



**THIRTY-SEVENTH PARLIAMENT**

**REPORT 12**  
**STANDING COMMITTEE ON ENVIRONMENT AND**  
**PUBLIC AFFAIRS**  
**OVERVIEW OF PETITIONS**

Presented by Hon Sheila Mills MLC (Chair)

March 2008

## STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

### Date first appointed:

17 August 2005

### Terms of Reference:

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

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

- 1.1 *An Environment and Public Affairs Committee* is established.
- 1.2 The Committee consists of 5 members.
- 1.3 The functions of the Committee are to inquire into and report on -
  - (a) any public or private policy, practice, scheme, arrangement, or project whose implementation, or intended implementation, within the limits of the State is affecting, or may affect, the environment;
  - (b) any bill referred by the House; and
  - (c) petitions.
- 1.4 The Committee, where relevant and appropriate, is to assess the merit of matters or issues arising from an inquiry in accordance with the principles of ecologically sustainable development and the minimisation of harm to the environment.
- 1.5 The Committee may refer a petition to another committee where the subject matter of the petition is within the competence of that committee.
- 1.6 In this order “**environment**” has the meaning assigned to it under section 3(1), (2) of the *Environmental Protection Act 1986*.”

### Members as at the time of these inquiries:

Hon Sheila Mills MLC (Chair)  
(from 14 November 2007)

Hon Paul Llewellyn MLC

Hon Bruce Donaldson MLC  
(Deputy Chairman)

Hon Robyn McSweeney MLC

Hon Kate Doust MLC

Hon Louise Pratt MLC (Chair)  
(until 29 October 2007)

### Staff as at the time of these inquiries:

Mark Warner, Committee Clerk  
(until 14 November 2007)

Dr Vincent Cusack, Advisory Officer  
(General)

Linda Omar, Committee Clerk  
(from 29 October 2007)

### Address:

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

lcco@parliament.wa.gov.au

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

ISBN 1 921243 53 8

## **Government Response**

This Report is subject to Standing Order 337:

*After tabling, the Clerk shall send a copy of a report recommending action by, or seeking a response from, the Government to the responsible Minister. The Leader of the Government or the Minister (if a Member of the Council) shall report the Government's response within 4 months.*

The four-month period commences on the date of tabling.



# CONTENTS

GOVERNMENT RESPONSE.....	I
RECOMMENDATIONS .....	I
1 INTRODUCTION .....	1
2 HISTORY AND PURPOSE OF THE COMMITTEE .....	1
3 PETITIONS .....	1
Petitions process adopted by the Committee .....	2
Reporting to the Parliament.....	3
The Parliamentary Commissioner for Administrative Investigations .....	3
Evidence and Reports.....	3
4 PETITIONS CONSIDERED .....	4
5 PETITIONS FINALISED BY THE COMMITTEE DURING THE REPORTING PERIOD .....	4
Petition No 61 – Western Australian College of Teaching Board Elections .....	4
Petition No 56 – Landcorp Development - Lot 204 Lyon Road, Aubin Grove .....	5
Petition No 58 – Ban Export of Lead through Port of Esperance .....	7
Petition No 04 – Preventing Entry and Establishment of Cane Toads in Western Australia .....	8
Petition No 39 – Supported Accommodation Services.....	8
Petition No 54 – Regarding the Pluto Development on the Burrup Peninsula .....	18
Petition No 55 – Upgrade of Western Power Infrastructure in Southern Suburbs....	22
Petition No 60 – Genetically Modified Food Free State.....	27
Petition No 70 – Commercial Sexual Exploitation of Women, Men, Girls and Boys .....	30
Petition No 67 – Alcoa’s Compensation Arrangements .....	30
Petition No 38 – Persecution of Falun Gong Practitioners .....	31
Petition No 62 – Blackmore Primary School.....	34
Petition No 74 – Prostitution Amendment Bill 2007 .....	37
6 PETITIONS BEFORE THE COMMITTEE UP TO 30 NOVEMBER 2007 .....	38



**RECOMMENDATIONS FOR THE**  
**REPORT OF THE STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS**  
**IN RELATION TO THE**  
**OVERVIEW OF PETITIONS**

---

**RECOMMENDATIONS**

- 1 Recommendations are grouped as they appear in the text at the page number indicated:

Page 7

**Recommendation 1: The Committee recommends that the State Government undertakes a comprehensive review of buffer distance requirements for all Conservation Category Wetlands subject to urban development.**

Page 17

**Recommendation 2: The Committee recommends that the State Government enters into negotiations for additional funding from the Commonwealth Government under the Commonwealth State/Territory Disability Agreement.**

Page 18

**Recommendation 3: The Committee recommends that the State Government negotiates a more cost reflective level of indexation from the Commonwealth Government under the Commonwealth State/Territory Disability Agreement.**





# REPORT OF THE STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

## IN RELATION TO THE

### OVERVIEW OF PETITIONS

---

#### **1 INTRODUCTION**

- 1.1 This report provides an overview of the petitions considered by the Legislative Council Standing Committee on Environment and Public Affairs (**Committee**) from 30 June 2007 to 30 November 2007. This report is the sixth Overview of Petitions Report to be tabled by the Committee.

#### **2 HISTORY AND PURPOSE OF THE COMMITTEE**

- 2.1 The Committee was appointed by the Legislative Council on 17 August 2005. The Committee continues the work of the previous Standing Committee on Environment and Public Affairs (**Former Committee**), which operated during the Thirty-Sixth Parliament from 24 May 2001 until 17 August 2005. The Committee's terms of reference are predominantly the same as those of the Former Committee, but with five members rather than seven.
- 2.2 The functions of the Committee are to inquire into and report on public or private policies, practices, schemes, arrangements or projects in Western Australia (**WA**) which affect or may affect the environment, as well as any bill referred by the Legislative Council and petitions. The terms of reference of the Committee are published at the front of this report.

#### **3 PETITIONS**

- 3.1 A function of the Committee, as provided by its term of reference 1.3(c), is to inquire into and report on petitions.
- 3.2 A petition is a request for action by the Legislative Council from a citizen or resident or a group of citizens or residents. The Committee considers petitions that have been tabled by a Member of the Legislative Council on behalf of a person or groups within the community.
- 3.3 The number of signatures to petitions identified in this report relate to the original petition as first tabled in the Legislative Council. On some issues identical petitions are tabled before they are finalised and the total number of combined signatures are not recorded for the purposes of this report.

- 3.4 When reviewing petitions, the Committee seeks to provide a forum for public discussion on matters of community interest and to allow interested persons, or groups, to bring their concerns to the attention of the Legislative Council.
- 3.5 **The Western Australian Legislative Council is the only State House of Parliament in Australia that refers all petitions to a committee for inquiry and report.**<sup>1</sup> In many other jurisdictions petitions are simply recorded in *Hansard* and no further investigation is undertaken.

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

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

---

<sup>1</sup> In February 2008 the House of Representatives established a Standing Committee on Petitions for the 42<sup>nd</sup> Parliament. In Queensland, the Clerk of the Parliament sends petitions to the relevant Minister. The Minister may respond to the Clerk, who then tables the response, forwards a copy of the response to the tabling Member and publishes the response on the Parliament's website. See <http://www.parliament.qld.gov.au/view/EPetitions%5FQLD/> (accessed on 9 January 2008). Petitions tabled in the Senate are "brought to the notice of the appropriate Senate Committee"; however, there is no requirement for those committees to inquire into or report back to the Senate on the petition. See <http://www.aph.gov.au/Senate/pubs/guides/briefno21.htm> (accessed on 9 January 2008).

- 
- b) if the issues raised in the petition will be or have been considered and/or debated by the Legislative Council;
- c) if the Committee considers that the issues raised in the petition have been taken as far as possible at the time; or
- d) if the Committee has not received any submissions in response to its invitation to provide further information on the content of the petition.
- 3.10 In many cases where the Committee finalises a petition there has been some resolution of the matters or issues raised.
- 3.11 When the Committee resolves to finalise a petition it advises the tabling Member and the principal petitioner.
- 3.12 If the Committee resolves to formally inquire into a petition, it may:
- arrange hearings at which discussion occurs on the various issues raised in the petition;
  - gather additional information; and
  - prepare a report on the petition for tabling in the Legislative Council.

#### *Reporting to the Parliament*

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

#### *The Parliamentary Commissioner for Administrative Investigations*

- 3.14 Certain issues or matters raised in a petition may come under the Parliamentary Commissioner for Administrative Investigation's (**Ombudsman**) jurisdiction as set out in the *Parliamentary Commissioner Act 1971*.<sup>2</sup>
- 3.15 The Committee liaises regularly with the Ombudsman's office in recognition of the fact that a matter raised by a petition may have been previously considered or could currently be under consideration by that office.

#### *Evidence and Reports*

- 3.16 All transcripts of evidence given in public, and all of the Committee's reports and relevant Government responses are available from the Parliament of WA website at

---

<sup>2</sup> Act No 64 of 1971.

<http://www.parliament.wa.gov.au>. Committee reports can be purchased from the State Law Publisher and are also available at the Alexander Library and other selected libraries.

#### **4 PETITIONS CONSIDERED**

- 4.1 From 30 June 2007 to 30 November 2007, the Committee inquired into 30 petitions, 12 of which were carried over from the previous session of Parliament. The Committee received a further 18 petitions during this reporting period. The Committee has finalised 13 petitions, which are discussed below. As of 30 November 2007 the Committee has 17 petitions under consideration (see section 6 below).

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

##### **Petition No 61 – Western Australian College of Teaching Board Elections**

- 5.1 On 28 June 2007, Hon Peter Collier MLC tabled a petition in the Legislative Council [TP#2918] containing 624 signatures which was couched in the following terms:

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

*We the undersigned residents of Western Australia say that teachers have a right enshrined in law to elect members of their profession as members of the Western Australian College of Teaching (WACOT) Board as provided for in section 9(2) of the Western Australian College of Teaching Act 2004.*

*Your petitioners therefore respectfully request the Legislative Council to:*

- 1. call on the Government to immediately hold elections to elect 10 teacher representatives to the WACOT Board as required by law; and*
- 2. investigate why regulations governing the election that are necessary to enable the election to take place have not been promulgated and the reasons for the inordinate delay in electing teacher representatives.<sup>3</sup>*

- 5.2 The Committee finalised this petition on 15 August 2007, because the issues raised in this petition were dealt with in the Legislative Council, during the debate on the Western Australian College of Teaching Amendment Bill 2007.<sup>4</sup>

---

<sup>3</sup> Hon Peter Collier MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 286 June 2007, p3730.

<sup>4</sup> Act No 18 of 2007, as assented to on 3 July 2007.

---

**Petition No 56 – Landcorp Development - Lot 204 Lyon Road, Aubin Grove**

- 5.3 On 29 May 2007, Hon Anthony Fels MLC tabled a petition in the Legislative Council [TP#2734] containing 266 signatures which was couched in the following terms:

*We the undersigned residents of Western Australia are opposed to the development of Lot 204 Lyon Road, Aubin Grove by Landcorp.*

*Much of this block is conserved as Bush Forever site 492 and is part of an ever-shrinking, ecologically valuable area surrounded by fast developing residential areas. If piecemeal developments like this continue, soon there will be no more areas of undeveloped Banksia woodland environment like this left in the southern metropolitan area.*

*Your petitioners therefore respectfully request the Legislative Council to join the residents of our community and demand a comprehensive, independent flora and fauna survey meeting the requirements of the EPA Guidance Notes for the Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia (Environmental Protection Authority 2004), a threatened ecological communities (TEC) survey, and an Aboriginal sites survey has been carried out in the spring flowering season on the whole of Lot 204 and the results have been considered by the EPA, the WA Planning Commission and the City of Cockburn.<sup>5</sup>*

- 5.4 The Committee noted that the City of Cockburn referred the Landcorp proposal to the Environmental Protection Authority (EPA) for a formal assessment, and following the EPA's decision not to conduct a formal assessment, the City lodged an appeal with the Appeals Convenor.<sup>6</sup>
- 5.5 The Appeals Convenor provides advice to the Minister for the Environment who makes the final decision. The Committee wrote to the Minister for the Environment requesting information on the likely timeline for his decision on the appeal against the EPA decision.
- 5.6 **The Committee finalised this petition on 29 August 2007 because it formed the view that the principal petitioner and the City of Cockburn should be allowed to pursue the statutory avenues available under the *Environmental Protection Act 1986*.**<sup>7</sup>

---

<sup>5</sup> Hon Anthony Fels MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 29 May 2007, pp2437–2438.

<sup>6</sup> As established under section 107A of the *Environmental Protection Act 1986*.

<sup>7</sup> Act No 87 of 1986.

- 5.7 The Committee informed the principal petitioner that once all avenues are exhausted, the opportunity still exists to petition the President and Members of the Legislative Council, should there still be concerns with the process.
- 5.8 The Committee received a response from Hon David Templeman MLA, Minister for the Environment which stated that six appeals had been received and that the Appeals Convenor was “currently” investigating those appeals.<sup>8</sup> The Minister informed the Committee that he was unable to state when he would be making a decision on the appeals.
- 5.9 The Committee considered the advice provided by the Appeals Convenor and the reasons given by the Minister for dismissing the appeals.<sup>9</sup>
- 5.10 The Committee noted the compromise between Landcorp and the City of Cockburn upon the initiation of the City’s former Councillor Amanda Tilbury.<sup>10</sup>
- 5.11 The compromise meant that Landcorp agreed to provide a 50m buffer to the Conservation Category Wetland (from the north-eastern development cell) instead of the 30m provided on the initial Structure Plan. As a trade off the City supported up-coding the land, adjacent to the CCW interface, from R20 to R30.<sup>11</sup>
- 5.12 The Committee acknowledged that the issue of buffer distances is a recurring theme for many urban development applications.
- 5.13 The Water and Rivers Commission Position Statement of 6 June 2001, provides guidelines on buffer distances, which take into consideration the purpose of the buffer for different types of wetlands, and at the same time acknowledges the need for flexibility for different land uses. The Position Statement explains the reason behind wetland buffers with the following:

*Buffers are designed to protect wetlands from potential deleterious impacts while helping safeguard and maintain ecological processes and functions within the wetland and, wherever possible in the buffer. Buffers also act to protect the community from potential impacts such as nuisance midge problems. Buffer distances are measured from the outside extent of wetland dependent vegetation to the outside edge of any proposed development or activity. The required buffer distances*

---

<sup>8</sup> Letter from Hon David Templeman MLA, Minister for the Environment, 6 September 2007, p1.

<sup>9</sup> See Appeal numbers 040-045 of 2007: available from, [www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au), (viewed on 3 January 2008).

<sup>10</sup> City of Cockburn, *Ordinary Council Meeting*, Minutes, 13 December 2007, p105.

<sup>11</sup> *Ibid*, pp105–106.

*for wetlands depend on the land use, 50 metres being the minimum buffer distance applied.*<sup>12</sup>

- 5.14 The Committee noted that the minimum 50 metre buffer distance for Conservation Category Wetlands is not a legislative requirement.

**Recommendation 1: The Committee recommends that the State Government undertakes a comprehensive review of buffer distance requirements for all Conservation Category Wetlands subject to urban development.**

**Petition No 58 – Ban Export of Lead through Port of Esperance**

- 5.15 On 20 June 2007, Hon Giz Watson MLC tabled a petition in the Legislative Council [TP#2820] containing 1,688 signatures which was couched in the following terms:

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

*We the undersigned demand that all future exports through the port of Esperance be subject to a formal environmental assessment with proper public consultation.*

*Any export of lead should be permanently banned.*

*All nickel exports to be containerised forthwith.*<sup>13</sup>

- 5.16 The Committee was mindful of the ‘Inquiry into the Cause and Effect of Lead Pollution in the Esperance Area’ being conducted by the Education and Health Committee of the Legislative Assembly.
- 5.17 The Education and Health Committee released its report on 6 September 2007. The report contained 46 Recommendations, one of which related to nickel.<sup>14</sup>
- 5.18 **The Committee finalised this petition on 26 September 2007 because the issues raised in the petition have been addressed by the Education and Health Committee.**

<sup>12</sup> Water and Rivers Commission Position Statement: Wetlands, 6 June 2001.

<sup>13</sup> Hon Giz Watson MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 20 June 2007, pp3341–3342.

<sup>14</sup> Western Australia, Legislative Assembly, Education and Health Standing Committee, Report 8, *Inquiry into the Cause and Extent of Lead Pollution in the Esperance Area*, 6 September 2007.

### **Petition No 04 – Preventing Entry and Establishment of Cane Toads in Western Australia**

5.19 On 19 September 2007, Hon Giz Watson MLC tabled a petition in the Legislative Council [TP#3138] containing 79 signatures which was couched in the following terms:

*We the undersigned residents of Western Australia ask that the Legislative Council consider the effects that imminent invasion of cane toads into Western Australia will have on the cultural, economic, environmental and social values of the peoples, communities and habitats of Western Australia.*

*Your petitioners, therefore, respectfully request the Legislative Council:*

- 1) Establish what methods exist or are under study nationally for the containment or eradication of cane toads;*
- 2) Investigate all methods of physical restriction of cane toads into Western Australia;*
- 3) Make recommendations as to the most effective short and long-term strategies for preventing cane toads from becoming established in any part of Western Australia.<sup>15</sup>*

5.20 This petition was a repeat petition which the Committee had finalised on 31 August 2005. At that time the Committee conducted an inquiry into the petition and tabled its report in the Legislative Council on 15 September 2005.<sup>16</sup>

5.21 Consequently the Committee resolved not to inquire into this petition.

### **Petition No 39 – Supported Accommodation Services**

5.22 On 16 November 2006, Hon Barbara Scott MLC tabled a petition in the Legislative Council [TP#2236] containing 550 signatures which was couched in the following terms:

*We the undersigned residents of Western Australia support the provision of increased accommodation support services urgently required by the estimated 300 people with disabilities in Western*

---

<sup>15</sup> Hon Giz Watson MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 19 September 2007, p5243.

<sup>16</sup> Western Australia, Legislative Council, Environment and Public Affairs Committee, Report 1, *A Petition into Preventing the Entry and Establishment of Cane Toads in Western Australia*, 15 September 2005.



---

*Australia who are currently unable to access the accommodation support they need.*

*Your petitioners therefore respectfully request the Legislative Council to recommend increased accommodation support services in Western Australia so that a group home can be provided for ... aged 22, who was born with a severe intellectual disability, is blind, epileptic and has a right hemiplegia.<sup>17</sup>*

- 5.23 The Committee noted that Hemiplegia usually refers to complete paralysis of one side of the body and includes the arm, the leg and occasionally the face of the affected side.
- 5.24 While the effects of the condition vary from person to person, the most obvious result is a varying degree of weakness and lack of control in the affected side of the body, rather like the effects of a stroke.<sup>18</sup>
- 5.25 The Committee received a submission from the tabling Member Hon Barbara Scott MLC,<sup>19</sup> which outlined some of the problems the principal petitioner's family were experiencing due to their son's disability.
- 5.26 Hon Barbara Scott referred to the impact on one of the parents as the main carer, who is finding that role increasingly difficult, and then advised about the application process for group housing in the following manner:

*After speaking to Mrs ... at length I have come to realise just how soul destroying it is for the family to have to fill in these group home applications year after year. In order to have to convince the board of the need for their application, they need to focus on all the negative aspects of their son's condition and behaviour and describe in detail how it is destroying the family. For them it is the ultimate betrayal of family confidence and they should not have to endure this.<sup>20</sup>*

- 5.27 The letter described the main carer's own battle against depression which is likely not being helped from the overall stress involved in the circumstances. Hon Barbara Scott concluded her submission with the following appeal to the Committee:

---

<sup>17</sup> Hon Barbara Scott, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 16 November 2006, p8333.

<sup>18</sup> Hemihelp information sheet, <http://www.hemihelp.org.uk/Leaflets/hbleaflets01.htm>, (viewed on 7 May 2007).

<sup>19</sup> Letter from Hon Barbara Scott MLC, 14 December 2006, p1.

<sup>20</sup> *Ibid*, p2.

*On behalf of ... and the many other parents of children with disabilities I appeal to the Committee to support this cause with a view to ensuring that sufficient group housing is provided to those in need and especially for ... as he has reached the stage where his care is no longer manageable at home.*<sup>21</sup>

- 5.28 The Committee received a submission from the principal petitioner, which explained what a ‘group home’ is and why people need group homes with the following:

*Because parents are exhausted of the continual 24/7 care. Also I feel it helps everybody grow. Our children have rights to live away from home, just as any other child but unfortunately we need a hundred thousand to fund it per child. I have heard a lot of families who say their child grows (eg become more independent) and family members are less stressed and coping with life better. It is not unusual to see marriage breakups with the huge pressure of caring 24/7.*<sup>22</sup>

- 5.29 The principal petitioner described the application process which she maintained is “soul destroying”:

*We have been applying for the last four years (constantly this year with no avail). Basically you have to fill in a CAP application form three times a year. You have only one month to sort out supportive letters from family, friends, doctors, psychologist, politician and other health professions. It is soul destroying to fill in the form as you have to focus on all the negative aspects of living with your son or daughter. It is as though the family who is in total crisis wins the booby prize-a group home. As ... and I are still married, not dying of cancer or not elderly it is not looking good. My last application, we just had my son diagnosed with Autism and I rang the panel and that was nothing as far as they were concerned.*<sup>23</sup>

- 5.30 The principal petitioner provided some detail about how the situation is impacting on herself and her family and then raised four points that they would like the petition to accomplish. These were:

1. *More money to fund the unmet need (twenty million would go a long way)*
2. *We need to start to plan as soon as they are born for a group home.*

---

<sup>21</sup> *Ibid.*

<sup>22</sup> Letter from Principal Petitioner, 7 December 2006, p1.

3. *Our children have the right to live away from home, like any other young adult.*
4. *To abolish the CAP application (it is soul destroying) and employ a team of people to visit our homes and see what it is really like.<sup>24</sup>*

5.31 The Committee received a response from Hon Sheila McHale MLA, Minister for Disability Services, which provided the following explanation about the funding application process:

*The Combined Application Process (CAP) is the method used by the Disability Services Commission to allocate recurrent funding to individuals with a disability, for Accommodation Support Funding (ASF); Intensive Family Support (IFS); and Alternatives to Employment Support (ATE).*

*There are currently 325 individuals who have applications in CAP for ASF and a further 445 people applying for IFS or ATE. With 52 persons applying for more than one type of support, there are now 718 people who will be considered by the Panel in the coming funding round.<sup>25</sup>*

5.32 The response stated that to ensure fair, equitable and objective decision making in relation to CAP funding, the Commission engages an Independent Priority Assessment Panel to make recommendations for recurrent funding based on the relative critical needs of those who apply.

5.33 The Committee noted the following extract from the Minister for Disability Services's letter:

*For accommodation support in particular, the reality remains that persons with identified critical needs such as homelessness and/or at real personal risk, are generally considered as priorities over those who have some existing supports in place, however inadequate these are found to be.<sup>26</sup>*

5.34 The Minister for Disability Services responded to the four points made by the principal petitioner, in some detail, and the Committee noted part of the response to point 4 in particular which stated:

---

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid*, p2.

<sup>25</sup> Letter from Hon Sheila McHale MLA, Minister for Disability Services, 3 May 2007, p1.

<sup>26</sup> *Ibid.*

*With regard to ... recommendation to dispose of the CAP, it would be difficult to develop an alternative process without compromising the high standard of fairness, transparency and equity that CAP currently maintains for the allocation of recurrent funds to those most in need of support.<sup>27</sup>*

- 5.35 The Committee noted the following comments in relation to the principal petitioner's application:

*Since it was first submitted by Mr and Mrs ... on behalf of their son ... in August 2004, the application for accommodation support funding remains unsuccessful to date. Their feelings of frustration and dissatisfaction with the process are completely understandable; however I would point out that being unsuccessful for funding does not mean that a family's circumstances are not significant. The panel would like to be able to recommend funding for most applications, but it is all too clear that the demand for recurrent formal support from the Commission remains far greater than there are available funds.<sup>28</sup>*

- 5.36 The Committee reviewed the combined application process form and noted that it is a 47 page document.<sup>29</sup>

- 5.37 The Committee received a response from Ms Sue Harris of the Developmental Disability Council of WA, which began by stating that the need for a substantial increase in supported accommodation services is well documented.<sup>30</sup> Ms Harris provided a brief summary explaining why people need accommodation support services with the following:

*People with a disability, who are unable to care fully for themselves, need accommodation support services to assist them with the task of daily living. Different people need different levels of assistance, with widely different cost implications. Families and loved ones provide the great bulk of this care. When this becomes inappropriate, or not available, accommodation support services are needed. This can happen when people reach adulthood and need to move out of the family home. It can also happen when family carers lose their health, when they become elderly and frail, when they die or when they find*

---

<sup>27</sup> *Ibid*, p2.

<sup>28</sup> *Ibid*, p4.

<sup>29</sup> [http://www.dsc.wa.gov.au/cproot/568/3/CAP\\_Application\\_Form%20\(ID=373,Ver=2.0.0\).doc](http://www.dsc.wa.gov.au/cproot/568/3/CAP_Application_Form%20(ID=373,Ver=2.0.0).doc), (viewed on 7 May 2007).

<sup>30</sup> Letter from Ms Sue Harris, Joint Chief Executive, Developmental Disability Council of WA, 10 August 2007, p1.

---

*for whatever reason, they can no longer manage to continue providing the care that their family member needs.*<sup>31</sup>

- 5.38 Ms Harris referred to the CAP application process and stated that the families seeking that application often refer to the process as “brutal”. The reasons for the feelings of humiliation are that the applicants, while filling out the form, are compelled to focus on their inadequacies as parents and as a family. Ms Harris continued:

*When families find they cannot continue to provide the care their dependent child/adult needs, it is an extremely difficult step, for most, to ask for help. When that help is then not available it leaves families desperate and devastated. To have that experience repeated three times a year, for often many years, leaves families without hope, with no “light at the end of the tunnel”. An increasing number of families are confiding that they see no option but when their time comes to take their child with a disability with them.*<sup>32</sup>

- 5.39 Ms Harris stated that she fully supported the content of the submission from the tabling Member and put forward recommendations that complemented the four main points raised by the principal petitioner in her submission.

- 5.40 Ms Harris concluded with the following comment about funding:

*I am aware that the WA government has responded to a recent offer by the Commonwealth government to match, dollar for dollar, new funding accommodation and respite support over the coming five years - the term of the next [Commonwealth State and Territory Disability Agreement] CSTDA - and that negotiations on a bilateral agreement are proceeding. The state has offered very substantial increases to funding for accommodation and respite support services. If these negotiations are successful, and the Commonwealth honours its promise, very significant inroads, at the very least, will be made into meeting the unmet demand of people with a disability and their families for accommodation support.*<sup>33</sup>

- 5.41 The Committee held hearings with Mr Bruce Langoulant, Chairman, and Dr Ron Chalmers, Acting Director General, Disability Services Commission on 15 August 2007. In his opening statement Dr Chalmers stated that:

*The commission does allocate funding to people with severe and profound disabilities who require accommodation support funding.*

---

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid*, p2.

<sup>33</sup> *Ibid.*

*About 57 per cent of our budget actually goes to accommodation support for that purpose, and that equates to about \$180 million a year. It is also worth noting that that funding has grown significantly over the past 10 years and that, by example over the past five years, that funding has increased by approximately \$40 million. Despite that growth in budget, the demand for accommodation support funding is still greater than the resources that we have available to allocate. Currently, we know of about 325 people who are applying for accommodation support funding in any one of our funding rounds. We have three of those rounds per year.<sup>34</sup>*

5.42 Dr Chalmers referred to the issue of allocated money and made the point that it is not a one off and that the money gets locked in recurrently potentially for the life of that individual. He also referred to the review of the disability services sector, and tabled the report titled *Disability Services Sector Health Check: a report on disability services*,<sup>35</sup> for the Committee's consideration.

5.43 The Committee began its line of questioning with the following:

***Hon KATE DOUST:** Not having read that review, the first question that comes to my mind is: Why three times a year? It appears that completing a form like that would be fairly onerous. I understand that quite a lot of information needs to be provided. On the surface, that appears to place quite a deal of pressure on the families involved. Why can they not apply once a year and if they are in the system, unless circumstances change, use the same application? It seems there might have been a simpler less stressful way to do it.*

***Dr Chalmers:** Two issues are involved. One is the number of rounds. We used to have four rounds a year and we felt we needed to come back from that. Each round actually costs a fair amount of money to run. We were finding that it was not value adding. We have struck this balance that three is just about right. If we hold a round once a year, people who emerge with critical needs through the death of a sole carer need to be attended to earlier. People cannot wait for 12 months or six months. Three times a year has been struck as the balance.*

*In terms of the other issue, we have recently moved to a position in which people need to put in that form only once. That was a major*

---

<sup>34</sup> Mr Bruce Langoulant, Chairman, and Dr Ron Chalmers, Acting Director General, Disability Services Commission, *Transcript of Evidence*, 15 August 2007, p1.

<sup>35</sup> Mr Barry MacKinnon, Chairman Sector Health Check Committee, *'Disability Services Sector Health Check: a report on disability services'*, Disability Services Commission, 2007.

---

*step forward towards the end of 2006. That does not mean to say though that if people's circumstances change, they cannot modify it for the next round. The form I think you have is the current form. That can be lodged once and rated in subsequent rounds.*<sup>36</sup>

5.44 Dr Chalmers went on to say that the change had been well received by individuals and families and by their advocates and other organisations that have a role in completing the CAP forms.<sup>37</sup>

5.45 Hon Louise Pratt MLC continued with the following:

**CHAIR:** *If you look at the current labour market, you will notice that those families receiving those other forms of support are struggling to find it and to retain it. It seems to be contributing to perhaps making more of them feel as though they are in crisis. Can you comment on that? I know of a number of families who seem to be in that situation, losing their carers to the mining industry.*

**Mr Langoulant:** *To go back one step, in our circumstance we entered the round in 2005 at the beginning of the year. In that round there were 181 applications. We were in the next B significant. We were in a group of 80. Thirty-one received funding, 67 had significant needs but were unable to be funded. In the next group we were recognised as "significant needs" but not as significant as the one above us. We were in a pool of 80 at that point. The pool now is 107. We are sliding out and the pool above us went from 67 to 138. In answer to the question about when they are likely to receive funding, my answer to that at home is: When we are 72 and Ash is 48, because that is what has been happening. A lot of the issues relate to funding. There are not enough dollars. To come to the question about who cares for these kids, I believe that the greater workforce are the parents out there and they are not recognised. Our risk is that we need to recognise them and keep them doing what they are doing because other things are dragging the paid carers away to other occupations that are more attractive. There are two issues: One is to keep the paid carers we have by making the industry more attractive and at the same time provide incentives for the parents at home to be recognised for what they are doing and to keep them doing what they are doing for as long as they can.*<sup>38</sup>

---

<sup>36</sup> Mr Bruce Langoulant, Chairman, and Dr Ron Chalmers, Acting Director General, Disability Services Commission, *Transcript of Evidence*, 15 August 2007, p2.

<sup>37</sup> *Ibid*, p3.

<sup>38</sup> *Ibid*, pp3–4.

- 5.46 The Committee asked questions about the criteria that the Commission uses for determining those that are in most need of support and then the issue of alternative avenues of support was raised:

*Dr Chalmers: Another major finding in the sector health check report was along the lines of what Bruce was talking about there; that is, we may have inadvertently put too much focus on the one pathway of the combined application process. I know that some of those 325 people who are lodging cap applications would not be lodging cap applications if there were some other avenues of support available to them.*

*Hon KATE DOUST: What sort of support would that be?*

*Dr Chalmers: The report refers to a whole new emphasis on what we are calling “community living options”. The cap process is based on a notion of present with critical need, wait for funding and then start planning and developing an option of support for the future. What is proposed in this forward looking recommendation is to actually come up with a range of alternative pathways that people might consider planning and using resources. It will require resources but it may not require \$80 000 to purchase a place in a group home. There are many people in that 325 who, quite frankly, do not want a place in a group home; they would much rather be living in the community with a network of supports.*

*CHAIR: It is because they reach crisis point?*

*Mr Langoulant: That is right.*

*Dr Chalmers: All because there are no other pathways there. We are rather hopeful in the commission that negotiations that are currently underway with the commonwealth on our commonwealth-state and territories disability agreement will release a significant additional commonwealth allocation into accommodation support funding. If that is the case - that decision is fairly close I believe - we would like to direct a proportion of that into some of these new alternative pathways for people that will take the pressure off the cap process. I think that is the way forward.<sup>39</sup>*

- 5.47 Hon Robyn McSweeney MLC, asked if there is much respite care and if that would be an alternative pathway for people to look at?

---

<sup>39</sup> *Ibid*, pp4–5.



- 5.48 Mr Langoulant agreed that it was an important issue, but stated that there are staffing issues with respite care.<sup>40</sup>
- 5.49 Hon Kate Doust MLC asked if there were alternative forms of support flagged in the review and received the following response:

*Dr Chalmers: Yes, one of the biggest recommendations is that, for the Western Australian community, we are developing what is called a community living plan. Even though the report was released in May, the planning for this started back in January. Probably one of the smartest minds in this business, one of the commission's directors, Mr Bartnick, is internationally working on this at the moment. He is developing this plan. It will be presented to the commission in January 2008 as a full suite of alternative pathways that we can then start implementing and can make available to people from next year. We are pretty confident that, if that starts to take shape and is available to families, the focus will come off this thing called CAP and fewer people will go down that pathway.<sup>41</sup>*

- 5.50 **The Committee finalised this petition on 17 October 2007 because it believed that the issues raised in the petition had been taken as far as possible at the time.**
- 5.51 The Committee noted that the main request in the petition for “increased accommodation support services” relies to a large extent on additional funding.
- 5.52 The Committee acknowledged the recommendations contained in the Senate inquiry report into *Funding and Operation of the Commonwealth State/Territory Disability Agreement*.<sup>42</sup>
- 5.53 The Committee supports the additional funding recommendations contained in both the Disability Services Sector Health Check Report and the Senate Report. The recommendations were for increased Commonwealth funding and for a more realistic level of indexation from the Commonwealth.

**Recommendation 2: The Committee recommends that the State Government enters into negotiations for additional funding from the Commonwealth Government under the Commonwealth State/Territory Disability Agreement.**

- 5.54 Indexation (price adjustment) should change funding levels in line with changes in the cost of service delivery.

<sup>40</sup> *Ibid*, pp5–6

<sup>41</sup> *Ibid*, p6.

<sup>42</sup> Commonwealth of Australia, Senate, Standing Committee on Community Affairs, *Funding and Operation of the Commonwealth State/Territory Disability Agreement*, February 2007.

**Recommendation 3: The Committee recommends that the State Government negotiates a more cost reflective level of indexation from the Commonwealth Government under the Commonwealth State/Territory Disability Agreement.**

**Petition No 54 – Regarding the Pluto Development on the Burrup Peninsula**

5.55 On 3 April 2007, Hon Barbara Scott MLC tabled a petition in the Legislative Council [TP#2586] containing 269 signatures which was couched in the following terms:

*We, the undersigned residents of Australia, our friends and supporters submit this petition in protest of the proposed establishment of the Woodside LNG land based Pluto development on site A & B on the Burrup Peninsula and further oppose the development of any further industrial infrastructure on any of the islands that make up the Dampier Archipelago that may impact on the National Heritage values of the place.*

*It is acknowledged that the Dampier Archipelago contains what is probably the largest assemblage of rock engravings (petroglyphs) anywhere in the world. Not only does this art include some of the earliest on earth (probably more than 30,000 years old), but the art spans tens of millennia to the coming of Europeans, and all the material (art, stone structures, shell middens, artefact scatters) provides one of the few chronologies in the world of environmental and social change through the last ice age to the present.*

*In light of the above statement we request that the Legislative Council review all scientific data and expert advice on the scientific, cultural and heritage values of the rock art, standing stones and other components of the archaeology that exists on the islands of the Dampier Archipelago.*

*We further request that the Legislative Council investigate the heritage, scientific and economic values of such facilities against alternative locations at other regional sites and Burrup locations. We identify that we do not oppose industrial development or the Woodside Pluto project at appropriate locations.<sup>43</sup>*

5.56 The Committee received a submission from the tabling Member, Hon Barbara Scott MLC, which began by stating that the matter is of international importance. Hon Barbara Scott MLC urged the Committee to investigate the matter further and provided the following statement to support her request:

---

*The review function is very much a part of the role of Parliament and especially the Legislative Council. In this case both Federal and State Executives have made a decision of international significance, and it is only right and proper that this decision be carefully reviewed by Parliament. The Standing Committee on Environment and Public Affairs is the most appropriate committee to conduct such an examination.*<sup>44</sup>

5.57 The Committee received a submission from the principal petitioner, Mr Peter Schultz, which placed significant emphasis on the heritage and scientific values of the Dampier Archipelago. The submission maintained that these values have been articulated and assessed by professional archaeologists and rock experts in the following documents:

1. *Archaeology and rock art in the Dampier Archipelago, non-technical report and:*
2. *A review of the archaeology and rock art in the Dampier Archipelago, full technical report, both written by: Dr Caroline Bird, MA (Cantab.), MA (STS) (Deakin), PhD (West. Aust.) and Sylvia J Hallam, MA, FAHA (Fellow of the Australian Academy of the Humanities), Retired Associate Professor of Prehistoric Archaeology; Senior Honorary Fellow, School of Earth and Geographical Sciences, University of Western Australia.*
3. *Desktop assessment of scientific values for Indigenous cultural heritage on the Dampier Archipelago, Western Australia, Unpublished report to the Heritage Division of the Department of Environment and Heritage, Commonwealth of Australia, Jo McDonald Cultural Heritage Management 2005.*
4. *A study of the distribution of rock art and stone structures on the Dampier Archipelago, Report to the Department of Environment and Heritage, Commonwealth of Australia, Jo McDonald Cultural Heritage Management Pty Ltd, 2006.*

---

<sup>43</sup> Hon Barbara Scott MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 3 April 2007, p997.

<sup>44</sup> Letter from Hon Barbara Scott MLC, 28 May 2007, p1.

5. *Islands of the Dampier Archipelago and Dampier Coast (including the Burrup Peninsula), assessment and recommendations by the Australian Heritage Council.*<sup>45</sup>

5.58 The submission provided some history about the discovery of the heritage values and the rock art, and then continued:

*The richness, diversity and long time span of the heritages values of the Dampier Archipelago are outstanding not only at individual sites but also in the interrelation between rock art, living sites, quarries, stone arrangements within a unique cultural landscape. The original Dampier Island (now the Burrup Peninsula), indeed the whole Dampier Archipelago, constitutes a single cultural landscape, just as the Angkor province in Cambodia or the environs of Stonehenge constitute complete cultural landscapes. Effective conservation of the heritage values of such a landscape demands that it be treated as a single entity. Decisions on development should not be made piecemeal -- Site A, then Site B, and so on --this is akin to destroying a cathedral bit by bit, one gargoyle at a time.*<sup>46</sup>

5.59 In support of alternative locations, the submission stated the following:

*It is our belief that if a less contentious and geologically more suitable location was found for gas processing and downstream industry with lower capital costs then a greater expansion of industry would be facilitated.*<sup>47</sup>

5.60 The Committee received a response from Hon Eric Ripper MLA, Minister for State Development which provided comment on; a) the terms of the petition; b) plans to move the rock art; and c) specific agreements to protect the rock art. The letter began:

*Since the 1960's industrial development of the Burrup Peninsula has been central to the Western Australian and national economies. Land on which the Pluto development is proposed was set aside for industrial purposes under the Burrup and Maitland Industrial Estates Agreement (Burrup Agreement) agreed by the native title claimant groups and the State in January 2003.*<sup>48</sup>

---

<sup>45</sup> Letter from Mr Peter Schultz, 30 May 2007, p1.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

<sup>48</sup> Letter from Hon Eric Ripper MLA, Minister for State Development, 6 July 2007, p1.

- 5.61 The letter stated that Aboriginal heritage in Western Australia is protected and managed under the provisions of the *Aboriginal Heritage Act 1972*<sup>49</sup> and that any disturbance of heritage material must include consultation with the Aboriginal custodians. The letter continued:

*The Burrup Peninsula Land Use Plan and Management Strategy was endorsed by Cabinet in 1996. That plan sets aside much of the Burrup for conservation. More recent detailed planning has been based on the assumption that only the land to the west of Burrup Road (Sites A and B) would be allocated to any LNG project. Other land to the east of Burrup Road would be allocated to gas-processing projects (such as Burrup Fertilisers).*<sup>50</sup>

- 5.62 In relation to plans to move the rock art the Minister for State Development provided the following comments:

*Consent for development for Pluto Site A was granted with the knowledge that the project would potentially impact on 87 Aboriginal heritage sites. According to Woodside, only 25 of these sites have been impacted. Twenty engraving sites were relocated, compromising 50 motifs on 42 individual boulders. Two artefact scatters were relocated and four man-made structures were destroyed, including a standing stone site comprising a single standing stone. Man-made structures were destroyed in situ in accordance with advice from Aboriginal representatives.*

*I have been advised Woodside has been using best practice techniques and the onsite assistance of Aboriginal monitors to ensure that all rocks are moved in a manner designed to minimise damage. None of the rock art panels have been destroyed. Consent was granted for Pluto Site B with the knowledge that the project would impact on 193 Aboriginal heritage sites. As with the salvage work on Pluto Area A, the number of sites impacted is likely to be lower.*

*These matters are now covered by a Conservation Agreement between the Commonwealth Government and Woodside.*<sup>51</sup>

- 5.63 In addition to the Conservation Agreement, the Minister for State Development provided comment on the Burrup Agreement, the Indigenous Heritage Management

---

<sup>49</sup> Act No 53 of 1972.

<sup>50</sup> Letter from Hon Eric Ripper MLA, Minister for State Development, 6 July 2007, p2.

<sup>51</sup> *Ibid*, p2.

Plan and the Dampier Archipelago Nature Reserves Management Plan. The letter concluded with the following:

*The State is now engaged in discussions with the Commonwealth regarding an approvals bilateral agreement and a management arrangement for the Dampier Archipelago further to the National Heritage listing. The intent is to develop a management arrangement that provides a sufficient level of protection for the rock art values to enable Commonwealth accreditation of State processes for the majority of actions that would otherwise require approval under the Environment Protection and Biodiversity Conservation Act 1999. The bilateral agreement is likely to be completed in 2008.*<sup>52</sup>

- 5.64 The Committee noted the conditional environmental approval by the EPA for the Pluto development to proceed as contained in the EPA Bulletin 1259.
- 5.65 The Committee wrote to the then Federal Minister for Environment and Water Resources, Hon Malcolm Turnbull MHR on 29 August 2007, but did not receive a response.
- 5.66 The Committee noted the decision by the then Federal Minister for the Environment and Water Resources to grant approval under the *Environment Protection and Biodiversity Act 1999 (Cth)*<sup>53</sup> for Woodside's Pluto gas development to proceed.<sup>54</sup>
- 5.67 **The Committee finalised this petition on 17 October 2007 because it believed that the issues raised in the petition had been taken as far as possible at the time.**

#### **Petition No 55 – Upgrade of Western Power Infrastructure in Southern Suburbs**

- 5.68 On 2 May 2007, Hon Helen Morton MLC tabled a petition in the Legislative Council [TP#2633] containing 3,356 signatures which was couched in the following terms:

*We the undersigned residents of Western Australia call on the Legislative Council to urge the Minister for Energy, Resources, Industry and Enterprise and Western Power to ensure that essential power infrastructure is satisfactorily upgraded immediately to rectify*

---

<sup>52</sup> *Ibid*, p3.

<sup>53</sup> Act No. 91 of 1999 as amended.

<sup>54</sup> Hon Malcolm Turnbull MHR, Minister for the Environment and Water Resources, and Hon Ian Macfarlane MHR, Minister for Industry, Tourism and Resources, "Pluto Gas Development to Proceed with Protection for the Environment", *Joint Media Release*, T224/07, 12 October 2007.

---

*the continual disruptive power outages in the Kelmscott, Armadale, Gosnells, Westfield and surrounding suburbs.*<sup>55</sup>

- 5.69 The Committee received a submission from the principal petitioner, Don Randall MHR, which outlined the main concerns. The submission began with an acknowledgment to the Committee and then continues:

*Containing more than 3,300 signatures, the said petition is a clear indication of the level of frustration residents in Perth's southern suburbs have with the persistent power outages suffered over a number of years.*<sup>56</sup>

- 5.70 Mr Randall made the point that the number of black outs throughout the metropolitan area are astonishing for a city of Perth's size and economic conditions in the year 2007. The submission continued:

*Roleystone is the hardest hit area in the state with 2183 customers losing power more than nine times in 2005-06. In fact my Federal electorate of Canning is home to eight of the top 30 suburbs most frequently affected by power outages. Regional areas such as North Dandalup, Jarrahdale, Keysbrook and Karnup are among them, but it is perhaps more disturbing to see growing metropolitan suburbs including Canning Vale, Gosnells, Kelmscott, Westfield and Thornlie feature on a list where residents have suffered up to nine blackouts in a year. It's notable that both Thornlie and Kelmscott have been hit by blackouts lasting more than 12 hours.*<sup>57</sup>

- 5.71 The submission raised some of the effects the power outages have on local business, infrastructure and industry. In addition to lighting and refrigeration, issues of EFTPOS facilities, cash registers and lottery computers being inoperable were some of the concerns. The submission provided the following example:

*Some businesses have had to take matters into their own hands, purchasing expensive generators to ensure that there is a minimal disruption to their business. Super IGA in Roleystone paid \$35,000 for a backup generator so that in the event of an outage at least cash registers and lights would be operable. The owner has had to use that generator more than a dozen times since purchasing it.*<sup>58</sup>

---

<sup>55</sup> Hon Helen Morton MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 2 May 2007, p1574.

<sup>56</sup> Letter from Don Randall MP, Federal Member for Canning, 28 May 2007, p1.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Ibid.*

5.72 Mr Randall acknowledged that Western Power confirmed an upgrade to the Southern electricity network, but noted that there was no commitment by the Minister for Energy, that the works will be carried out as a matter of urgency.

5.73 The Committee received a submission from the tabling Member, Hon Helen Morton MLC which stated that the southeast corridor had 151 power outages in the first four months of 2007. The average time was over two hours per outage. The tabling Member referred to the 3,356 signatures on the petition (collected in just a couple of weeks) to indicate the level of frustration people feel about the failure of a basic government service. The submission continued:

*The media statement put out by the Minister following community outrage at the continuing problems was of little comfort, as it provided no assurance that the government would resolve these problems as a matter of urgency. The only timeframe provided in the release was over the next four years.*

*People believe that the Minister does not appreciate the frequency, duration and the significant inconvenience of the outages.<sup>59</sup>*

5.74 The tabling Member referred to the complaints from her constituents regarding interruptions to their everyday activities. She also stated that Doctors have been forced to cancel medical appointments due to disruptions to their electronic booking processes.

5.75 The submission stated that petitioners are appealing to the WA Parliament to hold the government to account for this unsatisfactory service, and to use its powers to demand the executive government takes appropriate and urgent action to provide them with a reliable power service.<sup>60</sup>

5.76 The Committee received a response from Hon Francis Logan MLA, Minister for Energy, which stated that Western Power acknowledged the poor reliability of some power lines in Perth's southern suburbs and the disruption this must have caused residents and businesses. The letter continued:

*In January 2007, Western Power completed the construction and commissioning of a new zone substation at Southern River, and in April 2007, the first stage of a comprehensive reinforcement of the Gosnells distribution network.*

*The new zone substation at Southern River allowed Western Power to transfer load from the Gosnells and Canning Vale Zone Substations,*

---

<sup>59</sup> Letter from Hon Helen Morton MLC, 5 June 2007, p1.

<sup>60</sup> *Ibid.*, pp1-2.



---

*thereby improving capacity and reliability throughout the area. The combined transmission and distribution works involved in commissioning this new substation cost \$10 million.*<sup>61</sup>

5.77 The Minister for Energy provided information on the reinforcement of the Gosnells network, which cost \$2.9 million. The Minister stated that the reinforcement accounted for more than 15 per cent of the outages in the area over the past year. He also stated that since those works were completed the number of faults associated with equipment failure has dropped dramatically.<sup>62</sup>

5.78 The Minister for Energy informed the Committee that Western Power is currently costing the second stage of the Gosnells network reinforcement, and that two projects are underway on the Byford distribution network, which will benefit the Armadale business district. The Minister's letter continued:

*Also by the end of this calendar year, Western Power will have completed construction of a new high voltage feeder line from the Southern River Substation along Warton Road, towards Canning Vale. This will be known as the Randford Road North Feeder Line and will cater for new development in the area.*

*As you can see, extensive work is continuing to be done in the areas of concern to your Committee. Further stages of the Gosnells Network reinforcement are planned for 2009, 2010 and beyond. While I appreciate the petitioner's request to bring all this work forward, it is simply not possible, given the number of projects already in progress. This is not a matter of funding, but relates to the availability of skilled workers, access to the network, and the need to carry out changes in a methodical way.*<sup>63</sup>

5.79 The Minister for Energy acknowledged that pole-top fires are a real concern to Western Power, and stated that \$9.6 million will be spent on silicon coating equipment to prevent pole-top fires over the next two years.

5.80 The Committee received a response from Western Power which began by stating that they had recently completed a significant amount of work to improve the reliability and power supplies in the southern suburbs. A summary of that work included:

- *An upgrade of the Byford Network was completed in December 2006. It included extending a new feeder line from the substation to the Armadale Shopping Centre.*

---

<sup>61</sup> Letter from Hon Francis Logan MLA, Minister for Energy, 30 July 2007, p1.

<sup>62</sup> *Ibid.*

- *The construction of the Southern River Zone Substation costing \$10 million was completed in January 2007.*
- *The construction of four new feeder lines out of the Southern River Substation was completed in April 2007.*
- *Stage one of the reinforcement of the Gosnells Distribution Network, which included upgrading conductors; the installation of new reclosers and the relocation of existing reclosers costing \$2.9 million was completed in April and May 2007.<sup>64</sup>*

5.81 The response included two diagrams showing the reliability of power supplies in the southern suburbs and the metropolitan area as a whole. The method used was the System Average Incident Duration Indices (SAIDI), which documented the average number of minutes customers were without power. The diagrams provided data from August 2006 to August 2007.<sup>65</sup>

5.82 The response referred to the diagrams with the following:

*The first diagram shows the monthly SAIDI for the Armadale, Kelmscott and Gosnells areas. The spikes in the number of faults in October and February were due to major events. In October, a piece of equipment at the Gosnells Substation failed, cutting supplies to thousands of customers. We suspect this was caused by lightning. In February, the area was affected by pole top fires, but also several incidents of equipment failure.*

*The second graph shows the monthly SAIDI for the metropolitan area as a whole. You will note that, overall, these figures are lower than in the southern suburbs. The overall metropolitan average is reduced by the inclusion of the CBD, where outages are rare, underground areas and areas where there are more opportunities to 'backfeed' customers after a fault, because the area is more densely populated.<sup>66</sup>*

5.83 Western Power provided a summary of current and future capital works with the following:

- *Capacity to the Armadale business district will be improved by the installation of a new transformer at the Byford Zone*

---

<sup>63</sup> *Ibid*, p2.

<sup>64</sup> Letter from Mr Doug Aberle, Managing Director, Western Power, 6 September 2007, p4.

<sup>65</sup> *Ibid*, pp5–6.

<sup>66</sup> *Ibid*, p2.

---

*Substation at the end of 2007. Two new feeders from this substation will be built by June 2008, further improving capacity to Armadale.*

- *A new high voltage feeder is being built from the Southern River Substation to supply new developments in Canning Vale, and will be completed by the end of 2007.*
- *The second stage of the Gosnells network reinforcement will be completed by June 2009. This will involve replacing approximately 13km of line in areas prone to faults, thereby improving reliability. Further stages of the Gosnells Network reinforcement are planned for 2009, 2010 and beyond.<sup>67</sup>*

5.84 **The Committee finalised this petition on 17 October 2007 because it believed that the issues raised in the petition had been taken as far as possible at the time.**

#### **Petition No 60 – Genetically Modified Food Free State**

5.85 On 26 June 2007, Hon Giz Watson MLC tabled a petition in the Legislative Council [TP#2837] containing 3,513 signatures which was couched in the following terms:

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

*We the undersigned residents of Western Australia say that Genetically Modified (GM) foods (and products from GM crops) pose a great risk to human health and the environment and are opposed to commercial growing of GM crops and the introduction of GM foods in this State.*

*Your petitioners therefore respectfully request the Legislative Council to maintain Western Australia's status as a Genetically Modified Food (and products from GM Crops) free State in perpetuity.<sup>68</sup>*

5.86 The Committee received a submission from the principal petitioner Dr Maggie Lilith, which stated that the signatures on the petition were collected from residents of Western Australia who are opposed to the commercial growing of genetically modified (**GM**) crops and the introduction of GM foods in this State. The submission then stated that:

---

<sup>67</sup> *Ibid*, p3.

<sup>68</sup> Hon Giz Watson MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 26 June 2007, p3592.

*The residents would like to request that the moratorium be extended beyond the expiry date.*

*We have concerns about the environmental, liability and segregation issues that have not been fully investigated. Human health concerns have also been raised and consumers have strongly indicated that they prefer healthy natural foods.<sup>69</sup>*

- 5.87 The submission raised environmental concerns such as the potential cross-contamination with other non-GM crops, which they claim has not been fully investigated. The petitioners stated that GM crops follow closely the pesticide paradigm of using single control mechanisms, which has proved to fail over and over again with insects, pathogens and weeds. The submission continued:

*We are concerned about potential out-crossing of genes with unique flora in this state (in particular, our south-west and the Kimberleys). Many introduced species have already had significant adverse effects on our native flora (e.g. *Phytophthora cinnamomi* or jarrah dieback).<sup>70</sup>*

- 5.88 The submission stated that segregation issues for farmers wanting to remain non-GM free must be fully addressed. And that, organic farmers retain their organic certification by being free from pesticides and chemicals and from being GM free. The submission stated that liability issues and the question as to who pays contamination costs have not been addressed.<sup>71</sup>

- 5.89 The submission raised human health issues and claims that there is scientific evidence that show adverse health effects to animals fed on GM food products. The submission referred to a study by CSIRO, but did not provide a reference to that study.

- 5.90 The submission raised the issue of GM cotton with the following:

*GM cotton in the Ord is being pushed as an exemption to GM as it is considered a fibre crop. Claims that cotton does not enter the food chain are misleading. Cottonseed oil is used extensively as an ingredient in margarine and cooking oils, particularly in restaurants. It is also used in manufacturing snack food, like potato chips, in mayonnaise and salad dressings. Cottonseed oil is also used in a range of products including emulsifiers or shortenings, which are used widely in many food products.<sup>72</sup>*

---

<sup>69</sup> Letter from Dr Maggie Lilith, 16 July 2007, p1.

<sup>70</sup> *Ibid*, p1.

<sup>71</sup> *Ibid*, p2.

<sup>72</sup> *Ibid*, p2.

- 5.91 The submission concluded by requesting the Legislative Council to maintain Western Australia's status as a GM food (and products from GM crops) free State until all issues are addressed.
- 5.92 The Committee received a response from Hon Kim Chance MLC, Minister for Agricultural and Food, which began with the following:

*Under the Gene Technology Act 2000, the office of the Gene Technology Regulator (OGTR) has primary responsibility for the protection of human health and the environment in relationship to dealings with genetically modified organisms. Food Standards Australia New Zealand (FSANZ) is the authority responsible for developing and amending food standards to protect the public's health and safety, and for providing information to the public.*

*Under the Gene Technology Act 2000, States have the right to implement GM free zones for marketing purposes. The Western Australian Government remains committed to the moratorium on the commercial production of GM crops for the term of this Government. The Government has legislation in place (Genetically Modified Crops Free Areas Act 2003) to prohibit the cultivation of all commercial GM crops in Western Australia in order to preserve the identity of non-genetically modified crops for marketing purposes. This legislation does, however permit the Minister for Agriculture and Food to grant exemptions to enable small scale research trials of products that have been approved for commercial release by the Gene Technology Regulator. In accordance with election commitments, the moratorium will be reviewed in 2008.<sup>73</sup>*

- 5.93 **The majority of the Committee supported the finalisation of this petition on 17 October 2007, because it believed that the petition had been taken as far as possible at the time.**
- 5.94 Hon Paul Llewellyn dissented from the decision to finalise the petition over the course of a number of meetings, noting that:
- 5.94.1 The petitioners are effectively asking for a complete ban on the use of GM Technology in Western Australia and this is not adequately addressed;
- 5.94.2 The current Government moratorium does not provide statutory assurance for a GM free State;

---

<sup>73</sup> Letter from Hon Kim Chance MLC, Minister for Agriculture and Food, 18 September 2007, p1.

- 5.94.3 The matter of full and strict liability for damages resulting from the use of GM technology is still not addressed in either Government policy or at law.

#### **Petition No 70 – Commercial Sexual Exploitation of Women, Men, Girls and Boys**

- 5.95 On 27 September 2007, Hon Barbara Scott MLC tabled a petition in the Legislative Council [TP#3251] containing 2,205 signatures which was couched in the following terms:

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

*We the undersigned residents of Western Australia are opposed to the sexual exploitation of women, men, girls and boys.*

*Your petitioners therefore respectfully request that the Legislative Council oppose the commercial sexual exploitation of women, men, girls and boys as proposed through the legalisation of brothels which the Prostitution Amendment Bill 2007 proposes, because prostitution is a form of violence against women, men, girls and boys and a violation of international human rights instruments ratified by the Australian people.<sup>74</sup>*

- 5.96 **The Committee finalised this petition on 17 October 2007, because the Prostitution Amendment Bill 2007 when progressed, will be debated in the Legislative Council.**

#### **Petition No 67 – Alcoa's Compensation Arrangements**

- 5.97 On 5 September 2007, Hon Giz Watson MLC sought and obtained leave to table a non-conforming petition in the Legislative Council [TP#3105] containing 210 signatures which was couched in the following terms:

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

*We the undersigned residents of Western Australia call for the Standing Committee on Environment and Public Affairs to inquire into the fairness and just terms of Alcoa's compensation arrangements, including the Supplementary Property Purchase Program (SPPP) with particular reference to the financial impacts*

---

<sup>74</sup> Hon Barbara Scott MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 27 September 2007, p5869.

---

*and hardship experienced by the affected landholders and that the committee report back no later than 30th November 2007.*<sup>75</sup>

- 5.98 Notwithstanding the fact that the Legislative Council granted leave to table the petition, the Committee had concerns with aspects relating to its non-conformity.
- 5.99 The reason for the non-conformity is that petitions should be confined to seeking relief, and should not request the Committee to conduct an inquiry, nor to report by a certain date.
- 5.100 **The Committee finalised this petition on 24 October 2007. The Committee wrote to the principal petitioner and tabling Member informing them of its decision and also indicated that the Committee may revisit the issues raised if a conforming petition is tabled in the Legislative Council.**

#### **Petition No 38 – Persecution of Falun Gong Practitioners**

- 5.101 On 15 November 2006, Hon Sally Talbot MLC tabled a petition in the Legislative Council [TP#2228] containing 795 signatures which was couched in the following terms:

*We the undersigned residents of Western Australia support the Coalition to Investigate the Persecution of Falun Gong (CIPFG) to investigate the alleged forced organ harvesting allegations and the illegal detention of Falun Gong Practitioners in detention centers, labor camps, prisons and hospitals.*

*Your petitioners therefore respectfully request that the Legislative Council will:*

*1. recommend to the Federal Government that it:*

*· prevent Australian citizens from travelling to China for organ transplants; and*

*· prevent companies, institutions and individuals providing goods and services to China's organ transplant programs;*

*until such time as it is satisfied that no organs used have been harvested against the will of the donor;*

*· demand an end to the persecution of Falun Gong practitioners in China; and*

---

<sup>75</sup> Hon Giz Watson MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 5 September 2007, p4789.

- *assist CIPFG with the research and investigation of the alleged harvesting of organs from, and the illegal detention of, Falun Gong Practitioners.*

2. *recommend to the Western Australian Government that it:*

- *end Western Australian funding agencies, medical organizations and individual health professionals participation in any Government of China-sponsored organ transplant research, meetings or training;*

- *inform residents that donor organs sourced from the Peoples Republic of China may be from non consenting prisoners of conscience including Falun Gong practitioners; and*

- *assist CIPFG with the research and investigation of the alleged harvesting of organs from, and the illegal detention of, Falun Gong Practitioners.*<sup>76</sup>

5.102 The Committee received a letter from Hon John Kobelke MLA, Minister for Police which stated that the Western Australian Police has advised that as the allegations of persecution refer to incidents outside of their jurisdiction, it would not be appropriate for Western Australian Police to comment on the validity or otherwise of the claims made.

5.103 The Minister for Police provided the following information on Commonwealth – State Relations:

*Advice has previously been provided via the Premier to the Coalition to Investigate the Persecution of Falun Gong (CIPFG), that the Commonwealth Government is responsible for matters concerning the affairs and interests of other countries, and is engaged in dialogue with the Chinese Government about human rights issues. The Annual Australia-China Human Rights Dialogue provides the opportunity for Australia to raise with China any human rights concerns and to assist China to implement international human rights standards.*

*Given the existing dialogue and processes at the Federal level, it continues to be the most appropriate level of Government to consider the concerns raised by this petition.*<sup>77</sup>

---

<sup>76</sup> Hon Sally Talbot MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 15 November 2006, p8276.

<sup>77</sup> Letter from Hon John Kobelke MLA, Minister for Police, 22 January 2007, p1.



- 5.104 The Committee received a letter from the Australian Medical Association (AMA) which stated that they have referred the terms of the petition to the Federal AMA for comment, because of their interest and expertise in external affairs, including the Association's links with the World Medical Association.<sup>78</sup>
- 5.105 The AMA also stated that the advice that they would give their members and Australian citizens travelling to China for organ transplants would be in line with the draft National Health and Medical Research documents on Organ and Tissue Donation.<sup>79</sup>
- 5.106 The Committee received a response from Hon Jim McGinty MLA, Minister for Health which informed the Committee that its inquiries into the matter had been referred to Associate Professor Luc Delrivière, head of Service, WA Liver and Kidney Surgical Transplant Service at Sir Charles Gairdner Hospital. The Minister for Health's letter stated:

*Associate Professor Delrivière, advises that Chinese transplant programs are not dependant in any shape or form on companies, institutions or individuals based in Australia. Although Australia can join the chorus of disquiet about this issue, it cannot by itself prevent its occurrence.*<sup>80</sup>

- 5.107 The Minister for Health continued:

*I am informed by Associate Professor Delrivière that professionals in Queensland are requesting any Chinese Fellows coming into their programs to issue a statement from their hospital stating that the techniques that they are going to learn will not be applied on organs retrieved against the will of the donor. This attitude will be willingly applied in Western Australia in the future.*<sup>81</sup>

- 5.108 The Committee held a private hearing with David Matas, one of the authors of the *Independent Investigative Report into Live Organ Harvesting from Falun Gong Practitioners*,<sup>82</sup> and Mr Erping Zhang on Monday 17 September 2007.
- 5.109 **The Committee finalised this petition on 14 November 2007, because it formed the view that the Commonwealth Government is responsible for raising issues pertaining to the affairs of sovereign Nation States.**

<sup>78</sup> Letter from Professor Geoff Dobb, President AMA, 15 May 2007, p1.

<sup>79</sup> *Ibid*, p1.

<sup>80</sup> Letter from Hon Jim McGinty MLA, Minister for Health, 27 June 2007, p1.

<sup>81</sup> *Ibid*.

<sup>82</sup> <http://organharvestinvestigation.net/>, (viewed on 14 March 2008).

**Petition No 62 – Blackmore Primary School**

- 5.110 On 28 August 2007, Hon Peter Collier MLC tabled a petition in the Legislative Council [TP#3022] containing 962 signatures which was couched in the following terms:

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

*We, the undersigned residents of Western Australia, respectfully and strongly support the retention of the Blackmore Primary School in its current location in Girrawheen, and with not less than its current educational capacities.*

*Blackmore Primary School is a highly effective and highly regarded centre for primary education and learning in the suburb of Girrawheen. In Girrawheen it is a leading school in terms of both education results and initiatives. It's students and school community are well served by both the teachers and the school's leadership*

*The school is the only school in the West of Girrawheen and is therefore best placed to serve that half of the suburb. Blackmore Primary School also has excellent parking facilities, which result in no disruption to local residents or traffic passing along major roads through the suburb, an advantage not shared by other schools in Girrawheen.*

*Your petitioners therefore request that the Legislative Council do everything in its power to ensure that Blackmore Primary School is not closed and remains to serve the interests of children in the West of Girrawheen, from its current location and with its current education capacities.<sup>83</sup>*

- 5.111 The Committee received a submission from the principal petitioner, Mr Luke Simpkins, which stated that Blackmore Primary is currently one of four State primary schools currently operating in Girrawheen. The submission also stated that:

*Planning for the Girrawheen primary schools has focused on a Stage One plan concentrating on the closure of Hainsworth Primary School in East Girrawheen. Consultation with parents for that first stage has involved the schools of Montrose, Hainsworth and Girrawheen Primary Schools, with allegedly one parent representative from*

---

<sup>83</sup> Hon Peter Collier MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 28 August 2007, p4273.

---

*Blackmore Primary School around 2002. The current parents of Blackmore Primary School have not been consulted and no one knows about the parent representative from 2002.*

*Given the lack of consultation prior to the State Government announcement of the closure of Blackmore Primary School, the State has not fulfilled its mandatory responsibilities to the Blackmore Primary School community.<sup>84</sup>*

5.112 The submission continued by stating that Blackmore Primary School has good infrastructure, excellent parking and good teaching areas. The submission raised the issue of extra distance for the children to travel to school and the potential growth in Girrawheen as it represents a greater opportunity for affordable housing than other suburbs.<sup>85</sup>

5.113 The Committee received a submission from the tabling Member, Hon Peter Collier MLC, which also focused on the lack of public consultation. The submission stated that:

*On 3<sup>rd</sup> August 2007, parents of students at Blackmore Primary School were notified that the school would be closing at the conclusion of the 2008 academic year. This decision was made without prior consultation with either parents or the local community. This has been confirmed through a response from the Minister for Education to questions relating to this issue provided by the Blackmore Primary School Parents and Citizens Association ... This decision would appear to contravene Section 57 of the School Education Act 1999 ...*

5.114 The Committee received a response from Hon Mark McGowan MLA, Minister for Education and Training. The response began by commenting on the terms of the petition and stated:

*Girrawheen Primary School is considered to be the most appropriate site for the amalgamated school due to its geographic location in relation to other schools in the Girrawheen cluster and in consideration of the implications of the Local Area Education Planning decision, in particular, the amalgamation of Hainsworth and Montrose Primary Schools on the Montrose Primary School site. Another important consideration is the number of students living in the local area.*

---

<sup>84</sup> Letter from the principal petitioner, Mr Luke Simpkins, 30 September 2007, p1.

<sup>85</sup> *Ibid.*

*An investigation of enrolment patterns has revealed that both Blackmore and Girrawheen Primary Schools attract over 50% of their enrolments from outside the local intake area.<sup>86</sup>*

5.115 The response continued by expressing the view that combining two highly motivated and qualified teaching staffs will provide further opportunities to engage students based on the excellent programs on offer at both schools.<sup>87</sup>

5.116 The response from the Minister for Education and Training provided the following in relation to the process:

*The Local Area Education Planning (LAEP) process commenced in 2003 for the Girrawheen cluster of schools comprising Blackmore, Girrawheen, Montrose, Hainsworth, Koondoola and Marangaroo Primary Schools, Koondoola Intensive English Centre. This process included representation from each of the schools and their parent communities.*

5.117 The response from the Minister for Education and Training stated that the draft plan proposed two stages and then continued with the following:

*In May 2005, at the request of the then Minister for Education and Training, the Hon Alan Carpenter MLA, consultation was sought from the public on the first stage of the proposed plan. The Blackmore community was represented on this committee by the Principal.*

5.118 The response from the Minister for Education and Training stated that the announcement on 3 August 2007 had brought forward the proposed second stage, being the amalgamation of Girrawheen and Blackmore Primary Schools, to coincide with the implementation of the first stage. The response stated that the suggestion that the level of maintenance for the Girrawheen cluster of schools has been reduced due to the local area planning process is incorrect.<sup>88</sup>

5.119 The Minister for Education and Training continued with the following statement:

*In regard to the School Education Act 1999 (Act), I have made the decision to amalgamate Blackmore Primary School with Girrawheen Primary School in accordance with Section 57 of the Act. The Department of Education and Training is consulting on how the amalgamation will be implemented with the relevant parents, School*

---

<sup>86</sup> Letter from Hon Mark McGowan MLA, Minister for Education and Training, 5 November 2007, p1.

<sup>87</sup> *Ibid.*

<sup>88</sup> *Ibid.*, p2.

---

*Councils and Parents and Citizens' Associations. In accordance with the Act, consultation will occur in regard to:*

- (a) alternative arrangements for the enrolment of students affected by the proposal and the appropriateness of the arrangements; and*
- (b) the provision of educational programs for the students who are affected by the proposal.<sup>89</sup>*

- 5.120 The response from the Minister for Education and Training stated that a Project Consultation Group had been established to determine the scope of facilities required at the Girrawheen Primary School site. The group included representation from both school communities.
- 5.121 The response also stated that an Implementation Committee has been formed to ensure a smooth transition to the new school for 2009.
- 5.122 The Minister for education and Training concluded by stating that Blackmore Primary School is located approximately 1.5 kms from the Girrawheen Primary School site.
- 5.123 **The Committee finalised this petition on 14 November 2007 because it believed that the issues raised in the petition had been taken as far as possible at the time.**

#### **Petition No 74 – Prostitution Amendment Bill 2007**

- 5.124 On 20 November 2007, Hon Barbara Scott MLC tabled a petition in the Legislative Council [TP#3508] containing 211 signatures which was couched in the following terms:

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

*We the undersigned residents of Western Australia respectfully request that you refer the Prostitution Amendment Bill 2007 to a standing committee of the Legislative Council for a review to consider the Swedish model, which we believe is a better model in relation to considering the rights of women, minimising violence against women and reducing sex trafficking. Under the Swedish model, the purchasers of sex services are targeted rather than the prostitutes and Government assistance is provided for exit strategies for prostituted women and men.*

---

<sup>89</sup> *Ibid.*

*We believe the legalisation of brothels will see the number of legal and illegal brothels in Western Australia increase especially as local government will not have the power to refuse approvals.*

*We believe this will lead to an increase in the abuse of girls, women and men and there will be more sex trafficking into Western Australia, and more girls, women and men will become addicted to drugs.*

*Your petitioners therefore respectfully request that the Legislative Council send this bill to a Legislative Committee for a full review of alternative legislation that provides better options to help the girls and women who become the victims of prostitution.<sup>90</sup>*

5.125 The wording of this petition is different to petition No 70 which the Committee finalised on 17 October 2007 (see paragraphs 5.95 – 5.96).

5.126 The Committee noted that the decision as to whether or not to refer the Bill, or indeed any Bill to a Standing Committee, is a matter for the Legislative Council.

5.127 **The Committee thus finalised this petition on 28 November 2007 because the Prostitution Amendment Bill 2007, when progressed, will be debated in the Legislative Council.**

## **6 PETITIONS BEFORE THE COMMITTEE UP TO 30 NOVEMBER 2007**

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

Petition No 22 – Utility Consumer Hardship. Petition tabled by Hon Sally Talbot MLC on 15 November 2005 [TP#1001].

Petition No 36 – South Cardup Landfill. Petition tabled by Hon Giz Watson MLC on 17 October 2006 [TP#2085].

Petition No 47 – Proposed High Voltage Transmission Lines - Muja to Wellstead. Petition tabled by Hon Giz Watson MLC on 20 March 2007 [TP#2382].

Petition No 59 – Regional Resource Recovery Centre in Canning Vale. Petition tabled by Hon Simon O' Brien MLC on 26 June 2007 [TP#2835].

Petition No 63 – The Rezoning of A Class Reserve in Claremont. Petition tabled by Hon Peter Collier MLC on 28 August 2007 [TP#3023].

---

<sup>90</sup> Hon Barbara Scott MLC, Western Australia, Legislative Council, *Parliamentary Debates (Hansard)*, 20 November 2007, p7314.

- 
- Petition No 64 – Western Power Transmission Lines - Narrikup. Petition tabled by Hon Robyn McSweeney MLC on 28 August 2007 [TP#3024].
- Petition No 65 – Wanneroo Road Upgrade. Petition tabled by Hon Ray Halligan MLC on 29 August 2007 [TP#3075].
- Petition No 66 – Whitfords Road Reserves and Bus Services. Petition tabled by Hon Ray Halligan MLC on 29 August 2007 [TP#3076].
- Petition No 68 – Multipurpose Taxis - People with Disabilities. Petition tabled by Hon Ken Travers MLC on 19 September 2007 [TP#3137].
- Petition No 69 – Development of Foreshore Land in Busselton. Petition tabled by Hon Giz Watson MLC on 19 September 2007 [TP#3139].
- Petition No 71 – Alcoa’s Compensation Arrangements. Petition tabled by Hon Giz Watson MLC on 23 October 2007 [TP#3421];
- Petition No 72 – Siting of a New Busselton Hospital. Petition tabled by Hon Robyn McSweeney MLC on 24 October 2007 [TP#3434].
- Petition No 73 – Allenswood Primary and East Greenwood Proposed Amalgamation. Petition tabled by Hon Ray Halligan MLC on 20 November 2007 [TP#3507].
- Petition No 75 – Legislation to improve Cat Welfare. Petition tabled by Hon Giz Watson MLC on 20 November 2007 [TP#3509].
- Petition No 76 – West Coast Demersal Scalefish Management Plan Metropolitan Fishing Zone. Petition tabled by Hon Bruce Donaldson MLC on 20 November 2007 [TP#3510].
- Petition No 77 – Relocation of Governor Stirling Senior High School. Petition tabled by Hon Donna Faragher MLC on 24 November 2007 [TP#3545].
- Petition No 78 – State Government Proposal to Amend the *Prostitution Act 2000*. Petition tabled by Hon Barry House MLC on 27 November 2007 [TP#3546].



---

**Hon Sheila Mills MLC**  
**Chair**

20 March 2008