- 6.45 The Minister for Housing and Works responded on behalf of the Ministers on June 11 2002 and provided the following information:
- Two thirds of the 8.8 hectares property formerly owned by the Health Department has been permanently set aside for public use in the form of three hectares to the Heathcote Heritage Precinct and 2.75 hectares to Parks and Recreation.
 - The heritage buildings have been restored and a children's play ground constructed, at a cost of \$6 million to the City of Melville.
 - The monies spent by the City of Melville were to have been recouped from the sale of the lower land for housing. However, because the previous Government changed the initial arrangements, the City of Melville now has to sell small pockets of land throughout the City to meet the costs.

- The Health Department has not yet received compensation for the Heathcote Site or the \$1.5 million it expended on security and maintenance during the period the buildings were vacant. The previous Government foreshadowed the sale of Duncraig House to provide some of the compensation needed by the Health Department for new health facilities to replace Heathcote.
 - The Government has not made a decision regarding the remaining lower land and is monitoring the progress of the City of Melville's land sale program. To date only \$1 million of the \$6 million has been repaid to the City. When the outcome of the City's land sale becomes clear the Government will be in a position to make a decision regarding the 2.4 hectares that remain as a Public Purpose (Hospital) Reserve.
- 6.46 The Committee will consider the issues raised subject to the petition being re-tabled after prorogation on August 9 2002.

Status - continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Ramada Hotel Development (Petition #27)

- 6.47 Petitions were tabled by Hon Simon O'Brien MLC and Hon Barbara Scott MLC on April 17 2002 and Hon Sue Ellery on May 7 2002 (*Tabled Papers #1373, #1375 and #1402 respectively*) concerning the approval of the Ramada-Marriott 12 storey hotel development at Rockingham.
- 6.48 The petitioners believe that the Rockingham City Council wrongly approved the Ramada-Marriott 12 storey hotel development at Rockingham on February 26 2002. The petitioners requested that the Legislative Council:
- call on the Rockingham City Council to withhold any further approvals or licences for the proposed development while the matter is investigated; and
 - recommend that the Department of Local Government conduct an appropriate investigation into the Rockingham City Council's town planning processes, including an investigation of the failure of Councillors to declare a financial interest.
- 6.49 A submission was received from the principal petitioner on May 28 2002 addressing the issues raised in the petition.
- 6.50 The Committee sought comment on the issues raised in the petition and submission from the Minister for Local Government and Minister for Planning and Infrastructure on June 20 2002 and requested information on the issues raised in the petition and submission.

6.51 The Minister for Planning and Infrastructure provided the following information on July 16 2002:

- Having received a formal request from the principal petitioner on May 6 2002 to inquire into the matters raised in the petition and submission under s18(2) of the *Town Planning and Development Act*, the Minister referred the matter to the Planning Appeal Office.
- The submission received from the petitioner was referred to the City of Rockingham for comment on the issues raised. The City of Rockingham responded to the Minister on May 31 2002.
- The appointed Appeal Committee Member has since been liaising with the parties and organising meetings to explore the issues and will report to the Minister on completion of her investigations.
- With regard to avenues of appeal to persons who object to the development, neither the *Town Planning and Development Act 1928* nor the City of Rockingham's Town Planning Scheme provides right of appeal to third parties in respect of applications for approval to commence development.
- Third party appeal rights have been addressed in the debate on the Planning Appeals Amendment Bill 2001 currently before the Legislative Council. Once the Bill has been in operation for six months a review of third party appeal rights will be undertaken and will involve consultation with all relevant stakeholders.

6.52 The Committee will consider the issues raised subject to the petition being re-tabled after prorogation on August 9 2002.

Status - continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

MRI Scanners for Princess Margaret and Fremantle Hospitals (Petition #29)

6.53 A petition was tabled by Hon Derrick Tomlinson MLC on May 15 2002 (*Tabled Paper #1423*) concerning insufficient Magnetic Resonance Image (MRI) Scanners in Western Australian (WA) hospitals to meet the needs of all patients, especially children.

6.54 The petitioner requested that the Legislative Council urge the Government of WA to install MRI Scanners in Fremantle Hospital and Princess Margaret Hospital for Children.

- 6.55 A submission was received from the principal petitioner on May 31 2002 addressing the issues raised in the petition.
- 6.56 The Committee sought comment on the petition and submission from the Minister for Health on June 20 2002.
- 6.57 The Minister for Health provided the following information on July 9 2002:
- There are two MRI Scanners in public hospitals in WA (Royal Perth and Sir Charles Gardener Hospitals) and a number in private hospitals.
 - The Government has set aside capital funding to purchase MRI Scanners for Princess Margaret and Fremantle Hospitals and the Department of Health is proceeding to install and operate one at Princess Margaret Hospital.
 - The Government of WA has tried unsuccessfully to negotiate with the Commonwealth Government to license MRI Scanners for Princess Margaret and Fremantle Hospitals. The Commonwealth Government will only provide benefits under the Medicare Benefits Schedule for licensed MRI Scanners. Therefore the Government of WA would have to bear the full cost of most scans performed by unlicensed scanners.
 - The Department of Health has been asked to review the current configuration of MRI Scanner services, particularly in relation to people living in the southern metropolitan area. A decision regarding a scanner for Fremantle Hospital will depend on the outcome of the review.
- 6.58 The Committee will consider the issues raised subject to the petition being re-tabled after prorogation on August 9 2002.

Status - continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Vehicle Stamp Duty (Petition #30)

- 6.59 A petition was tabled by Hon Barry House MLC on June 18 2002 (*Tabled Paper #1488*) concerning vehicle stamp duty.
- 6.60 The petitioners requested that the Legislative Council urge the Government to review the impact of its vehicle stamp duty proposals, in particular the potential for a negative impact on sales, loss of employment opportunities and the adverse impact of these factors on the Western Australian economy.
- 6.61 On June 27 2002 the Committee resolved to refer the petition to the Standing Committee on Public Administration and Finance as the subject matter is within that

Committee's terms of reference. The tabling member and the principal petitioner were advised accordingly.

6.62 The Committee is waiting on a response from the Standing Committee on Public Administration and Finance.

Status – continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Western Power Transmission Line Alignment, Waterloo-Busselton (Petition #32)

6.63 A petition was tabled by Hon Barry House MLC on June 20 2002 (*Tabled Paper #1527*) concerning objections to Western Power Corporation's proposal to route a 132 kilo volt transmission line between Waterloo and Busselton.

6.64 The petitioners object to Western Power Corporation's proposal on the following grounds:

- lack of recognition of the negative impacts on landholders directly affected by the transmission line;
- no acknowledgement of compensation, pre and post land values, future land use etc;
- concern that the 132 kilo volt transmission line could be upgraded to cater for increased demand in the future; and
- inadequacy of the process followed by Western Power Corporation in the selection of the transmission line route, by not fully and seriously considering other alternatives such as mining company properties/mining tenements and disused railway reserves.

6.65 The petitioners requested that the Legislative Council support the requirement for further consultation and investigation of the proposed route.

6.66 A submission was received from the tabling member on July 9 2002 addressing the issues raised in the petition.


6.67 The Committee will consider the issues raised subject to the petition being re-tabled after prorogation on August 9 2002.

Status - continuing (subject to the petition being re-tabled after prorogation on August 9 2002)

Perth Mint Gold Swindle - Murphy Allegation against Waller (Petition #33)

- 6.68 A petition was tabled by Hon Giz Watson MLC on June 25 2002 (*Tabled Paper #1542*) praying that the Legislative Council will declare that each allegation (“Murphy Allegation”) made against Barry Waller (“Waller”) by Michael James Murphy (“Murphy”), in an affidavit sworn on June 13 2002, a copy of which was, by leave, tabled in the Legislative Council on June 18 2002 by the Hon John Fischer MLC (“the Murphy Affidavit”), that Waller had knowledge of, or was involved in, the “Perth Mint Gold Swindle”, or that Waller had ever confessed or admitted to Murphy that Waller had any such knowledge or involvement, is false and scandalous; and provide other relief.
- 6.69 The petition was certified by the Clerk of the Legislative Council as it came within Legislative Council Standing Orders. The petition was confined to a request for relief and was accompanied by a statement of the facts supporting the request. This was necessary as the petition would not otherwise have complied with Standing Orders.
- 6.70 On June 27 2002 the Subcommittee referred the petition to the main Committee for consideration.
- 6.71 The Committee resolved to seek any documentary material that may support those parts of the affidavit relating to Mr Waller.
- 6.72 On June 27 2002, pursuant to SO 326A, Hon Frank Hough MLC was granted leave by the Committee to be substituted by Hon George Cash MLC for the purpose of the Committee’s inquiry into this petition.
- 6.73 The Committee will consider the issues raised subject to the petition being re-tabled after prorogation on August 9 2002.

Status - continuing (subject to the petition being re-tabled after prorogation on August 9 2002)



Hon Christine Sharp MLC

Chair

Date: September 18 2002