

Mr Brendon Grylls; Dr Judy Edwards; Mr Bernie Masters; Chairman; Mr John D'Orazio; Mr Paul Omodei; Mr  
Jeremy Edwards; Mr Norm Marlborough

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**Division 39: Environmental Protection, \$27 737 000 -**

Ms J.A. Radisich, Chairman.

Dr J.M. Edwards, Minister for the Environment.

Mr D. Carew-Hopkins, Acting Chief Executive Officer, Department of Environmental Protection and Water and Rivers Commission.

Mr G. Ticehurst, Manager, Finance and Administration.

Mr R. Sippe, Director, Policy and Coordination.

Mr B.J. GRYLLS: I refer the minister to the third dot point under "legislation" on page 629, which refers to the clearing of native vegetation and the process of assessing applications. I have a couple of questions that I would like the minister to answer. Who will police this? Will the organisation be regionally based? Can the minister guarantee adequate funding to make this a speedy process to ensure that landowners do not become disillusioned with the process? There is some concern at the moment about how this will play out. When it gets to the implementation stage, it will be very important that initially it is well received by applicants.

[10.40 am]

Dr J.M. EDWARDS: Was the first question who will police it?

Mr B.J. GRYLLS: Yes. I had a meeting yesterday with representatives of the Department of Conservation and Land Management. I asked whether they thought they would become the regulators of the new Act. They said not really but they thought they would have a role to play. That is really the basis of my question.

Dr J.M. EDWARDS: A person - from the member's point of view, particularly a farmer - who wants to do some clearing or check on what he is thinking of doing, will contact the regional office of the Department of Environmental Protection. In the time we have been in government, I have made a concerted effort to build up our presence in the regions. When I became minister, the DEP representatives came to me and advised me to close the Karratha and Kalgoorlie offices, which would have meant their regional capacity was virtually zero. I did not do that. The amalgamation with the Water and Rivers Commission has now rolled through and we have a much greater presence in the regions than we have had. We have the south-west region operations based at Bunbury, north-west operations at Karratha and Kununurra, and mid-west operations at Geraldton. We have outfits at Northam and Kalgoorlie, and on the south-west coast at Albany and in Kwinana. A farmer would go to the regional office in the first instance.

We have been devolving many functions to the regions, particularly what are called part 5 functions under the Environmental Protection Act, which are to do with licensing and works approvals. Part 5 is also the part that clearing permits come under. We envisage that a farmer will contact a local regional office. We have had discussions about what they are wanting to do. As I go through the feedback about the regulations, I believe in many cases - I hope the vast majority - the officer will be able to say that the department regards it as a normal farming activity which is exempt, and so the farmer can go ahead and do it. If it is a more serious clearing issue, the farmer will need to apply for a permit, which is done through those regionally based people. The permit is ultimately issued by the chief executive officer but, as happens at the moment with the way we are devolving many of the functions to the regions, a large amount of work is done in the regions. The reason we do that probably flows through from our licensing decisions. It became clear to me and others that to issue a licence from the city does not necessarily pick up the local elements for how it will operate in the regions. We are bringing those people up to speed with the full range of part 5 activities and the compliance with those part 5 activities. Those people will be checking that if they have issued a licence or permit, the work is carried out according to that. If they get into a more serious enforcement issue, such as something having gone drastically wrong with a licence resulting in pollution, we are urging them to act more centrally and call in the environmental enforcement unit. However, we envisage that a lot of the work will be done in the regions. We are having discussions and will be working very closely with the Department of Agriculture and CALM. The policing to which the member refers would obviously occur under the Environmental Protection Act, because that is the Act we are dealing with.

Mr B.J. GRYLLS: If a person makes an application for clearing, which involves more serious issues, does the minister have a time frame for the processing of that application?

Dr J.M. EDWARDS: One of the reasons we are making the change is that in the past people issued a notice of intent to the Commissioner for Soil Conservation. If when looking at those notices the commissioner thought there was an environmental issue, those projects were then referred from the Department of Agriculture to

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CALM in the first instance to get the biodiversity picture, then to the Department of Environmental Protection, and sometimes then to the Environmental Protection Authority for a full-blown assessment.

We would hope that advice can be delivered fairly quickly and that where there is clearly an exemption, it can be granted. Where there is a permit, it will take a longer period. We have increased the number of staff in the regions. We have had extra funding put into the clearing area; in fact, in 2002-03 when the legislation first came to Parliament, I took the issue to Cabinet and obtained extra funds for this area, which have flowed every year since then. We are looking at the time lines. Clearly, if a proposal is so big and such a biodiversity issue that it needs to be referred on to the EPA, it will take longer. We believe overall that we will be delivering, particularly to some of the people who have been caught up in the system, a much faster product. We will be looking very closely at whether time lines are blowing out.

Mr B.J. GRYLLS: In my area the office is in Northam. How will the officers of CALM and the Department of Agriculture work with the DEP to play that policing role? If a road verge is illegally cleared, will it be incumbent on the CALM officer who sees it to report it to the DEP, which will then follow it up, given the fact that the area is vast and, in the Northam example, the office would be based a long way from the incident?

Dr J.M. EDWARDS: Most people are very responsible. I cannot remember the figure that was used, but I think that either the member or the member for Wagin said that 95 per cent of farmers are responsible. Similarly, I believe that most local governments are responsible. We have had a lot of discussion with local government about how we put this in place. We are looking at purpose permits, which means that they would submit the plan for clearing road verges that they would need to do over a period. They would submit it in the form of a job lot and get a purpose permit to cover it.

With respect to policing it, throughout the whole department we have been paying more attention to compliance and auditing, but we will not audit every single proposal. We audit random samples and, if we are picking up problems, we follow through. If declared rare flora is cleared, for example, it would trigger the Wildlife Conservation Act, so CALM would be involved. People and departments work reasonably well together in the regions. We are working through what those procedures would be.

Mr B.K. MASTERS: Page 631 shows the total cost of outputs going down by some \$3.3 million next year compared with this year. That is in spite of the fact that the minister is obviously hoping that the contaminated sites legislation will come into effect, requiring additional staff and activities for the department, and that the clearing control regulations, to which the member for Merredin referred, will also come into effect, requiring significant additional staff and resources. The two sets of data seem to be incongruous. How can the Government cut funding and yet expect the department to significantly increase the amount of work that it will be doing next year and still meet community and ministerial expectations?

Dr J.M. EDWARDS: I guess that the member has probably heard for a number of years in a row, and I have certainly heard for a number of years in a row, that the environmental protection budget does vary from year to year depending on which particular clean-up has been carried out. Until now such clean-ups have been funded by the Department of Environmental Protection. The variation between the 2003-04 actual and the 2004-05 budget is due to the fact that the money being spent on the Bellevue clean-up drops by \$1 million between 2003-04 and 2004-05. There is therefore money embedded in both those budgets for the Bellevue clean-up, but there is \$1 million less in 2004-05 than in 2003-04. Similarly, in 2003-04 money was carried forward for the Vela Luka clean-up and for the Marangup clean-up, which is not in the 2004-05 budget because it has been spent. In addition, \$2.6 million was previously included in the budget for the Waste Management WA disposal facility at Mt Walton. That figure is not in this budget because it is not occurring in this financial year. There is a large movement of over \$2.6 million, therefore, just because of those issues alone. I think the member needs to look at the full-time equivalents and reassure himself that their numbers are going up so that those functions can continue to be carried out.

[10.50 am]

Mr B.K. MASTERS: Minister, the number of FTEs is increasing only by nine; yet, two major pieces of legislation will come into effect in the coming financial year. Is the minister suggesting that nine additional people are all that are required to enforce the contaminated sites legislation and the clearing controls? If that is the case, she is enormously underestimating the workload.

Dr J.M. EDWARDS: The member will remember that there was new money in last year's budget for contaminated sites and for new people to work in that area. New people have been dealing specifically with the contaminated sites area, and have been looking at how to set up the register, what regulations should go with the legislation, and what is needed to get auditors on board and to manage those auditors. We have already

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employed people. They are in place now to work on contaminated sites. Similarly with land clearing, we received new money about 18 months ago to employ people to manage that problem into the future.

The CHAIRMAN: In light of the agreement made earlier, perhaps now is a good time for the morning tea break. Given that members are being a little tardy with their time, I hope to see them all back at 11 o'clock.

*Sitting suspended from 10.51 to 11.04 am*

[Mrs D.J. Guise took the Chair.]

The CHAIRMAN: The question before the committee is that appropriation be recommended for division 39.

Mr J.P.D. EDWARDS: I note that the budget for the Department of Environmental Protection has had a real cut of about 15 per cent. I refer to output 1, policy, education and advice, on page 633. This output seems to have had a real cut of around two per cent. I also refer to the first dot point on page 630, which outlines major policy initiatives. How does the minister expect those policy initiatives to be achieved when the budget has been cut and the cost of providing programs and advice has increased? The major policy initiatives under that dot point are that the Department of Environmental Protection will conclude drafting the environmental protection policies for Cockburn Sound and the Swan coastal plain wetlands; focus efforts on the further development of the state of the environment reporting program and preliminary outputs; and aim to release environmental education and litter abatement strategies. They are the three major policy initiatives to which I am referring.

Dr J.M. EDWARDS: It will be obvious to the member that there is funding of \$7.5 million for this output, which is more than adequate to carry out all the functions that need to be carried out under this output. As the member heard before the morning tea break, the budget moves around from year to year. That is largely due to the money that is set aside each year and often carried over for the clean-up of contaminated sites.

Mr J.P.D. EDWARDS: Is the minister confident that there is enough funding to address those issues?

Dr J.M. EDWARDS: The reason for budget bilaterals within government is that we always ask for more than we ever receive. I am delighted that we received the new money for salinity this year. That is the thing that makes me feel most proud of this Government's environment budget. I am happy that the Department of Environmental Protection will be able to carry out the activities it is charged with carrying out. We are making sure that we have a good focus on policy-type issues. In some ways we are playing a bit of catch-up.

Mr J.B. D'ORAZIO: I refer the minister to page 629. New contaminated sites legislation is outlined under the section on legislation. A claim is made that the new legislation will provide for the contaminated site auditor accreditation scheme and a public database. Will the minister explain how this will help physically solve some of the problems with contaminated sites? I refer particularly to the old Cresco site in Ashfield, which is within my electorate and the electorate of the minister. That has been a problem for a fair while. Will the minister explain how this legislation will improve the situation in which companies pollute land and then flog it off to someone else, thereby abrogating their responsibility for the site, leaving the people living near the site to carry the can for whatever is happening, and exposing the State to a major problem?

Dr J.M. EDWARDS: The contaminated sites legislation will make sure that a person cannot contaminate a property, sell it to someone else and not tell the buyer about the contamination. It is currently possible for an owner to contaminate a site and then sell it, which also means passing on the problem. The new legislation will ensure that does not happen. In addition, it will set up a publicly available register of contaminated sites. People will be able to find out whether a particular site is contaminated. The legislation sets out a framework for levels of contamination and how to manage that framework. People who own a site that they believe is or may be contaminated will be obliged to report it. Other people who have knowledge of such a site can also report it, but must effectively sign a statutory declaration to make sure we get all the evidence. The referral will then be investigated. The chief executive officer will determine whether further investigation is needed to determine whether a site is contaminated. If a site is found to be contaminated, it will be classified. Obviously, contaminated sites that cause public health or severe ongoing environmental issues will need to be remedied. The legislation also sets out the framework for doing that. The vast majority of sites that will be found to be contaminated will have the contamination contained or it will be underground, and it will not really be doing anyone any harm. However, we will need to know about the contamination so that no purchaser unwittingly buys such a site and no-one living near or operating at the site unwittingly drills into contaminated water.

[11.10 am]

The register will be very important for the community's right to know exactly what is going on. As I explained previously, we have taken on board new staff to deal with this area and they are getting up to speed. In particular, we are looking at the issue of auditors. There are opportunities for people to be auditors because

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audits will be done by privately accredited people. However, the final responsibility on signing off on the audit will be undertaken by the department.

Mr J.B. D'ORAZIO: For sites at which there is a potential for contamination, for example, the landfill site at Calingiri that has been used by the Atlas group - an issue that is dear to my heart - is there some possibility that those auditors will be able to check that now rather than later when the pollution has already occurred?

Dr J.M. EDWARDS: I think this is an issue that is quite sensitive in the member's electorate or flowing on from people who live in his electorate. We have no evidence that that site is contaminated. The department checks and makes sure that people are abiding by their licence conditions, and that has happened in this instance. In future, if people believe a site is contaminated, although they will be able to report that if they are not the owner, the process will be rigorous and it will effectively amount to a statutory declaration. In future, if people believe a site is contaminated, they will need to produce evidence of why they believe it is contaminated, which will need to be something pretty concrete for us to then follow through on. Obviously, there was concern from some sectors of the community that there may well be vexatious reporting. We have designed a system to make sure that that does not happen. There are penalties under the Act for a person who knowingly makes a false report.

Mr J.B. D'ORAZIO: Is the minister telling me that the auditors will not be able to check that site?

Dr J.M. EDWARDS: I am saying that that licence is currently checked for compliance, and audits of the licence will continue, but quite an amount of work has gone on, and no evidence has been presented to me that there is something causing that site to be contaminated.

Mr B.K. MASTERS: Output 1 on page 633 of the *Budget Statements* talks about the need for environmental policy to be effectively implemented. I would like to quote from the March newsletter of the Environmental Consultants Association (WA), of which I am a non-active member. On the president's page he states -

I have been alarmed by feedback from members that indicates a developing culture of distrust for consultants among officers at the EPASU and the DoE.

With regard to a discussion between the ECA and the Environmental Protection Authority service unit, he states that -

... the following issues that arose during our discussion:

- ...
- the senior resource base in EPASU had gone from eight to two - more work but less horsepower
- ...
- an acknowledgement that the top-down message to staff re the need for cooperative relations with consultants is missing some people
- an acknowledgement of some culture and morale problems within the DoE.

I have raised these issues with the minister on numerous occasions. I commend the minister's acting chief executive officer, who I think has lifted the performance and professionalism of the department significantly since he was given that task. However, the problem is still ongoing. I ask the minister to advise what is being done to rebuild trust between the department and the broader community, which, in this case, is represented by the Environmental Consultants Association.

Dr J.M. EDWARDS: If the member were inclined to show me the newsletter, I would be more than happy to follow that through. Although the comments are fairly general, knowing the Environmental Consultants Association they would be based on some particular event. We are always happy to follow up and improve on our services. Under the direction of the acting CEO, a lot of work has been done internally with the staff on how we relate to the community and stakeholders in the community and how we can work with them in a more effective fashion; a fashion in which departmental staff know what their role is and the people they are dealing with get the outcomes they are after, presuming they are environmentally acceptable. Workshops have been held and training has been undertaken with a particular focus on professional development and communication. To some extent, I am a little disappointed with what I am hearing. I meet regularly with staff. Towards the end of last year I met individually with every division. In addition, I get regular feedback from the union, of which a proportion of staff are members. I get feedback through a number of different avenues as well as meeting regularly with groups like the Environmental Consultants Association. If the member wants to be more specific, I am happy to follow through.

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Mr B.K. MASTERS: One of the complaints made by the president of the Environmental Consultants Association is that there are people within the department who are not prepared or not all that interested in the science of environmental issues. I interpret that to mean that they are more interested in the politics of environmental issues. I simply alert the minister to my interpretation of what the ECA president has said about a reluctance on the part of some of the minister's staff to use and apply science.

Dr J.M. EDWARDS: Clearly, the scientific underpinning in these issues is very important. We have some excellent scientists in the department. With this new CEO, we have improved the working relationships between the Environmental Protection Authority service unit and the areas in which the scientists are based - they are based across all different streams of the department. We have made sure - I have checked with the chair of the EPA - that when it is wanting particular scientific advice, it can get it internally or externally. I agree with the member; the people who work there are public servants and there is a role to be undertaken. Perhaps the only area in which we part company a little is that sometimes we are dealing with the community, and things put forward by community are not always totally embedded in or based on science, and we all have to deal with that. At the end of the day, we must make credible, justified and proper decisions.

Mr B.K. MASTERS: I obviously agree with that last statement of the minister. I guess one of my -

The CHAIRMAN: Do you have a further question, member?

Mr B.K. MASTERS: In response to the minister's statement, my question is: does the minister agree that there are times when Government and the public servants working within government need to stand up to some of these community groups and say that they are not being scientific or factual and that they are not prepared to take the community's particular concern further?

Dr J.M. EDWARDS: I am not too sure how that relates to the budget -

The CHAIRMAN: It is a bit of a stretch I would have thought.

Dr J.M. EDWARDS: There are times when that occurs. If the member wants examples of the processes, then that occurs at times in ministerial decisions on appeals - going back to EPA bulletins - and departments exercise that as well.

Mr B.J. GRYLLS: I refer to the fourth dot point on page 629 about the clearing of native vegetation. I hope that the minister or one of her advisers can provide the estimates committee with some understanding of the rural land clearing applications compared with the urban land clearing applications so that we can get some idea of where the applications for clearing to take place are being made. Can the minister also outline what, if any, action has been taken to clear catchment areas to allow greater run off into dams?

Dr J.M. EDWARDS: The second question really comes under the budget for the Water and Rivers Commission. We have a staff member present who can answer that, but he is not sitting here -

Mr B.J. GRYLLS: I will ask that question later.

Dr J.M. EDWARDS: The first question was about rural versus -

Mr B.J. GRYLLS: Where is the clearing taking place?

Dr J.M. EDWARDS: More clearing is taking place in urban areas than rural areas when looking at the sum total of clearing that is occurring. It is particularly occurring in what I refer to as the peri-urban areas for development versus smaller amounts of clearing that take place in the agricultural region and other parts of State. With the changes to the Environmental Protection Act -

Mr P.D. Omodei interjected.

Dr J.M. EDWARDS: Does the member want to listen?

Mr P.D. OMODEI: He is listening.

Dr J.M. EDWARDS: He must have some feminine traits; he is able to listen to a number of different conversations at once.

[11.20 am]

Mr P.D. OMODEI: I do not have any feminine traits!

Dr J.M. EDWARDS: I am not referring to the member for Warren-Blackwood; the compliment was to the member for Merredin!

With the changes to the Environmental Protection Act, permits will now be needed in urban areas as well as in the agricultural regions. That is one change to which people have not paid a lot of attention. These new regulations apply to the whole of the State, not just to the agricultural areas. In fact, the regulations under which

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the system operates at the moment also apply to the whole of the State, but they have only been imposed in the agricultural areas.

Mr B.J. GRYLLS: Therefore the minister can understand some of the concerns from the agricultural region that that has been taking place, when farmers see the clear-felling and destruction on the coastal strip to build houses while they are in trouble for clearing one tree that is blocking off a gateway on their property. That is really the basis of my question, and I am glad that the minister has answered it.

Dr J.M. EDWARDS: The member need look only at the controversy surrounding some of the decisions I have made on projects that have come up on appeal. Recently, for example, LandCorp went through the situation of having a proposal go to the Environmental Protection Authority. The level of assessment was appealed, and I agreed with the appellants. I believe that LandCorp had not considered biodiversity to the extent that was necessary. A formal assessment was then made, which understandably did not over-impress LandCorp. Like all such entities, LandCorp argued that there is a great pressure on it to proceed with its tasks. Following the formal assessment, further issues arose and the appeal decision at the end allowed LandCorp to clear a lot less than it had originally intended through the formal assessment, and particularly with respect to what it had intended to clear at the very beginning. No-one screams too loudly about all those, because in the end the proposal has gone through the system. Already there is quite tight regulation on what happens in parts of the urban area.

Mr B.J. GRYLLS: I have a further question. I know the minister asked that I save the question about clearing of catchments for the Water and Rivers Commission estimates. However, my understanding is that such clearing would have to be approved by the Department of Environmental Protection. If the minister wishes to answer that in the section on the Water and Rivers Commission, I am happy with that, but if Mr Carew-Hopkins can make some comments about the DEP's role, that would be useful.

Mr CAREW-HOPKINS: If the member is talking about applications for clearing in catchment areas, they will still be required to be submitted to the department, which I presume is the DEP part of the department, under the new regulations when they come into force.

Mr B.J. GRYLLS: Have any of those applications been made yet?

Dr J.M. EDWARDS: Applications would not yet have been made for permits, because that system is not yet operating. I need to check with the Water and Rivers Commission, because my understanding is that some clearing has taken place in catchments for that purpose. I do not have that information in front of me, and I am not absolutely certain of the facts.

Mr CAREW-HOPKINS: If I can add to that, the system for clearing applications in controlled water catchments is still going on and is handled through the Water and Rivers Commission. Applications are still being dealt with through the Water and Rivers Commission in catchments such as Collie.

The CHAIRMAN: I remind members that they had actually planned to finish both divisions 39 and 40 by now. There are six divisions remaining to be considered, including the one presently being dealt with, and the session needs to finish by 1.00 pm. It is just a reminder about the time.

Mr P.D. OMODEI: I refer the minister to page 629, not only the budget but also the reference to the clearing of native vegetation, rural and urban. Given that there will be a cut of 15 per cent to the department's budget, has the minister considered staffing levels, particularly in the Bunbury office, where many clearing applications are dealt with? I commend the staff in Bunbury for the very cooperative and polite manner in which they deal with the concerns of members. However, in recent times I have had cause to contact the department in relation to clearing of native vegetation in dam sites, where the dam had been approved by the Water and Rivers Commission. A coinciding application has had to be made to clear the vegetation. Once the Water and Rivers Commission has given approval for the construction of the dam, surely there should be an automatic approval to clear native vegetation in the dam site. In this case, I understood from the officer that there were 20 applications to clear and waiting times were up to 22 weeks. I wrote to the minister about this a couple of months ago now. I am not sure whether I have received a response. If approval to build a dam has been granted and the applicant must wait 22 weeks for a permit to clear native vegetation, then a dam is not built that year. The frustration of farmers can be imagined, particularly in cases in which the application is to clear six or eight paddock trees to expand a vineyard, and they then have to wait that length of time. Can the minister give me some advice about staffing levels and whether she has increased them?

Dr J.M. EDWARDS: As I said previously, the cut in the budget is not a cut. I can go through that again if the member wants, including the \$2.6 million that is not there -

Mr P.D. OMODEI: I can imagine that it is the Water and Rivers Commission coming across, etc.

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Dr J.M. EDWARDS: No, it is not. It is to do with the fact that the previous Government included \$2.6 million for the Mount Walton disposal facility, but that did not happen. Immediately, by comparison, this budget drops by \$2.6 million. In the case of the Bellevue clean-up, money is spread over four years, but in 2003-04 and 2004-05 it drops by \$1 million. That shows up as a cut but it is not, because it is for a clean-up. To deal with the member's second point, since 2002-03 new money has been included in the budget for the clearing permit system. When the legislation was introduced into Parliament, I secured new money. People have been looking at all this, so that new money has flowed in each year. There are 49 full-time permanent staff in the Bunbury office. Again, at the risk of sounding like a broken record, we have made a real point of trying to get staff out into the regions. Since 2002-03, 79 extra full-time equivalents have come into the Department of Environmental Protection.

Mr P.D. OMODEI: That is frightening.

Dr J.M. EDWARDS: We have more people and we have tried to shift them out to the regions. We now have many more regional officers. As regards the member's comments about the clearing, if the applicant has gone through one process he should not have to go through the other. I will follow that up. The whole reason for the amalgamation of the departments and a streamlining of the clearing permit system was that there would be a one-stop shop in which all the tick-offs would be done. The landowner would be aware of the process but would not be put through the mill over it.

Mr P.D. OMODEI: But the 22-week wait -

Dr J.M. EDWARDS: Twenty-two weeks is far too long. I will track down the correspondence and find out why that is happening. It is really not acceptable. Is the application in a core catchment area?

Mr P.D. OMODEI: Yes, it is a proclaimed catchment. The very good committee that visited the minister is the advisory committee to the Water and Rivers Commission. Once the dam was approved I would have expected that a native vegetation clearing permit would not be required, because the area will be covered in water anyway.

The CHAIRMAN: At this point, is it worth gauging how many questions members still want to ask on this division? The member for Vasse has two. If there is agreement from the committee, I will give the member for Vasse the call and we might be able to finish this division.

Mr B.K. MASTERS: In two different places in the *Budget Statements*, including at page 630, reference is made to the completion of the Swan coastal plain wetlands environmental protection plan. I have raised this issue with the minister several times in the past, and tried to alert her to the fact that several thousand private landowners have properties that will fall almost 100 per cent within wetlands as mapped by the former Water Authority of Western Australia. If the department proceeds with the EPP as it currently stands, does the minister see a need to increase staffing in the department specifically to handle this issue, or is she planning to resolve the interactions and controls placed on landowners in some way that will not require huge staffing inputs to the day-to-day dealings with those landowners?

[11.30 am]

Dr J.M. EDWARDS: Firstly, the environmental protection plan was revised last year, but further advice came from the State Solicitor's Office that it needed to be referred back to the EPA. That has happened. I understand that the EPA will release the finalised EPP again for further consultation in the middle of this year. I will await that being done by the EPA.

In respect of staffing and management, as I said previously, 70 extra staff have been put on over the past two and a half years in this division alone, so we have extra staff to undertake the task. In addition, we are looking at both the Water and Rivers Commission's and the Department for Environmental Protection's interest in wetlands, and combining those functions. Therefore, people will work together and avoid the problems alluded to by the member for Warren-Blackwood. I guess the final answer to the member's question cannot be given until the draft EPP is released.

Mr B.K. MASTERS: Under output 3, pollution regulations, will the department take any action to better regulate smoke from domestic wood fires? The issue has been raised with me several times, and it has significant implications for Perth's air quality. It is the old story of areas like Duncraig suffering bad air quality in winter. Are any changes to be made? Will increased powers be given to local government to allow the enforcement of controls over smoky domestic fires?

[Ms J.A. Radisich took the Chair.]

Dr J.M. EDWARDS: This issue is worse in certain suburbs in the city, and it is an issue in the member's area and in certain parts of the south west of the State. The Government will announce some haze measures in the

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coming weeks. The budget contains money to keep implementing the Perth air quality management plan and to undertake some more initiatives. The legislative changes to which the member refers are to the Health Act. I cannot recall whether they are in Parliament. They have been drafted, and I am happy with what is proposed as those measures will go some way towards addressing the problem.

Mr B.K. MASTERS: I ask for supplementary information as background in that area, minister.

Dr J.M. EDWARDS: It is a Department of Health matter, but we undertake to report supplementary information.

[*Supplementary Information No B13.*]

Dr J.M. EDWARDS: The question relates to progress on legislative change relating to regulating smoke from wood heaters.

Mr B.K. MASTERS: I refer to smoke from domestic fires.

The CHAIRMAN: I thank the minister for the clarification.

Dr J.M. EDWARDS: In addition, the department has held a number of workshops with environmental health officers in local government to create better links between the Department of Environmental Protection and local government environmental health officers, who are important with a number of these issues. This problem comes more into the nuisance category for people living close together, but it can profoundly affect quality of life if it is left unchecked.

Mr J.P.D. EDWARDS: I refer the minister to page 636 and the output of performance measures. I raise the Bellevue site remediation. I note the following reference in the budget papers -

Reduced milestones due to adjusted cashflow associated with Bellevue site remediation.

Can the minister explain how these have been adjusted? How much has been spent to date on the Bellevue remediation, how much remains to be spent and what is the timetable for the expenditure and future remediation of the site?

Dr J.M. EDWARDS: Quite a lot of work is going on out at Bellevue. A Bellevue community reference group is working extremely closely with the department going through how the clean-up is carried out. The group is also going through results of the testing, seeing the documents before they are released and looking at the evaluations made. In many ways, the progress of that body is determining the rate of the clean-up. I will give the member the funding in the first instance: \$400 000 was provided in the 2002-03 budget, \$3 million in 2003-04, \$2 million is allocated in 2004-05, and \$200 000 is projected for 2005-06 and 2006-07. If the member wants information on exactly how much has been spent - although we try to stage these clean-ups as realistically as possible with the money allocated, there is generally a delay in the carryover - we will not know that until 30 June. However, work has been undertaken and it is on track. Money is allocated for the clean-up.

Mr J.P.D. EDWARDS: What is the timetable?

Dr J.M. EDWARDS: It is anticipated that the major work will be done in 2004-05, and final remediation works will be carried out in 2005-06 and 2006-07.

Mr N.R. MARLBOROUGH: I want to ask a number of questions about my electorate. I am particularly concerned as the local member about the role I am playing in assisting, along with the Minister for Racing and Gaming, the Rockingham City Council in relation to major recreation facilities at Lark Hill. The outcomes at that facility are being affected by policies -

The CHAIRMAN: To what part of the appropriations does the member refer?

Mr N.R. MARLBOROUGH: I refer to significant issues and trends on page 629 of the *Budget Statements*. I am sorry to put the minister on the spot, but the Lark Hill concept has been planned for a number of years. A meeting was held this Monday with officers from CALM, the Department of Environmental Protection's Mandurah regional office and the Rockingham City Council. The city council was advised that although the proposal has been approved by the Department of Planning and Infrastructure and the office of Bush Forever, there is no DEP approval for water use on that site. This is after the Rockingham City Council was requested to do major work studies on draw downs and deep water aquifers. As requested, that evidence was produced at the meeting. The entire process seems to have been stopped as a result of Monday's meeting. The Mandurah office of DEP states that the matter cannot be approved unless further major work is done on water aquifers. It seems to have stalled altogether. My question to the minister is as follows: this has been a 10-year process. In the past two years, the plan has gained some credence under the Minister for Racing and Gaming. Can a meeting be held

Mr Brendon Grylls; Dr Judy Edwards; Mr Bernie Masters; Chairman; Mr John D'Orazio; Mr Paul Omodei; Mr  
Jeremy Edwards; Mr Norm Marlborough

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fairly urgently with appropriate officers to ensure that the development, which is intended at some time in the near future to be the next major metropolitan racetrack, can be pursued to achieve appropriate outcomes?

Dr J.M. EDWARDS: This is not the right division to ask that question, but the answer is yes.

Mr N.R. MARLBOROUGH: I thank the minister.

**The appropriation was recommended.**

[11.40 am]