

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 64

Tuesday, June 10 2003

Questions appear according to the date on which notice was delivered.
When a question has been answered it is removed from the postponed list.

POSTPONED QUESTIONS

Notice Given *Tuesday, April 1 2003*

628. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

Notice Given *Thursday, April 10 2003*

692. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
693. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
696. Hon Dee Margetts to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
697. Hon Dee Margetts to the Minister for Housing and Works representing the Minister for the Environment and Heritage

Notice Given *Tuesday, May 6 2003*

700. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
702. Hon Murray Criddle to the Parliamentary Secretary representing the Minister for Health
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709. Hon George Cash to the Parliamentary Secretary representing the Minister for Health
711. Hon Peter Foss to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
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713. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
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719. Hon Christine Sharp to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
728. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

Notice Given **Wednesday, May 7 2003**

731. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
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737. Hon Alan Cadby to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
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749. Hon Christine Sharp to the Minister for Agriculture, Forestry and Fisheries

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750. Hon Peter Foss to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
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754. Hon Dee Margetts to the Leader of the House representing the Minister for Federal Affairs

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755. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage

Notice Given **Wednesday, May 14 2003**

759. Hon George Cash to the Minister for Housing and Works representing the Minister for Energy

760. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

764. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage

766. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

767. Hon Peter Foss to the Minister for Agriculture, Forestry and Fisheries

Notice Given **Thursday, May 15 2003**

768. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

769. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

774. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

775. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

779. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

780. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Indigenous Affairs

781. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development

782. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development

783. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

785. Hon Robin Chapple to the Leader of the House representing the Minister for Public Sector Management

786. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

787. Hon Peter Foss to the Parliamentary Secretary representing the Minister for Community Development, Women's Interests, Seniors and Youth

788. Hon Peter Foss to the Minister for Racing and Gaming representing the Treasurer

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791. Hon Peter Foss to the Minister for Racing and Gaming representing the Treasurer
793. Hon Peter Foss to the Minister for Agriculture, Forestry and Fisheries
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795. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
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Notice Given ***Friday, May 16 2003***

807. Hon Barbara Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

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808. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health

I refer to a *Sunday Times* newspaper article of May 11 2003 in which it was alleged that Dr Margaret Stevens of the Public Health Department WA stated that the Brookdale Community nurse person dealing with testing and interviewing of local residents had vacated and closed the premises, suffered abuse and intimidation and felt threatened by graffiti -

- (1) Can the Minister state to what specific extent, and what form was the graffiti?
- (2) If no to (1), why not?
- (3) Can the Minister state what words were uttered relative to the alleged abuse and intimidation?
- (4) If no to (3), why not?
- (5) Can the Minister state what specifically did the graffiti say?
- (6) If no to (5), why not?

809. Hon Peter Foss to the Parliamentary Secretary representing the Minister for Education and Training

I refer to your answer to my question without notice No. 939 of 2003 -

- (1) Are you aware of the distinction between a question that asks 'Were any students denied access to the school ball on the basis of non-payment of school charges' and a question which asks 'Did the school require parents of school children who wished to attend the school ball to pay the school fees of their children'?
- (2) If so, why did you answer the former question when I asked the latter?
- (3) Do you agree with the action of the school in extorting fees from parents?
- (4) If you do not, why did you evade answering the third part of my earlier question?
- (5) Are you trying to avoid the issue so that you do not have to be seen as either condoning the behaviour of the school or facing the financial consequences of taking action against the school?
- (6) If this is not your reason for evading the question, what is your reason?

810. Hon Christine Sharp to the Minister for Housing and Works representing the Minister for the Environment and Heritage

In relation to prescribed burns, including fires in which Department of Conservation and Land Management have been involved, for the last three years could you provide the -

- (a) dates on which the fires were lit;
- (b) dates on which the fires were extinguished;

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- (c) area, in hectares, burned; and
- (d) cause of each fire?

811. Hon Christine Sharp to the Minister for Agriculture, Forestry and Fisheries

With respect to logging operations -

- (1) What area of forest was logged in the year to December 31 2002 and by what methods for each of -
 - (a) jarrah;
 - (b) karri; and
 - (c) wandoo?
- (2) What volume of the following categories of logs was produced in the year to December 31 2002 -
 - (a) jarrah first grade sawlogs;
 - (b) jarrah second grade sawlogs;
 - (c) jarrah charlogs;
 - (d) other jarrah logs;
 - (e) karri first grade sawlogs;
 - (f) karri second grade sawlogs;
 - (g) karri chiplogs;
 - (h) other karri logs;
 - (i) marri sawlogs;
 - (j) marri chiplogs;
 - (k) wandoo sawlogs; and
 - (l) other wandoo logs?

812. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

I refer to the Portman/HWE iron ore operations at Cockatoo Island in the Kimberley, with specific reference to License No. 6929/6 (File Number L135/90), and ask -

- (1) Does the Minister consider the company has breached the first requirement listed under General Requirements on page 2 of the License, in that the company has not taken reasonable and practicable measures to prevent pollution of the environment?
- (2) If yes to (1), what action will the Minister take in response?
- (3) If no to (1), why not?

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- (4) Does the Minister consider the company has breached condition G6(ii) of the license?
- (5) If yes to (4), what action will the Minister take in response?
- (6) If no to (4), why not?
- (7) Does the Minister consider the company has breached condition W1 of the license?
- (8) If yes to (7), what action will the Minister take in response?
- (9) If no to (7), why not?
- (10) Does the Minister consider the company has breached condition W4(a) of the license?
- (11) If yes to (10), what action will the Minister take in response?
- (12) If no to (10), why not?
- (13) Does the Minister consider the company has breached any conditions relating to Water management during cleaning of facility (conditions M1 - M2(b))?
- (14) If yes to (13), what action will the Minister take in response?
- (15) If no to (13), why not?
- (16) Does the Minister consider the company has breached condition S1 of the license?
- (17) If yes to (16), what action will the Minister take in response?
- (18) If no to (16), why not?

813. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

With regard to Charter flights undertaken by CALM in the Kimberley region -

- (1) Will the Minister identify how many charter flights were used by CALM in the financial years 2001-2002 and 2002-2003?
- (2) Will the Minister identify -
 - (a) for what purposes those flights were used;
 - (b) on what dates did these flights take place; and
 - (c) were those flights used solely for CALM staff or did other agency staff accompany CALM staff on these flights?

814. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for Energy

With regard to the Perth to Bunbury gas pipeline -

- (1) Can the Minister outline what measures are in place to manage the Dampier-to-Bunbury gas pipeline for the years 2003, 2004 and 2005?

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- (2) Can the Minister outline what measures are in place to deal with maintenance of the Dampier-to-Bunbury gas pipeline for the years 2003, 2004 and 2005?
- (3) Can the Minister outline what measures are in place to deal with failures of the Dampier-to-Bunbury gas pipeline for the years 2003, 2004 and 2005?

815. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

With regard to Charter flights undertaken by FESA in the Kimberley region -

- (1) Will the Minister identify how many charter flights were used by FESA in the financial years 2001-2002 and 2002-2003?
- (2) Will the Minister identify -
 - (a) for what purposes those flights were used;
 - (b) on what dates did these flights take place; and
 - (c) were those flights used solely for FESA staff or did other agency staff accompany FESA staff on these flights?

816. Hon Robin Chapple to the Minister for Agriculture, Forestry and Fisheries

With regard to Salinity on the Packsaddle outside Kununurra -

- (1) What is the extent of the saline area on the Packsaddle?
- (2) Is the impact of salinity on the area getting worse?
- (3) What is the cause of this salinity problem?
- (4) What is being done to address this problem?
- (5) Does the State salinity action plan extend to this area?
- (6) If not to (5), why not?
- (7) Does the National Salinity and Water Action Plan consider this a priority area for intervention?
- (8) If yes to (7), who will administer this intervention and in what time frame?

817. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for Energy

With regard to the renewable energy sector, the *Electricity Corporation Act 1994*, answered question No. 759 of Tuesday, April 1 2003 and the letter from the Minister to me read into *Hansard* on Tuesday, May 21 2002 -

- (1) In relation to question No. 759 does the Minister have concerns that unless there are regulations in place, that such concessional balancing arrangements are of little value to the renewable energy sector in acquiring capital funding for their enterprises?

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- (2) If no to (1), why not?
- (3) Given that the Minister in his letter of Tuesday, May 21 2002 stated -
- ‘It is recognised that the time that has been taken for the development of new regulations for the basis on which renewable energy generators have access to Western Power’s electricity network has taken longer than expected. This is primarily because of the need to resolve related issues associated with supply of stand-by capacity and purchase and sale of electricity by Western Power for energy balancing and part supply; and
- I am concerned to ensure that the new arrangements do provide what is intended and do not provide what might be called ‘Claytons’ arrangements. The arrangements will be protected from arbitrary decision making by Western Power.
- Will the Minister now instruct Western Power under Section 66 of the *Electricity Corporation Act 1994* to implement an access regime for the renewable energy sector as indicated in this letter?
- (4) If no to (3), why not?
- (5) If no to (3), is this because the board is using provisions of Section 67 of the *Electricity Corporation Act 1994* to block the Minister’s direction?
- (6) If no to (3), will the Minister immediately introduce regulations to facilitate equity of access of the renewable energy sector to the grid?

818. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

I refer to a letter from Kenny Jerrold, the Chairperson of the Cheeditha Community Aboriginal Group Inc. dated December 22 2002, and relating to a break-in at the Cheeditha Community Office, which was sent to the Inspector, Pilbara Police Karratha, and ask -

- (1) Does the Inspector acknowledge receipt of such a letter?
- (2) What procedure is normally followed subsequent to a reported break-and-enter?
- (3) If yes to (1), what procedure was followed in the case of the break-and-enter referred to in Mr Jerrold’s letter?

819. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development

With regard to mining, expenditure exemptions for exploration and mining tenement holders for the period July 1 2001 to June 30 2002 and July 1 2002 to the current time -

- (1) How many current exploration tenement holders have sought, and are exempt from, their expenditure requirements under the *Mines Act*?
- (2) Can the Minister state how much expenditure has been forgone by tenement holders as a result of these exemptions?

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- (3) How many current mining tenement holders have sought, and are exempt from, their expenditure requirements under the *Mines Act*?
- (4) Can the Minister state how much expenditure has been forgone by tenement holders as a result of these exemptions?

820. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

With regard to a site at 972 Leehey Street Wedgefield in Port Hedland, I ask -

- (1) Is this site a licensed waste disposal site?
- (2) If yes to (1), will the Minister table the Licence for the site?
- (3) If no to (1), is the Minister aware of whether or not the site is being used for waste disposal?

821. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Indigenous Affairs

With regard to vandalism of Indigenous rock art at Cathedral Pool and elsewhere in the vicinity of Wittenoom in the Karijini National Park, an example of which can be found at <http://www.mp.wa.gov.au/rchapple/issues/pilbara/vandalism.html>, I ask -

- (1) What penalties exist for the vandalism of Indigenous rock art or artefacts?
- (2) What agencies are responsible for maintaining such sites in Karijini National Park?
- (3) How is such rock art protected by these agencies?
- (4) What action should be taken by members of the public who identify that a particular site has been damaged?

822. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage

- (1) What studies have been completed or started into the potential impacts of the South Beach urban development presenting a methane gas trap on the western edge of the Fremantle Village Chalet Centre?
- (2) If studies have been completed will the Minister table them?
- (3) Has the Department had any discussions with the developer of the South Beach urban development in regard to -
 - (a) methane gas moving laterally into the South Beach urban development site from surrounding tipsites through soil profiles; and
 - (b) the new development creating a potentially explosive methane gas trap?
- (4) If yes to (3a) or (3b), will the Minister table all correspondence between the Department and the developer?

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823. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

- (1) How much money has been set aside for the remediation of the Port Coogee contamination?
- (2) How many dust monitoring sites will be in operation and who will control them?
- (3) How many noise monitoring sites will be in operation and who will control them?
- (4) What company was granted the contamination remediation contract?
- (5) Has this company any experience in remediating contaminated sites?
- (6) If yes, which ones?

824. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Health

- (1) When will the Government introduce amendments to the Western Australian *Health Act 1911* in order to give local government the ability to deal with incidences of domestic smoke nuisance?
- (2) Was this amendment proposed in the Perth Air Quality Management Plan (PAQMP)?
- (3) If so, when was the (PAQMP) finalised?
- (4) When can the public expect the amendment to be introduced into Parliament?
- (5) Why has introducing the amendment been delayed?

825. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

- (1) Does the Government plan to extend TravelSmart to new areas in the metropolitan area and if so which suburbs?
- (2) If TravelSmart is to be extended how will it be funded?
- (3) Is the Minister aware that the ten year plan had a target of 600 000 people?
- (4) When does the Government plan to complete delivery of stage 2 of the Perth Bicycle Network?
- (5) What funding has been allocated to, and proposed for, the Perth Bicycle Network over the next two years?
- (6) Does the Department for Planning and Infrastructure have a role in developing the Perth Bicycle Network?
- (7) If yes, what is that role?
- (8) Do designs for metropolitan rail station upgrades as part of the Building Better Stations program involve improvements to pedestrian and cyclist safety?
- (9) If yes, what measures are included?
- (10) What cyclist groups were consulted about the design of station upgrades?

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(11) What efforts is the State Government making to ensure that local government road funding is spent in a way that does not actually make it worse for cyclists and pedestrians?

826. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Health

(1) How does a voluntary patient in the mental health system withdraw from the system?

(2) When will the review of the *Mental Health Act* be completed?

(3) Under what circumstances is a mental health patient denied access to a copy of his/her medical file?

(4) Are mental health staff permitted to use force in the conduct of their duties?

(5) If yes to (4), which provision of the *Mental Health Act* permits staff to use force?

(6) When a person is detained under the *Mental Health Act* is there a requirement to reveal the reasons for that detention?

(7) When was the Commissioner for Health replaced by the Director General?

(8) How did this change of office affect the statutory responsibilities ascribed to the Commissioner?

827. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Health

What is the cost to the Western Australian health system of smoking-related diseases in this State?

828. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Health

(1) Under the *Health Amendment Act 1998*, is the Minister for Health required to formally review the operation and effectiveness of the *Health (Smoking in Enclosed Public Places) Regulations 1999* and make recommendations on further steps to be taken to achieve smoke-free enclosed public places?

(2) Does this legislation require that the review be tabled on January 12 2003?

(3) When was the report on the review forwarded to the Cabinet?

(4) When was the report referred to a Cabinet sub-committee, and why?

(5) When will the issue next be placed on the agenda for the Cabinet?

(6) What is the Government's commitment to the introduction of a total ban on smoking in all enclosed public places and workplaces?

829. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

With regards to the incendiary devices used by FESA to carry out burns in the Kimberley -

(1) Can the Minister provide details of how many were used in the financial years 2001-2002 and 2002-2003?

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(2) Can the Minister advise if these devices are purchased or made on site by FESA staff?

830. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

With regards to the fires shown on the photograph taken at 1500 hrs on Wednesday, May 28 2003 on the Derby Highway opposite the turn-off to the R.A.A.F Curtin Airbase displayed on <http://www.mp.wa.gov.au/rchapple/issues/kimberley/fires.html> on the road verge -

(1) Can the Minister advise if these fires were started by FESA?

(2) If no to (1), can the Minister advise if they were started with the knowledge and permission of FESA?

(3) If yes to (2), will the Minister provide details of who started these fires and what was the basis of this permission?

(4) If no to (2), has FESA investigated who started these fires?

(5) If no to (4), why not?

(6) If no to (4), will FESA investigate who started these fires with a view to prosecution?

L B MARQUET

Clerk of the Legislative Council