

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS
No. 192
Tuesday, 12 May 2020

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

QUESTIONS AWAITING ANSWERS

Notice Given ***Tuesday, 18 February 2020***

2818. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
(SO108(2) response due 20 August 2020)

Notice Given ***Wednesday, 11 March 2020***

2860. Hon Dr Steve Thomas to the Parliamentary Secretary representing the Minister for Health

Notice Given ***Thursday, 12 March 2020***

2866. Hon Martin Aldridge to the Minister for Environment representing the Minister for Transport

2871. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health

2872. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health

Notice Given ***Wednesday, 18 March 2020***

2878. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal
Affairs

Notice Given ***Thursday, 19 March 2020***

2879. Hon Dr Steve Thomas to the Minister for Regional Development representing the Minister for
Mines and Petroleum

2880. Hon Dr Steve Thomas to the Minister for Agriculture and Food

Notice Given ***Tuesday, 31 March 2020***

2881. Hon Robin Scott to the Parliamentary Secretary representing the Minister for Health

Notice Given ***Thursday, 2 April 2020***

2882. Hon Alison Xamon to the Leader of the House representing the Attorney General

2883. Hon Alison Xamon to the Minister for Education and Training

2884. Hon Alison Xamon to the Minister for Environment

2885. Hon Alison Xamon to the Minister for Agriculture and Food

LEGISLATIVE COUNCIL

Questions Awaiting Answers

- 2886. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Racing and Gaming
- 2887. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 2888. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
- 2889. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
- 2890. Hon Martin Aldridge to the Minister for Education and Training
- 2891. Hon Martin Aldridge to the Minister for Regional Development

Notice Given **Thursday, 16 April 2020**

- 2892. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 2893. Hon Robin Chapple to the Minister for Environment
- 2894. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
- 2896. Hon Nick Goiran to the Minister for Environment representing the Minister for Transport
- 2897. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
- 2898. Hon Nick Goiran to the Minister for Environment representing the Minister for Police
- 2899. Hon Nick Goiran to the Minister for Environment representing the Minister for Police
- 2900. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
- 2901. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Commerce
- 2902. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Planning
- 2903. Hon Tjorn Sibma to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations
- 2904. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
- 2905. Hon Tjorn Sibma to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 2906. Hon Tjorn Sibma to the Minister for Education and Training
- 2907. Hon Tjorn Sibma to the Minister for Environment; Disability Services; Electoral Affairs
- 2908. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Police; Road Safety
- 2909. Hon Tjorn Sibma to the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade
- 2910. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 2911. Hon Tjorn Sibma to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts
- 2912. Hon Tjorn Sibma to the Leader of the House representing the Attorney General
- 2913. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Commerce

LEGISLATIVE COUNCIL

Questions Awaiting Answers

- 2914. Hon Tjorn Sibma to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation
- 2915. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands
- 2916. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- 2917. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
- 2918. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Energy
- 2919. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Transport; Planning
- 2920. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Housing; Fisheries; Veterans Issues; Asian Engagement
- 2921. Hon Tjorn Sibma to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 2922. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Water; Forestry; Innovation and ICT; Science; Youth
- 2923. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health
- 2924. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Tourism
- 2925. Hon Robin Chapple to the Minister for Environment representing the Minister for Planning
- 2926. Hon Robin Chapple to the Leader of the House representing the Minister for Heritage
- 2927. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Commerce

Notice Given***Friday, 17 April 2020***

- 2928. Hon Martin Aldridge to the Minister for Environment representing the Minister for Energy

LEGISLATIVE COUNCIL

 QUESTIONS ASKED TODAY

*Notice Given**Tuesday, 12 May 2020***2929. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police**

I refer to Western Australia Police Force (WAPF) - Water Police, and I ask:

- (a) is the PV Delphinus still permanently based at the North West Water Police in Dampier as the WAPF website states;
- (b) does the WAPF still have possession of the PV Delphinus;
- (c) if no to (b), on what date, by what means, for what value and to whom was the PV Delphinus disposed of; and
- (d) for each vessel available for use by the Water Police please advise:
 - (i) year of manufacture;
 - (ii) length and beam;
 - (iii) maximum speed;
 - (iv) maximum duration;
 - (v) make and model; and
 - (vi) expected length of useful life for police operations?

2930. Hon Rick Mazza to the Leader of the House representing the Minister for Local Government

I refer to proposed measures to prevent and stop puppy farming by regulating the breeding and sale of dogs in Western Australia, and I ask:

- (a) how many dogs are registered in Western Australia;
- (b) of those dogs that are registered:
 - (i) how many dogs are registered as an unsterilized dog;
 - (ii) how many dogs are registered as a sterilised dog in Western Australia;
 - (iii) how many are registered as unsterilized dogs owned by pensioners; and
 - (iv) how many are registered as sterilised dogs owned by pensioners; and
- (c) how much will it cost to register a dog for (b)(i) to (b)(iv) under the proposed *Dog Amendment (Stop Puppy Farming) Bill 2020*?

2931. Hon Dr Steve Thomas to the Parliamentary Secretary representing the Minister for Health

I refer to complaints made by Mr Frederick John Dyke of Albany, of an alleged assault on him by security staff at the Albany Health Campus in July 2019, and I ask:

- (a) has the Minister for Health received such a complaint;
- (b) has the Minister's office investigated that complaint;
- (c) what was the result of that investigation;
- (d) does security footage of Albany Health Campus show the alleged assault;

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice Given**Tuesday, 12 May 2020*

- (e) has there been any allegation of Mr Dyke engaging in any violent or untoward behaviour at the same time as the alleged incident;
- (f) if yes to (e), does the security footage of Albany Health Campus show this behaviour; and
- (g) what steps has the Minister taken to resolve this issue?

2932. Hon Robin Chapple to the Minister for Environment

- (1) I refer to the chemicals known as per- and poly-fluoroalkyl substances (PFAS), found in fire retardant foam, and the contamination of soil, water and biota by these chemicals, in the Kimberley region, and I ask:
- (a) how many sites have been identified as being potentially contaminated with PFAS in the Kimberley;
 - (b) what are the locations of the sites referred to in (a);
 - (c) given that Broome International Airport (BIA) is listed as a PFAS-impacted site, to be regulated under the *Contaminated Sites Act 2003*, how many sites at Broome International Airport have been tested for PFAS contamination:
 - (i) would the Minister please provide the locations of the sites referred to at (c); and
 - (ii) would the Minister please table the results, by site, of PFAS testing at BIA for this year and the preceding nine years;
 - (d) how many groundwater bores are located within 1 km of BIA:
 - (i) what are the locations of the bores referred to at (d); and
 - (ii) of those groundwater bores referred to at (d), how many have been tested for PFAS contamination:
 - (A) would the Minister please table relevant data from these tests for this year and the preceding nine years, where applicable;
 - (e) is the Minister satisfied with the level of testing and monitoring for PFAS that has been conducted at BIA;
 - (f) given that Ansulite and 3M Lightwater fire fighting foam have both been used at BIA, at Fire Fighting Ground 1 (FFG1), for training exercises between 1995 and 2004, has FFG1 been tested for PFAS contamination:
 - (i) if yes to (f), can the Minister please table the relevant data; and
 - (ii) if no to (f), why not;
 - (g) what is the distance between FFG1 and the nearest residential home;
 - (h) where does the surface water run-off and ground water flow from BIA end up:
 - (i) is this route the same for surface and ground water from FFG1;
 - (i) as PFAS bio-accumulates, does the Minister agree there are potential risks to people consuming shellfish, crustacea, and fish from Dampier Creek, which receives run-off from BIA;

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given **Tuesday, 12 May 2020**

- (j) as PFAS bio-accumulates, does the Minister agree there are potential risks to people consuming shellfish, crustacea, and fish from Cable Beach, which receives run-off from BIA; and
- (k) does the Minister intend to sample biota at water catchment areas around BIA, such as Cable Beach and Dampier Creek:
 - (i) if no to (k), why not?
- (2) I refer to the chemicals known as per- and poly-fluoroalkyl substances (PFAS), found in fire retardant foam, and the contamination of soil, water and biota by these chemicals, in Esperance, and I ask:
 - (a) after PFAS contamination was suspected in Esperance, how many ground water bores were tested and monitored for PFAS; and
 - (b) did the testing referred to at (2)(a) include private bores?

2933. Hon Robin Chapple to the Minister for Ports

I refer to the Port of Broome, and the Kimberley Marine Support Base (KMSB), and I ask:

- (a) how much profit, after tax, has the Port of Broome made in each of the last ten financial years, given by year;
- (b) would the Minister please break down this income for the Port of Broome by the following industries, per year, over the last ten years:
 - (i) oil and gas;
 - (ii) live cattle export;
 - (iii) the cruise ship industry;
 - (iv) petroleum; and
 - (v) other;
- (c) is there an estimate of future income for the Port:
 - (i) if no to (c), why not; and
 - (ii) if yes, how far into the future do the estimates go and will the Minister table them;
- (d) how much has the Western Australian Government spent on the recent dredging operations at the Port of Broome:
 - (i) where were the costs of the dredging allocated from;
- (e) if, as per question on notice No. 427 answered on 6 December 2017 by the Premier, the cost of the dredging was \$7 million, why did the costs more than double;
- (f) according to question on notice No. 427 answered on 6 December 2017, the Premier stated the dredging would "...allow for all-hours access for cruise liners...", is this now the case:
 - (i) if no to (f), can the Minister please explain the change;
- (g) has the Port modeled future berth unavailability in relation to the oil and gas industry with particular reference to the potential development of the Browse Basin by the Woodside Joint Venture:
 - (i) if no to (g), why not; and

LEGISLATIVE COUNCIL

Questions Asked Today**Notice Given****Tuesday, 12 May 2020**

- (ii) if yes to (g), is it anticipated that the Port would increase business;
- (h) has the Port identified a lack of berth availability if the Browse proposal goes ahead;
- (i) has the Port of Broome identified the need for increased capacity into the future;
- (j) given that the Minister for Ports stated that the KMSB would pave the way "...for export opportunities for the emerging agricultural and resources sector projects in the hinterland...", could the Minister give further information on:
 - (i) emerging agricultural projects in the hinterland; and
 - (ii) emerging resources projects in the hinterland;
- (k) given the Port of Broome made a loss in 2018-19, if the KMSB was built, would this compete for business from the existing Port;
- (l) can the Minister explain why jobs at the project are guaranteed for only seven years;
- (m) has the Minister or the Western Australian Government had discussions with the relevant unions over the guarantee of jobs at the existing Port:
 - (i) if yes to (m), what was the nature of the discussions and was any agreement reached;
- (n) has the State Government or the Port Authority imposed any other labour conditions on the KMSB leaseholder after the expiry of the initial conditions in the first five years of the lease;
- (o) which oil and gas companies are currently using the Port of Broome:
 - (i) how long are the contracts with these companies;
- (p) will the Minister table the business case which details the assumptions behind the estimated job numbers:
 - (i) if no to (p), why not;
- (q) are there any restrictions on foreign ownership of the company who owns the KMSB, or on the operator; and
- (r) did the KMSB, or anyone associated with the KMSB, make any representations to the Western Australian Government in relation to the dredging at the Port?

2934. Hon Nick Goiran to the Leader of the House representing the Attorney General

I refer to question on notice No. 2110, which was directed to the Attorney General, who responded that part (d) of the question should be directed to the Ministers for Police and Corrective Services. I further refer to questions on notice Nos 2739 and 2740 to those respective ministers and note that the Minister for Police has replied that the information is held with the Department of Justice and that the Minister for Corrective Services has referred me back to the Attorney General, and I ask, will the Attorney General now please provide the information to Parliament as requested and put a stop to this circus of non-answers from cabinet ministers that defies the Premier's promise prior to the election that his government would adhere to a gold standard of transparency?

2935. Hon Diane Evers to the Minister for Environment

- (1) How many Fire Exclusion Reference Areas (FERAs), in total, have been established by the Department of Biodiversity, Conservation and Attractions and its predecessors in each forest type (please specify)?

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice Given**Tuesday, 12 May 2020*

- (2) How many of these FERAs were burnt in bushfires and prescribed burns after they were established?
- (3) How many FERAs are now being monitored in each forest type?
- (4) When was each of these last burnt?

2936. Hon Diane Evers to the Minister for Environment

I refer to the prescribed fire Frankland_072, Mount Lindesay National Park, part of the Walpole Wilderness Area, Frankland District, Warren Region bounded by Denmark-Mount Barker Road (east), Nutcracker Road (south), Stan Road (west) and Blue lake Road (north), in November 2019 and I ask:

- (a) on what days in 2019 was fire applied to the prescribed fire area;
- (b) what was the forecast for the day(s) of ignition and the following two days (temperature, humidity, wind);
- (c) how many other prescribed fires were ignited on the same or adjacent days and where were they lit;
- (d) how many hectares were intended to be burnt in:
 - (i) Mount Lindesay National Park;
 - (ii) Walpole Wilderness Area;
 - (iii) other (please specify); and
 - (iv) total;
- (e) which agencies were responsible for managing the prescribed fire and from which office(s) did they operate;
- (f) will the Minister please provide full details on what resources were employed and what management actions were implemented in relation to the prescribed fire;
- (g) what was the total cost of the prescribed fire and which agencies paid the cost;
- (h) what species of threatened flora and fauna and/or threatened ecological communities are known to be within the burn area for prescribed fire Frankland_072;
- (i) have any post burn surveys been done to assess the response to the fire of threatened flora and fauna and/or threatened ecological communities identified in (h):
 - (i) if yes to (i), please table the results; and
 - (ii) if no to (i), why not;
- (j) will the Minister please table for prescribed fire Frankland_072:
 - (i) the full prescribed fire plan;
 - (ii) detailed maps showing 'fuel ages' immediately prior to the prescribed fire;
 - (iii) detailed maps showing burnt and unburnt areas;
 - (iv) post-fire aerial photos;
 - (v) any post-fire assessment; and
 - (vi) if no to (j)(i) to (j)(v), why not; and
- (k) are copies of all documents relating to prescribed fire Frankland_072 available to members of the public:
 - (i) if no to (k), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 12 May 2020*

2937. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection

I refer to the peak advocacy bodies that currently attract funding from the department, and I ask:

- (a) which peak bodies currently receive departmental funding; and
- (b) on an annual basis, how much does each peak body receive?

2938. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health

I refer to Tabled Paper 3625 which the Minister for the Environment provided to the House on 20 February 2020 and which the Government says is explanatory material that “has been produced to update the official Explanatory Memorandum tabled when the Bill was introduced in each House of Parliament” and which it further states “includes updated information to reflect the amendments made to the Bill and passed by the Parliament”, and I ask:

- (a) why have only some amendments been referenced and not others;
- (b) is it the Government’s intention to mislead health practitioners who have obligations under the Act with inaccurate and incomplete information;
- (c) who prepared the document;
- (d) did anyone in the office of the Minister for Health inform the Minister for the Environment that the document was inaccurate, incomplete and misleading before he tabled the document;
- (e) if no to (d), will the Minister for Health now facilitate the tabling of an accurate document that genuinely reflects the amendments made to the Bill by the Parliament; and
- (f) will the Minister table any emails, briefing notes and other documents that were created about the drafting and tabling of the explanatory material contained in tabled paper No. 3625?

2939. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health

I refer to the system of annual reporting to the Executive Director, Public Health by designated officers of the authorisation of the posthumous collection of gametes, which first reported on the 2014-15 financial year, and I ask:

- (a) was a report completed for the period 2018-19;
- (b) if yes to (a), will you table the report;
- (c) how many returns have been submitted by designated officers since the establishment of the reporting system; and
- (d) how many nil returns have been received since the establishment of the reporting system?

2940. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police

I refer to the restrictions on the sale of firearms and ammunition which came into force on 27 March 2020, and I ask:

- (a) did the State Emergency Coordinator seek the agreement of the Premier or the Minister for Police prior to publishing the Closure of Gun Shops and Closure of Gun Shops (2) directions;

LEGISLATIVE COUNCIL

Questions Asked Today**Notice Given*****Tuesday, 12 May 2020***

- (b) if yes to (a), what advice was provided to the Premier and Minister in relation to this matter and please table a copy of any correspondence, briefing material or similar relating to this matter received from the Western Australia Police Force (WAPF);
- (c) for each week for the months of January, February, March and April 2020 please identify:
 - (i) the number of applications received by WAPF by application class;
 - (ii) the number of applications approved and declined by application class; and
 - (iii) the number of applications declined as a direct result of the COVID-19 pandemic;
- (d) how many officers are employed in the Licensing Enforcement Division of the WAPF by FTE, number and rank;
- (e) of those identified in (d), how many are directly involved in the processing of firearm applications or other firearm regulatory functions;
- (f) as a direct result of the above mentioned directions, the cancellation of pending application and the moratorium on further applications, how many of the officers by number and FTE identified in (d) were relocated to the frontline to assist in the pandemic response;
- (g) did the State Government or the State Emergency Coordinator seek the advice of the Chief Health Officer with respect to the above mentioned directions prior to their issuing;
- (h) if yes to (g), on what date was advice sought and what was the advice provided;
- (i) where an applicant for a firearm has been declined on COVID-19 grounds, will this have any weight or bearing on future applications where historical application refusals are required to be disclosed as part of the application process;
- (j) how many declined applications would have satisfied the criteria in paragraph (4)(a) to (d) of the direction;
- (k) for each type of firearm license original issue and for additional firearms, please identify the related fee that is applicable and of that the part of the fee which is retained by Australia Post for the services it provides;
- (l) what would have been the total cost to Government if it took a decision to fully refund applicants who had their applications declined on COVID-19 grounds i.e. what was the total cost of the Australia Post component of the declined applications fees;
- (m) did the State Emergency Coordinator or the Government seek legal advice on whether the above mentioned directions were lawful under Section 71 of the *Emergency Management Act 2005*;
- (n) if yes to (m), did that advice support their application lawfully;
- (o) what information was considered by the State Emergency Coordinator, or the Government, which led to the revocation of the direction on 6 May 2020;
- (p) please table the information considered and identified in (o); and
- (q) was any stakeholder consultation held prior to publishing the direction and, if so, with whom and on what dates?

LEGISLATIVE COUNCIL

Questions Asked Today*Notice Given Tuesday, 12 May 2020***2941. Hon Alison Xamon to the Leader of the House representing the Premier**

I refer to the Senate Select Committee on Charity Fundraising in the 21st Century Report and to the recommendation that Australia develop a nationally consistent approach to fundraising, and I ask:

- (a) does the McGowan Government support this recommendation;
- (b) if yes to (a), is any work being undertaken to progress the recommendation;
- (c) if yes to (b), please provide information about that work, including any anticipated timeframes; and
- (d) if no to (b), why not?

2942. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Health

(1) Will the Minister please advise the current school nurse FTE in Western Australian:

- (a) primary schools; and
- (b) high schools?

(2) Will the Minister please advise at which schools school nurses are located, and the number of school nurse FTE at each school?

2943. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services

I refer to the COVID-19 pandemic and the impact on people who have been issued a work and development order (WDO), and I ask:

- (a) has there been a decrease in opportunities for people to complete WDOs during the COVID-19 crisis; and
- (b) what work has the department undertaken to ensure people are not negatively impacted where the COVID-19 pandemic has meant they have been unable to undertake required community work?

2944. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services

I refer to the provision of Drug and Alcohol programs at the Roebourne Regional Prison, and I ask:

- (a) what drug and alcohol programs are currently offered at the prison;
- (b) who is the provider of each program;
- (c) what is the capacity and duration of each program;
- (d) how often has each program been run in 2019-20 to date;
- (e) how much funding was allocated in the 2019-20 budget for the provision of drug and alcohol programs in Roebourne Regional Prison;
- (f) how much for this funding has been expended to date;
- (g) how many prisoners have applied to undertake a drug and alcohol program at Roebourne Regional Prison in 2019-20 to date;
- (h) how many participants have successfully completed these programs in 2019-20 to date;
- (i) is a program currently being run at the prison;
- (j) if no to (i), when is it anticipated a program will next be run;
- (k) is an alternative online option offered; and

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 12 May 2020*

(l) if no to (k), why not?

NIGEL PRATT

Clerk of the Legislative Council