

STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

*Sixty-second Report — Petition No. 029—Request for an independent review of the
Department of Biodiversity, Conservation and Attractions prescribed burning practices — Tabling*

HON PETER FOSTER (Mining and Pastoral) [10.07 am]: I am directed to present the sixty-second report of the Standing Committee on Environment and Public Affairs titled *Petition No. 029—Request for an independent review of the Department of Biodiversity, Conservation and Attractions prescribed burning practices*.

[See paper [2326](#).]

Hon PETER FOSTER: The report that I have just tabled advises the house of the committee's investigations into petition 29 of the forty-first Parliament, tabled in the house by Hon Dr Sally Talbot and Hon Jackie Jarvis on 15 and 16 September 2021 respectively. It contained 2 601 signatures in total. The petitioners requested that the Legislative Council recommend to the government that it should commission an independent review of the prescribed burn practices of the Department of Biodiversity, Conservation and Attractions. The petitioners further requested that the review should include an assessment of the department's environmental objectives; research, monitoring and evaluation of ecological impacts on fauna and flora carried out by the department; the application of relevant and recent leading external research; the provision and integrity of the fire exclusion reference areas; adaptive management for climate change, disease, drought and wildfire; and transparency, accountability and public and stakeholder consultation.

Having received submissions from the principal petitioner, Donald Clarke, and from Hon Dr Sally Talbot, the committee wrote to the then Minister for Environment, Hon Amber-Jade Sanderson. Following receipt of her reply, and at her invitation, the committee undertook field visits to the Perth hills and Mundaring area and the Margaret River region, where members were able to see, amongst other things, areas that had undergone prescribed burns. The committee observed the differences between unburnt areas, areas subject to prescribed burns conducted at various times and areas that had been scorched by uncontrolled bushfire.

The committee then resolved to take oral evidence from a number of parties, and hearings were organised with the Department of Biodiversity, Conservation and Attractions; the Department of Fire and Emergency Services; Fire and Biodiversity WA; and the Leeuwin Group. A written submission was also received from the Bushfire Front. The committee thanks everyone who assisted. The committee noted that all witnesses agreed that prescribed burning had a role to play in the mitigation of the threat of bushfires. It was the methods used by the department that was questioned by the petitioners and some witnesses. On the basis of the evidence received and the field visits undertaken, the committee was satisfied that it could rely on the expertise of the departmental officers responsible for undertaking this task. However, the committee was of the view that improvements could be made in a number of areas. More could be done in terms of public education and informing and engaging with the stakeholders in the state about why prescribed burning is carried out and the benefits that derive from it; more detailed pre-burn monitoring of flora and fauna should be undertaken with the addition of more environmental staff, if necessary, together with the use of available technology; as much information as possible should be published on the department's website, particularly with regard to post-burn monitoring; and closer and increased dialogue with local interest groups in the regions should occur. The committee was satisfied that the department is well aware of the need for improvement in these areas and that it has an active program in place to achieve those improvements. The committee encourages the department in its pursuit of continuous improvement. Fire can be unpredictable and the loss of flora and fauna will occur, sadly. However, the committee found that this was at a much lesser scale than if the area subject to uncontrolled bushfire had been previously burnt through bushfire mitigation practices.

Having considered all the evidence received and the knowledge gained from the site visits, and taking into account the department's commitment to continuous learning and improvement, the committee resolved not to recommend to government that it commission an independent review of the Department of Biodiversity, Conservation and Attractions' prescribed burning practices as requested by the petitioners. The report makes no findings.

I commend the report to the house.

Sixty-third Report — Overview of petitions 1 July 2022 to 31 December 2022 — Tabling

HON PETER FOSTER (Mining and Pastoral) [10.11 am]: I am directed to present the sixty-third report of the Standing Committee on Environment and Public Affairs titled *Overview of petitions 1 July 2022 to 31 December 2022*.

[See paper [2327](#).]

Hon PETER FOSTER: The report that I have just tabled advises the house of the petitions that were finalised by the Standing Committee on Environment and Public Affairs in the second half of 2022. During this period, the committee concluded its inquiries into 18 petitions.

Part 1 of the report outlines the petitions process. When petitions are tabled in this house, they are automatically referred under the standing orders to the Standing Committee on Environment and Public Affairs. Usually, the person sponsoring the petition and the tabling member are asked to provide a submission in support of the petition, giving the committee more detail and context. Having received those submissions, the committee will seek responses from responsible ministers before deciding how to proceed.

As the report notes, a petition will not always bring about a change of policy by the government or achieve the specific objectives desired by petitioners. At the request for submission stage, the sponsoring petitioner is provided with a fact sheet in order to temper expectations. That fact sheet explains that the committee is not a decision-making body and has the power only to make recommendations for the government to consider. It does not have the power to direct, amend or overturn the decisions of other bodies. It cannot make binding decisions to resolve the matters or issues raised in the petition; only the government has the power to change policy or take other action to resolve these matters.

Part 2 of the report gives an outline of the 18 petitions that were finalised in the reporting period, with the reasons for the finalisations. The subject matter of the petitions was wideranging and numerous. As is often the case, a number related to planning issues. Two separate petitions raised questions about the government's COVID-19 emergency declarations decisions. Other subject matter covered included access to health services, the native logging ban, the local government reform process, crime and antisocial behaviour, and flood mitigation plans.

On occasion, the committee will decide to make further inquiries about the subject of a petition and then table a report on its findings. It did so in the case of petition 20, which related to penalties for dog attacks and was the committee's sixtieth report, tabled on 24 November last year.

Sometimes the petition will result in a positive outcome. Petition 53, for example, expressed concern regarding the outdated home indemnity insurance cover for new building and home renovation customers, including the QBE policy to cap payouts to \$100 000. This followed the collapse of a number of building companies in the current financial environment. The committee was pleased to note that in October 2022, the government gazetted the new Home Building Contracts Regulations 1992. The HII payout cap has now been increased to \$200 000.

Petition 63 expressed concern about the adequacy of child development services and related programs delivered in Western Australia, specifically the long wait lists to access paediatricians, clinical psychologists, allied health specialists and other therapeutic services, to the detriment of newborns through to children. The committee was able to finalise its involvement in this petition when, on 31 August 2022, this house established the Select Committee into Child Development Services to fully investigate the issues raised.

At the end of this reporting period, the committee was continuing its inquiries into 19 open petitions. They are listed in part 3 of this report. The committee takes this opportunity to again thank all tabling members, and to encourage them to provide a written submission to the committee after a petition has been tabled. The committee notes the ongoing trial of the e-petition system, which has been extended and will now run until 31 October 2024. The committee regards this trial as a success so far. Eleven of the 19 petitions under investigation at the end of the reporting period originated as e-petitions. Further, the majority of the petitions that have been dealt with in the first half of this year, and of those that are currently being dealt with, have arrived in this format.

I commend the report to the house.