



FIRST SESSION OF THE THIRTY-SIXTH PARLIAMENT

**REPORT OF THE
STANDING COMMITTEE ON ENVIRONMENT
AND PUBLIC AFFAIRS**

OVERVIEW OF PETITIONS AND INQUIRIES

AUGUST 2001 – DECEMBER 2001

Presented by Hon Christine Sharp MLC (Chairman)

Report 1
March 2002

STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

Date first appointed:

May 24 2001

Terms of Reference:

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

“3. Environment and Public Affairs Committee

- 3.1 An *Environment and Public Affairs Committee* is established.
- 3.2 The Committee consists of 7 members.
- 3.3 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;
 - (c) petitions.
- 3.4 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 ecological sustainable development and the minimisation of harm to the environment.
- 3.5 The Committee may refer a petition to another committee where the subject matter of the petition is within the competence of that committee.
- 3.6 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 this inquiry:

Hon Christine Sharp MLC (Chairman)	Hon Frank Hough MLC
Hon Kate Doust MLC (Deputy Chairman)	Hon Robyn McSweeney MLC
Hon Jim Scott MLC	Hon Bruce Donaldson MLC
Hon Louise Pratt MLC	

Staff as at the time of this inquiry:

Felicity Beattie, Advisory Officer	David Driscoll, Committee Clerk
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REPORT OF THE STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS

OVERVIEW OF PETITIONS AND INQUIRIES

AUGUST 2001 – DECEMBER 2001

1 INTRODUCTION

- 1.1 This report provides an overview of the petitions and other inquiries considered by the Legislative Council Standing Committee on Environment and Public Affairs (the Committee) from August 2001 to December 2001.
- 1.2 The terms of reference for the Committee were passed by the Legislative Council on May 24 2001 and the members appointed on June 28 2001. The Committee consists of seven members of the Legislative Council. The Committee is essentially an amalgamation of two previous committees from the Thirty-Fifth Parliament, the Standing Committee on Ecologically Sustainable Development and the Standing Committee on Constitutional Affairs (the Constitutional Affairs Committee).
- 1.3 The functions of the Committee are to inquire into and report on public and private policies, practices, schemes, arrangements or projects in Western Australia which affect or may affect the environment, any bill referred by the House and petitions.
- 1.4 The Committee's terms of reference provide that, where relevant, it is to assess the merit of matters or issues arising from an inquiry in accordance with the principles of ecological sustainable development and the minimisation of harm to the environment. The concept of ecologically sustainable development was adopted as a goal by Australian governments, including Western Australia, in 1992 following the Earth Summit in Rio. Ecologically sustainable development is a philosophy defined by the National Strategy for Ecologically Sustainable Development as "*...development which aims to meet the needs of Australians today while conserving our ecosystems for the benefit of future generations.*"
- 1.5 The Committee also considers petitions that have been tabled by a member of the Legislative Council on behalf of a person or groups within the community.
- 1.6 On November 14 2001 the Committee resolved to form a sub-committee to deal with routine administrative matters regarding petitions. The members of the sub-committee are Hon Christine Sharp MLC (Convenor), Hon Robyn McSweeney MLC, Hon Louise Pratt MLC and Hon Frank Hough MLC.

- 1.7 The Committee's object in reviewing petitions is 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.

Self-initiated Inquiries

- 1.8 The Committee has commenced a self-initiated inquiry into the Alcoa refinery at Wagerup. The Committee has also held briefings with officers from the relevant government departments on the North Eastern Hills Settlement Pattern Plan and the North East Corridor Extension Strategy and sewerage treatment and disposal in Western Australia.
- 1.9 The inquiry into the Alcoa refinery at Wagerup and the two briefings are discussed in paragraph 2 of this report.

Petitions

- 1.10 Petitions are first tabled in the Legislative Council and then referred to the Committee. The Committee is the only parliamentary committee in Australia that considers petitions. In all other jurisdictions petitions are simply recorded in Hansard and no further investigation is undertaken.
- 1.11 On receipt of the petition the Committee, where it considers it appropriate, invites the tabling member, principal petitioner and relevant Minister(s) to make a submission concerning the issues raised in the petition. The Committee considers these submissions and, if necessary, arranges a public hearing at which discussion occurs on the various issues. Following receipt of all relevant information, the Committee usually prepares a final report that is tabled in the Legislative Council.
- 1.12 The Committee considers every petition tabled in the Legislative Council, however as part of its policy the Committee may resolve not to inquire further into a petition in circumstances where the petition:
- concerns a subject matter that is within the terms of reference of another standing committee; or
 - raises matters which have received, or require, full debate by the Legislative Council.
- 1.13 The Committee's report contains a status comment on each petition in the following terms:
- *finalised* – the Committee considers that the issues raised in the petition have been resolved; and

- *continuing* – the Committee is continuing with its inquiry.

1.14 All transcripts of evidence given in public and all the Committee's reports are available at the Parliament of Western Australia website at <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.

Bills

1.15 At the time of writing this report the Legislative Council had not referred any bills to the Committee.

2 SELF-INITIATED INQUIRIES

Alcoa Refinery at Wagerup

- 2.1 Several Committee members noted that a number of concerns about the Alcoa refinery at Wagerup were being brought to their attention by members of the public living in the vicinity of the refinery. The concerns were that significant health and environmental impacts were being reported in and around the Alcoa refinery at Wagerup, despite the recorded levels of individual chemicals not exceeding allowable levels.
- 2.2 Hon Jim Scott MLC raised the issue at a Committee meeting under paragraph 3.3(a) of the Committee's terms of reference.
- 2.3 On November 8 2001 the Committee resolved to inquire into the Alcoa refinery at Wagerup. The terms of reference for the inquiry are:

To investigate concerns regarding the Alcoa refinery at Wagerup with specific regard to:

1. *environmental impacts;*
2. *occupational health and safety;*
3. *public health;*
4. *loss of amenity;*
5. *social impacts; and*
6. *the adequacy of regulatory mechanisms covering these issues.*

- 2.4 On November 8 2001 the Committee resolved to apply for funds to travel to Wagerup to conduct a site visit of the Alcoa refinery and to hold a public hearing. Funds were approved by the Clerk of the Legislative Council on November 8 2001.
- 2.5 The Committee travelled to the Alcoa refinery at Wagerup on November 21 2001. Members and staff met with representatives from Alcoa who conducted a site visit of the refinery.
- 2.6 Following the site visit the Committee conducted a public hearing at the Waroona Shire Offices. The Committee heard evidence from Alcoa representatives, the Australian Workers' Union, the Wagerup Community Health Awareness Group, a local farmer and Alcoa employee and a former Alcoa employee.
- 2.7 The Committee also conducted a hearing in Perth on November 28 2001 at which it heard evidence from a safety representative from the Australian Manufacturing Workers' Union.
- 2.8 The Committee's inquiry into the Alcoa refinery at Wagerup is continuing. It is anticipated that the Committee's report will be tabled during 2002.

North East Hills Settlement Pattern Plan and the North East Corridor Extension Strategy

- 2.9 On October 24 2001 the Committee conducted a briefing session with staff from the Department for Planning and Infrastructure regarding the North East Hills Settlement Pattern Plan and the North East Corridor Extension Strategy.
- 2.10 At the time of writing this report the Committee had not resolved whether to inquire further into this matter.

Sewerage Treatment and Disposal in Western Australia

- 2.11 On December 5 2001 the Committee conducted a background briefing session relevant to two matters before the Committee with staff from the Water Corporation regarding sewerage treatment and disposal in Western Australia.

3 PETITIONS

Praying for Relief

- 3.1 A petition was tabled on May 3 2001 by Hon Derrick Tomlinson MLC (*Tabled Paper #181*) in which the petitioner prayed for relief. The petitioner claimed that two subdivision applications he filed with the Ministry for Planning (in 1990 and 1992) were improperly processed and that the subsequent delay in the properties being available for sale resulted in him incurring substantial financial loss. The petitioner sought compensation for this loss.

- 3.2 The petition was certified by the Clerk of the Legislative Council as it came within Legislative Council Standing Order 134(a)(i). Pursuant to Standing Order 134(a) the petition was confined to a request for relief and was accompanied by a statement of the facts supporting the request. This was necessary as the petition would not otherwise have complied with Standing Order 133(c)(v).
- 3.3 The petition was first tabled during the Fourth Session of the Thirty-Fifth Parliament at which time the Constitutional Affairs Committee received a submission from the petitioner.
- 3.4 On the basis of the evidence supplied to the Constitutional Affairs Committee, the Committee resolved to conduct a public hearing into the petition. The hearing was held on August 29 2001 at the Legislative Council Committee Office. The witnesses before the Committee were:
- Mr Tinsley Beck, the principal petitioner;
 - Mr Gordon Smith, retired town planner; and
 - Mr Michael Allen, Acting Executive Director, Strategic Planning Division, Department for Planning and Infrastructure.
- 3.5 As a result of matters raised at the hearing, the Committee wrote to the Minister for Planning and Infrastructure requesting her comments on several matters. In particular the Committee noted the difficulties that the average person may encounter in submitting sub-division applications and understanding the complex array of issues that may be involved in the process. The Committee noted its concern that the process was unnecessarily complex and in many cases required the applicant to engage professional advice, thus adding to the cost of the sub-division. The Committee also noted that a significant number of applicants are not professionals and do not seek professional advice.
- 3.6 The Committee noted that the events referred to in the petition occurred some time ago and was interested to know whether the process for applying for a sub-division had been amended and/or simplified since that time.
- 3.7 The Committee received a letter from Mr Paul Frewer, Acting Deputy Director General (Planning) on behalf of the Minister for Planning and Infrastructure. Mr Frewer advised the Committee that the Western Australian Planning Commission (the WAPC) had recently reviewed its sub-division forms and published an information sheet to accompany each form to clarify the WAPC's requirements in respect of the standard of sub-division applications.

- 3.8 Mr Frewer advised that the new form and information sheet was an improvement on the previous form in that it provided a clearer statement of the requirements to be met by applicants in terms of the need for accompanying information as well as the need to provide the Certificate of Title, signatures and application fee. The information sheet provided a consistent checklist of the information to show on the sub-division plan with illustrations of how this would be provided on a typical plan.
- 3.9 Mr Frewer also advised the Committee that the WAPC had reviewed the regulations associated with sub-division applications resulting in the former Minister for Planning making new regulations on December 19 2000. Those regulations, the *Town Planning and Development (Subdivisions) Regulations 2000*, require:
- the submission of eight copies of the plan of sub-division that clearly illustrate the proposed sub-division and contains any other information the WAPC may require; and
 - the WAPC to have regard to relevant listed matters relating to the features of the land, its servicing and its planning context.
- 3.10 The Committee was pleased to note that the WAPC had simplified the procedure associated with sub-division applications. It also noted that there was no statutory obligation on the Department for Planning and Infrastructure to provide compensation.
- 3.11 The Committee resolved that it had taken the matter as far as it was able and resolved not to inquire further into the petition. The principal petitioner and tabling member were advised accordingly.

Status – finalised

Praying for Relief

- 3.12 Hon Bruce Donaldson MLC tabled a petition on May 30 2001 (*Tabled Paper #371*) in which the petitioner prayed for relief.
- 3.13 Prior to the petition being tabled the petitioner had instituted proceedings in the Western Australian Industrial Relations Commission (the WAIRC) alleging unfair dismissal from her employment and seeking re-instatement. The Commissioner hearing the matter at first instance found that the dismissal was unfair and ordered re-instatement.
- 3.14 The petitioner's employer appealed the decision to the Full Bench of the WAIRC. The Full Bench found that the Commissioner had erred in ordering that the petitioner be re-instated and allowed the appeal.

- 3.15 The petitioner then appealed to the Full Bench of the Western Australian Industrial Appeal Court (WAIAC). The Full Bench of the WAIAC found that the grounds of appeal did not adequately identify the error or errors of law about which the petitioner was complaining and therefore dismissed her appeal.
- 3.16 The petition was certified by the Clerk of the Legislative Council as it came within Legislative Council Standing Order 134(a)(i). Pursuant to Standing Order 134(a) the petition was confined to a request for relief and was accompanied by a statement of the facts supporting the request. This was necessary as the petition would not otherwise have complied with Standing Order 133(c)(v).
- 3.17 The petition was first tabled during the Third Session of the Thirty-Fifth Parliament and was also tabled during the Fourth Session of the Thirty-Fifth Parliament. When the petition was first tabled the Constitutional Affairs Committee wrote to the principal petitioner advising that it was not a court of law and could not overturn decisions made by the courts. The Constitutional Affairs Committee advised the petitioner that it would appreciate a written submission regarding the issues raised in the petition in order that it may consider any additional evidence to see if it warranted further examination. The petitioner was advised that the additional evidence should be material not raised at the three hearings and must show that in reaching its decision the Full Bench of the WAIRC acted improperly.
- 3.18 The petitioner provided further information however it did not show that the Full Bench acted improperly.
- 3.19 The Committee resolved that as it had not received any evidence to show that in reaching its decision the Full Bench of the WAIRC acted improperly, it would not inquire further into the petition.
- 3.20 The principal petitioner and tabling member were advised accordingly.

Status – finalised

Department of Community Development

- 3.21 A petition was tabled by Hon Jim Scott MLC (*Tabled Paper #401*) on June 12 2001 concerning the Department for Community Development.
- 3.22 The petitioners expressed concern that:

...the administration of the Department of Community Development and the interpretation of its powers under the Child Welfare Act 1947 creates a lack of accountability within the Department; an inability by the Department to be constructively criticised and scrutinised when

procedures are wrong; inequity in the treatment of families; and mismanagement of the needs of clients leading to detrimental outcomes.

- 3.23 The petitioners requested that the Legislative Council investigate the administration, procedures and legislative framework of the Department for Community Development and recommend administrative and legislative changes which will increase accountability, openness and equity in the functioning of the Department and its relationships with the community.
- 3.24 The petition was first tabled during the Third Session of the Thirty-Fourth Parliament. At that time the Constitutional Affairs Committee sought submissions from:
- i) the principal petitioner;
 - ii) the Minister for Family and Children's Services; and
 - iii) Hon Jim Scott MLC.
- 3.25 The petitioners provided the Constitutional Affairs Committee with a large number of documents concerning the specific matters surrounding their claims about the then Department for Family and Children's Services.
- 3.26 The Committee considered the evidence supplied to the Constitutional Affairs Committee and resolved to refer the petition to the Legislative Council's Standing Committee on Public Administration and Finance as the subject matter of the petition was within that committee's terms of reference.
- 3.27 The principal petitioner and tabling member were advised accordingly.

Status – finalised

Yeelirrie Mineral Tenement

- 3.28 Petitions were tabled by Hon Giz Watson MLC on June 20 2001 and June 27 2001 (*Tabled Paper #s429 and 446*) and Hon Robin Chapple MLC on October 24 2001 (*Tabled Paper #802*) concerning the 35 000 tonnes of radioactive ore remaining uncovered at Yeelirrie.
- 3.29 The petitioners requested that the Legislative Council consider the health and welfare of the present and future residents of Western Australia and the environmental impacts of this material remaining uncovered at Yeelirrie. The petitioners stated that "*This radioactive material remains exposed since the early 1980's, allowing it to disperse into the local environment and food chain.*"

- 3.30 The petitioners requested that the Legislative Council investigate the health and environmental impacts of allowing 35 000 tonnes of uranium ore to remain on the surface at the Yeelirrie mineral tenement. They also requested that the Government rehabilitate and make safe the contaminated area.
- 3.31 Following receipt of the two petitions tabled by Hon Giz Watson MLC in June 2001 the Committee sought submissions from:
- i) the principal petitioner; and
 - ii) Hon Giz Watson MLC.
- 3.32 The Committee received a submission from the Anti-Nuclear Alliance of Western Australia (Inc) (ANAWA) dated September 6 2001. ANAWA advised the Committee that it was aware of a number of residual stockpiles from post-exploration and mining activities and the site of the most concern by far was the Yeelirrie site, trial-mined by Western Mining Corporation (WMC).
- 3.33 ANAWA informed the Committee that the Yeelirrie deposit was discovered by WMC in 1972. The plant produced 11 tonnes of yellowcake from the Yeelirrie deposit, however commercial arrangements between the joint venture partners did not materialise and the change in the Federal Government prevented further development. The Committee was advised that the deposit is currently held on a care and maintenance basis.
- 3.34 ANAWA submitted that for the last 18 years the radioactive, crushed calcrete ore has been “...blowing in the breeze, washing into the water channels and gradually cycling into the local environment.” ANAWA also submitted that the real danger in leaving this kind of material exposed is that, once radioactive isotopes have entered the food chain in large quantities, there is no meaningful possibility of a clean-up.
- 3.35 The Committee was advised that ANAWA urgently requested that the State Government direct WMC to draft a management plan for returning the ore to the pits, with due regard to environmental and occupational safety. ANAWA also submitted that, subject to State Government approval, WMC should then be directed to return the site to its original condition at the earliest possible time.
- 3.36 Following receipt of the submission, the Committee wrote to the Minister for State Development and WMC requesting a response to the matters raised.
- 3.37 The Committee received a letter from WMC dated October 12 2001 in which WMC advised that it did not wish to make a submission at that time.

- 3.38 The Committee also received a letter from the Minister for State Development dated October 15 2001 in which he advised that the Department of Mineral and Petroleum Resources works closely with the Department of Health, as there is a significant degree of synergy in the regulatory responsibility for ensuring appropriate health and safety standards are in place and maintained in this project area.
- 3.39 The Minister advised the Committee that both departments have ensured and will continue to ensure, that appropriate national and internationally recognised standards of practice are in place and maintained by the Yeelirrie project owners. As a result, the health and safety of the people of Western Australia, and the environment, are protected from possible harmful effects associated with the stockpiled ore.
- 3.40 The Minister noted that the area in question is subject to the *Uranium (Yeelirrie) Agreement Act 1978* (the State Agreement) between the State Government and WMC Resources Limited. Pursuant to the State Agreement WMC is required to submit development proposals for Yeelirrie by June 30 2002. The stockpiled ore may be required for further testing by WMC as part of the preparation of development proposals.
- 3.41 The Minister advised that it was therefore premature to require WMC to undertake rehabilitation of the stockpiled ore at this time. He noted, however, that he will be reviewing the situation in mid 2002 in line with any proposal that WMC may submit, and will consider WMC and State obligations under the State Agreement and the relevant Government policies.
- 3.42 Following receipt of the Minister's letter the Committee wrote to Hon Giz Watson MLC, Hon Robin Chapple MLC and the principal petitioners advising that as WMC is required to submit development proposals for Yeelirrie by June 30 2002 the Committee had resolved to maintain a watching brief in relation to this petition.

Status – continuing

Uranium Mining in Western Australia

- 3.43 Petitions were tabled by Hon Giz Watson MLC on June 20 2001 and June 27 2001 (*Tabled Paper #s430 and 447*) and Hon Robin Chapple MLC on August 21 2001 (*Tabled Paper #565*) opposing the proposal to establish a uranium mining industry in Western Australia because of its associated health impacts on members of the community.
- 3.44 The petitioners requested that the Legislative Council investigate and evaluate the acceptability of a uranium industry measured against the known health hazards for workers in the uranium and associated industries, and on the residents of Western Australia, arising from the establishment of a large number of uranium mines in this state.

- 3.45 Following receipt of the petitions the Committee wrote to Hon Giz Watson MLC, Hon Robin Chapple MLC and the principal petitioners advising that it believed that the views of the petitioners had been brought to the attention of the Parliament by the tabling of the petition.
- 3.46 The Committee informed the tabling members and principal petitioners that it had considered the petitions, and believed that as the matter involves a Bill which is to be considered by the House, the matter would be dealt with during debate. The Committee advised that it considered that it was not appropriate for it to inquire into or report on matters before the House.

Status – finalised

Sexual Exploitation of Teenage Males

- 3.47 On July 31 2001 Hon Barry House MLC tabled a petition (*Tabled Paper #480*) to prohibit the homosexual prostitution of teenage males.
- 3.48 The petitioners stated their concern that if the age of consent for male to male sex acts is lowered to 16 years, sex industry operators would be able to legally promote and develop a market for teenage males to act as prostitutes to male clients.
- 3.49 The petitioners submitted that lowering the age of consent for homosexual acts would be likely to result in an increased number of teenage males being prostituted to homosexual men by the Western Australian sex industry. The petitioners submitted that “*We believe this is inconsistent with the healthy, emotional and spiritual development of WA youth and is not a development the WA community would approve of.*”
- 3.50 The petitioners requested that the Legislative Council keep the age at which young males can be legally employed by the Western Australian sex industry to work as prostitutes to other males at 21 years in order to prohibit the sexual exploitation of teenage males by commercial sex industry operators.
- 3.51 Following receipt of the petition the Committee wrote to Hon Barry House MLC and the principal petitioner advising that it believed that the views of the petitioners had been brought to the attention of the Parliament by the tabling of the petition.
- 3.52 The Committee informed the tabling member and principal petitioner that it had considered the petition, and believed that as the matter involves a Bill which is to be considered by the House, the matter would be dealt with during debate. The Committee advised that it considered that it was not appropriate for it to inquire into or report on matters before the House.

Status – finalised

Solid Waste to Energy Recycling Facility

- 3.53 Petitions were tabled by Hon Jim Scott MLC on August 7 2001 (*Tabled Paper #548*), Hon Derrick Tomlinson MLC on August 21 2001 (*Tabled Paper #564*) and Hon Ljiljana Ravlich MLC on August 28 2001 (*Tabled Paper #605*) concerning the Solid Waste to Energy Recycling Facility (SWERF) proposed for construction in the City of Gosnells.
- 3.54 The petitioners expressed their concern that the SWERF proposed for construction in the City of Gosnells incorporates new, unproven technology and that its environmental and economic consequences are unknown.
- 3.55 The petitioners requested that the Legislative Council investigate community concerns to ensure that:
- the environmental impact of the proposed SWERF is assessed at the highest level;
 - the environmental assessment referred to above includes and considers an independent evaluation of all atmospheric emissions of the SWERF constructed in Wollongong, New South Wales, for at least twelve months after the Wollongong SWERF becomes fully operational;
 - processes by the City of Gosnells are examined to determine if the ratepayers were properly consulted before a decision was made, whether all approved procedures were followed, and to determine how those processes might be improved to avoid further problems; and
 - the State Government along with Local Governments develop a coordinated Waste Disposal management plan for the Perth metropolitan area.
- 3.56 The petitioners also requested that the Legislative Council investigate any other issues arising to ensure a comprehensive review.
- 3.57 Following receipt of the petitions the Committee sought submissions from:
- i) the principal petitioner; and
 - ii) Hon Jim Scott, Hon Derrick Tomlinson and Hon Ljiljana Ravlich MLCs.
- 3.58 The Committee received a submission from the principal petitioner on September 18 2001 which discussed in detail the points raised in the petition. The principal petitioner again requested that, among other things, the Committee ensure that the

technology be assessed at the highest level possible, the licence to operate the SWERF be postponed for twelve months in order that data collected from the Wollongong SWERF could be assessed and presented to the people of Maddington and Kenwick and there be an examination of the processes that were undertaken by the City of Gosnells to evaluate and accept the SWERF.

- 3.59 On September 18 2001 the Committee also received a submission from Brightstar Environmental (Brightstar), the group proposing to build the SWERF referred to in the petitions. The submission from Brightstar discussed the SWERF technology, the proposed facility at the City of Gosnells and specific points raised in the petitions.
- 3.60 Following receipt of the submissions, the Committee wrote to the Minister for the Environment and Heritage requesting information regarding SWERF and in particular whether the proposal had been referred to the Environmental Protection Authority (the EPA) under Part IV of the *Environmental Protection Act 1986* (the Act).
- 3.61 The Committee also sought the Minister's advice as to whether the EPA was currently assessing any other similar waste to energy proposals under the Act and whether any such proposals had recently been licensed, or were proposed to be licensed.
- 3.62 The Committee also requested a brief of the government's policy regarding waste management. In particular the Committee sought advice as to whether the government had made any decision concerning the establishment of advisory bodies with regards to waste management in Western Australia and if so, the details of how they were to be managed.
- 3.63 The Committee received a reply from the Minister for the Environment and Heritage dated November 14 2001 in which she advised that she had directed the EPA to assess the SWERF proposal at the level of Environmental Review and Management Program.¹
- 3.64 The Minister submitted that in regard to recent proposals for similar plants, she had been advised of three waste-to-energy plants that the EPA had assessed or had been made aware of.
- 3.65 The first was a proposal for a waste-to-energy and water plant at Kwinana which was assessed at PER² level and the assessment was completed in December 2000. The

¹ Environmental and Review Management Program is the highest level of assessment under the *Environmental Protection Act 1986*.

² PER means Public Environmental Review level under the *Environmental Protection Act 1986* and is the second highest level of assessment under that Act.

- Minister advised that the proponent still needed to obtain a Works Approval and licence from the Department of Environmental Protection (the DEP).
- 3.66 The second was a proposal for a wood waste-to-energy plant at Kemerton which was assessed at a level of 'Informal Review with Public Advice' and a Works Approval to construct the plant was issued in July 2001. The Minister advised that the proponent still needed a licence from the DEP to operate the plant.
- 3.67 Finally, the third was a proposal for a poultry litter fixed power station at Muchea which had been referred to the EPA but the level of assessment had not been set.
- 3.68 In relation to the Committee's inquiry regarding the establishment of an advisory body, the Minister advised the Committee that she was in the process of establishing a peak advisory body on waste management to provide overarching policy direction. This body would be supported by the DEP and also take advice from a stakeholder reference group.
- 3.69 The Minister also provided an historical summary of key waste management policy as requested.
- 3.70 After considering the Minister's letter the Committee concluded that as the environmental impact of the proposed facility is being assessed at the level of Environmental Review and Management Program, the concerns raised in the petition will be addressed during the assessment.
- 3.71 The Committee resolved to finalise the petition and the principal petitioner and tabling members were advised accordingly.

Status – finalised

Illicit Drugs

- 3.72 Five petitions were tabled by Hon Simon O'Brien MLC during this reporting period (*Tabled Paper #s563, 592, 614, 618 and 658*) opposing legislation to legalise drug use.
- 3.73 The petitioners expressed their belief that;
- ...the use of illicit drugs is not only dangerous to the individual but also affects the fabric of our society in terms of skills, capacities, values and precious human and financial resources.*
- 3.74 The petitioners submitted that they want drug abuse to remain a socially unacceptable form of behaviour in Western Australia and aspire to a drug free society for the sake of their families and the future of their children.

- 3.75 The petitioners requested that Parliament refuse to pass legislation that would encourage the acceptance of drug abuse by either decriminalising the use and possession of illicit drugs or by establishing legal ‘shooting galleries’ which “...*only increase demand of illegal substances.*”
- 3.76 The petitioners requested that Parliament instead introduce and pass legislation that will reduce demand for illicit drugs by aiming to:
- discourage the experimentation and the use of mind altering substances;
 - pay particular attention to the young and encourage action and cooperation between parents and schools and local organisations;
 - rehabilitate, by compulsion if necessary, any user of mind altering substances bearing in mind that the community costs of such rehabilitation will in the long run always be far less than the social and economic costs imposed by long term addiction; and
 - adopt rehabilitation strategies that do not create a dependence on addictive or unproven prescribed medicines but rather seek to change the attitudes and the world views of addicts.
- 3.77 Following receipt of the petitions the Committee sought submissions from:
- i) the principal petitioner; and
 - ii) Hon Simon O’Brien MLC.
- 3.78 The Committee received a submission from the principal petitioner as Convenor of the group Community Action Against Drug Abuse. In his submission the principal petitioner noted that the petition was requesting the Legislative Council to pass legislation to reduce demand for illicit drugs and that this was a different approach from harm minimisation which the petitioners believed was a defeatist approach.
- 3.79 The principal petitioner submitted that demand reduction was the only way to reduce harm not only to addicts themselves but to society at large.
- 3.80 The submission also discussed a number of other issues related to drug use in the community.
- 3.81 The Committee considered the petition and submission and resolved that as the issues and concerns raised were considered by the recent Community Drug Summit and that those findings were to be published in the near future, it would not inquire further into the petition.

3.82 The principal petitioner and tabling member were advised accordingly.

Status – finalised

Live Sheep Trade

3.83 A petition was tabled (*Tabled Paper #593*) by Hon Giz Watson MLC on August 23 2001 opposing the continuation of the live sheep trade.

3.84 The petitioners expressed concern at the continuation of the live sheep trade for the following reasons:

- *“Annually more than 100 000 sheep exported from Fremantle die traumatically during transshipment to the Middle East.*
- *Regulations covering road transportation and loading are not being adequately policed.*
- *The live sheep trade is undermining the more lucrative, job creating processed meat trade.”*

3.85 The petitioners requested that the Legislative Council “...*investigate and recommend a time frame in which this cruel, wasteful and uneconomic trade can be terminated.*”

3.86 The petition was first tabled during the Thirty-Fourth Parliament and was also tabled during the Thirty-Fifth Parliament.

3.87 Following receipt of the petition the Committee sought submissions from:

- i) the principal petitioner; and
- ii) Hon Giz Watson MLC.

3.88 The Committee received a submission from the principal petitioner dated September 4 2001. The submission stated that as many as 300 animals have been known to die daily on the sea journey from Fremantle to the Middle East, mainly from inanition, injuries sustained during transport and loading, salmonellosis and stress. The submission also stated that the animals are packed in pens 3-4 per square metre preventing them from exercising and lying down, while the ships give no protection from the elements on the outer decks and inadequate ventilation on the inner decks.

3.89 The petitioners also stated that livestock transportation operates under a voluntary Code of Practice produced by the Livestock Transporters’ Association of Western

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- Australia (Inc). The petitioners queried whether, in view of the regular sightings of animals in obvious distress on trucks, the Code was policed and by whom.
- 3.90 The petitioners also stated that as a result of live sheep exports at least 2 000 Australian meatworking jobs have been lost so far and for every meatworking job lost, about five are lost in supporting industries, amounting to a loss of approximately 12 000 jobs.
- 3.91 The petitioners submitted that if the animals were slaughtered in Australia and the carcasses processed here, the value adding and down processing of the meat, hides and wool would bring economical gains.
- 3.92 The Committee also obtained a copy of a booklet titled “Livestock export trade from Australia: Summary information for 2000” (the AGWA Booklet) that was produced by RT Norris and GJ Norman, Quarantine and Protection Services, Agriculture Western Australia. The AGWA Booklet was funded by Meat and Livestock Australian, LiveCorp and Agriculture Western Australia.
- 3.93 The AGWA Booklet stated that the live export of sheep and cattle returned almost \$700 million in 2000 and provided employment in services that support the industry. It noted that the live export trade is the only market outlet for producers in some areas of Australia.
- 3.94 The AGWA Booklet stated that the total number of sheep exported by sea from Fremantle during 2000 was 4 393 053. Compared with 1999, sheep exports increased from Fremantle by 7.2%.
- 3.95 During 2000 Kuwait remained the strongest market (27.5% of all exports) followed by the United Arab Emirates (14.7%), Jordan (13.1%) and Saudi Arabia (11.7%).
- 3.96 The overall mortality rate for sheep exported from Fremantle during 2000 was 1.23%, or 54 034 sheep. Loading, voyage and discharge mortalities were 0.01%, 0.74% and 0.47% respectively for Fremantle.
- 3.97 The AGWA Booklet noted that while the discharge rate was slightly higher, loading, voyage and overall mortalities for sheep exported from Fremantle in 2000 were the lowest experienced since the inception of the mortality surveillance system in 1985.
- 3.98 After considering the petitioner’s submission and the AGWA Booklet, the Committee wrote to the Australasian Meat Industry Employees’ Union, the Department of Agriculture and the Department of Industry and Technology requesting comment on the matters raised in the petition.
- 3.99 The Committee is currently awaiting responses to its requests.

Status – continuing

Praying for Relief

- 3.100 A petition was tabled on August 28 2001 by Hon Derrick Tomlinson MLC (*Tabled Paper #604*) in which the petitioners prayed for relief. The two petitioners are the wives of police officers who were charged with perjury and conspiracy to pervert the course of justice as a result of matters raised at a trial of two men arrested and charged with drug-related offences at the Eucla police station in 1989.
- 3.101 The petition was certified by the Clerk of the Legislative Council as it came within Legislative Council Standing Order 134(a)(i). Pursuant to Standing Order 134(a) the petition was confined to a request for relief and was accompanied by a statement of the facts supporting the request. This was necessary as the petition would not otherwise have complied with Standing Order 133(c)(v).
- 3.102 The petition was first tabled during the Third Session of the Thirty-Fifth Parliament and was also tabled during the Fourth Session of the Thirty-Fifth Parliament.
- 3.103 When the petition was first tabled the Constitutional Affairs Committee sought a submission from the principal petitioners regarding the issues raised in the petition. The Constitutional Affairs Committee also advised the petitioners that it could not conduct a re-trial of the matter, but that it could take steps to refer the matter to the Attorney-General. In the event of such a referral it would be for the Attorney-General to determine what course of action to take.
- 3.104 The Constitutional Affairs Committee advised the petitioners that to justify a referral to the Attorney-General it required fresh evidence that raised a reasonable doubt as to the safety of the convictions. The Constitutional Affairs Committee advised that fresh evidence was material not raised at the trial of the officers, and had greatest utility if it was not available as evidence at the time of the trial but had only since come to light.
- 3.105 In response to its letter the Constitutional Affairs Committee received a letter from the petitioners in which they stated that they were not seeking a reference to the Attorney-General. They stated that they were aware that they did not have recourse through the courts to “...*redress this travesty of justice.*” They stated that “*Most evidence was put before a jury, some minor evidence was not available at trial, but would not be sufficient to put before a Court of Criminal Appeal.*”
- 3.106 The petitioners concluded their letter to the Constitutional Affairs Committee by stating that what they were seeking was a “...*parliamentary inquiry into the circumstances surrounding the gathering of evidence against, charges preferred and subsequent convictions of the officers concerned...*”

3.107 The Committee considered the petition and the information provided to the Constitutional Affairs Committee and noted that the petitioners were given the opportunity to provide a written submission and, in particular, fresh evidence that was not raised at the officers' trial. The Committee noted that it had not received a submission from the petitioners and resolved not to inquire further into the petition. The principal petitioners and tabling member were advised accordingly.

Status – finalised

Opposing the Gnarabup Waste Water Treatment Plant

3.108 On August 30 2001 Hon Dee Margetts MLC tabled a petition (*Tabled Paper #617*) opposing the Gnarabup Waste Water Treatment Plant. The petitioners claimed that the sewerage plant was previously and is currently damaging the environmental, geomorphological, flora, fauna, speleological, Aboriginal heritage, community, health and social values inherent in the site.

3.109 The petitioners requested an immediate stay on all expansion works at the present site and an investigation into the siting of the sewerage plant based on thorough recent research to ensure the protection of all the values mentioned above.

3.110 The petitioners also requested that the Legislative Council initiate a full inquiry into all the alternative best practices for sewerage and waste water treatment available such that they be instigated and will confer with the values of the local and wider community.

3.111 The petition was first tabled during the Thirty-Fifth Parliament by Hon Dr Christine Sharp MLC at which time the Committee sought submissions from:

- i) the principal petitioner; and
- ii) Hon Dr Christine Sharp MLC.

3.112 The Committee travelled to Margaret River on November 20 2001 and met with representatives from the Water Corporation and other stakeholders and community groups and participated in a site visit of the Gnarabup Waste Water Treatment Plant.

3.113 Following the site visit the Committee conducted a public hearing in Margaret River. The Committee heard evidence from representatives from the Water Corporation, members of the Legislative Council, a representative from the Shire of Augusta-Margaret River and community groups.

3.114 The Committee is currently preparing a report on this petition for tabling in the Legislative Council.

Status –continuing

Residential Tenancies Act 1987

- 3.115 Hon Barbara Scott MLC tabled a petition (*Tabled Paper #619*) on August 30 2001 signed by permanent residents of caravan parks in Western Australia. The petitioners noted that they are subject to the *Residential Tenancies Act 1987* (the Residential Tenancies Act) and expressed their concern that section 65 of that Act provides landlords with excessive power over their permanent tenants.
- 3.116 The petitioners requested a review of section 64 of the Residential Tenancies Act with a view to amending the Act, thereby protecting the security of permanent residents of caravan parks in Western Australia.
- 3.117 The petition was first tabled during the Thirty-Fifth Parliament at which time the Constitutional Affairs Committee sought submissions from:
- i) the principal petitioner; and
 - ii) Hon Barbara Scott MLC.
- 3.118 The Constitutional Affairs Committee received a letter from the principal petitioner, Mr Kevin Fahie, President of the Park Home Owners Association WA Incorporated. Mr Fahie submitted that there are a number of issues that arise from applying the Residential Tenancies Act to tenants of caravan parks in Western Australia.
- 3.119 Mr Fahie submitted that the Residential Tenancies Act fails to protect these people because it was never written with any consideration for permanent residents of caravan parks. He submitted his belief that *“It seems it was simply expedient to apply the act [sic] to park living once government recognised permanent residency as a legitimate way of life on caravan parks.”*
- 3.120 Mr Fahie compared the case of tenants of residential properties who have been given a notice of termination with permanent residents of caravan parks in receipt of a similar notice. He submitted that permanent residents in caravan parks are in a much more difficult situation compared to those in other residential properties as most permanent residents actually own the home they live in. Therefore when they receive a section 64 notice of termination, they are being ordered to vacate their own premises. He advised the Constitutional Affairs Committee that the majority of park residents are retirees and to force them to sell under such duress causes great emotional and financial pain.
- 3.121 Mr Fahie concluded by submitting that section 64 of the Residential Tenancies Act should not apply to those people living permanently in their own dwellings in caravan parks.

- 3.122 The Committee considered the petition and the information provided to the Constitutional Affairs Committee and conducted inquiries with the Department of Consumer and Employment Protection.
- 3.123 The Department of Consumer and Employment Protection advised the Committee that preparation for a statutory review of the Residential Tenancies Act had commenced. Section 90 of the Residential Tenancies Act requires a review of the legislation to be conducted ‘as soon as practicable’ after June 30 2001. In June 2001 the Department of Consumer and Employment Protection sought and received comment from major stakeholders in regard to issues they believed needed to be covered in the review. A significant issue identified by the preliminary submissions received by the Department of Consumer and Employment Protection was security of tenure, tenancy agreements and park charges for caravan park and home park tenants.
- 3.124 The Department of Consumer and Employment Protection also advised the Committee that it was preparing tender documents to hire a consultant for the management of the public consultation phase of the review. The tendering process was due to be completed in 2001 with public consultation commencing early in 2002. The Department of Consumer and Employment Protection anticipated that the review would be completed by May 31 2002.
- 3.125 The Committee considered this information and concluded that the petitioners’ concerns would be best addressed by them directing their comments directly to the consultant who is selected to conduct the statutory review. The Committee believed that the statutory review process would provide the opportunity for the petitioners to have their concerns addressed in any changes that may be made to the Residential Tenancies Act.
- 3.126 The Committee wrote to the principal petitioner advising him of the Committee’s decision and encouraging him to contact the Department of Consumer and Employment Protection in relation to the issues raised in the petition.
- 3.127 The Committee advised the principal petitioner and tabling member that it had resolved not to inquire further into the petition.
- 3.128 The Committee’s letter to the principal petitioner was returned stamped “Return to sender.” Despite numerous inquiries, the Committee has been unable to locate the principal petitioner.

Status – finalised

Establishment of a Renewable Energy Powered Ecotourist Discovery Centre within the Proposed Guilderton Regional Park

- 3.129 A petition was tabled (*Tabled Paper #620*) by Hon Robin Chapple MLC on August 30 2001 requesting that the Government establish a renewable energy powered ecotourist discovery centre for purposes of education and recreation within the proposed Guilderton Regional Park south of the Moore River.
- 3.130 The petitioners requested that the Government take this opportunity to both protect the estuary and coastal heathland and also to build a unique showplace which will serve local and international communities into the future.
- 3.131 The petition was first tabled by Hon Giz Watson MLC during the Thirty-Fourth Parliament at which time the Constitutional Affairs Committee sought submissions from:
- i) the principal petitioner; and
 - ii) Hon Giz Watson MLC.
- 3.132 The Committee considered a submission from the principal petitioner that had previously been provided to the Constitutional Affairs Committee in September 2000. The submission contained two documents from the Friends of Moore River Estuary and Bushland titled “Proposal for Guilderton Regional Park and Proposal for an Eco-Tourist Discovery Centre.”
- 3.133 After considering the submission, the Committee wrote to the Minister for the Environment and Heritage, the Minister for Planning and Infrastructure and the Shire of Gingin requesting information regarding the current status of the development and any other additional information concerning the petition that may assist with the Committee’s inquiry.
- 3.134 The Shire of Gingin wrote to the Committee and advised that prior to the receipt of the Committee’s correspondence, Council had no knowledge of the proposal. In September 1997 Council corresponded with the then Premier of Western Australia regarding the possibility of a Regional Park being developed. Council noted that the previous Government had no intention of supporting the creation of a Regional Park in the area.
- 3.135 The Committee is currently awaiting a response from the Minister for Environment and Heritage and Minister for Planning and Infrastructure.

Status – continuing

Swan District Hospital Emergency Department

- 3.136 On September 13 2001 Hon Derrick Tomlinson MLC tabled a petition (*Tabled Paper #659*) opposing a reduction in hours of operation of the Swan District Hospital Emergency Department. The petition contained 20 713 signatures.
- 3.137 The petitioners requested that the Legislative Council consider the health and welfare of the present residents of Western Australia and in particular the area reliant on the services provided by the Swan District Hospital Emergency Department and to not close or reduce hours of operation of the above service.
- 3.138 The petitioners also requested that the Legislative Council:
- i) immediately reverse the temporary reduction of services at Swan District Hospital Emergency Department; and
 - ii) request that whatever funds are necessary be provided for the adequate staffing and facilities to ensure a safe environment for staff and patients on a 24 hour basis.
- 3.139 The petition did not conform with the Standing Orders as the petitioners directly requested the Legislative Council to take the action they were seeking, rather than requesting the Legislative Council to request the government to take the action. To overcome this situation, the tabling member sought leave to present the non-conforming petition. Leave was granted and the petition was presented, despite the fact that it was not certified in accordance with Legislative Council Standing Orders.
- 3.140 Following receipt of the petition the Committee wrote to the Minister for Health requesting a response to the matters raised in the petition.
- 3.141 The Committee received a reply from the Minister on October 11 2001 in which he advised that the decision to restrict the operating hours of the Emergency Department of Swan District was made by the Hospital's senior staff as a result of a shortage of senior emergency doctors. The existing staff felt that patients' safety could be at risk due to the shortage in the Emergency Department.
- 3.142 The Minister advised that from the time of notification of reduced emergency services at Swan Districts, the Government had been committed to restoring a 24-hour 7-day a week service. The Department of Health, Swan Health Service and the medical staff have worked together to resolve the situation. The Minister also advised that recruitment for the required senior staff was currently under way.

- 3.143 The Minister informed the Committee that as a step toward restoring the full emergency service at Swan District, the Emergency Department would be open from 8.00am to midnight, seven days a week from September 24 2001.
- 3.144 Following consideration of the Minister's letter the Committee resolved that as the matters raised in the petition were being addressed and would be finalised in the near future, it would not inquire further into the petition.
- 3.145 The principal petitioner and tabling member were advised accordingly.

Status – finalised

Hillview Estate Sub-division

- 3.146 Hon Simon O'Brien MLC tabled a petition (*Tabled Paper #872*) on November 8 2001 opposing the sub-division of the Hillview Estate (Edward Millen) for the purpose of public housing and homeless children.
- 3.147 The petitioners requested that the Legislative Council legislate to "*...have the property ceded to a trust or board as an arts, crafts, sciences, cultural, function and conference centre. (sic) Thus making the property available to the public of Western Australia not only honouring it's (sic) memorial status, but also the historic and heritage past.*"
- 3.148 Following receipt of the petition the Committee sought submissions from:
- i) the principal petitioner; and
 - ii) Hon Simon O'Brien MLC.
- 3.149 The Committee received a submission from the principal petitioner, Mr Ray Peek, dated November 16 2001. Mr Peek advised the Committee that the property was developed in 1911 by Matron Braille who "*...had the vision that inspired her to build the first maternity Hospital in WA.*" Mr Peek submitted that the resulting building, known as Rotundo, is arguably the best of its era in the State.
- 3.150 Mr Peek also advised the Committee that Victoria Park lost its Town Hall many years ago and nothing has been built to replace it that would adequately serve the wider community as an arts, crafts, sciences and community centre. He submitted that the whole of the area south and east of the river has no such facility to serve over 140 000 people. He stated that this was the petitioners' aim.
- 3.151 Mr Peek advised the Committee that the petitioners opposed the sub-division because for such a community centre to be successful, it would need all the buildings that currently exist. The main building, Rotundo, is not large enough to attract a rental

return that would meet its maintenance and refurbishing costs. He also submitted that it would seem “...ridiculous to pull down substantial buildings only to replace them with housing that would not return a great deal of money unless they were sold as a commercial development project.” Mr Peek submitted that public housing would not achieve such a return.

- 3.152 The Committee was advised that the petitioners have had interest from a number of organisations who would have taken space on the property, including the Victoria Park Centre for the Arts and the Black Swan Theatre.
- 3.153 Mr Peek submitted that the petitioners’ mission was to save the Edward Millen and surrounding Hillview Estate for its historical and heritage values by promoting the arts, crafts, sciences, culture and living community pursuits by creating a centre of national significance, attracting a wide audience of local residents, visitors from neighbouring areas, interstate and overseas, and encouraging a wide and diverse range of activities.
- 3.154 Mr Peek concluded his submission by summarising the financial aspects of the proposal for the Committee. He submitted that the State Government could secure funding from heritage budgets, both State and Federal. He also submitted that long term loans from consolidated revenue would be required to refurbish the buildings, however a considerable amount of this work could be done by volunteer labour under professional supervision.
- 3.155 Mr Peek also submitted that once the main building was refurbished it should be leased to a restaurateur with a condition that works of art be shown with arts and crafts demonstrations on site.
- 3.156 Mr Peek also submitted that suitable non-profit and semi-governmental organisations be found to rent parts of the buildings and that potential lessees should be either artists, craftsmen and/or non-profit organisations.
- 3.157 The Committee’s consideration of the matters raised in this petition is continuing.

Status – continuing

Five Year Freeze on Genetic Engineering

- 3.158 A petition was tabled (*Tabled Paper #896*) by Hon Dee Margetts MLC on November 14 2001 requesting a five year freeze on Genetic Engineering.
- 3.159 The petitioners requested that the State Parliament pass laws that create a minimum five year freeze on:

- release into the environment of genetically engineered organisms (GEOs) – crops, microbes or animals – for research or commercial purposes;
- imports of genetically engineered foods and GEOs; and
- patents on living organisms.

3.160 The petitioners submitted that the freeze should remain in force until the following are established:

- an Office of Gene Technology Regulator and national laws on GEOs;
- mandatory labels on all foods produced using gene technology;
- a Biosafety Protocol to ensure safe international transport and use of GEOs;
- ‘GE free’ zones where GEO-free crops can be grown without genetic pollution;
- independent research showing GEOs are harmless to health and environment;
- adverse reactions registers where the public can report any illness from GEOs;
- a strong, enforceable liability and insurance regime on GEO products; and
- everyone fully informed on GEOs, leading to democratic decisions on GEO use.

3.161 The Committee considered the petition and resolved that the views of the petitioners had been brought to the attention of Parliament by the tabling of the petition. The Committee also resolved that as the matter involved two Bills which were to be considered by Parliament (the Gene Technology Amendment Bill 2001 and the Gene Technology Bill 2001), the matter would be dealt with during debate. The Committee believed that it was not appropriate for it to inquire into or report on matters before the Parliament.

3.162 The Committee therefore resolved not to inquire further into the petition.

3.163 The principal petitioner and tabling member were advised accordingly.

Status – finalised

Family Court Amendment Bill 2001

3.164 Hon Barbara Scott MLC tabled a petition (*Tabled Paper #954*) on November 29 2001 requesting that the Legislative Council reject the Family Court Amendment Bill 2001.

- 3.165 The petitioners requested that the Legislative Council “...*protect and preserve the unique position of marriage and family as the foundation stones of human development and social progress.*” The petitioners requested that the Legislative Council reject the Family Court Amendment Bill 2001 because it “...*seeks to give other relationships access to the Family Court and similar legal status to marriage.*”
- 3.166 The Committee considered the petition and resolved that the views of the petitioners had been brought to the attention of Parliament by the tabling of the petition. The Committee also resolved that as the matter involved a Bill which was to be considered by Parliament (the Family Court Amendment Bill 2001), the matter would be dealt with during debate. The Committee believed that it was not appropriate for it to inquire into or report on matters before the Parliament.
- 3.167 The Committee therefore resolved not to inquire further into the petition.
- 3.168 The principal petitioner and tabling member were advised accordingly.

Status – finalised

Electoral Reform

- 3.169 Petitions were tabled by Hon Barry House MLC on December 5 2001 (*Tabled Paper #979*) and Hon Murray Criddle MLC on December 11 (*Tabled Paper #1007*) concerning electoral reform in Western Australia.
- 3.170 The petitioners expressed their concern at the Labor Government’s proposed new electoral laws. The petitioners submitted that the proposed new laws would:
- reduce country representation in Parliament to just 15 out of 57 Legislative Assembly seats;
 - increase the number of politicians in the Legislative Council, estimated to cost taxpayers at least an extra one million dollars each year;
 - increase the number of politicians in the metropolitan area by eight so that decisions regarding the allocation of government services will be dominated by the metropolitan region at the expense of the country; and
 - greatly increase the size of country electorates, making it harder for country people to have personal access to their Member of Parliament.
- 3.171 The petitioners requested that the Legislative Council reject the Labor Government’s plan and support the Liberals’ call for a referendum to let the people decide on the

Government's proposed electoral changes to reduce country representation in the Parliament.

- 3.172 The Committee considered the petition and resolved that the views of the petitioners had been brought to the attention of Parliament by the tabling of the petition. The Committee resolved that the matters raised in the petition were considered during the Standing Committee on Legislation's inquiry into the Electoral Distribution Repeal Bill 2001 and the Electoral Amendment Bill 2001, Report Number 8.
- 3.173 The Committee also resolved that as the matter involved Bills which were considered by the House (the Electoral Distribution Repeal Bill 2001 and the Electoral Amendment Bill 2001), the matter was dealt with during debate.
- 3.174 The Committee therefore resolved not to inquire further into the petition.
- 3.175 The principal petitioners and tabling members were advised accordingly.

Status – finalised

Opposing the Government's Proposed Gay and Lesbian Legislation

- 3.176 A petition was tabled (*Tabled Paper #1034*) by Hon Bill Stretch MLC on December 13 2001 opposing the gay and lesbian legislation.
- 3.177 The petitioners requested that the Legislative Council proceed only with so much of the legislation that removes discrimination against consenting adult homosexual persons.
- 3.178 The Committee considered the petition and resolved that the views of the petitioners had been brought to the attention of Parliament by the tabling of the petition. The Committee also resolved that as the matter involved a Bill (the Acts Amendment (Lesbian and Gay Law Reform) Bill 2001) which was to be considered by Parliament, the matter would be dealt with during debate. The Committee believed that it was not appropriate for it to inquire into or report on matters before the Parliament.
- 3.179 The principal petitioner and tabling member were advised accordingly.

Status – finalised



Hon Christine Sharp MLC

Chair

Date: March 12 2002