

MR BARRY CARBON, CHAIRMAN, ENVIRONMENTAL PROTECTION AUTHORITY -
CONFLICT OF INTEREST

5612. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

I refer to the newspaper article titled 'EPA boss gives OK to former employer' which appeared on page 2 of *The Australian* newspaper on Thursday 1 November 2007; the newspaper article titled 'Environment regulator approved mine for ex-client' which appeared on page 3 of the *Australian Financial Review* on Thursday, 1 November 2007, WIN News footage which appeared on Tuesday 30 October 2007 concerning the Kalgoorlie Superpit operations operated by Kalgoorlie Consolidated Gold Mines (KCGM) for Barrick Gold and Newmont Australia, and letters from Mr Bartle, dated 4 November 2007 and Mr Duke dated, 7 November 2007 sent to the Minister's office, and I ask -

- (1) Did Mr Barry Carbon state on WIN News on the 30 October 2007 that he had 'no link whatsoever with the KCGM proposal at hand'?
- (2) If no to (1), what specifically did Mr Barry Carbon state to WIN News on 30 October 2007?
- (3) Can the Minister state in what year and how much Mr Barry Carbon was paid by KCGM to advise 'on issues with tectonic shifts'?
- (4) If no to (3), why not?
- (5) Can the Minister explain why he stepped in to remit the bulletins for the KCGM proposal back to the Environmental Protection Authority (EPA)?
- (6) If no to (5), why not?
- (7) Can the Minister explain why he was of the view that Mr Barry Carbon did not have a conflict of interest in the KCGM proposal?
- (8) If no to (7), why not?
- (9) Can the Minister explain why he was of the view that Mr Barry Carbon did have a perceived conflict of interest in the KCGM proposal?
- (10) In remitting the bulletins back to the EPA, will the Minister ensure that all of the points and issues raised by Mr Bartle in a letter dated 4 November 2007 and Mr Duke in a letter dated 7 November 2007 are clearly addressed by the EPA to ensure that the proponent is made to address all the points raised in their original submissions in writing through its 'response to public submissions' and that the EPA makes comment on these issues in the new bulletins when they are released?
- (11) If no to (10), why not?

Hon SALLY TALBOT replied:

- (1)-(2) The report of WIN News from 30 October 2007 paraphrases Mr Carbon rather than directly quotes him, therefore it is not known exactly what Mr Carbon said.
- (3) Mr Carbon has stated that he worked as a consultant to KCGM in 1998 and received approximately \$10,000.
- (4) Not applicable.
- (5) It is crucial that the environmental approvals process is open and accountable and that the public has confidence in this process. The fact Mr Carbon did some work for KCGM some ten years ago and that the entire Board of the EPA may not have been aware of this work meant this confidence was compromised due to a perceived conflict of interest. Because of this, the Minister decided to remit this matter to the EPA to be reconsidered under the new Chairman, Dr Paul Vogel.
- (6) Not applicable.
- (7)-(9) Under the Environmental Protection Act, EPA members are required to disclose their financial interests, and to excuse themselves from considerations, discussions and voting on a matter if it constitutes a conflict of interest as a result of that financial interest. The Act also requires this to be recorded in the meeting minutes, which are publicly available. Mr Barry Carbon wrote to the State Government declaring his current financial interests and any potential conflicts that may arise from them during his time as interim chair of the EPA. While Mr Carbon's work ten years ago for KCGM did not constitute a current pecuniary interest, it did raise questions in the minds of the public about the integrity of the EPA process. It is for this reason the Minister remitted the matter to the EPA to be reconsidered under the new Chairman, Dr Paul Vogel.

- (10) The EPA is an independent body and will determine which matters it considers should be addressed in its report and final recommendations.
- (11) Not applicable.