

Hon Klara Andric; Hon Steve Martin; Hon Stephen Pratt; Hon Peter Foster; Hon Shelley Payne; Hon Pierre Yang; Hon Nick Goiran; Hon Martin Pritchard; Hon Kyle McGinn

*Standing Committee on Environment and Public Affairs — Fifty-eighth Report —
Overview of petitions 2 June 2021 to 2 December 2021 — Motion*

Resumed from 19 October 2022 on the following motion moved by Hon Peter Foster —

That the report be noted.

Hon KLARA ANDRIC: I rise today to speak on the fifty-eighth report of the Standing Committee on Environment and Public Affairs entitled *Overview of petitions 2 June 2021 to 2 December 2021*. I spoke on the committee's fifty-ninth report last week and following in suite the fifty-eighth report is also an overview of petitions tabled. I assume the fifty-ninth report is a continuation of the fifty-eighth report. The fifty-eighth report contains a total of 39 petitions that were referred to the committee over the reporting period of June to December 2021. Of the 39 petitions, the committee concluded its inquiries into 24 petitions.

I want to speak on petition 8 tabled on 12 May 2021, which calls for a change to the speed limit along a portion of Chapman Road in Geraldton. I had the pleasure of visiting Geraldton for the first time a few weeks ago. I am sure Hon Sandra Carr knows the road I am referring to.

Hon Darren West: It's a very busy road.

Hon KLARA ANDRIC: It is a very busy road. The petition in question calls for the speed limit on Chapman Road to be reduced from 60 kilometres an hour to 50 kilometres an hour and for a pedestrian crossing to be installed on the corner of Chapman Road and Dean Street. Local community members were motivated to petition Parliament due to concerns about the safety of pedestrians walking along this very busy street. The Geraldton foreshore is undergoing some major enhancement. As I said, I had the pleasure of seeing the enhancements when I was there not too long ago, and pedestrian traffic along Chapman Road has increased quite significantly. The road also has a large shopping centre located at one end and a school at the other end —

Hon Sandra Carr: Two schools.

Hon KLARA ANDRIC: There are two primary schools at the other end. Upon receiving the petition, the committee began its inquiry by writing to the Minister for Transport, Hon Rita Saffioti, on behalf of the petitioners. The Minister for Transport advised that Main Roads was responsible for the approval, installation and maintenance of the speed zone signs on all roads and for local roads it is at the request of local government. In this case, that is the City of Greater Geraldton.

The Standing Committee on Environment and Public Affairs proceeded to write to the City of Greater Geraldton, which responded with a positive level of support for the petition and, as a result of that positive level of support, it is my understanding that the report was finalised. At first, the request to change the speed limit was denied by the city due to traffic data affirming the sensibleness of keeping the major arterial road at 60 kilometres an hour. However, in February I read a media article that stated that Main Roads had conducted a safety audit and decided that, in fact, a reduction in speed from 60 kilometres an hour to 50 kilometres an hour was appropriate for this road and the pedestrians who use it in what is a high-access zone. The petition's goal was essentially achieved, with the city's mayor saying in a Facebook post that the speed change was the result of, and subject to, a parliamentary petition, and that there had been major community-driven push for the change. It is petitions like these that ensure that the voices of the public, and the voices of the Western Australian public, are heard, particularly about issues that relate to important safety concerns. Pedestrian crossings and a reduction in speed limits are safety concerns, and this was outlined in the call for petition 8.

Having read both the fifty-eighth and fifty-ninth reports, I can attest that through this committee, members of Parliament and the public alike are made aware of far-ranging issues raised by members of the community. Having read the two reports, I have certainly learnt about many issues in the South Metropolitan Region, the metro region and regional communities of which I was not aware. Last week during debate on the fifty-eighth report, I spoke about the development in Margaret River, an issue that I might not have known about had I not been made aware of it through a petition.

Petitions are a fantastic avenue and opportunity for members of the community to raise awareness about things that are important to them. Although petitions have no legal effect, the thousands, if not millions, of petition signatories represent a formidable force in our democratic process. In closing, I congratulate committee members: Hon Peter Foster, the chair; Hon Sophia Moermond; Hon Stephen Pratt; Hon Tjorn Sibma; and Hon Shelley Payne.

Hon STEVE MARTIN: I rise to make a contribution to the fifty-ninth report of the Standing Committee on Environment and Public Affairs. I thank the committee for its work. I refer in particular to petition 42, Department of Communities Housing in Karawara. The principal petitioner was Debra Moran and the tabling member was Hon Stephen Pratt.

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Point of Order

Hon STEPHEN PRATT: I do not know which standing order to refer to, but I understand that Hon Steve Martin is speaking about the wrong report.

The DEPUTY CHAIR (Hon Dr Brian Walker): Which report is the member speaking to?

Hon Steve Martin: The fifty-ninth report.

The DEPUTY CHAIR: That is well spotted. The question is that the report be noted.

Committee Resumed

Hon PETER FOSTER: I rise to provide a second contribution on the fifty-eighth report of the Standing Committee on Environment and Public Affairs titled *Overview of petitions 2 June 2021 to 2 December 2021*. In my contribution I will spend a bit of time reflecting on what other members said. This is the first report that I have tabled as chair of a committee so it is quite humbling for me personally to listen to everybody talking about a report that I tabled. Thank you everybody who has contributed thus far. As we have talked about previously, this report refers to 39 petitions that the committee dealt with between 2 June and 2 December 2021. The committee finalised 24 of the petitions. It is great to hear some members talk about individual petitions. It is really important that we have the petitions process; a few members reflected on that in their contribution. Having a background in local government, I have had a lot of experience with some of the petitions, but I do not know enough about a large number of the petitions.

I have to give a shout-out to our committee staff: Laura Hutchinson, who was our advisory officer at the time of this report—we have since had a staff changeover; Kristina Crichton, who was our research officer and, I happy to say, who continues to be our research officer; and Geoffrey States, our committee clerk. He spent about six months or so with our committee. It is great that when we get petitions, the committee staff put in a lot of time and effort researching each individual petition and putting information together so that we are able to present them to Parliament.

A number of petitions were read in during the first weeks of the forty-first Parliament so when our committee started, a number of petitions were ready to go. Three petitions were lodged on 5 May, which, I think, was the sitting period before the forty-first Parliament; one was read in on 12 May and two were read in 13 May. Of course, they were all written petitions because at that stage, we had not considered the e-petition system. I give a shout-out to the e-petitions system, which seems to be working really well. A couple of weeks ago, the Standing Committee on Procedure and Privileges did a short report on the e-petition system and the chamber agreed to continue that system until August next year, which is really great.

For those members who have not facilitated an e-petition, it is easy. Members will get an email with the petition from the clerks. They need to sign it and agree to facilitate the e-petition and then it goes up on the website. I am currently facilitating a petition and pretty much the day I signed the docket, it was up on the internet. I need to give a shout-out to the e-petitions tab. If people want to know what petitions on the backburner will go before the chamber and the committee and ultimately before the chamber in a report, they are listed there. It is great because it helps people from across WA participate in the petition system. I facilitated petitions prior to coming to Parliament when I was involved in local government and, prior to that, I facilitated petitions because I would often set up a table outside a supermarket or a community market to get as many signatures as I could. It is great if the issue is a local issue and it affects one town or area, but a lot of the petitions contained in this report deal with issues across the state, which is why I think it is really good that we have the e-petition system, because people can participate and get involved.

I will talk about a few members' contributions. A number of members have already made contributions to this debate. Hon Shelley Payne, my fellow committee member, has already made a contribution to the debate on this report, as has Hon Stephen Pratt, another of my fellow committee members. We heard a contribution from Hon Nick Goiran. He talked about some of the petitions that are quite cheekily listed on almost the last page.

Hon Nick Goiran: It was mentioned in the report, though, right?

Hon PETER FOSTER: It was, on the second from last page, but he got it in there anyway! I take on board the feedback that he has given us about the public status of documents. I acknowledge the comments he made. Hon Stephen Dawson, who is away on urgent parliamentary business, also made a contribution to the debate. Hon Stephen Dawson was the deputy chair of this committee in his earlier period in Parliament. It was great to hear about his personal experiences being involved in this committee. There is a lot of work. I think Hon Nick Goiran also in his contribution said that we need to be across quite a large range of subject matters. As members can see by the report, we spend the majority of our time dealing with a diverse range of subjects. When legislation is coming before the chamber, petitions are often circulated by people who oppose a certain bill. We get a lot of social and health issues. When we had the vaccinations during the COVID pandemic, quite a lot of the petitions coming through

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had a health theme. We have heard today about some of the road issues; there are a lot of petitions about local road issues. There is quite a wide range. We need to do a lot of reading to keep up to speed.

We also had a contribution from Hon Dr Steve Thomas, who talked about a particular road that had a change in speed limit. It was great to hear about that. I think that a petition was run by the local Country Women's Association, which campaigned really hard. I think he said in his contribution that one should argue with the Country Women's Association at one's peril, because once it takes up an issue, there is a high prospect of success. It was amusing to hear that.

Hon Pierre Yang, who is also out of the chamber at the moment on urgent parliamentary business, also made a contribution to the debate on this report. He talked about the history of the petition system. It was really interesting to hear about that. Obviously, a lot of our traditions in this Parliament come from the United Kingdom, and it was great to learn about how the petition system has developed from the Middle Ages into modern times and how important the petition system is for people to raise issues and bring them to the Parliament.

This report was lodged on 24 March last year. We are now at 22 March this year, so this has been sitting on the notice paper for almost 12 months. I really hope that members have taken the time to grab it off the shelf and have a read. When considering this report, I think it is important to highlight that it is great that the members of our committee have diverse backgrounds. Hon Shelley Payne, Hon Stephen Pratt and I have all come from local government backgrounds. We have all spent a number of years involved in our local areas in local government. That background and experience helps us to look at petitions in a particular light and frame. There is a report later on the notice paper that deals with dangerous dogs and the Dog Act. Our local government experience helped us to deal with that petition. I hope that members have had a chance to look at that report. If not, that is an advance warning that it is coming up on the notice paper very soon. That was lodged by a member here, and it will be great to hear members' viewpoints on that petition.

I have only a minute or so left. I briefly acknowledge that our committee recently commenced an inquiry into the past forced adoption policies and practices. All the information for that inquiry, including the terms of reference and how to make a submission, is on the Parliament website. If people are not aware of that inquiry, the website also has a bit of background information for people who want to know a bit of the reasoning behind why the committee kicked off that inquiry. There is also information on the website about how people can make a submission to the inquiry. Of course, I imagine it will be dealing with some quite uncomfortable subject matter, so there is a bit of information there about how to make a submission, and also some phone numbers and websites if people are feeling a bit uncomfortable about sharing their personal stories with the committee. There are some useful resources on there, as well. Of course, our committee staff are also on hand for advice.

With that, I end my remarks. I commend the report to the chamber.

Hon SHELLEY PAYNE: It gives me great pleasure to rise and contribute to the debate on the fifty-eighth report of the Standing Committee on Environment and Public Affairs, *Overview of petitions 2 June 2021 to 2 December 2021*. As Hon Peter Foster mentioned, this report deals with the petitions that were finalised in the first part of this parliamentary term, from 2 June to 2 December 2021. I thank Hon Peter Foster and also Hon Klara Andric for their contributions today on this report. Last week, we had the debate on the fifty-ninth report. It is quite interesting to be on this committee and see the issues that are raised. Some of the issues in this report are actually still ongoing after we have finalised the petitions. I will talk about a couple of them. Firstly, a couple of the petitions dealt with in this report were about the biosecurity levy. One of them, petition 4, was titled "Biosecurity levy imposed on the residents of Bridgetown-Greenbushes". I am sure that we had another one in here, as well.

The DEPUTY CHAIR (Hon Dr Brian Walker): Member, might I suggest that you take your paper a bit away from the microphone.

Hon SHELLEY PAYNE: Sorry. Yes, petition 26, "Biosecurity levy imposed on residents of Boyup Brook". We closed those petitions because the Biosecurity and Agriculture Management Act is to be reviewed imminently, with stakeholder consultation occurring on this biosecurity levy. I will give a bit of an update on this review of the BAM act. It is a three-stage approach. At stage one, we went out and sought feedback, with 113 submissions being received. At stage two, we then used those submissions to inform a survey. The survey was done and closed in December, just before Christmas, and we received 63 responses to that. The review panel also met with 70 people from 46 different organisations. We are now at stage three, which is underway. The committee will report to the minister later this year. I am sure that it will be of interest to the principal petitioners to have a bit of an update on what has been going on with this review of the BAM act, which has raised a fair bit of interest from across regional areas.

I will talk about another petition that is still ongoing that is being closed out due to other processes being involved. As Hon Peter Foster mentioned, some of these petitions were actually tabled before we were even sworn in to Parliament. Petition 1 deals with the Pinjarra alumina refinery. It was tabled on 5 May 2021 and was in response

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to the expansion of the Pinjarra alumina refinery. We closed this petition and basically finalised our inquiries on the basis that the matter was subject to ongoing statutory processes. It is interesting to note that this process is still underway at the moment and will actually be underway for a long time. I guess that these sorts of proposals for big expansions really raise issues that we all have to look at—as government and on both sides of the chamber. The Pinjarra alumina refinery is under a state agreement; it has been for a long time. It creates a lot of jobs for people who live in Pinjarra and the south west. A huge amount of money goes into the economy from the whole alumina industry in WA, not just in Pinjarra. Western Australia produces nearly 50 per cent of Australia's alumina and the industry employs 4 000 people. There are over 1 000 employees in Pinjarra, with 60 per cent of those employees living and working in the regions, and 75 per cent of the revenue stays in Australia. We all know that the other side of the story is our commitment to native forests and to ending logging in native forests, although this lies outside that, but there is concern in the public arena about the logging of native forests; the public has raised concerns about the impacts of some of these activities.

As I said, this matter is ongoing. It is now under a public environmental review process that will run until 2024, and there will be many opportunities for the public to make submissions as well as for Alcoa to provide information on how it is going to manage the expansion of its operations. I will just say that I think we have a great system in WA for reviewing environmental issues, and this will be an interesting and important process as well as a thorough process, which is why it will take until 2024 to get an answer. I encourage petitioners to have their say, and I thank the government for its thorough work on this.

Hon STEPHEN PRATT: I was just reminded by Hon Peter Foster that I previously made a contribution to consideration of this report in October last year, so I had to quickly go back to check what I had said. Thankfully, I am getting a second go at it, because it was not that impressive!

Hon Nick Goiran: I suspect you would've congratulated all the committee members by name!

Hon STEPHEN PRATT: I intend to do that; I think, early doors, I might have, but they are thanked pretty regularly!

Hon Neil Thomson: I think the membership's changed.

Hon STEPHEN PRATT: I referred to Hon Dr Steve Thomas's contribution about Bussell Highway and the petition on its speed limits, but I failed to touch on a petition that has actually been tabled twice in this place by Hon Pierre Yang: once in the fortieth Parliament and again in the forty-first Parliament to bring it back to the committee's attention. It was to do with a railway junction crossing on Rockingham Road in Spearwood. The principal petitioner was a lady by the name of Monique Gray. She and other members of the Spearwood Progress Association, John Cunai and Len Glamuzina, often raise issues important to the community of Spearwood, and this was one for which there was some unfinished business. They noticed that the railway crossing was not safe—I understand that there had been a fatality there at one point—yet no safety measures had been undertaken at that location.

That petition was tabled by Hon Pierre Yang. The member for Willagee, Peter Tinley—who is my local representative in the Legislative Assembly—and the member for Fremantle, Simone McGurk, both pursued this issue and raised it with Minister Saffioti. In this case, a petition was tabled in this place and went to the Standing Committee on Environment and Public Affairs, of which I am a member. The local community representatives made representations to the minister and we ended up closing this petition on the back of the response by the minister because we saw that the works were going to be carried out, so that is a pretty successful outcome. I know that the members for Willagee and Fremantle, Peter Tinley and Simone McGurk, went down to that location when the matter was finalised and had a nice photo taken. At the end of the day, we saw as an end result a safer rail crossing for the Spearwood community. All in all, that was a pretty good outcome.

As I said in my contribution to the fifty-ninth report, we do not always get a nice, clean outcome like this, but bringing an issue to the attention of a minister and a committee for investigation can play a role in resolving it, and this is a nice little example of that, so I am glad I have been given another opportunity to speak about it in this place.

That is really all I wanted to touch on; I think we have done this report justice. I will not thank the other committee members; they do great work, and the staff make us look brilliant! One thing I did with the fifty-ninth report was to cover the range of issues that are brought to the attention of the committee. This report actually precedes the one we considered in this chamber last week, but we had a range of issues in respect of portfolio breakdowns—again, a lot of them environment-related and planning issues. In this report we had racing and gaming issues because of the opposition to greyhound racing; a few law and order issues; and an Aboriginal affairs issue to do with the cultural heritage legislation. There is a diverse range of topics that members of the community have shown interest in and brought to the government's attention. This report is another example of the great and important role that the petitions process plays in our democracy. With that, I will close my remarks and I thank members for the opportunity to speak to this report.

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Hon PIERRE YANG: I rise to make another contribution to the consideration of this very good report, report fifty-eight of the Standing Committee on Environment and Public Affairs. We considered the equally brilliant report fifty-nine last week.

I thank Hon Stephen Pratt for mentioning the petition that I tabled on 7 September 2021, which contained three signatures. There is more of a story to that petition. My office was contacted by the Spearwood Progress Association and I had a meeting with a number of its representatives about a matter close to them: that is, the Rockingham Road rail junction in Spearwood.

Hon Peter Foster talked about local government experience. During consideration of committee reports on Wednesday last week I mentioned that back in my council days I helped residents of the City of Gosnells to table petitions. If I understand the situation correctly, I was a local council representative for Hon Nick Goiran as he was, and still is, a resident of the City of Gosnells.

Hon Nick Goiran: Yes, I am.

Hon PIERRE YANG: I am surprised that we did not cross paths when I was a local councillor, but nevertheless we have now worked together as MLCs in this place since 2017. As Hon Peter Foster mentioned, the petition has deep historical roots in the Westminster system. It is a very important function of a democracy that people have a way to talk to the decision-makers and the executive government to effect or seek an outcome for their communities. I echo the sentiment of Hon Stephen Pratt in his earlier contribution. I think this is a very successful example of a group of residents in the state of Western Australia utilising democratic measures and seeking assistance from the state government and the local government, and the matter has been successfully dealt with.

If I may, I just wish to look at the petition that I tabled initially on 12 November 2020. Let us not forget that it was six months before the state election and Parliament was prorogued a couple of months after that. That is why the petition that I tabled on 12 November 2020 did not make it into the next report of the Standing Committee on Environment and Public Affairs; Parliament was prorogued and petitions were cleared off the table. On that occasion, there were 519 signatures on the paper petition. The petitioners were calling for assistance from the state Parliament because the railway junction in Spearwood posed a high risk to the public, be they pedestrians, road users, renters or landowners in the local area. The petition stated that in 2019 a 65-year-old pedestrian was killed by a freight train, resulting in inquiries from the Cockburn council being put to the PTA. Another petition was supported by a further 509 people using an online petition platform. This was before the Parliament of Western Australia implemented the online petition mechanism as part of its temporary standing orders.

The Spearwood Progress Association utilised all avenues. It contacted the local members—Hon Peter Tinley, Hon Simone McGurk, and me, as the member for South Metropolitan Region at that stage—and it also sought attention from the media. The *Fremantle Herald* came and interviewed us in front of the front steps of Parliament House on the day that the petition was to be tabled on 12 November 2020. I want to commend Monique Gray and the Spearwood residents' association for doing that work and for working with the Parliament and the local council. They brought a very important matter to the attention of the local council and state Parliament so that it could be considered. Unfortunately, the fixed-term election got in the way and interrupted that democratic process, so I was contacted again after the state election in 2021. One way to bring this petition back to life was to have it tabled again. Whether a petition has 1 000 signatures or three signatures, it has the same effect. It is the essence and content of the petition that matters.

In this case, I was very pleased to learn—I am still pleased—that the Standing Committee on Environment and Public Affairs contacted the minister and the City of Cockburn, and the situation at the railway junction on Rockingham Road has now been rectified. As we have heard from Hon Stephen Pratt, the fence and maze pedestrian crossing was constructed, and that is a good outcome. This is a good outcome for the local community in Spearwood and a good demonstration of people in our democratic community using democratic processes to seek justified demands from government and decision-makers. As I said, I am very pleased that the Standing Committee on Environment and Public Affairs did its work. I want to thank the committee members and the chair, Hon Peter Foster, the deputy chair and the staff members of the committee for their roles in achieving this positive outcome.

I understand that I have only a few seconds left to speak, so I will leave my remarks here and I look forward to another opportunity to make a further contribution in due course.

Hon NICK GOIRAN: I rise as we consider the fifty-eighth report from the Standing Committee on Environment and Public Affairs to briefly make two observations. One is a systemic one about how the committee handles petitions dealing with issues or matters that have been considered by Parliament or might be considered by Parliament. The second is to touch on petition 33, which is referenced on page 27 of the report that is presently before us and is about the longstanding saga of the release of the Coroner's Court recommendations.

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I will deal with the first matter—that is, the way in which the committee deals with issues that have recently been before Parliament. If members look at the report before us, they will see that this has happened on a number of occasions—for example, petition 34, which is titled “Electoral Reform Bill 2021”. It was tabled by my hardworking colleague Hon Steve Martin on 16 November 2021. The petition opposed the Constitutional and Electoral Legislation Amendment (Electoral Equality) Act 2021. Members may recall there was quite a bit of consternation about that matter and it is no wonder that people then signed that petition. Members will see at 2.124 on page 26 —

The Committee, being aware that the matter reflected on a recent vote in the Council, concluded its preliminary enquiries.

It does that on a number of occasions. Members will see at least one other example that I can recall. I am not criticising the committee for that approach; I am simply noting the way in which the committee deals with these matters when a petition deals with something that has recently been debated by the Parliament, and one can understand that. One, it might be because the committee is concerned about the standing orders that refer to reflection on matters that have been before the Council and a vote of the Council. That might be part of what is going on for the committee. Another thing is that the committee understandably needs to prioritise its attention. This committee gets bombarded with work, and it is important work, but it needs to prioritise its attention. If Western Australians are concerned about topic A and topic A had just been decided by the Parliament of Western Australia, I can understand why the committee took that approach and did not invest much time considering the concerns set out in the petition.

I want to compare and contrast the scenario in which a matter has just been considered by the Council and a decision has been made by a majority of, or possibly unanimously agreed to by, the Council, notwithstanding the concerns by Western Australians about a matter that is likely to appear before the Council. A good example of that occurred very recently when I received correspondence from the committee about an e-petition that I tabled—petition 75. It was titled “Protecting the rights of parents and role of faith-based school”. It had some 10 000 signatures. We will have an opportunity to discuss that on another occasion. I will make the following point to compare and contrast the approach. In that particular instance, I received a letter from the committee. The committee finalised or shut down the petition and the inquiry. The reason was not because of what has been said here; it was a matter that reflected on a recent vote in the Council, not because we had not yet had that debate. I am just looking on the committee’s website. We can access the petition, the submission from the principal petitioner, the submission from the tabling member and, in this particular instance, the response from the Attorney General and the Minister for Education. The ministers were approached.

On its website—this is another interesting thing, for the benefit of the committee—there is no final piece of correspondence that closes the loop to say what the committee concluded. That is not available. I do not readily have it to hand, so I am operating from memory here. My recollection is that the committee said it finalised this matter because these matters would be debated by the Council. I could understand why the committee would take the approach of shutting down a petition if there had already been a debate in the Council and a decision made. But if there has not yet been a decision made—in this particular instance, with respect to faith-based schools; there was no bill before the Parliament—a different approach should be taken. I offer that by way of an observation for the consideration of the committee and that systemic issue.

The second point that I want to quickly touch on this afternoon relates to petition 33 and the release of the Coroner’s Court recommendation. I made a brief contribution on this matter last week when we were considering the fifty-ninth report of the Standing Committee on Environment and Public Affairs. Some new information has emerged since last week. In fact, yesterday the hardworking parliamentary secretary representing the Attorney General responded to question on notice 1267. The question was —

I refer to the 2021/22 Annual Report from the Office of the State Coroner which states that the “backlog of cases increased from 810 as at 30 June 2021 to 1315 as at 30 June 2022”, and an answer to questions asked during the 2021/22 Budget Estimates hearings (3b) stating that 27 unnatural deaths of babies born alive after a failed abortion procedure were not included in the backlog of 810 cases, and I ask:

- (a) are all of the 27 cases on hold pending the finalisation of consideration of proposed amendments to the Health (Miscellaneous Provisions) Act 1911;
- (b) if no to (a), how many of the 27 cases are on hold and how many cases have been finalised;
- (c) given that the Annual Report states “The backlog cases are determined by reference to the date that a reportable death is reported to the coroner. When the date of that report is more than 12 months old, that case enters into backlog and becomes a priority”, how many of the 27 unnatural deaths are now a priority; and
- (d) what difference would the proposed amendments make to the investigation?

Hon Matthew Swinbourn, who is away on urgent parliamentary business —

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Hon Kyle McGinn: He wasn't here yesterday.

Hon NICK GOIRAN: If the member had heard my earlier comment, this is an answer to a question on notice.

Hon Kyle McGinn: Sorry.

Hon NICK GOIRAN: The answer provided to the honourable member was —

- (a)–(c) It is the understanding of the Department of Justice that the 27 cases are on hold pending possible amendments to legislation.
- (d) As the legislation is still under development, it is too early to say what the effect of any amendment would be.

This is the problem. Western Australian petitioners called for the release of this coroner's recommendation in petition 33. The committee has shut down that particular inquiry. Now we have information from the parliamentary secretary that the matter is still on hold. Twenty-seven Western Australian babies have died. That is a statement of fact. It has now been reported to the coroner. It is also a statement of fact that the coroner's inquiries are on hold. Why are they on hold? They are on hold because we are waiting for these amendments and there is a recommendation from the coroner as to what those recommendations should be, but we do not know that. As legislators, we do not know what those recommendations are. It will not be revealed. The coroner's report will not reveal them and the McGowan government will not reveal them. Then we have a parliamentary committee—the hardworking standing committee that is dealing with this report and others—which has also not inquired into this particular matter.

I restate that I will continue to prosecute this argument for as long as it takes. If there is a recommendation from the coroner with regard to these 27 Australian babies born alive and left to die, we should know about it. There is no good reason why we should not.

Hon MARTIN PRITCHARD: I want to make some general comments on petitions and then speak more specifically to petition 15, which I tabled in this house. I have been listening to the contributions today, and I agree with most of the comments made. Petitions in general are a very good way for constituents to raise issues and subjects that can go through a process in which there can be some further investigation. It is a very good process. There is also a flip side to that. Often constituents or a group of constituents build a belief that they will achieve their aims. That is a little concerning because often petitions have a small number of signatories and they genuinely feel strongly about a particular issue, but it is our job in this chamber to represent all of our constituencies. Petitions generate the view that something will come out of them.

I want to take up Hon Nick Goiran's invitation to thank the Standing Committee on Environment and Public Affairs because I think it does a marvellous job, including the staff of the committee. They give voice to those petitions and carry out investigations, but often the investigations may not lead to the desired outcome. There is a lot to say about petitions being good, but there are also some downsides to them.

I tabled petition 15, relating to sound mitigation on Mitchell Freeway. I declared an interest to the petitioner. I am not sure whether he sought me out because of where I live, but I do live very close to the key petitioner. The issue that he and the people who signed his petition raised was something about which I had intimate knowledge. It related to the belief that noise a certain distance from the freeway had changed over time, had become significantly louder and created a disturbance. I live about the same distance—very close to the petitioner—from the freeway. I said to him at the time that I was happy to table the petition but that I did not believe there was any disturbance from the traffic and the rail line. However, I took on board that he presented me with a petition to bring to this place and so I brought it here. I put in my own submission along with it. It is actually quite interesting. The key points are that when there are upgrades to the freeway, there is a code that the government has signed up to that requires it to do some sound testing to see whether the noise exceeds acceptable levels. The issue here was that the upgrade to the freeway was just after Warwick Road—between Warwick and Hepburn Avenue—but it was on the northbound lane. The code that the government had signed up to said that the government would do sound testing for any premises that were within 300 metres of an upgrade. I thought it was quite interesting because there were a number of houses—I was just outside of that area—on the southbound side that would have been within the 300 metres, so I had some sympathy for him. I presented the petition and the committee did a very good job of investigating, including getting some information from the minister. The petition was actually closed off and the response from the minister was basically that when considering the freeway, the southbound lane is considered separately from the northbound lane. I did some further investigation to find out why. The successful outcome of the petition being taken on board by the government would basically have been to build a sound wall along all the freeways throughout the metropolitan area, which would have been a massive and very expensive job.

The outcome of the committee's investigation was that it was accepted that the code the government had signed up to differentiated between the freeway north and the freeway south. One thing that came out of it was that the minister was going to explore whether there would be funding to retrofit certain areas along the freeway, so it had

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an outcome of sorts. I believe that at some point funds will be put aside and an investigation will come out of the complaints raised, even if the premises is not adjacent to an upgrade to the freeway. There was an outcome, and although it has not as yet resolved the issue for those living near me, at least they have some pathway forward. They do not necessarily have to wait for an upgrade. They can continue to press the government of the day to maybe put money aside to retrofit the freeway. The committee's inquiry had an outcome of sorts, but it was not the outcome that the key petitioner and the constituents who signed that petition wanted.

I stress that that is the concern with petitions, in my view. It is a great vehicle for raising issues. It is a great vehicle for somebody from this place—in this case, the committee—taking an issue on board and doing further investigation. In some cases, it leads to a desired outcome in a very timely manner. In other cases, as was the result in this case, it may result in an outcome at some distant time. However, in many situations, of course, it does not result in an outcome. As a chamber, as a Parliament and as a government, we have to take on board that this is a representative democracy. Even though a petition might have 30, 50, 80 or 100 petitioners, there are many more people out there whom we have to govern on behalf of. All in all, I think that petitions are an effective mechanism, but they are not necessarily as key as maybe the key petitioners would like to think.

I again want to take on Hon Nick Goiran's advice and thank the committee. I think it does a marvellous job. I thank the staff for doing that as well. I advise that I will accept any petition put before me because I think it is our job to raise them in this place, and if we can put a decent argument, to also put a decent argument. But I think it is wise for us not to raise the hopes of those petitioners that it will necessarily be resolved in the way they want it to be resolved.

Hon KYLE MCGINN: I tabled petition 13, referenced on page 15 of the report, regarding the seniors' community centre in Kalgoorlie. The support program was taken away from the community and outsourced to Amana Living. The program used to provide Meals on Wheels and three meals a day. It says in here—I will hopefully get to talk on this again—that the response from the council was that the meals are continuing and everything is fine. That is not true. The meals are not continuing. They were frozen and sent up from Perth in a truck. They were not cooked in the community centre. They are not of the same standard. Right now, only two meals a week are being provided.

The CHAIR: Members, the time has elapsed for the consideration of committee reports and I am required to report progress.

Consideration of report postponed, pursuant to standing orders.

Progress reported and leave granted to sit again, pursuant to standing orders.