



**THIRTY-SEVENTH PARLIAMENT**

**REPORT 6**  
**STANDING COMMITTEE ON ENVIRONMENT AND**  
**PUBLIC AFFAIRS**  
**OVERVIEW OF PETITIONS**

Presented by Hon Louise Pratt MLC (Chair)

December 2006

## STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

### Date first appointed:

17 August 2005

### Terms of Reference:

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

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

- 1.1 *An Environment and Public Affairs Committee* is established.
- 1.2 The Committee consists of 5 Members.
- 1.3 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; and
  - (c) petitions.
- 1.4 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 ecologically sustainable development and the minimisation of harm to the environment.
- 1.5 The Committee may refer a petition to another committee where the subject matter of the petition is within the competence of that committee.
- 1.6 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 Louise Pratt MLC (Chair)

Hon Paul Llewellyn MLC

Hon Bruce Donaldson MLC (Deputy  
Chairman)

Hon Robyn McSweeney MLC

Hon Kate Doust MLC

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

Vincent Cusack, Advisory Officer (General)

Mark Warner, Committee Clerk

### Address:

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

lcco@parliament.wa.gov.au

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

**ISBN 1 921243 00 7**

## CONTENTS

1	INTRODUCTION .....	1
2	HISTORY AND PURPOSE OF THE COMMITTEE .....	1
3	PETITIONS .....	1
	Petitions process adopted by the Committee .....	2
	Reporting to the Parliament .....	3
	The Parliamentary Commissioner for Administrative Investigations (Ombudsman) .....	3
	General .....	3
4	PETITIONS CONSIDERED .....	4
5	PETITIONS TO BE REPORTED ON SEPARATELY .....	4
	Petition No 24 - Regarding a Proposed Marina at Point Peron.....	4
	Petition No 22 - Utility Consumer Hardship.....	5
6	PETITIONS FINALISED BY THE COMMITTEE DURING THE REPORTING PERIOD .....	6
	Petition No 2 - Bluegum and Commercial Forestry Ban - Porongurup .....	6
	Petition No 15 - Aerial Spraying of Insecticides in the Great Southern .....	6
	Petition No 29 - Sorry Day Public Holiday .....	10
	Petition No 30 - Select Committee into Wait Times for Children needing Therapeutic Services .....	13
	Petition No 32 - Australind Rail Service.....	15
	Petition No 27 - New Primary School in Hillarys.....	16
	Petition No 28 - Infill Deep Sewerage for Spearwood, Hamilton Hill and Munster	22
7	PETITIONS BEFORE THE COMMITTEE UP TO 29 NOVEMBER 2006 .....	28
8	REPORT RECOMMENDATION .....	29



OVERVIEW OF PETITIONS REPORT

---

**1 INTRODUCTION**

- 1.1 This report provides an overview of the petitions considered by the Legislative Council Standing Committee on Environment and Public Affairs (**Committee**) from 31 May 2006 to 29 November 2006. This report is the fourth Overview of Petitions Report to be tabled by the Committee.

**2 HISTORY AND PURPOSE OF THE COMMITTEE**

- 2.1 The Committee was appointed by the Legislative Council on 17 August 2005, during the first session of the Thirty-Seventh Parliament. The Committee continues the work of the previous Standing Committee on Environment and Public Affairs (24 May 2001 - 17 August 2005) with a membership of five.
- 2.2 The functions of the Committee are to inquire into and report on public or private policies, practices, schemes, arrangements or projects in Western Australia (**WA**) which affect or may affect the environment, as well as any bill referred by the Legislative Council and petitions. The terms of reference of the Committee are published at the front of this report.
- 2.3 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 (**ESD**) and the minimisation of harm to the environment. The concept of ESD was adopted as a goal by Australian governments, including Western Australia, in 1992 following the Earth Summit in Rio de Janeiro, Brazil. 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."<sup>1</sup>

**3 PETITIONS**

- 3.1 A function of the Committee, as provided by its term of reference 1.3(c), is to inquire into and report on petitions.
- 3.2 A petition is a request for action by the Legislative Council from a citizen or resident or a group of citizens or residents. The Committee considers petitions that have been

---

<sup>1</sup> Ecologically Sustainable Development Steering Committee, *National Strategy for Ecologically Sustainable Development*, Canberra: Australian Government Publishing Service, 1992.

tabled by a Member of the Legislative Council on behalf of a person or groups within the community.

- 3.3 When reviewing petitions, the Committee seeks 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.
- 3.4 The Western Australian Legislative Council is the only House of Parliament in Australia that refers all petitions to a committee for inquiry and report.<sup>2</sup> In many other jurisdictions petitions are simply recorded in *Hansard* and no further investigation is undertaken.

### **Petitions process adopted by the Committee**

- 3.5 Once tabled in the Legislative Council, all petitions stand referred to the Committee. Upon receipt, the Committee generally writes to the tabling Member and to the principal petitioner inviting a 1-2 page submission providing further information on the matters raised in the petition. The Committee also, where appropriate, writes to the relevant Minister(s) seeking comment on the content of the petition and any submissions received. The Committee may also make preliminary investigations to obtain background information on the issues from government agencies, private organisations and individuals.
- 3.6 The Committee considers the submissions and other information received and resolves to either:
- a) finalise the petition, that is, to not inquire further into the petition; or
  - b) formally inquire into the petition.
- 3.7 Where a petition concerns a subject matter that is within the terms of reference of another standing committee of the Legislative Council, the Committee may refer the petition to that committee for inquiry and report, as provided by the Committee's term of reference 1.5.
- 3.8 The Committee may resolve to finalise a petition without formally inquiring into it in the following circumstances:

---

<sup>2</sup> In Queensland, the Clerk of the Parliament sends petitions to the relevant Minister. The Minister may respond to the Clerk, who then tables the response, forwards a copy of the response to the tabling Member and publishes the response on the Parliament's website. See <http://www.parliament.qld.gov.au/view/EPetitions%5FQLD/> (accessed on 2 November 2006). Petitions tabled in the Senate are "brought to the notice of the appropriate Senate Committee"; however, there is no requirement for those committees to inquire into or report back to the Senate on the petition. See <http://www.aph.gov.au/Senate/pubs/guides/briefno21.htm> (accessed on 2 November 2006).

- 
- a) if the Committee considers that the issues raised in the petition have been or are being adequately dealt with;
  - b) if the issues raised in the petition will be or have been considered and/or debated by the Legislative Council;
  - c) if the Committee considers that the issues raised in the petition have been taken as far as possible at the time; or
  - d) if the Committee has not received any submissions in response to its invitation to provide further information on the content of the petition.
- 3.9 In many cases where the Committee finalises a petition, there has been some resolution of the matters or issues raised.
- 3.10 When the Committee resolves to finalise a petition it advises the tabling Member and the principal petitioner.
- 3.11 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 for tabling in the Legislative Council.

#### *Reporting to the Parliament*

- 3.12 The Committee has resolved to report regularly to the Parliament on the progress of petitions that stand referred to the Committee under Standing Orders of the Legislative Council.

#### *The Parliamentary Commissioner for Administrative Investigations (Ombudsman)*

- 3.13 Certain issues or matters raised in a petition may come under the Ombudsman's jurisdiction as set out in the *Parliamentary Commissioner Act 1971*.
- 3.14 The Committee liaises regularly with the Ombudsman's office in recognition of the fact that a matter raised by a petition may have been previously considered or could currently be under consideration by that office.

#### *General*

- 3.15 All transcripts of evidence given in public, and all of the Committee's reports and relevant Government responses are available on the Parliament WA 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.

#### **4 PETITIONS CONSIDERED**

- 4.1 At the commencement of the reporting period, the Committee had nine petitions under consideration on eight separate issues. During the reporting period nine petitions were referred to the Committee. The Committee has finalised seven petitions on six separate issues, which are discussed below. The Committee is continuing its consideration into eleven petitions (see section 7 below).

#### **5 PETITIONS TO BE REPORTED ON SEPARATELY**

##### **Petition No 24 - Regarding a Proposed Marina at Point Peron**

- 5.1 On 29 November 2005, Hon Giz Watson MLC tabled a petition in the Legislative Council [TP#1090]<sup>3</sup> containing 2145 signatures opposing the construction of a Marina at Point Peron.
- 5.2 The petition stated that:

*We the undersigned citizens of Western Australia*

*Want the area known as Point Peron/Cape Peron, City of Rockingham in the State of Western Australia to remain in Perpetuity as Parks and Recreation and that an inland Marina not be built. Further that any improvements made to the area do conserve the natural environment and provide for continual access by people of all socio-economic groups.*

*We request that the Council ensure:*

*That studies of the impact on the natural environment of a proposed Marina and any developments not associated with a Marina, be assessed preferably as part of any Metropolitan Region Scheme amendment, necessary for such a marina or other developments and that this should include effect on sand erosion, seagrass, littoral drift, algal growth and flushing of Cockburn Sound.*

*That the land now currently zoned Parks and Recreation and Port Installations does not become privately owned or leased for 99 years*

---

<sup>3</sup> The TP number [TP#228] refers to the Tabled Paper Number given to the petition upon its tabling in the Legislative Council.



---

*for commercial development and that access remains for the public for the purpose of recreation and holiday accommodation.*

*That a study on the need for such a Marina and or other developments is completed and made available to the public prior to any rezoning or development.*<sup>4</sup>

- 5.3 Following its preliminary enquiries, the Committee resolved on 30 August 2006 to report separately on this petition.
- 5.4 The Committee's investigations are continuing, with a report anticipated to be tabled in December 2007.

### **Petition No 22 - Utility Consumer Hardship**

- 5.5 On 15 November 2005, Hon Sally Talbot MLC tabled a petition in the Legislative Council [TP#1001] containing 180 signatures requesting the Legislative Council to examine and address utility consumer hardship by:

- 1. Assessing the extent, nature, underlying causes and cost of utility hardship in Western Australia, including examining situations where consumers are disconnected or restricted on account of being genuinely unable to afford their utility bills.*
- 2. Reviewing recent studies and relevant policies and practices both in Australia and overseas dealing with utility debt.*
- 3. Assessing the impact on consumer hardship of the policies and practices of Western Australian Utilities, Government departments and agencies.*
- 4. Recommending changes to the policies, programs, regulations and practices of Utilities, the Economic Regulation Authority, the Energy Ombudsman, and Government departments and agencies, to mitigate consumer utility hardship.*<sup>5</sup>

- 5.6 Following its preliminary enquiries the Committee resolved on 18 October 2006 to report separately on this petition.

---

<sup>4</sup> Hon Giz Watson MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 29 November 2005, p7789.

<sup>5</sup> Hon Sally Talbot MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 15 November 2005, p7195.

- 5.7 The Committee's investigations are continuing, with a report anticipated to be tabled in the first-half of 2007.

## **6 PETITIONS FINALISED BY THE COMMITTEE DURING THE REPORTING PERIOD**

### **Petition No 2 - Bluegum and Commercial Forestry Ban - Porongurup**

- 6.1 On 6 April 2005, Hon Giz Watson MLC tabled a petition [TP#228] containing 2047 signatures calling for:

*... a total ban on any further bluegum or commercial forestry plantations being planted within a five kilometre zone from the boundaries of the Porongurup National Park.*

- 6.2 The petitioners further called for:

*... a total ban on all aerial spraying, or ground spraying of bluegum or commercial forestry plantations currently existing within that five kilometre zone from the boundaries of the Porongurup National Park.*

*This area, like many others in the Great Southern and South West Regions, has a wonderful diversity of flora, fauna and natural features of landscape.<sup>6</sup>*

- 6.3 The Committee resolved to consider petitions 2 and 15 concurrently (see paragraphs 6.4 – 6.21 below).

### **Petition No 15 - Aerial Spraying of Insecticides in the Great Southern**

- 6.4 On 18 August 2005, Hon Matthew Benson-Lidholm MLC tabled a petition in the Legislative Council [TP#595] containing 2275 signatures respectfully requesting the Parliament:

*... to urge the Government to take action to ban completely the aerial spraying of insecticides, including Alpha-cypermethrin, which is currently being used on monoculture tree farms in the Great Southern.*

*It is toxic to Invertebrates such as native Bees, which in turn will affect native mammals and leave residues in neighbouring livestock if their pastures are sprayed through drift.*

---

<sup>6</sup> Hon Giz Watson MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 6 April 2005, p345.

---

*With the small sizes of farms, streams and water catchment areas and local residents needing to harvest water from their roofs for their needs, the risk of drift is too great.<sup>7</sup>*

- 6.5 The Committee received a submission from one of the principal petitioners which expanded on their reasons for requesting a ban on aerial spraying within five kilometres of Porongurup National Park. Part of the submission read as follows:

*The petition I presented refers to a very small area around Porongurup National Park. It is a beautiful district, a tourist destination and the park a haven for various species of flora and fauna yet it now has bluegum plantations going right up the slopes of the range to the very boundaries of the National Park on three sides and a large concentration of plantations in the surrounding vicinity. What effect will the plantations and associated ground and aerial spraying have on the environment and the community in the long run?<sup>8</sup>*

- 6.6 Another submission outlined the reasons behind the petitioner's request for a 'total' ban on aerial spraying and raised their main concerns in the following manner.

*The reason for the large petition of over 2000 signatures is that a large number of people in this area just do not want aerial spraying. We even feel it is unnecessary as there are several tree companies that do not spray. People have concerns for their health and the health of their families, for the impact on tributaries, water bodies and other portable water supplies, and for the difficulty in determining the origin of an accidental spray drift.*

*The truth is that if there was just a 1 kilometre buffer zone and we know from other data that chemicals drift further than that, there could not be aerial spraying in this area because you are never further than 1 kilometre away from a home, river, water source, road or A class reserve. In the original Code of Practice there was a 1 kilometre buffer zone included which was soon removed when the implication of what it meant was realized. It then became a 1 kilometre awareness zone, which means what?<sup>9</sup>*

---

<sup>7</sup> Hon Matthew Benson-Lidholm MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 18 August 2005, p4178.

<sup>8</sup> Letter from Principal Petitioner, 21 July 2005, p3.

<sup>9</sup> Letter from the Great Southern Group for Smart Tree Farming, 18 September 2005, p2.

- 6.7 The Committee sought information about alpha-cypermethrin, and received a letter from the Minister for Agriculture, with a forwarded response from the Australian Pesticides and Veterinary Medicines Authority (**APVMA**).
- 6.8 The response from the APVMA stated that they were unable to find any instance of the insecticide alpha-cypermethrin being banned in Australia, the United States, Canada or Europe. In 2004, the European Union reviewed the insecticide's status and affirmed its status as an approved chemical for use in Europe.<sup>10</sup>
- 6.9 The Committee also received a response from the Executive Director of Conservation and Land Management (**CALM**).
- 6.10 The letter from CALM states that the National Park contains a number of threatened flora populations, with several being endemic to the Porongurup Range. The insecticide could be expected to be toxic to insects and other invertebrates and could secondarily affect the fauna that feeds on these groups.<sup>11</sup>
- 6.11 The letter further states that the magnitude of the effects would depend on the quantity, frequency and extent of any spray drift into the park.
- 6.12 The Shire of Plantagenet informed the Committee that the administration and implementation of a five kilometre exclusion zone around the National Park is not practical. The letter also stated that:

*Aerial spraying and chemical application is not exclusive to plantations. If the call for a ban on aerial spraying within 5km of the Porongurup National Park is to be investigated, it would be inappropriate to single out plantations. Other rural activities in the vicinity of the National Park involve chemical application, in particular vineyards and aerial spraying of canola. Chemical application is an accepted agricultural practice and any proposal to introduce further controls or legislation should not discriminate against one sector of the rural industry.*<sup>12</sup>

- 6.13 The Committee wrote to one of the forestry industry groups, 'Timber 20-20 Inc', requesting information on the following:

*What initiatives have been undertaken by the plantation industry to reduce chemical spraying in the South West of Western Australia?*

---

<sup>10</sup> Letter from Dr RJ Smith, Chief Executive Officer, Australian Pesticides and Veterinary Medicines Authority to the Department of Agriculture, 8 November 2005, p1.

<sup>11</sup> Letter from Mr Keiran McNamara, Executive Director, Conservation and Land Management 6 December 2005, p2.

<sup>12</sup> Letter from Mr John Byrne, Acting Chief Executive Officer, Shire of Plantagenet, 15 September 2006, p5.

---

*What initiatives have been undertaken by the plantation industry to reduce chemical spraying in Mount Barker and specifically in the vicinity of Porongurup National Park?*

6.14 'Timber 20-20' provided the following information in relation to initiatives taken by the plantation industry to reduce aerial spraying:

- i) *All Managed Investment Scheme Companies (MIS) are now accredited or undertaking accreditation with the Forest Stewardship Council or the Australian Forest Standards which specifically request documentation of their utilisation of chemicals and to abide by world best practice. The companies are audited annually and will apply with the conditions laid down by the audit.*
- ii) *All MIS companies have a good neighbour agreement (GNA) within their annual undertaking of ongoing communication with the wider community. With the application of aerial spraying, under the GNA guidelines, members of the community are contacted in advance when aerial spraying may take place.*
- iii) *The MIS companies have an Industry Code of Practice in which the Forest management practices and activities are documented. This document contains a uniform GNA with which the forest industry works in association with Local Government.*
- iv) *MIS companies work closely with the relevant Local Government Authorities and have responded to concerns lodged by the community with regards to aerial spraying, as well as informing them of the activity, chemical used and their specific strengths. This has been done at length at community meetings.*
- v) *The industry developed an Aerial Spray Protocol which is strictly adhered to by the companies and pilots who apply the chemicals.*<sup>13</sup>

6.15 The following information was provided about initiatives undertaken by the plantation industry to reduce chemical spraying in the area:

---

<sup>13</sup> Letter from 'Timber 20-20', 8 May 2006, pp1-2.

i) *No spraying has occurred in the Porongurup National Park by any company in 2005.*

ii) *No companies have or will aerial spray in Mt Barker.*<sup>14</sup>

6.16 The Committee wrote to 'Timber 20-20' seeking further clarification about aerial spraying in the vicinity of Porongurup National Park and asked the following:

*The Committee would like to know if any spraying has taken place around or near the National Park or Mt Barker.*

6.17 'Timber 20-20' replied:

*There has been no aerial spraying within 5km radius of the Porongurup National Park in 2005, nor will there be in the future... As for near Mt Barker, within a radius of 5kms and more, no aerial spraying has taken place near the township neither will there be in the future. In 2005 there was very little aerial spraying in the Blue Gum region and Timber 20-20 is anticipating that this may be reduced in subsequent years.*<sup>15</sup>

6.18 The Committee took account of the initiatives undertaken by the forestry industry on chemical spraying. These include the process of accreditation, the establishment of an Industry Code of Practice and an Aerial Spray Protocol, as well as the good working relationship between the industry and Local Government.

6.19 The Committee acknowledged the forestry industry practice of reducing chemical spraying.

6.20 **The Committee finalised petitions 2 and 15 on 21 June 2006.**

6.21 The Committee acknowledged the petitioners contribution to the debate and considered that this issue had been brought to the attention of Parliament by the tabling of the petitions in the Legislative Council.

#### **Petition No 29 - Sorry Day Public Holiday**

6.22 On 23 May 2006, Hon Giz Watson MLC tabled a petition in the Legislative Council [TP#1538] containing 90 signatures stating that:

*We, the undersigned residents of Western Australia, say that those Aboriginal and Torres Strait Islander people removed from their families under State and Commonwealth laws and policies (the*

---

<sup>14</sup> Ibid.

<sup>15</sup> Electronic mail from 'Timber 20-20', 1 June 2006, p1.

---

*“Stolen Generations”), and the legacy of their removal, are deserving of permanent recognition in the Western Australian community*

*... the petitioners request that the Legislative Council will legislate to declare May 26<sup>th</sup>, which has become known as Sorry Day, a public holiday throughout Western Australia.<sup>16</sup>*

6.23 The Committee received a submission from the principal petitioner and the tabling Member.

6.24 The Committee noted the 10 existing Public and Bank holidays, which are as follows:

*New Year's Day (1st January).*

*Australia Day (26th January or, when that day falls on a Saturday or Sunday, the first Monday following the 26th January).*

*Labor Day (Monday on or first Monday following the 1st March).*

*Good Friday.*

*Easter Monday.*

*Anzac Day (25th April).*

*Foundation Day (Monday on or first Monday following the 1st June).*

*Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign (day to be appointed annually by proclamation published in the Government Gazette at least 3 weeks before the day so appointed).*

*Christmas Day (25th December).*

*Boxing Day (26th December).*

*When New Year's Day, Anzac Day, or Christmas Day falls on a Saturday or Sunday the next following Monday is also a public holiday and bank holiday.*

*When Boxing Day falls on a Saturday the next following Monday is also a public holiday and bank holiday.*

---

<sup>16</sup> Hon Giz Watson MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 23 May 2006, p2927.

*When Boxing Day falls on a Sunday or Monday the next following Tuesday is also a public holiday and bank holiday.*<sup>17</sup>

- 6.25 At its meeting on 21 June 2006, the Committee resolved to write to the Minister for Indigenous Affairs requesting comment on the terms of the petition and the submission and to enquire about the range of events scheduled for Reconciliation Day.
- 6.26 The Committee received a response from the Hon Sheila McHale MLA, Minister for Indigenous Affairs.
- 6.27 The Minister acknowledged that the States have responsibility for determining bank and public holidays – but not for determining nationally recognised public holidays such as ANZAC Day and Australia Day. The Minister continues:

*So while the Western Australian Parliament would have the authority to legislate Sorry Day as a public holiday it does not have the power to replace a nationally recognised public holiday such as Australia Day. This change would require the assent of the Federal Government.*<sup>18</sup>

- 6.28 The Minister agreed with the tabling Member that there would be opposition from business, and employer groups, to the creation of a new public holiday. She also made the point that those groups would also likely oppose the scrapping of Australia Day in favour of Sorry Day “*given the likely disruption this change would have on work practices*”.<sup>19</sup>
- 6.29 The Minister outlined a number of programs and reconciliation and celebratory events on indigenous issues. These included various ENRICH<sup>20</sup> programs which are based on the philosophy of promoting reconciliation through Indigenous heritage and culture. ENRICH is a program administered by the Department of Indigenous Affairs and it began as an internal branding initiative in 2003.
- 6.30 The programs included the ENRICH PALS<sup>21</sup> Schools Reconciliation Awards; ENRICH Cultural sponsorships and Grants; the ENRICH Swan Foreshore Walk Trail Indigenous Interpretive Trail and ENRICH Corporate.

---

<sup>17</sup> Second Schedule, *Public and Bank Holidays Act 1972*.

<sup>18</sup> Letter from Hon Sheila McHale MLA, Minister for Indigenous Affairs, 14 July 2006, p1.

<sup>19</sup> Ibid.

<sup>20</sup> The ENRICH symbol is representative of rock art with the open hand symbolising harmony, optimism, well-being and a welcoming and inviting nature for the program. The letter “e” in the palm of the hand forms a path that leads to the sharing and passing on of knowledge and wisdom from one person to another, and the signature suggests a respect and acknowledgement of the past and a journey to a united future enriched by the sharing and appreciation of Indigenous heritage and culture.

<sup>21</sup> PALS is an acronym for Partnership, Acceptance Learning and Sharing – key tenets for achieving project success and reconciliation.



- 6.31 NAIDOC<sup>22</sup> celebrations are held around Australia in the first full week in July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander People.
- 6.32 There are also dedicated Aboriginal celebratory activities in the Shire of Bassendean, the City of Joondalup and the City of Armadale, and in Edith Cowan, Curtin and Murdoch Universities.
- 6.33 **In view of the above, the Committee finalised this petition on 23 August 2006.**
- 6.34 The Committee acknowledged the petitioner's contribution to the debate and considered that this issue had been brought to the attention of Parliament by the tabling of the petition in the Legislative Council.

#### **Petition No 30 - Select Committee into Wait Times for Children needing Therapeutic Services**

- 6.35 On 25 May 2006, Hon Barbara Scott MLC tabled a petition in the Legislative Council [TP#1541] containing 465 signatures stating that:

*We, the undersigned residents of Western Australia support the establishment of a Select Committee of Inquiry into the long waiting times that children and their families endure before they are assessed and then receive therapeutic treatment.*

*The petitioners request the Legislative Council to establish a Select Committee of Inquiry into wait times for children needing therapeutic services.*<sup>23</sup>

- 6.36 On 24 May 2006, Hon Barbara Scott MLC moved a motion in the Legislative Council to establish a Select Committee into waitlists for children to access Therapeutic Interventions.
- 6.37 The motion read as follows:
- (1) *A committee of three members is appointed, any two of whom constitute a quorum.*
  - (2) *The committee is to enquire into and report on -*

---

<sup>22</sup> NAIDOC originally stood for National Aborigines and Islanders Day Observance Committee. The Committee was responsible for organising national activities during NAIDOC week, and the acronym has since become the name of the week itself.

<sup>23</sup> Hon Barbara Scott MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 25 May 2006, p3033.

- (a) *the long waitlists for children in Western Australia accessing therapeutic interventions;*
  - (b) *the current and long-term impact of the long wait times on the children and their families including the financial cost of these delays;*
  - (c) *the financial impact on the community and government of these delays and the cost of reducing them;*
  - (d) *the ability of child development centres to respond to children's needs;*
  - (e) *the share of the health budget directed towards acute care at the expense of world class preventable health care in the early years of childhood development;*
  - (f) *the adequacy of funding of training and supervision of new speech pathologists, occupational therapists, physiotherapists, clinical psychologists, specialist surgeons and other specially trained child therapists; and*
  - (g) *any other matters relating to therapeutic interventions for children in Western Australia.*
- (3) *The committee, and the proceedings of the committee, are subject to chapter XXII of standing orders and it is to be regarded for all purposes as a committee appointed under that chapter.*
- (4) *The committee may present interim reports without a requirement for leave.*
- (5) *The committee is to report to the house not later than 30 June 2006 and if the house do stand adjourned, the committee is to deliver its report to the President, who shall cause the same to be printed by authority of this order.<sup>24</sup>*

6.38 The debate on this motion resumed in the Legislative Council on 31 May 2006.

---

<sup>24</sup> Hon Barbara Scott MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 24 May, p2990.

- 
- 6.39 The motion was put and lost.<sup>25</sup>
- 6.40 **Consequently, the Committee finalised this petition because the matter had been debated and was determined by a vote in the Legislative Council.**
- 6.41 The Committee acknowledged the petitioner's contribution to the debate and considered that the issues had been brought to the attention of Parliament by the tabling of the petition in the Legislative Council.

#### **Petition No 32 - Australind Rail Service**

- 6.42 On 24 August 2006, Hon Barry House MLC tabled a petition in the Legislative Council [TP#1780] containing 7252 signatures which was couched in the following terms:

*We the undersigned residents of Western Australia are opposed to the Minister for Planning and Infrastructure, Hon Alannah MacTiernan's proposal to scale back the train service between Bunbury and Perth.*

*The Australind train service is valued by the local community, particularly the elderly, who are able to book a seat, carry on luggage, access toilet facilities, as well as enjoy a more comfortable standard of transport.*

*The plan to replace one of the return trips of this train service with coach transport will result in a significant loss of service to residents to the South West.*

*Your petitioners therefore respectfully request the Legislative Council to oppose the State Government's proposal to down grade the train service between Bunbury and Perth.*<sup>26</sup>

- 6.43 The Planning and Infrastructure Minister Hon Alannah MacTiernan MLA released a statement on 7 August 2006 informing the public that the two daily return services on the Australind train between Bunbury and Perth would remain.<sup>27</sup>
- 6.44 The Committee wrote to the principal petitioner and the tabling Member seeking a submission on the terms of the petition.

---

<sup>25</sup> Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 31 May 2006, pp3254–3270.

<sup>26</sup> Hon Barry House MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 24 August 2006, p5142.

<sup>27</sup> Hon Alannah MacTiernan MLA, 'Australind passenger services to stay as they are', *Media Release*, 7 August 2006.

- 6.45 The principal petitioner informed the Committee Clerk that he would not be sending in a submission and was satisfied with the outcome.
- 6.46 **The Committee finalised this petition on 18 October 2006 because this issue had been resolved.**
- 6.47 The Committee acknowledged the petitioner's contribution to the debate and considered that the issue had been brought to the attention of Parliament by the tabling of the petition in the Legislative Council.

#### **Petition No 27 - New Primary School in Hillarys**

- 6.48 On 15 March 2006, Hon Peter Collier MLC tabled a petition in the Legislative Council [TP#1329] containing 406 signatures, which was couched in the following terms:

*To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.*

*We the undersigned residents of Western Australia support the planning and establishment of a new primary school in the Hillarys electorate. We note that:*

*there was no allocation in the 2005-06 State Budget for a new primary school in Hillarys;*

*the present school is 32 years old, constructed of asbestos and requires continuing expensive maintenance;*

*land previously allocated to a new primary school was sold in late 2002; and*

*the Hillarys community continues to grow without a corresponding increase in government schooling infrastructure to accommodate primary school aged children.*

*Your petitioners therefore respectfully request the Legislative Council to urge the Government to commit funds to plan for and establish a new primary school in the Hillarys electorate.*

*And your petitioners as in duty bound, will ever pray.*<sup>28</sup>

---

<sup>28</sup> Hon Peter Collier MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 15 March 2006, p499.

- 6.49 The Committee received a submission from the tabling Member and from the principal petitioner. The Committee also received a CD from the principal petitioner with a number of photographs, some of which were taken at the school in February 2006. The photographs show various levels of structural damage.
- 6.50 In his submission, the tabling Member Hon Peter Collier MLC, highlighted his concern with the following:

*With the approval of the Deputy Principal, I recently conducted a thorough investigation of Hillarys Primary School. I must admit to being quiet concerned with regard to numerous structural components of the school. Specific areas that concerned me include; open gaps in the ceiling, poor lighting, leaking rooves, rusted piping and dated wiring. In particular, I am concerned with the asbestos roofing throughout the school. In several places there are holes in the asbestos, which would definitely lead to safety concerns for the children and staff.<sup>29</sup>*

- 6.51 The petitioners stated that the present school is 32 years old, is constructed of asbestos and requires continuing expensive maintenance. They expressed concern with the ongoing deterioration of the school, and particularly the asbestos problem. They maintained that:

*The construction of Hillarys Primary is flat roofs, and the water sitting on the asbestos will continue to break it down and cause continuing deterioration.<sup>30</sup>*

- 6.52 The Committee noted the following questions asked by the Hon Barry House MLC in the Legislative Council on 8 November 2005:

- (1) *When and for how much did the government sell land previously allocated for a new school at Hillarys?*
- (2) *Were any of the proceeds of the sale set aside for maintenance of the present Hillarys Primary School?*
- (3) *If not why not?*
- (4) *What are the maintenance priorities for the school and how much has been allocated to address these problems at the school in 2005, 2006 and 2007?*

---

<sup>29</sup> Letter from Hon Peter Collier MLC, 3 April 2006, p1.

<sup>30</sup> Letter from Principal Petitioner, 11 April 2006, p2.

6.53 The Minister for Education and Training, Hon Ljiljana Ravlich MLC replied:

(1) *On 7 January 2003 for \$4.78 million.*

(2)-(3) *No. Maintenance is funded separately.*

(4) *The maintenance priorities are:*

*Repairs to roof plumbing \$1 500*

*Rectification of displaced and broken paving \$1 000*

*Replacement of some floor coverings \$4 500*

*Repairs to bitumen car park \$3 000*

*Investigation and rectification of stormwater issues  
\$2 500*

*Rectification of rusted veranda \$2 000*

*Internal and external painting \$30 000*

*It is not possible to provide information relating to  
specific budget allocations for maintenance, as  
district offices will determine priorities and allocate  
funding accordingly.<sup>31</sup>*

6.54 The Committee received a response to the petition from the Minister for Education and Training, who provided the following information in relation to the petitioners requests for a new primary school at Hillarys:

*Student enrolments at Hillarys Primary School have declined from  
660 students in 1988 to 477 students in 2006. Although some  
fluctuations in enrolments in forthcoming years are likely, the school  
has a surplus number of permanent classrooms and is expected to be  
able to accommodate future enrolments from the locality of Hillarys.<sup>32</sup>*

6.55 The Minister stated that the allocation of funds to address maintenance issues at schools is made by each district education office. She also stated that an amount of \$46, 136 was allocated in 2005/06 to address outstanding maintenance matters at Hillarys Primary School.

6.56 The Committee noted the following questions which were asked by the Hon Peter Collier MLC in the Legislative Council on 31 May 2006:

---

<sup>31</sup> Hon Ljiljana Ravlich MLC, Minister for Education and Training, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 9 November 2005, p6953.

<sup>32</sup> Letter from Hon Ljiljana Ravlich MLC, Minister for Education and Training, 4 July 2006, p1.

- (1) *Has WorkSafe received complaints regarding asbestos roofs, ceilings and walls in government schools?*
- (2) *If yes to (1), which schools?*
- (3) *If yes to (1), have inspectors attended these schools to investigate these complaints; and, if not, why not?*
- (4) *If yes to (1) and (3), what schools were found to have asbestos, which constitutes a potential health risk, and what strategies were introduced to overcome the problems?<sup>33</sup>*

6.57 Hon Jon Ford MLC, Minister for Fisheries representing the Minister for Employment Protection replied:

*I thank the member for some notice of this question. The Minister for Employment Protection has supplied the following answer -*

- (1) *Yes, in 2006 the WorkSafe database identified three complaints involving asbestos and specifically identifying government schools.*
- (2) *Carine Senior High School, Hillarys Primary School and Lynwood Primary School.*
- (3) *Carine Senior High School, yes. Hillarys Primary School, yes. Lynwood Primary School, no.*

*WorkSafe received a copy of a letter complaining to the Department of Education and Training. WorkSafe liaised with the department and, based on the contents of the letter, WorkSafe determined that the issues were within the Department of Education and Training's responsibility.*

- (4) *Asbestos cement products in sound condition and, left undisturbed, present little risk to the general community. However, WorkSafe took the following actions. At Carine Senior High School an improvement notice was issued requiring the Department of Education and Training to identify and assess all asbestos-containing materials at the Carine Senior High School and provide an on site register. This notice has been complied with.*

<sup>33</sup> Hon Peter Collier MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 31 May 2006, p3275.

*At Hillarys Primary School three improvement notices were issued requiring the Department of Education and Training to identify and assess and provide an on-site asbestos-containing materials register at the Hillarys Primary School - the notice has now been complied with; identify and assess asbestos-containing materials and provide on site registers at all schools - this notice is still current; and train all principals in their role and responsibilities in asbestos management - this notice is still current.*<sup>34</sup>

- 6.58 In relation to the asbestos issue the Minister for Education and Training provided the following information:

*An inspection of the school was recently conducted by representatives from the Department of Education and Training, the Department of Housing and Works, the School Principal and the Parents and Citizens' Association in regard to the asbestos containing materials (ACMs) at the school. It was revealed that the ACMs were not sufficiently deteriorated to warrant immediate removal.*

*Where damage to ACMs occurs, a management regime exists to effectively deal with the matter. A priority 1 call lodged with the Department of Housing and Works call centre will ensure remedial action to make safe any damaged ACMs within 24 hours.*

*The Department of Education and Training shares the ultimate goal expressed in the National Occupational Health and Safety Commission Code of Practice – for all workplaces to be free of ACM. However, this must be considered in light of competing demands for limited resources. Notwithstanding this, the Department remains committed to providing a safe and healthy environment for all students and staff.*<sup>35</sup>

- 6.59 The Committee wrote to the Minister for Education and Training with the following questions:

- a) *Where in the list of priorities does Hillarys Primary school sit in terms of having its asbestos roof and ceiling panels replaced?*

---

<sup>34</sup> Hon Jon Ford MLC, Minister for Fisheries representing the Minister for Employment Protection, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 31 May 2006, p3276.

<sup>35</sup> Letter from Hon Ljiljana Ravlich MLC, Minister for Education and Training, 4 July 2006, pp1-2.



- b) *In which year is it anticipated to replace the asbestos roof and ceiling panels at Hillarys Primary school?*
- c) *Have all the Worksafe notices for Hillarys Primary school been fully complied with?*<sup>36</sup>

6.60 The Minister for Education and Training replied:

- (a) *No priority list of schools for the removal of asbestos containing materials has been established.*
- (b) *The roof of Hillarys Priamary School is clad with aluminium sheeting and not asbestos containing material. However, it is understood that the eaves beneath the roof are constructed with asbestos cement sheeting. Where building elements constructed with asbestos containing material have been damaged or found to have become badly deteriorated, the defective material is either repaired or replaced with non-asbestos material as part of the school's normal building maintenance activity.*
- (c) *I am advised that there are no outstanding WorkSafe WA notices applicable to Hillarys Primary School.*<sup>37</sup>

6.61 The Committee noted with interest the following 'reported' comments by Mr Howard Milne, the former Principal of Hillarys Primary School, who said:

*... he was not taking sides in the matter but he believed the school was functioning well, its grounds were attractive and its structural needs were no different to those of lots of other schools.*<sup>38</sup>

6.62 The Committee acknowledged the above comments from the Minister for Education and Training that the roof of Hillarys Primary School does not contain asbestos material and that there are no outstanding WorkSafe notices applicable to the school.

6.63 **In view of the fact that there are no outstanding WorkSafe notices for Hillarys Primary School, the Committee finalised this petition on 25 October 2006.**

<sup>36</sup> Letter to Hon Ljiljanna Ravlich MLC, Minister for Education and Training, 28 August 2006, p1.

<sup>37</sup> Letter from Hon Ljiljanna Ravlich MLC, Minister for Education and Training, 22 September 2006, p1.

<sup>38</sup> John Murphy, 'Old school a danger', *Wanneroo Times*, 28 March 2006, p1.

- 6.64 The Committee noted that the Standing Committee on Public Administration was conducting inquiries during October 2006 into asbestos containing materials in WA schools.<sup>39</sup>
- 6.65 The Committee acknowledged the concerns of the petitioners and the hazards associated with asbestos. The Committee considered that the issues raised in the petition had been brought to the attention of Parliament by the tabling of the petition in the Legislative Council.

**Petition No 28 - Infill Deep Sewerage for Spearwood, Hamilton Hill and Munster**

- 6.66 On 2 May 2006, Hon Barbara Scott MLC tabled a petition in the Legislative Council [TP#1475] containing 20 signatures which was couched in the following terms:

*We the undersigned residents of Western Australia support the prioritisation of infill deep sewerage to all residential properties in Spearwood, Hamilton Hill and Munster as the current septic tank systems are collapsing one by one as a result of complete saturation and there is a danger of possible leakage into the groundwater system.*

*Your petitioners therefore respectfully request the Legislative Council to recommend that reticulated deep sewerage systems be installed immediately to all remaining residential properties in the suburbs of Spearwood, Hamilton Hill and Munster in order to avert a possible health and environmental disaster in the future.*<sup>40</sup>

- 6.67 The Committee wrote to the tabling Member and the principal petitioner, inviting a written submission, and to the Minister for Water Resources for comment on the terms of the petition.
- 6.68 A submission was received from the tabling Member as was a response from the Minister for Water Resources.
- 6.69 Hon Barbara Scott MLC made the following points in her submission:

*That the suburbs of Spearwood, Hamilton Hill and Munster are between forty and fifty years old and all houses have septic tank systems. These systems are now collapsing, despite the best efforts of the residents, many of whom have either installed a second septic tank, or have to have the original tank pumped out on a regular basis*

---

<sup>39</sup> Mr Peter McCaffrey, Chief Finance Officer, Department of Education and Training, *Transcript of Evidence*, 18 October 2006.

<sup>40</sup> Hon Helen Morton MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 2 May 2006, p1760.

---

*at a cost of \$600. The ground is predominantly limestone and of a hilly nature, and drainage is now only working for those residents on raised ground, with those in the valleys having to cope with septic waste on a daily basis.*

*Infill sewerage in these areas was originally scheduled for completion in 2004. However, in response to a Parliamentary question on 4 April 2006, the Minister for Water Resources advised that there were several projects scheduled for Spearwood and Hamilton Hill in the infill sewerage program. The first of these projects will commence in 2006-07 and all projects for these areas will be completed by 2013. Under current funding levels, Ross Court Spearwood is scheduled for construction in 2012. There is no infill sewerage project in Munster.*

*I have been approached by concerned residents, and also the City of Cockburn expressing their deep concern over this issue, and seeking my assistance to get the Government to fast track the infill sewerage program in the area of "Spearwood 28a".*

*A recent public meeting was attended by over one hundred residents... Some residents reported that they are using public toilet facilities at Phoenix Park to save overflow on their properties.<sup>41</sup>*

- 6.70 Hon Barbara Scott MLC also stated that some residents spent around \$1000 dollars on rebuilding their leach tanks, some of which have collapsed again.
- 6.71 The Minister for Water Resources, Hon John Kobelke MLA, provided the following information:

*All un-sewered developed residential areas throughout the State were prioritised in consultation with the Department of Health, the Department of Environment and local governments. The targeted areas and priority ranking established for infill sewerage projects have remained substantially unchanged.*

*The Infill Sewerage Program has twice been extended to enable the Water Corporation to fund urgent projects required due to the drying climate. This has consequently deferred many projects throughout the State.*

*There have been a number of issues raised with the extension of the program, and I recently announced a health and environmental review would be undertaken of the Infill Sewerage Program*

---

<sup>41</sup> Letter from Hon Barbara Scott MLC, 19 May 2006, pp1-2.

*priorities. It is anticipated that this review will be completed in June 2006. The ranking and timing of projects, including those in Spearwood and Hamilton Hill, may alter as a result of this review.*

*In Spearwood, \$38 million has been spent on the Infill Sewerage Program since 1994, with 4,321 properties completed – that's 75% of the targeted properties – and 1,594 properties remaining at an estimated cost of \$12.6 million.*

*403 of the remaining properties will be sewered under the Spearwood 2E project in 2006/07, and a further 591 properties are currently scheduled to be sewered under Spearwood 28A in 2008/09 and 2009/10.<sup>42</sup>*

- 6.72 On 27 January 2006, the Department of Health (DOH) sought the City's assistance in determining Infill Sewerage Priority Areas within the City of Cockburn. The following extract is taken from the City of Cockburn Council minutes of 13 April 2006.

*The City responded to the DOH on 6 February 2006 identifying two large areas within Spearwood as being a priority, these being:-*

- (a) the area bordered by Spearwood Ave, Rockingham Road, Phoenix Road and Hamilton Road (Spearwood 28A & 3N); and*
- (b) the area bordered by Stock Road, Rockingham Road, Freeth Road and the railway reserve (Spearwood 27A & 4E)*

*The unsewered area of Coogee (Spearwood 12P & 16PP) was also identified as an area to be considered. Attached with the correspondence was Mrs Fedeles petition, 3 letters from residents requesting connection to sewer and an article from the local media.*

*After this original letter was forwarded to the DOH, the City's Health Service received a number of letters from residents (approx 15) requesting that sewer be provided to the Spearwood area as a matter of urgency. This response was mainly due to several reports in the local media and a lack of understanding as to which authority was responsible for the provision of sewer.<sup>43</sup>*

---

<sup>42</sup> Letter from Hon John Kobelke MLA, Minister for Water Resources, 6 June 2006, pp1-2.

<sup>43</sup> City of Cockburn, *Council Minutes*, 13 April 2006, p50.

- 6.73 The Committee received a submission from the principal petitioner which raised health and safety issues and was most critical of the long delays to provide essential infrastructure to residents in Spearwood and Hamilton Hill. The petitioner stated that:

*Our State representatives have failed to deliver the necessary infrastructure for safe and healthy living in the suburbs of Perth. Some residents in Spearwood and Hamilton Hill are living in third world conditions.*

*With only 16% of homes still waiting for deep sewerage the funding required to complete the job is being stretched over 12 years or probably longer. Each time householders receive a notice from the Water Authority the date is further away. We desperately need it within the next three years. We cannot wait until 2011 or even later.*

*Why, when there is a surplus, does the State Government neglect funding this essential infill service? Why not make WA safe and complete the job the Court Government began more than 10 years ago. The then Court Government believed deep sewerage was a necessary public health and environmental priority for all homes in Perth. Brisbane completed their deep sewerage over 10 years ago. Does this mean that the present Government rejects the immediate necessity for deep sewerage in some suburbs?<sup>44</sup>*

- 6.74 The principal petitioner referred to collapses that have already happened and claimed that many residents live in fear of children falling down holes. The principal petitioner continued:

*Many other residents have been pumping grey water onto their gardens for years, it stinks. Many carry washing water onto the garden, and use a bucket in the shower. This has become very difficult for elderly people. What else can we do? We can't afford \$700+ to have it pumped every few weeks? It is also getting more difficult to find someone to do this sort of work. It cost even more to have the sewerage tank emptied and this has to be done more frequently now! So much for living in Perth suburbs.*

*Another suggestion from Jim McGinty Minister for Health is for pensioners to approach Centrelink for a home maintenance loan. It took me a frustrating 20 minutes to discover that the limit is \$500 to be repaid out of the pension. This makes it difficult for pensioners to*

---

<sup>44</sup> Letter from Principal Petitioner, 3 August 2006, p1.

*save for deep sewerage and \$500 is little help anyway it would not cover a septic service.*<sup>45</sup>

6.75 The Committee wrote to the City of Cockburn requesting comment on the terms of the petition and the submission.

6.76 The City of Cockburn stated that it is supportive of the general sentiments outlined in the petition, but that they did not agree with all of the statements made in the petition, or with some of the comments made by the tabling Member. In its letter the City stated:

*There is a clear need for infill sewerage works to be brought forward in the area. As the Honourable Member outlines in her letter, infill works were originally due to be completed by 2004, and the City of Cockburn believes that the money allocated for these works should not have been diverted from the programme, and that monies should be placed back into the system to accelerate the works which are currently being proposed.*<sup>46</sup>

6.77 In response to the call by the Minister for Water Resources for more evidence, the City conducted a survey of Spearwood residents about their septic systems. The City stated that the responses gave them cause for concern, and the City sent a copy of its report to the Minister for Water Resources.

6.78 The City's letter to the Committee concluded with the following:

*... while the City of Cockburn does not believe that evidence exists to support all of the claims made by some local residents in support of the acceleration of the infill sewerage programme, it is the City's view that a significant problem does exist in the area with regards to ageing systems, and this does give rise to heightened health concerns as a result.*<sup>47</sup>

6.79 The Committee wrote to the Minister for Water Resources to outline its concerns and to urge him to intervene to resolve this matter in Spearwood.

6.80 In his response, the Minister stated that the DOH conducted an investigation into communities at risk of failing septic tank systems in Western Australia. That review covered the entire State and included assessments of communities not currently represented by projects in the approved Infill Sewerage Program.

---

<sup>45</sup> Ibid, p2.

<sup>46</sup> Letter from City of Cockburn, 31 August 2006, p1.

<sup>47</sup> Ibid, p2.

6.81 The Minister also stated that:

*This review was to ensure that the prioritisation of projects already in the Infill Sewerage Program was sound and that the more urgent projects would be undertaken as early as funding permitted, and that the practicalities of doing so were achievable.*

*This review has been completed, but a revised Infill Sewerage Program is not yet ready for publication. However, the Department of Health did advise that Spearwood remains the only suburb in the metropolitan area with a high priority, but not as high a priority as a number of regional towns. A revised Infill Sewerage Program is being developed. When these reviews have been completed, I will advise you of the results and the impact, if any, on the timing of the Spearwood projects in the Infill Sewerage Program.<sup>48</sup>*

6.82 The Minister concludes his letter with his assurance that the needs of the residents in Spearwood, Hamilton Hill and Munster are recognised.

6.83 However, in its letter to the Minister, the Committee expressed its concern about the planned timeframe for completion of works extending to and past 2009/10.

6.84 The Committee was concerned about the lack of response from the Minister regarding the 600 properties in Spearwood that have no planned completion date.

6.85 The Committee wished to highlight the following paragraph from the Minister's letter to raise the question whether the outstanding properties in Spearwood are being given a high priority or not:

*Your letter stated that there are a number of property owners that own and operate sub-standard systems. It is understandable that the responsible property owners are reluctant to renew these systems at their own cost when deep sewerage appears to be imminent, but they do need to maintain these systems until such time as the sewerage service is available.<sup>49</sup>*

6.86 The Committee noted with interest that the provision of sewerage services in the Australian Capital Territory is legislated for under the *Utilities Act 2000* (ACT).<sup>50</sup>

6.87 The Committee acknowledged that the programme for infill sewerage commenced in 1994 under the Government of the day.

---

<sup>48</sup> Letter from Hon John Kobelke MLA, Minister for Water Resources, 29 September 2006, p1.

<sup>49</sup> Ibid.

<sup>50</sup> Section 13.

6.88 The Committee expressed its concern that there has been a reduction in funding to that Infill Sewerage Programme in recent years. This has caused significant delays with the provision of this essential service to both rural and metropolitan properties.

**Recommendation 1: The Committee recommends that the remaining 600 properties in Spearwood be given a scheduled date for completion as part of the Infill Sewerage programme.**

6.89 **The Committee finalised this petition on 25 October 2006.**

6.90 The Committee acknowledged the petitioner's contribution to the debate and considered that the issue had been brought to the attention of Parliament by the tabling of the petition in the Legislative Council.

## **7 PETITIONS BEFORE THE COMMITTEE UP TO 29 NOVEMBER 2006**

7.1 The following petitions are the subject of ongoing inquiries by the Committee:

- a) Mr Neil Winzer. Petition tabled by Hon Giz Watson MLC on 22 September 2005 [TP#775];
- b) Utility Consumer Hardship. Petition tabled by Hon Sally Talbot MLC on 15 November 2005 [TP#1001];
- c) A Proposed Marina at Point Peron. Petition tabled by Hon Giz Watson MLC on 29 November 2005 [TP#1090];
- d) Family Birth Centre for the South West Region. Petition tabled by Hon Adele Farina MLC on 21 June 2006 [TP#1601];
- e) Royal Perth Hospital. Petition tabled by Hon Helen Morton MLC on 29 August 2006 [TP#1810];
- f) Protection of Mature Trees on Public Land in Urban Areas. Petition tabled by Hon Giz Watson MLC on 20 September 2006 [TP#1894];
- g) Proposal to Clear South Coast Highway Roadside, Denmark. Petition tabled by Hon Giz Watson MLC on 20 September 2006 [TP#1895];
- h) South Cardup Landfill. Petition tabled by Hon Giz Watson MLC on 17 October 2006 [TP#2085];
- i) Water Rights on Freehold Land. Petition tabled by Hon Anthony Fels MLC on 18 October 2006 [TP#2131].
- j) Persecution of Falun Gong Practitioners. Petition tabled by Hon Sally Talbot MLC on 15 November 2006 [TP#2228].



- 
- k) Supported Accommodation Services. Petition tabled by Hon Barbara Scott MLC on 16 November 2006 [TP#2236].

**8 REPORT RECOMMENDATION**

**Recommendation 2: The Committee recommends that the Report be noted.**



---

**Hon Louise Pratt MLC  
Chair**

**6 December 2006**