

COMMITTEE REPORTS - CONSIDERATION

Committee

The Chairman of Committees (Hon George Cash) in the Chair.

Standing Committee on Environment and Public Affairs - Overview of Petitions and Inquiries August 2001-December 2001 - First Report

Hon CHRISTINE SHARP: I move -

That the report be noted.

In moving the motion, I am pleased to give a few covering remarks to the Chamber on the content of this overview - an overview of the overview. This is the first report of the new Standing Committee on Environment and Public Affairs. I am proud to note, from a rapid perusal of the papers tabled in this Parliament, that this is the first general committee report that has been tabled in this Parliament. Other committee reports tabled are of a more specific nature and address Bills before the House. The fact that this is the first general report is an indication of the efficiency of the committee staff, in particular the advisory officer, Ms Felicity Beattie, for publishing the first report in such a timely way.

I am the Chair of the Standing Committee on Environment and Public Affairs and Hon Kate Doust is the Deputy Chair. The other members are Hon Jim Scott, Hon Louise Pratt, Hon Frank Hough, Hon Robyn McSweeney and Hon Bruce Donaldson. We have a significant workload, given that under our terms of reference we inquire into all matters relating to the environment in a widely defined way. As the Chamber is aware, we screen petitions tabled in the Legislative Council.

As the report before the Chamber this morning indicates, this committee currently has on its books only one self-initiated inquiry; that is, an inquiry into Alcoa's refinery at Wagerup. It is a major and ongoing inquiry and is only briefly referred to in the overview before the Chamber this morning. However, the overview goes in more length into matters that have been dealt with by the committee in its consideration of petitions tabled in this place.

I will comment on the working guidelines for dealing with petitions adopted by the committee. We have decided that only two factors in the guidelines prevent the committee from pursuing consideration of matters raised in petitions. Those two excluding factors are, first, when a matter raised in a petition falls specifically within the terms of reference of another standing committee; and, second, when a matter raised in a petition has been, or will be, fully debated in the House. If a petition falls into either of those categories, the committee takes the matter no further.

However, the committee has a somewhat broader scope than that of the committee it succeeded - the Standing Committee on Constitutional Affairs - which considered petitions in the previous Parliament and had working guidelines for excluding consideration of the merit of a subject matter raised in a petition. That committee also did not consider petitions about planning and the environment. However, from inquiries on that previous standing committee, I note that it sometimes did not follow its own guidelines and considered planning matters. Generally, our committee has adopted a broader scope in its approach to screening petitions, which has led to a heavier workload.

In November 2001 the committee established a subcommittee to carry out preliminary screening of petitions. I am the convener of the subcommittee and the other members are Hon Louise Pratt, Hon Robyn McSweeney and Hon Frank Hough. Since the establishment of the subcommittee, the committee has been able to build up a greater momentum in dealing with petitions brought to its attention by members. Much of the work covered by this overview was either finalised subsequent to the cut-off date of the report in December 2001 or is ongoing.

Members will notice in the report the variety of topics in the petitions that we dealt with. Some petitions prayed for relief, which is the last stop for many people who have grievances that they wish to air and have addressed. This report covers two topics under the category of praying for relief. Social and environmental issues were also raised in petitions considered by the committee; for example, the emergency services at the Swan District Hospital, the Yeelirrie mineral tenement and the waste and energy recycling proposal at Gosnells. Other matters of public interest were considered, such as the live sheep trade. The committee therefore has dealt with a huge variety of topics and has developed a variety of responses to those topics, some of which have led to a full-blown inquiry. In that category, the committee has so far pursued one complete inquiry into a petition. That petition deals with the Gnarabup waste water treatment plant on the coast at Margaret River. The committee's inquiry is covered briefly in the overview and it is close to being finalised. The committee hopes to report on it in the near future.

That has been a full-blown inquiry. However, the committee has also undertaken mini inquiries on many topics, such as the solid waste to energy recycling proposal and the Residential Tenancies Act review. In general terms, the committee has investigated whether correct procedures have been followed by government agencies. Even more generally, the committee has tried to establish whether the Government has responded to the concerns that have been raised. That work generates several items of correspondence each week between the committee and various ministers and departments and the community. The workload is often considerably greater than that.

The committee also has watching briefs on various issues raised in petitions; for example, the Yeelirrie mineral tenement, which was raised in a petition tabled by Hon Robin Chapple. The petition refers to 35 000 tonnes of uncovered radioactive material at the tenement and seeks a full clean-up of the waste. The committee has communicated with the company in whom the tenement is vested and with the Minister for State Development. As a result of that correspondence and the information from the minister that the state agreement Act with Western Mining Corporation requires the company to indicate its plans either to develop or to clean up the site by 30 June 2002, the committee has decided to maintain a watching brief to review any clean-up proposal after the deadline has been reached.

[Quorum formed.]

Hon CHRISTINE SHARP: The committee is maintaining another watching brief over the environmental management of the Guilderton development. The development was originally raised in a petition proposing that a renewable energy-powered ecotourist discovery centre be built within the proposed Guilderton regional park. The committee has ascertained that the current Government has no intention of creating a Guilderton regional park. However, the Minister for the Environment and Heritage and the Minister for Planning and Infrastructure have committed to ensuring that important environmental management procedures, such as foreshore setbacks and scientific studies, are undertaken to guarantee a high standard of environmental management of the area. The committee is maintaining a watching brief to ascertain the outcome of those longer-term commitments.

It is obvious from the subject matter and the level at which the committee has been considering petitions and its major inquiry into Alcoa's Wagerup refinery that it is a busy and hard-working unit. I take this opportunity to thank the staff - Felicity Beattie and David Driscoll - for their hard work. I also thank my colleagues, who have shown a strong commitment to the workload. We have a very interesting task and are committed to facilitating better and more responsive government in the many aspects of environment and public affairs.

Hon BARRY HOUSE: Page 7 of the Standing Committee on Environment and Public Affairs' report refers to a petition about the Department for Community Development tabled by Hon Jim Scott. The report notes that the issue has been finalised. It may well be finalised from that committee's point of view, but it has been referred to the Standing Committee on Public Administration and Finance, of which I am chairman. That committee has investigated the issue and will report to the House at a later date.

Page 19 of the report contains a reference to a petition opposing the Gnarabup waste water treatment plant. Every time the word "Gnarabup" is mentioned I break out in hives. The Gnarabup area has been a war zone with multiple battle fronts for a decade. The overwhelming majority of people in the community is totally fed up with the situation. They want a resolution to these issues so that they can get on with life. This issue does not involve major political questions, but opinions have become very polarised and emotions are running high.

I will restrict my comments to the Gnarabup waste water treatment plant because I have had some involvement with that facility. It is an amazing location for a waste water treatment plant. The site is just behind the primary dune on the coastline at Gnarabup. I am mystified how approvals were obtained for its construction. It is an important facility, and the Gnarabup town site needs it. In fact, any facility should have the capacity to service the neighbouring Prevelly town site. There is clear evidence that septic systems in the Prevelly town site are leaching into the underground water supply, which is causing environmental problems. It has been alleged that the waste is filtering to the coast through the dunes. Prevelly needs a deep sewerage system in conjunction with the waste water treatment plant.

The waste water treatment plant came to the public's attention close to New Year's Eve about three years ago when community concern and outrage was expressed over plans to expand the present site. A concerted campaign was mounted as a result of which I convened meetings between the Water Corporation, the Augusta-Margaret River Shire Council, the Prevelly Wilderness Association as the body representing the community in that area and other interested bodies. At that meeting I think it was established that, technically, at that time the plant was sound, and I think people accepted that. Minimal expansion was necessary at that time because the raw sewage was already being tankered out of the site three times a day, which was untenable. A commitment was made by the Water Corporation to further investigate the disposal of the waste water from that plant and from that community. That is where the great hope for the overwhelming majority of community residents lay; that is, a better method would be developed to dispose of the waste water. Various costings were done and from that came a proposal from the Margaret River Golf Club to use the waste water. Discussions between the

various bodies have been held ever since. The last one I was involved in was about July last year in Margaret River at which the Water Corporation reported back to the golf club, the shire and the community on the feasibility of the various proposals involved in using the waste water at the Margaret River Golf Club.

Not many people were impressed with the Water Corporation's proposal. I think it examined the technicalities of using the waste water at the Margaret River Golf Club. However, the cost to the golf club put it out of reach of a local, voluntary sporting body. That has raised some very important questions. In the main, the Water Corporation is concerned with its corporate image and works hard at being a good corporate citizen. However, in this case it must work a bit harder. It is not acceptable in this day and age for waste water to pour into environmentally damaging situations such as direct ocean discharge. The Water Corporation should and could have worked, and I hope will continue to work, harder in discussions with the Margaret River Golf Club to find a solution. It makes perfect sense that the Gnarabup waste water treatment plant be turned into a pumping station so that the waste water can be used on a community facility in the Gnarabup area, such as public open space, ovals and so on, with the bulk of it being used on the Margaret River golf course. A major new facility has been built at Margaret River. The rest could be pumped back to Margaret River and used on tree lots as part of a very modern and efficient operation.

I was very disappointed with the Water Corporation's proposal because I did not believe that it was prepared to give enough ground to the golf club to make the proposal work. I sincerely hope it will revisit the proposal. The golf club is keen to use the water, although it does not need to; it has enough water supply for its facility. However, with the excess water available through the waste water treatment plant it could be made into a superb facility.

The status of this report is continuing and I am sure the committee will undertake some further work on it. This issue is not dead in the local community. I hope that in the very near future an environmentally and economically acceptable solution is found that is in the community's best interests.

Hon BRUCE DONALDSON: The committee has found that petitions are handled more efficiently by fewer than seven people. We said at the time, "We told you so." I can remember the Constitutional Affairs Committee chaired by Hon Murray Nixon with the same committee members.

Hon Kim Chance: It was a very good committee.

Hon BRUCE DONALDSON: It was a very good committee, which did a lot of good work. Petitions should be handled by no more than a three-member committee. I am sure that the Chairman of the Standing Committee on Environment and Public Affairs, Hon Christine Sharp, will agree with me because we have had to appoint a subcommittee to handle petitions. The creation of a small committee to handle petitions is something to think about in the future.

I regret that a separate uniform legislation committee is to be appointed. Uniform legislation petitions could be dealt with by an existing committee rather than be dealt with under the proposal being considered at present.

We must think very carefully about how we handle petitions. I am not sure that it would not be a good idea for a uniform legislation committee to handle them. The Standing Committee on Constitutional Affairs used to deal with petitions and legislation, which under Standing Order No 230 were required to be referred to that committee within 30 days of their second reading. It handled many petitions. I urge the Committee of the Whole to consider very carefully whether another committee is necessary at this stage to handle just one or two functions. We would be hard pressed to justify forming another committee comprising, say, three members to handle petitions. Staffing requirements and so on must be taken into consideration. Before we jump onto another bandwagon we must consider what direction we want to take now.

I find some of the petitions disturbing because they have not been prepared as a last resort. I have always understood that petitions are a vehicle of last resort for citizens who have exhausted all avenues. Unfortunately some people have left canvassing their petition to as late as 10 years down the track. It is very difficult to convince governments of any political persuasion that they should make ex gratia payments, especially in that situation. Often, matters are rectified in between their initial occurrence and the time petitions are presented because agencies have taken the issues on board and made changes to their operations. That scenario creates a difficult situation for a committee that is considering petitions.

I believe some people use petitions as a process to get into the government system to vent their own ideology. However, sooner or later those people are found out because some of the information presented is unbelievable and mischievous.

The committee had to be, and is, mindful of that. It has to sort the chaff from the clay. I will not use the other words I considered using.

Hon Barry House: That is a mixed metaphor.

Hon BRUCE DONALDSON: I should have said that it has to sort the wheat from the chaff. It does not really matter. I had something else on my mind, but I realised where I was. The term “wheat from the chaff” is safer.

The issue about the Alcoa refinery at Wagerup has been a big learning curve for all members. A person needs a science degree to understand the issue. It is obvious that some of the concerns that have been raised have some validity. The bauxite that is mined and processed in Western Australia is of a poor quality when compared with the quality of bauxite mined in other parts of the world. Consequently, there is a need for liquor burners in Western Australia. Most liquor burners in the world can be found in Western Australia. The committee is trying to find where others might be located - there might be one in Spain and one in Japan. It would be prudent for the committee to look at those liquor burners.

Several members interjected.

Hon BRUCE DONALDSON: Members might laugh. I laugh about it too.

Hon Kim Chance: Is that under Standing Order No 747?

BRUCE DONALDSON: Something like that.

Hon Norman Moore: It hasn't been used much.

Hon BRUCE DONALDSON: It has not been used much. The issue has taken a hold over all of us, because it is a major issue in Western Australia. It involves a huge industry in Western Australia. I do not think that any member wants any company to close down. The company has responsibilities and is tackling the problem. However, the question remains about whether what it is doing will alleviate the situation that has arisen from the establishment of a liquor burner at Wagerup. It is also important to note that the majority of the complaints occur in windows, usually during winter. Figures given to the committee show that it was an extended window for complaints last year because of the dry season, lack of rain and possibly a lack of wind. A more normal winter was experienced the year before that, and the window of complaints was smaller, because there was a greater dispersion of the plume, as it is called, or output from the liquor burner. There have been some interesting developments. It has been an interesting inquiry and it has a long way to go.

The live sheep trade issue is continuing. Some misleading information was given to the committee. I was pleased that some counter information was also received. The live sheep trade is a big money-spinner for farmers. It would be great if all the sheep were slaughtered in Western Australia. More than six million sheep left from Fremantle on ships last year. The trouble is that consumers are not interested in buying our slaughtered meat - they want live sheep. I am reminded of the old wheat days. Samples were taken from every silo in Western Australia, carted to Fremantle and mixed on the floor to determine what was called the fair average quality for bushel weight and protein. That was what the consumers were given. One day, the consumers turned around and said that that was not what they wanted. They wanted certain types of wheat for noodles and other products. Fortunately, Western Australian grain growers responded to that challenge. There are now a lot of segregated wheat stacks across our wheat growing areas. It is more complicated and more difficult to handle than the old days of putting the wheat into one barrel. The grain growers had to respond to the consumers, because they stopped buying the wheat.

The live sheep trade has seen massive changes. Perhaps some of the earlier boats did not meet the requirements. Modern boats are well above the standards that are required. Some of the information the committee was given was probably a hang-up from some years ago. Those people had not looked at the way the situation is now handled.

[Leave granted for the member's time to be extended.]

Hon Barry House: When he gets on a roll, he is hard to stop.

Hon BRUCE DONALDSON: One of the things I have a passionate interest in is making sure that our farmers - the pastoralists and graziers - are looked after. Having been in the trade, I understood that some of the figures that were being promoted were wrong. Frankly, there is a greater mortality rate of sheep on farms than on ships. In this modern age, sheep are born on a property and taken to a feedlot. The sheep are introduced to the feed that will be used on the boat trip and are vaccinated. Sheep are not loaded onto modern sheep carriers in Fremantle unless they are in a good condition. How many people would know that 6.5 million sheep left Fremantle last year? The sheep are carried to the port at night. It does not disrupt the normal flow of traffic, but there is a bit of a smell about them. If the people of Fremantle were asked how many sheep left Fremantle last year, they might say three or four boatloads.

Some of the topics that are raised with the committee are interesting. If a member has knowledge of an industry, he can pick holes in what people submit to the committee. It is nice to have some of that experience. My experience was in the live sheep trade. Other colleagues on that committee have their own areas of interest and

expertise. They were able to weigh in and give the committee advice and information. The committee works well in that sense. The chairman probably gets a bit irritated at times with my fixed stance on certain issues, but I have mellowed. When I see the travel documents to look at the liquor burners in Spain and Japan, I will be even more delighted.

Hon N.D. Griffiths: It is very unfortunate that you are resisting the urge to travel on Sunday.

Hon BRUCE DONALDSON: It has been incredibly hard for me, because I know people wanted me to go away. I am not sure whether they wanted me to have a return ticket.

Members should not be surprised if a report were to come in here, because we are confronting a serious situation. It is tied to the development of Western Australia.

I will quickly turn to another small part of the report, which referred to the Residential Tenancies Act. That issue has been finalised. The interesting part was that when the committee advised the principal petitioner and tabling member that it had resolved not to inquire further into the petition, the committee's letter to the principal petitioner was returned, stamped "return to sender". Despite numerous inquiries, the committee has been unable to locate the principal petitioner. That worries me a little. The petition was presented in good faith by Hon Barbara Scott. Was the petitioner genuine or otherwise? I do not know how many other signatures were on the petition. It is worrying when a committee tries to contact a petitioner to explain why the committee has not proceeded with the inquiry, and it receives a letter stamped "return to sender". That is referred to in points 3.127 and 3.128 on page 21 of the report. It is amusing in one sense but is of concern in another.

Hon Christine Sharp: By way of interjection, the principal petitioner in this case was evicted from the caravan park and was in fact the victim of exactly that which he was petitioning about. The committee could no longer trace the person because he had no permanent residency.

Hon BRUCE DONALDSON: If the person was so concerned, he should have left a forwarding address. However, that is beside the point.

I return to my original statement: we need to be very careful before we rush into making changes and appoint a uniform legislation committee. Should petitions be referred to such a committee? I do not think that uniform legislation will take up a lot of time. We are getting back to the proved product. I am sure all members agree that the work done by the Constitutional Affairs Committee was excellent. I say to the Leader of the House that before we leap into the next situation, perhaps there needs to be a bit of consultation. We cannot afford to set up another committee of three members by splitting the Standing Committee on Environment and Public Affairs, because there are staff obligations etc.

Hon NORMAN MOORE: I will make some very brief comments about a couple of matters that are being considered by the Standing Committee on Environment and Public Affairs. The first is the situation at Alcoa World Alumina Australia. In no way am I suggesting that the committee should not continue its analysis of the situation at Alcoa. However, the constant, ongoing criticism of that company through the media is unhelpful and is potentially counterproductive. It is proper that a committee should investigate issues that people raise. It is proper that the issue of the liquor burner at Wagerup be investigated thoroughly, and if any problems are attached to it, they should be required to be fixed. That should be dealt with as a matter of urgency. However, my concern is that an ongoing campaign is being run by certain people in the community - I am not suggesting that it is the committee, but people are using the committee for that purpose - which is continuing to denigrate Alcoa. Alcoa is a very important corporate citizen in Western Australia and employs many thousands of Western Australians. It is a major part of the State's economy, particularly in the south west.

I am aware of Alcoa's international circumstances. During the Christmas break, I had some very long discussions with one senior Alcoa executive from overseas. I am very aware of the reason it initially regarded Western Australia as a good place to be. Part of it was related to the issue of sovereign risk. It came here in the 1960s. I know the story well because my father worked for Western Mining Corporation at the time, and it was in cooperation with Alcoa of America to develop the Western Australian bauxite deposits. It acknowledged then, and it acknowledges now, as Hon Bruce Donaldson said, that the quality of our bauxite is not that good. The bauxite is okay, but it contains vegetable matter contaminants. There was also the issue of the removal of forest resources to enable the bauxite to be mined. As a result of that, Alcoa has become an international expert on the regeneration of forests. It has a very significant environmental record, so much so that these days people very rarely hear any comments about Alcoa's environmental record. It has done that very well. The quality of the bauxite is not that good due to the vegetable matter in it. That is why the liquor burners have been used in Western Australia to try to improve the production process.

Having spoken to the international executive, I am aware that Alcoa has many very significant bauxite deposits in other parts of the world. I refer to places like Jamaica, where there has been a significant expansion in recent times; West Africa, where there are very large deposits; and various parts of South America, where the sovereign

risk is improving. Alcoa is looking at expansion, because the aluminium industry will expand for a long time. It will be looking at places in which it can do more business in the future. We have been hoping that it will expand the Wagerup facility and that it will engage in very large capital investments in Western Australia. I do not know where it stands on that issue now. I think some doubt has been expressed about whether that is the way to go in the future. Alcoa will be contemplating its future in the aluminium industry, not just in the context of what happens in Western Australia but also what happens around the world. It is a multinational company with investments in many different parts of the world. It will make its decisions about where to carry out its operations on the basis of the economic return and the sovereign risk that attaches to any particular deposit.

Although I am not in any way being critical of the committee's work, it is very appropriate that the issues and concerns that have been raised by people be thoroughly investigated. If the company is required to fix the problem once it has been properly identified and determined, it should do so. There is no argument about that, although those who are saying that the facility should be closed down are being a bit premature. However, we should also keep in the back of our minds the fact that this company provides employment for many Western Australians and contributes a very significant part of the State's economy. We need some even-handedness in this issue. As I said earlier, a story a day in *The West Australian* by one particular journalist is not helpful. Those sorts of stories are taken very seriously at the corporate level. Alcoa, which went to so much trouble to defend itself and to develop its environmental programs because it is concerned about community attitudes, is also concerned about community attitudes towards its Wagerup facility, as well as towards its Pinjarra facility. It was criticised in another story about cancer at Carcoola, which is the residential area for the Pinjarra refinery. We must be careful to ensure that this inquiry is not used by others to sensationalise some aspects of the issues, but that at the end of the day we get a very proper and balanced report from the committee's inquiries.

I also mention the issue of Yeelirrie. I have visited Yeelirrie on a number of occasions; it is in my electorate. I am aware of the circumstances surrounding Yeelirrie. I do not think it is quite as bad as the report indicates. I acknowledge that there are deposits of uranium ore on the surface. However, I am also aware that the whole area has a significant amount of uranium ore simply by virtue of the geology of that part of the world. I note that under a state agreement Act, Western Mining is required to make some decisions this year. It will be interesting to see what the Government does about that. It would be a shame if the Government were to say that uranium mining is not on and therefore Western Mining can pack up at Yeelirrie and move out. We should maintain that position, so that the company can be given an opportunity down the track to mine that uranium if it is required at some time in the future. I look forward with some interest to what Western Mining does by the middle of this year and to the Government's response to its proposals. I note that the status of that inquiry is continuing. I hope that a very lopsided, hysterical argument about Yeelirrie does not develop sometime this year and that the committee is not used to promote that point of view.

Debate adjourned, pursuant to standing orders.

Sitting suspended from 1.00 to 2.00 pm