

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## QUESTIONS

**No. 48**

**Thursday, March 20 2003**

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

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## POSTPONED QUESTIONS

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*Notice Given*                      *Tuesday, August 13 2002*

4.        Hon John Fischer to the Minister for Housing and Works representing the Deputy Premier

*Notice Given*                      *Tuesday, March 4 2003*

376.    Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
377.    Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
379.    Hon Jim Scott to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services
380.    Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
381.    Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
382.    Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
385.    Hon Norman Moore to the Minister for Government Enterprises
386.    Hon Norman Moore to the Minister for Government Enterprises
387.    Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

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**Postponed Questions**

- 388. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 389. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 390. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 391. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 392. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 393. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 395. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Consumer and Employment Protection
- 396. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Consumer and Employment Protection
- 400. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

***Notice Given                      Wednesday, March 5 2003***

- 402. Hon Peter Foss to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 403. Hon Peter Foss to the Minister for Racing and Gaming representing the Attorney General
- 404. Hon Peter Foss to the Minister for Racing and Gaming representing the Attorney General
- 405. Hon Peter Foss to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 406. Hon Simon O'Brien to the Parliamentary Secretary representing the Minister for Disability Services
- 412. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 413. Hon George Cash to the Minister for Agriculture, Forestry and Fisheries
- 414. Hon George Cash to the Minister for the Midwest, Wheatbelt and Great Southern
- 415. Hon George Cash to the Minister for Housing and Works
- 416. Hon George Cash to the Minister for Local Government and Regional Development
- 417. Hon George Cash to the Minister for the Kimberley, Pilbara and Gascoyne
- 418. Hon George Cash to the Minister for Racing and Gaming
- 419. Hon George Cash to the Minister for Government Enterprises

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**Postponed Questions**

- 420. Hon George Cash to the Minister for Goldfields-Esperance
- 421. Hon George Cash to the Leader of the House representing the Premier
- 422. Hon George Cash to the Leader of the House representing the Minister for Citizenship and Multicultural Interests
- 423. Hon George Cash to the Leader of the House representing the Minister for Federal Affairs
- 424. Hon George Cash to the Leader of the House representing the Minister for Peel and the South West
- 425. Hon George Cash to the Leader of the House representing the Minister for Public Sector Management
- 426. Hon George Cash to the Leader of the House representing the Minister for Science
- 427. Hon George Cash to the Minister for Housing and Works representing the Deputy Premier
- 428. Hon George Cash to the Minister for Housing and Works representing the Minister for Energy
- 429. Hon George Cash to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 430. Hon George Cash to the Minister for Racing and Gaming representing the Treasurer
- 431. Hon George Cash to the Minister for Racing and Gaming representing the Attorney General
- 432. Hon George Cash to the Minister for Racing and Gaming representing the Minister for Consumer and Employment Protection
- 433. Hon George Cash to the Minister for Racing and Gaming representing the Minister for Electoral Affairs
- 434. Hon George Cash to the Minister for Racing and Gaming representing the Minister for Justice and Legal Affairs
- 435. Hon George Cash to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services
- 436. Hon George Cash to the Parliamentary Secretary representing the Minister for Education and Training
- 437. Hon George Cash to the Parliamentary Secretary representing the Minister for Indigenous Affairs
- 438. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 439. Hon George Cash to the Parliamentary Secretary representing the Minister for Sport and Recreation
- 440. Hon George Cash to the Parliamentary Secretary representing the Minister for Small Business
- 441. Hon George Cash to the Parliamentary Secretary representing the Minister for State Development
- 442. Hon George Cash to the Parliamentary Secretary representing the Minister for Tourism

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**Postponed Questions**

- 443. Hon George Cash to the Parliamentary Secretary representing the Minister for Community Development, Women's Interests, Seniors and Youth
- 444. Hon George Cash to the Parliamentary Secretary representing the Minister for Culture and the Arts
- 445. Hon George Cash to the Parliamentary Secretary representing the Minister for Disability Services
- 446. Hon George Cash to the Parliamentary Secretary representing the Minister for Health

***Notice Given Thursday, March 6 2003***

- 447. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Education and Training
- 448. Hon Norman Moore to the Minister for Agriculture, Forestry and Fisheries
- 449. Hon Norman Moore to the Minister for the Midwest, Wheatbelt and Great Southern
- 450. Hon Norman Moore to the Minister for Housing and Works
- 451. Hon Norman Moore to the Minister for Local Government and Regional Development
- 452. Hon Norman Moore to the Minister for the Kimberley, Pilbara and Gascoyne
- 453. Hon Norman Moore to the Minister for Racing and Gaming
- 454. Hon Norman Moore to the Minister for Government Enterprises
- 455. Hon Norman Moore to the Minister for Goldfields-Esperance
- 456. Hon Norman Moore to the Leader of the House representing the Premier
- 457. Hon Norman Moore to the Leader of the House representing the Minister for Citizenship and Multicultural Interests
- 458. Hon Norman Moore to the Leader of the House representing the Minister for Federal Affairs
- 459. Hon Norman Moore to the Leader of the House representing the Minister for Peel and the South West
- 460. Hon Norman Moore to the Leader of the House representing the Minister for Public Sector Management
- 461. Hon Norman Moore to the Leader of the House representing the Minister for Science
- 462. Hon Norman Moore to the Minister for Housing and Works representing the Deputy Premier
- 463. Hon Norman Moore to the Minister for Housing and Works representing the Minister for Energy
- 464. Hon Norman Moore to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 465. Hon Norman Moore to the Minister for Racing and Gaming representing the Treasurer
- 466. Hon Norman Moore to the Minister for Racing and Gaming representing the Attorney General

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**Postponed Questions**

- 467. Hon Norman Moore to the Minister for Racing and Gaming representing the Minister for Consumer and Employment Protection
- 468. Hon Norman Moore to the Minister for Racing and Gaming representing the Minister for Electoral Affairs
- 469. Hon Norman Moore to the Minister for Racing and Gaming representing the Minister for Justice and Legal Affairs
- 470. Hon Norman Moore to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services
- 471. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Education and Training
- 472. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Indigenous Affairs
- 473. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 474. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Sport and Recreation
- 475. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Small Business
- 476. Hon Norman Moore to the Parliamentary Secretary representing the Minister for State Development
- 477. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Tourism
- 478. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Community Development, Women's Interests, Seniors and Youth
- 479. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Culture and the Arts
- 480. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Disability Services
- 481. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Health

***Notice Given                      Tuesday, March 11 2003***

- 482. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 483. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 484. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 485. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 486. Hon Robin Chapple to the Minister for Agriculture, Forestry and Fisheries

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**Postponed Questions**

- 487. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Education and Training
- 488. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Education and Training
- 489. Hon Robin Chapple to the Minister for Government Enterprises
- 490. Hon Robin Chapple to the Leader of the House representing the Premier
- 491. Hon Robin Chapple to the Minister for Racing and Gaming representing the Treasurer
- 492. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 493. Hon Robin Chapple to the Leader of the House representing the Premier
- 494. Hon George Cash to the Minister for Agriculture, Forestry and Fisheries
- 495. Hon George Cash to the Minister for the Midwest, Wheatbelt and Great Southern
- 496. Hon George Cash to the Minister for Housing and Works
- 497. Hon George Cash to the Minister for Local Government and Regional Development
- 498. Hon George Cash to the Minister for the Kimberley, Pilbara and Gascoyne
- 499. Hon George Cash to the Minister for Racing and Gaming
- 500. Hon George Cash to the Minister for Goldfields-Esperance
- 501. Hon George Cash to the Leader of the House representing the Premier
- 502. Hon George Cash to the Leader of the House representing the Minister for Citizenship and Multicultural Interests
- 503. Hon George Cash to the Leader of the House representing the Minister for Federal Affairs
- 504. Hon George Cash to the Leader of the House representing the Minister for Peel and the South West
- 505. Hon George Cash to the Leader of the House representing the Minister for Public Sector Management
- 506. Hon George Cash to the Leader of the House representing the Minister for Science
- 507. Hon George Cash to the Minister for Housing and Works representing the Deputy Premier
- 508. Hon George Cash to the Minister for Housing and Works representing the Minister for Energy
- 509. Hon George Cash to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 510. Hon George Cash to the Minister for Racing and Gaming representing the Treasurer
- 511. Hon George Cash to the Minister for Racing and Gaming representing the Attorney General
- 512. Hon George Cash to the Minister for Racing and Gaming representing the Minister for Consumer and Employment Protection

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**Postponed Questions**

- 513. Hon George Cash to the Minister for Racing and Gaming representing the Minister for Electoral Affairs
- 514. Hon George Cash to the Minister for Racing and Gaming representing the Minister for Justice and Legal Affairs
- 515. Hon George Cash to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services
- 516. Hon George Cash to the Parliamentary Secretary representing the Minister for Education and Training
- 517. Hon George Cash to the Parliamentary Secretary representing the Minister for Indigenous Affairs
- 518. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 519. Hon George Cash to the Parliamentary Secretary representing the Minister for Sport and Recreation
- 520. Hon George Cash to the Parliamentary Secretary representing the Minister for Small Business
- 521. Hon George Cash to the Parliamentary Secretary representing the Minister for State Development
- 522. Hon George Cash to the Parliamentary Secretary representing the Minister for Tourism
- 523. Hon George Cash to the Parliamentary Secretary representing the Minister for Community Development, Women's Interests, Seniors and Youth
- 524. Hon George Cash to the Parliamentary Secretary representing the Minister for Culture and the Arts
- 525. Hon George Cash to the Parliamentary Secretary representing the Minister for Disability Services
- 526. Hon George Cash to the Parliamentary Secretary representing the Minister for Health
- 527. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 528. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 529. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 530. Hon Christine Sharp to the Minister for Agriculture, Forestry and Fisheries
- 531. Hon Christine Sharp to the Parliamentary Secretary representing the Minister for the Environment and Heritage
- 532. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage

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**Postponed Questions*****Notice Given***                      ***Wednesday, March 12 2003***

- 533. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 534. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 535. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 536. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 537. Hon Barry House to the Minister for Racing and Gaming
- 538. Hon Barry House to the Minister for Racing and Gaming
- 539. Hon Barry House to the Minister for Racing and Gaming

***Notice Given***                      ***Thursday, March 13 2003***

- 540. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 541. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 542. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
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- 546. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 547. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 548. Hon George Cash to the Leader of the House representing the Premier
- 549. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Indigenous Affairs
- 550. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Indigenous Affairs
- 551. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Indigenous Affairs

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**Postponed Questions**

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

***Notice Given***                      ***Tuesday, March 18 2003***

553. Hon Dee Margetts to the Minister for Racing and Gaming representing the Treasurer
554. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
555. Hon George Cash to the Leader of the House representing the Premier

***Notice Given***                      ***Wednesday, March 19 2003***

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

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**QUESTIONS ASKED TODAY**


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*Notice given**Thursday, March 20 2003*

558. Hon Ray Halligan to the Minister for Local Government and Regional Development

I refer to an article in *The West Australian* on Saturday, December 21 2002, page 63, regarding delays in appeals lodged with the Department of Local Government, and I ask -

- (1) How many appeals have been lodged with the Department since the beginning of the 2002-03 financial year?
- (2) How many appeals are currently pending with the Department of Local Government?
- (3) What are the dates of lodgement of all appeals currently pending with the Department?
- (4) Of the appeals currently pending with the Department how many were lodged -
  - (a) in the current financial year;
  - (b) in the last financial year (2001-02); and
  - (c) in years prior to the 2001-02 financial year?
- (5) What is the average time currently taken to process appeals from the date of lodgement to final decision?

559. Hon Ray Halligan to the Minister for Housing and Works

- (1) What was the public rental stock as at June 30<sup>th</sup> in each of the following years -
  - (a) 1999;
  - (b) 2000;
  - (c) 2001; and
  - (d) 2002?
- (2) What was the expenditure on new construction in each of those years?

560. Hon Ray Halligan to the Minister for Housing and Works

Of the public rental accommodation provided to seniors, what numbers have been fitted and are yet to be fitted with -

- (a) fire alarms;
- (b) security screens; and
- (c) external lighting,

as at June 30<sup>th</sup> -

- (i) 1999;

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- (ii) 2000;
- (iii) 2001; and
- (iv) 2002?

561. Hon Ray Halligan to the Minister for Housing and Works

- (1) What numbers of public rental housing have been transferred to community housing providers in the years ended June 30<sup>th</sup> -
  - (a) 1999;
  - (b) 2000;
  - (c) 2001; and
  - (d) 2002?
- (2) What type of housing was transferred?
- (3) What numbers of houses were available to non-Homeswest eligible tenants?

562. Hon Norman Moore to the Leader of the House representing the Premier

- (1) Other than the Marine Parks and Reserves Authority, have any other Government Departments or Agencies given advice to the Government on the Maud's Landing development proposal?
- (2) If so, which Departments or Agencies have given advice and in each case has that advice been supportive of, or opposed to, the development proposal?

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

- (1) What measures has the Minister put in place to ensure there is no conflict of interest in the WAPC assessing the planning application for the Port Catherine residential marina development proposal while controlling the majority of the land?
- (2) Does the proposed Port Catherine residential marina development comply with the normal 100 metre coastal setback?

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

With regard to Standing Order 138(c), 'Replies shall be concise, relevant, and free from argument or controversial matter' and question on notice Nos 323 and 325 of November 27 2002 -

- (1) Does the Minister consider his answer to the above two questions to breach Standing Order 138(c)?
- (2) If no to (1), why not?

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**Questions Asked Today***Notice given**Thursday, March 20 2003*

- (3) If yes to (1), will the Minister now answer all of the questions posed to him?

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

I refer to questions on notice No. 381 of December 19 2001, No. 526 of March 21 2002, No. 384 of December 19 2001, No. 710 of May 22 2002 and No. 545 of April 9 2002 -

- (1) Has the Department of Mineral and Petroleum Resources provided the Minister for State Development incorrect and misleading information in stating 'This road is not associated with any mining tenements or mining operations, ... As previously indicated in answer to question on notice No. 381 this road is not associated with any activities related to any mining tenements and the Department of Mineral and Petroleum Resources is not in position to provide further comment on the matter' given that Kalgoorlie Consolidated Gold Mines Pty Ltd wrote a letter dated May 31 2002 to the Chairperson of the Williamstown Residents Committee titled 'Access Road to Australian Prospectors and Miners Hall of Fame' which in part states ' However, it does pass over our leases and naturally we were interested in this community project in terms of its impact on our operations and our tenement obligations'...'From our perspective the project satisfied our requirements as tenement holders. The Department of Minerals and Petroleum Resources were notified of the proposed road construction and the APMHOF supervising engineer provided a management plan for the works.'?
- (2) If no to (1), why not?
- (3) If yes to (1), will the Minister ask or direct that the Williamstown Residents Committee be given a written apology?

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

I refer to questions on notice No. 381 of December 19 2001, No. 526 of March 21 2002, No. 384 of December 19 2001, No. 710 of May 22 2002 and No. 545 of April 9 2002 -

- (1) Has the Department of Mineral and Petroleum Resources provided the Minister for State Development incorrect and misleading information in stating 'This road is not associated with any mining tenements or mining operations...As previously indicated in answer to question on notice No. 381 this road is not associated with any activities related to any mining tenements and the Department of Mineral and Petroleum Resources is not in position to provide further comment on the matter given that the Minister for Planning and Infrastructure has stated 'As advised in response to question 545 details of mineral leases are held by the Department of Mineral and Petroleum Resources. In regard to question 384, I am advised that main roads accessed the Department of Mineral and Petroleum Resources Tengraph database which indicated that the driveway in question crossed Mineral Leases 26/113 and M26/353, both of which are held by Barrick Gold of Australia (formerly Homestake Gold Of Australia) and Kalgoorlie Lakeview Pty Ltd, Barrick Gold and Kalgoorlie Lakeview form KMA Joint Venture which is understood to be managed by Kalgoorlie Consolidated Gold Mines.'?
- (2) If no to (1), why not?

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**Questions Asked Today***Notice given**Thursday, March 20 2003*

- (3) If yes to (1), will the Minister ask or direct that the Williamstown Residents Committee be given a written apology?

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

I refer to questions on notice Nos 338, 337, 336 and 335 of November 27 2002 -

- (1) Given the Minister provided an answer without answering the questions stating 'It is premature for the Minister for State Development to respond to the report titled 'Ministerial Inquiry into Greenfields Exploration in Western Australia' November 2002, which was chaired by John Bowler MLA, until after the period for public comment which closes on December 16 2002, and until the Government has had the opportunity to prepare a response will the Minister now provide answers to all the questions?
- (2) If no to (1), why not?

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

I refer to Aboriginal Reserve 24574 located near Kalgoorlie- Boulder -

- (1) Has the Department of Indigenous Affairs or its predecessors been advised orally or in writing from Mr Brian Champion or others that drill holes and drilling existed on the above Aboriginal Reserve?
- (2) If yes to (1), on what dates was it notified?
- (3) Is the Department aware that drilling had taken place on the reserve?
- (4) If yes to (3), on what date did it become aware of this and how did this come about?
- (5) Has the Department advised/encouraged any mining company/person with employees/contractors to cover over/cap drill holes on the above reserve which would conceal evidence of past drilling in the last three years?
- (6) If yes to (5), what was the name of the mining company/person and on what dates was this completed?

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

- (1) Can the Minister state -
- (a) how many licensed premises covered by the Kalgoorlie and Geraldton Regional offices for companies/small prospectors gold heap leach tailings dams have their dams lined with PVC plastic liners?
- (b) the names, tenement numbers, if any, and locations of the licensed premises referred to above?
- (2) If no to (1), why not?

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**Questions Asked Today***Notice given**Thursday, March 20 2003*

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

I refer to Mining Lease 26/261 and Aboriginal Reserve 24574 and the holders of the Mining Lease -

- (1) Has Kalgoorlie Consolidated Gold Mines Pty Ltd employees/contractors (now Barrick Mines and Newmont Mining) capped/covered over drill holes which existed on the Aboriginal Reserve in the last three years which would conceal evidence of drilling having taken place?
- (2) If no to (1), why not?
- (3) If yes to (1), on what dates was it completed?
- (4) Given that Mining Lease 26/261 was granted with a tenement condition that prohibits mining on the Reserve can the Minister explain how drilling has been undertaken on the Aboriginal Reserve?
- (5) If no to (4), why not?
- (6) Have the tenement holders breached the tenement condition prohibiting mining on the Aboriginal Reserve given that drilling has taken place?
- (7) If no to (6), why not?
- (8) If yes to (6), why wasn't forfeiture action implemented against the holders of the Mining Lease and a fine imposed upon the holder?
- (9) What is the specific monetary penalty for breaching a mining lease condition and can the lease be forfeited for non-compliance?
- (10) Can the Minister state how many drill holes and the depth of these drill holes that were drilled into this Aboriginal Reserve number 24574?
- (11) If no to (10), why not?

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

- (1) Can the Minister state for each individual tenement covering Kalgoorlie Consolidated Gold Mines Pty Ltd (Barrick Mines and Normandy Mining) superpit mining operations the amount of bond held, the total bond figure for the whole operation and the area in hectares of disturbance on each tenement for which the bond was calculated?
- (2) If no to (1), why not?

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

With regard to Standing Order 138(c), 'Replies shall be concise, relevant, and free from argument or controversial matter' and question on notice No. 274 of November 13 2002 -

- (1) Does the Minister consider part of the answer stating 'The Minister for State Development asks the Member to advise him how this is relevant to current mining activity' to breach Standing Order 138(c)?

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- (2) If no to (1), why not?
- (3) If yes to (1), will he now answer all of the questions (1) to (7) posed to him?

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

I refer to question on notice No. 714 of Wednesday, May 22 2002 answers provided and the Mt Pleasant Gold Mine environmental licence -

- (1) Can the Minister explain why the Department of Environmental Protection needed to have the licence condition referred to in question (1) specifically pH in the range 6.0 to 9.0, Total dissolved solids shall not show an increasing trend in concentration for the duration of this licence and cyanide (weak acid dissociable) less than 0.5 mg/litre to provide an assurance that tailings do not seep into the surrounding groundwater given that the groundwater is saline/hypersaline?
- (2) If no to (1), why not?

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

I refer to question on notice No. 712 of Wednesday, May 22 2002 answers provided and the Jubilee Gold Mine environmental licence -

- (1) Can the Minister explain why the Department of Environmental Protection needed to have the licence condition referred to in question (1) in order to provide as assurance that tailings do not seep into surrounding groundwater given that the groundwater is saline/hypersaline?
- (2) If no to (1), why not?
- (3) Can the Minister explain how the assurance stated in the answer for question (5) is achieved by the Department?
- (4) If no to (3), why not?

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

I refer to question on notice No. 289 of November 13 2002 and the answers provided -

- (1) Has the Department of Environmental Protection conducted an extensive and thorough investigation for asbestos intersections in relation to drilling being undertaken by blast hole rigs and also exploration drilling within Kalgoorlie Consolidated Gold Mines Pty Ltd (Newmont Mining and Barrick Mines) open pit mining operations for the past two years?
- (2) If no to (1), why not?
- (3) If so, on what dates was it commenced and completed and will the Minister now provide answers to parts 1 and 2 for question on notice No. 289 of November 13 2002?

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

I refer to question on notice No. 278 of November 13 2002 answers provided and the 'Consultative Environmental Review Mine and Waste Dumps- Fimiston' August 1990 submitted by Kalgoorlie Consolidated Gold Mines Pty Ltd -

- (1) Given that the Minister has previously stated 'The question has been referred to the Minister for Mineral and Petroleum Resources' for the answer to parts 4, 6 and 8 will the Minister now provide all the answers?
- (2) If no to (1), why not?
- (3) Can the Minister explain how the Department can possibly accept broad scale plans and make accurate assessments of the impacts, without precise or accurate details of the width, depth and length of the superpit given that the Department and the Minister imposed both Ministerial and licence conditions on this superpit operation to protect people and the environment?
- (4) If no to (3), why not?
- (5) Is it correct that the depth, width and length of the superpit in the Consultative Environmental Review (CER) was stated as 'Ultimately the main pit will be approximately 5km long by 1km wide at the widest point, to a proposed depth of 300m (Figs.10, 11, and12).'??
- (6) If no to (5), what is the specific depth, width and length in metres of the superpit mentioned in the CER?
- (7) Can the Minister state what specific documents, with dates, if any, did the Department and the Minister assess and approve the superpit operations on?
- (8) If no to (6), why not?
- (9) Can the Minister state on what specific date the Department were advised by KCGM that it plans to finalise its long term plan within two years?
- (10) If no to (9), why not?

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

I refer to the toxic Total Waste Management (TWM) facility located in Kalgoorlie-Boulder -

- (1) Is it correct that monitoring bores are located outside the fenced premises of the Total Waste Management facility?
- (2) If yes to (1), can the Minister state whether written permission was sought/obtained and the name of the surrounding leaseholder/landholder before construction of these bores?
- (3) Is it correct that solid waste after being treated at TWM site is then taken and buried at the Yarri Road tip?
- (4) If yes to (3), what is the depth in metres below ground level to groundwater in this region and what potential exists for groundwater contamination in the area from the toxic waste?

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(5) Can the Minister state how much in tonnes/per month of solid toxic waste from the TWM Facility is being taken to the Yarri Road tip and how much in monetary terms is TWM paying the City of Kalgoorlie-Boulder per tonne of solid waste to be buried at this site?

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

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

I refer to question without notice of which some notice has been given No. 586 of Tuesday, March 4 2003 -

(1) Can the Minister state how many months the Department of Environmental Protection enforcement policy has been under review?

(2) If no to (1), why not?

(3) Can the Minister state a date on which the new enforcement policy will be completed?

(4) If no to (3), why not?

(5) Will the Minister table a copy of the new enforcement policy?

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

(7) Can the Minister explain how the Minister can make a statement that Total Waste Management 'TWM has to operate within the conditions of its licence and DEP will be conducting regular inspections to enforce these conditions' which is highly contradictory given that TWM has been repeatedly allowed to breach licence conditions and as a result operate outside its conditions of licence on several occasions?

(8) If no to (7), why not?

579. Hon Robin Chapple to the Minister for Local Government and Regional Development

(1) Was the City of Kalgoorlie-Boulder advised that toxic waste from the Brookdale waste facility would be directed to Total Waste Management in the Goldfields, prior to the waste being sent to Kalgoorlie-Boulder for treatment?

(2) Is yes to (1), on what date and how was the City of Kalgoorlie-Boulder advised?

(3) If no to (1), why not?

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

I refer to a letter which I understand is dated January 15 2003 signed by Wayne Astill, Program Manager - Kalgoorlie titled 'Kalgoorlie Cement Works (KCW Environmental Protection (Noise) Regulations 1997' -

(1) Is it correct part of this letter states 'The analysis of these recordings has indicated a 3dB breach of the assigned level as per the Environmental Protection (Noise) Regulations 1997. As

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a consequence the DEP have issued a warning to KCW with a requirement to engage a suitably qualified acoustic consultant to assess all of the noise sources as to their levels and times of operations. From this they should recommend measures to control and attenuate the noise to enable KCW to comply with the regulations. Given the specialised nature of this field, KCW have until February 28 2003 to engage this consultant and provide a commitment of works to improve the site'?

- (2) If no to (1), will the Minister table a copy of this letter?
- (3) If yes to (1), can the Minister detail the specific commitment of works to improve the site?
- (4) Can the Minister state under what section of the *Environmental Protection Act 1986* the Department was able to issue a warning in relation to the breach of the Regulations and then instruct KCW to engage a suitably qualified acoustic consultant?
- (5) If no to (4), why not?
- (6) Can the Minister provide the name of the acoustic consultant engaged and the date on which he commenced given that Mr Right, the neighbour, has been affected by the noise of these premises for well over 14 months?
- (7) If no to (6), why not?

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

I refer to a letter to the editor from Fred Tromp, Acting Chief Executive officer from the Department of Environmental Protection which appeared in the *Sunday Times* Newspaper February 9 2003 -

- (1) Is it correct that Mr Fred Tromp stated 'Yes there are examples of where the DEP made mistakes, but we do own up to them'?
- (2) If no to (1), what specifically did he state?
- (3) Can the Minister state all of the examples of where the DEP made mistakes so it is clearly publicly known that the DEP has owned up to all of them?
- (4) If no to (3), why not?
- (5) Why has Mr Fred Tromp made statements which clearly cannot be supported or verified with factual examples?
- (6) Is it correct that Mr Fred Tromp stated 'We accept that this problem should never have arisen and we are working very hard to put in place measures to ensure more rigorous and thorough review of all important technical reports we receive'?
- (7) If yes to (6), can the Minister state what specific problem should never have arisen?
- (8) Can the Minister state what specific measures have been put in place, the date on which they commenced to ensure a more rigorous and thorough review of all technical reports the DEP receives?
- (9) If no to (8), why not?

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- (10) Can the Minister explain and define what Mr Fred Tromp means when he has used the word important in referring to technical reports the DEP receives?
- (11) If no to (10), why not?
- (12) Has the Department of Environmental Protection publicly owned up to all mistakes it has made in relation to dealing with any complaints not just with Brookdale in the last 10 years?
- (13) If yes to (12), what are those specific mistakes?
- (14) If no to (12), why not?

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

I refer to Loongana Lime in Kalgoorlie-Boulder near Parkeston which burns waste oil and seriously affects the health, welfare, convenience, comfort and amenity of nearby residents in Williamstown, Ninga Mia and other parts of Kalgoorlie Boulder -

- (1) Will the Minister or the Department of Environmental Protection immediately amend the conditions of licence to state that 'The Licensee shall manage and operate the premises such that odours emanating from the premises do not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person at any residential premises'?
- (2) If no to (1), why not?

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

I refer to Loongana Lime in Kalgoorlie near Parkeston which burns waste oil and seriously affects the health, welfare, convenience, comfort and amenity of nearby residents in Williamstown, Ninga Mia and other parts of Kalgoorlie Boulder -

- (1) Can the Minister state how many complaints in the last three years have been received by the Department of Environmental Protection (DEP) concerning Loongana Lime?
- (2) If no to (1), why not?
- (3) Is it correct that Loongana Lime is receiving waste oil through Nationwide Oil Pty Ltd from the Total Waste Management toxic facility in Boulder?
- (4) If no to (3), where specifically is the waste oil coming from?
- (5) Can the Minister state how much waste oil in litres/per month is being burned in the kilns at Loongana Lime?
- (6) If no to (5), why not?
- (7) Has Loongana Lime breached any licence conditions in the last two years licence?
- (8) If yes to (7), what specific licence conditions have been breached and what is the penalty under the *Environmental Protection Act 1986*?

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- (9) Can the Minister state the date(s) in 2003 in which the annual monitoring report required as per condition G2 and the inventory specified in condition G6 covering a 12 month period was received by the DEP?
- (10) If no to (9), why not?
- (11) Will the Minister or the DEP prosecute Loongana Lime for causing pollution or breaching any licence conditions in the last 24 months?
- (12) If no to (11), why not?

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

I refer to a media statement by Hon Judy Edwards MLA Minister for Environment and Heritage dated February 22 2003 titled 'New Environmental Enforcement Unit to bolster environmental protection' -

- (1) Can the Minister state on what date the principal investigator, senior prosecutor, legal officer, senior investigations officer, three investigations officers and two licence review officers will commence in their positions?
- (2) If no to (1), why not?
- (3) Can the Minister state where in what locations will the New Enforcement Unit be based?
- (4) If no to (3), why not?
- (5) Will the new enforcement unit have more than adequate financial resources to be able to travel over the state to investigate pollution in the Goldfields, Pilbara regions?
- (6) If no to (5), why not?
- (7) If yes to (5), how much in monetary terms has been allocated for travel and accommodation to visit the Goldfields and Pilbara regions?
- (8) Can the Minister state why it is very clear the community is expecting and demanding higher levels of environmental protection?
- (9) If no to (8), why not?

585. Hon Robin Chapple to the Minister for Racing and Gaming representing the Minister for Consumer and Employment Protection

I refer to the Kalgoorlie Cement Works (KCW) managed by Mark Posa and an e-mail from Mr Arthur Livock sent to a complainant dated March 12 2003 -

- (1) Has a Worksafe inspector/officer visited the above site in the last two weeks?
- (2) If so to (1), can the Minister specifically state what improvement, prohibition notices were issued to KCW and the reasons why they were issued?
- (3) If no to (1), why not given that Worksafe has received recent complaints?
- (4) Can the Minister specifically state which concerns are not the direct responsibility of Worksafe and whom has the responsibility for these concerns?

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- (5) If no to (4), why not?
- (6) Can the Minister state all the concerns that were the responsibility of Worksafe and how they have been addressed forthwith?
- (7) If no to (6), why not?
- (8) Can the Minister state what is the penalty for breaching Section 21(1)(b) of the *Occupational Safety and Health Act 1984*?
- (9) If no to (8), why not?
- (10) Can the Minister state what is an improvement notice and why they are issued by inspectors?
- (11) If no to (10), why not?
- (12) Can the Minister state what is a Prohibition Notice and why they are issued by inspectors?
- (13) If no to (12), why not?

586. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

I refer to funding for the Lake Raeside Crossing upgrade, south of Leonora, and ask -

- (1) Does the Minister intend to allocated funding for this upgrade in the next State Budget?
- (2) If not to (1), why not?
- (3) Can the Minister describe her understanding of the importance of this crossing to the State's road network, and table any documentation to support this understanding?

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

With regard to the provision of health services in the Shire of Laverton, I ask -

- (1) How much money did the Department spend on Agency nursing in the Shire of Laverton during financial years -
  - (a) 1999-2000;
  - (b) 2000-01; and
  - (c) 2001-02?
- (2) How much money has the Department spend on Agency nursing in the Shire of Laverton in financial year 2002-03 thus far?
- (3) Is the Minister aware that the Shire of Laverton is spending a substantial proportion of its rates on providing incentives to nurses to work in the Shire?
- (4) Can the Minister estimate how much this has saved the State Government in Agency fees and wages since June 30 2002, when all nurses in the Shire moved to a full-time basis?

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

- (1) Does the Minister intend to provide any form of access for the craftwood industry to the significant volumes of timber residues currently left in the forest after logging?
- (2) If not, why not?
- (3) What actions has the Forest Products Commission taken to provide access for the craftwood industry to the significant timber residues left in the forest after logging?
- (4) What action has been taken to implement a new craftwood licensing system?

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

- (1) What markets is the Forest Products Commission currently investigating for the sale of marri woodchips?
- (2) What actions is the Forest Products Commission undertaking in order to develop a new export woodchip industry based on native forest resources?
- (3) Is it intended that marri trees will form the basis for a new export woodchip industry in Western Australia?
- (4) Are any trials of the viability of export marri woodchips currently being carried out?
- (5) If yes, what volumes of marri woodchips are being, or are to be, used in any trials?
- (6) Have any contracts been signed?
- (7) If yes, when and with whom?
- (8) For what price (base and gross) is the Forest Products Commission proposing to sell the woodchips?
- (9) Does the attempt to develop an export marri woodchip industry represent a return to the unsustainable practice of the past when woodchips were a main incentive for clearfelling native forest?
- (10) What programs or processes is the Forest Products Commission developing to ensure that furniture manufacturers are given the option to buy any marri logs before they are sacrificed to an export woodchip industry?
- (11) What programs or processes is the Forest Products Commission developing to ensure that the craftwood industry is given the option to buy any marri logs before they are sacrificed to an export woodchip industry?
- (12) Will the Minister categorically rule out the use of marri for export woodchips unless all other possible options for local value adding of the marri resource are exhausted?
- (13) If not, why not?

**L B MARQUET**

Clerk of the Legislative Council