

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 77

Thursday, April 18 2002

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 *Wednesday, March 20 2002*

- 507. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 510. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 514. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development

Notice Given *Thursday, March 21 2002*

- 523. Hon Alan Cadby to the Parliamentary Secretary representing the Minister for Education
- 525. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 526. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
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Postponed Questions***Notice Given*** ***Tuesday, March 26 2002***

- 531. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 532. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 533. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development

Notice Given ***Wednesday, March 27 2002***

- 535. Hon Norman Moore to the Parliamentary Secretary representing the Minister for State Development
- 537. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for Energy
- 538. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 539. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Tourism
- 541. Hon Jim Scott to the Leader of the House representing the Premier
- 542. Hon Jim Scott to the Leader of the House representing the Premier

Notice Given ***Tuesday, April 9 2002***

- 543. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 544. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 545. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 546. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 547. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 548. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 549. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 550. Hon Robin Chapple to the Minister for Housing and Works representing the Energy
- 551. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 552. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development

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Postponed Questions

553. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
554. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
555. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
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560. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
561. Hon Robyn McSweeney to the Parliamentary Secretary representing the Minister for Health
563. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
564. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
565. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
566. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
567. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
568. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Education
569. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

Notice Given ***Wednesday, April 10 2002***

570. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
571. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
572. Hon Robin Chapple to the Minister for Agriculture, Forestry and Fisheries
573. Hon Christine Sharp to the Minister for Housing and Works representing the Minister for the Environment and Heritage

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Postponed Questions

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

Notice Given ***Thursday, April 11 2002***

575. Hon Dee Margetts to the Minister for Housing and Works representing the Minister for Energy
576. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
577. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Health
578. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
579. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
580. Hon John Fischer to the Minister for Housing and Works representing the Minister for the Environment and Heritage

Notice Given ***Tuesday, April 16 2002***

581. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
582. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
583. Hon Jim Scott to the Minister for Racing and Gaming representing the Minister for Consumer and Employment Protection

Notice Given ***Wednesday, April 17 2002***

584. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
585. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
586. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
587. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
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Postponed Questions

591. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
592. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
593. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for the Environment and Heritage
594. Hon Dee Margetts to the Parliamentary Secretary representing the Minister for Health
595. Hon Jim Scott to the Minister for Housing and Works
596. Hon Dee Margetts to the Minister for Housing and Works representing the Minister for the Environment and Heritage
597. Hon Peter Foss to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services
598. Hon Peter Foss to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

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

- (1) Is the Department of Planning and Infrastructure bound by the provisions of the *Aboriginal Heritage Act 1972*?
- (2) Is the Department required to ensure that Aboriginal sites of significance are identified and protected from development under the MRS Amendment process?
- (3) If yes, has this been done in regard to the North Eastern Hills Settlement Plan?
- (4) If not, why not?

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

I refer to Mining Leases 26/86, 26/383, 26/308, M26/451, General Purpose leases G26/44-68, G26/70-71, G26/73-78, G26/82-86, G24/25, G24/26, G24/29, G24/30, G24/31, G24/32 and a letter dated June 16 1999 from the Department of Minerals and Energy addressed to Kalgoorlie Consolidated Gold Mines titled 'Decant 3 Overflow Pond' with an attached schedule of recommended further conditions for G26/60, G26/64 and G26/68 -

- (1) Is it correct that Mining Lease 26/86 has a tenement condition on it which states 'The lessee ensuring that all matter containing saline, alkaline, cyanide or other process chemical constituents being retained within holding facilities, such that there is no impairment of surface or underground waters'?
- (2) If yes, can the Minister state the date on which this condition was imposed and explain the reasons why this condition was imposed on the tenement?
- (3) If no to (1), will the Minister table a copy of the tenement conditions?
- (4) Is it correct that the Department recommended that the condition stating 'The lessee ensuring that all matter containing saline, alkaline, cyanide or other process chemical constituents being retained within holding facilities such that there is no impairment of surface or underground waters' for G26/60 and G26/64?
- (5) If yes, what were the reasons and justification for the Department recommending this condition be imposed?
- (6) Does Mining Lease 26/383 containing the Fimiston I tailings dam, M26/308, M26/451, General Purpose leases G26/44-59, G26/61-63, G26/70-71, G26/73-78, G26/82-86 part of the Fimiston II tailings dam and G24/25, G24/26, G24/29, G24/30, G24/31 and G24/32 part of the Gidgi tailings dam all have the same condition referred to in questions (1) and (4) imposed on all the tenements?
- (7) If not, why not?

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- (8) Will the Minister or the Department impose this tenement condition on all of the tenements referred to?
- (9) Is it correct that Mining Lease 26/383 has a tenement condition on it which states 'An Annual inspection report being provided to the Department of Minerals and Energy by a geotechnical/engineering specialist to review the performance of the tailings structure, validate the engineering design and review the results of environmental monitoring. A recent survey drawing of the storage should be included'?
- (10) If yes, does Mining Lease 26/308, M26/451, General Purpose leases G26/44-68, G26/70-71, G26/73-78, G26/82-86 part of the Fimiston II tailings dam, G24/25, G24/26, G24/29, G24/30, G24/31 and G24/32 part of the Gidgi tailings dam have this same tenement condition imposed on all the tenements?

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

I refer to a newspaper article dated April 6 2002 which appeared on page 9 of *The West Australian* newspaper titled 'Put Alcoa in Court for Leak, Urges Edwardes', a letter dated February 20 2001 addressed to Mr John Shipp, Kalgoorlie Consolidated Gold Mines (KCGM) from the Department of Environmental Protection (DEP) titled 'Quarterly Tailings Storage Facilities (TSF) Monitoring reports, October - December 2000, Mt Percy TSF, Fimiston TSF Gidgi TSF', a letter dated January 9 2001 addressed to Mr John Shipp, General Manager, Kalgoorlie Consolidated Gold Mines from the DEP titled '2000 Operational Audit of the Fimiston I and Fimiston II TSF'S' and all monitoring reports in the last two years required in accordance with licence conditions for the Fimiston, Gidgi and Mt Percy Tailings Storage Facilities -

- (1) In relation to the newspaper article dated April 6 2002 is it correct that the Minister stated 'If they have breached the licence they should be prosecuted and I'd be advocating that ... As long as there is evidence that the leak was a breach of the licence conditions, there is no reason not to prosecute'?
- (2) If not, what did the Minister specifically state?
- (3) If yes to (1), can the Minister explain why she stated this?
- (4) Will the DEP prosecute Alcoa in relation to a breach of licence conditions?
- (5) If not, why not?
- (6) Is it correct that part of the letter dated January 9 2001 states 'However, it was also stated in the report that in June/July 1999 the operational freeboard of Paddock C in TSF II was reduced to 100mm for a period of approximately four weeks. It would appear that this is in non compliance with condition W3, which requires a freeboard of greater than 300mm, and with Condition G3, which requires any license exceeding to be reported'?
- (7) If yes, will the DEP prosecute KCGM for a breach of condition W3 or G3?
- (8) If no to (6), will the Minister table the letter dated January 9 2001 addressed to Mr John Shipp, General Manager, Kalgoorlie Consolidated Gold Mines from the DEP titled '2000 Operational Audit of the Fimiston I and Fimiston II TSF'S'?

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- (9) Will the DEP and the Minister prosecute KCGM for any breaches of licence conditions concerning the Mt Percy, Gidgi and Fimiston tailings storage facilities raised in the above referred to letters or any other breaches in relation to monitoring reports for all the tailings storage facilities?
- (10) If not, why not?
- (11) Can the Minister state how many times in number the DEP will allow KCGM to repeatedly breach licence conditions at Mt Percy, Gidgi and Fimiston before a prosecution is commenced against this company?
- (12) If not, why not?

602. Hon Christine Sharp to the Minister for Housing and Works

With respect to the Recommendations of the State Homelessness Report of January 31 2002 -

- (1) What action is the Minister taking in respect of the recommendations contained within the Report?
- (2) Will the long-term funding outlined in the Recommendations be provided in full?
- (3) If not, why not?
- (4) Is the Minister prepared to commit that the levels of funding as outlined in the Report will be contained within the forthcoming Budget?
- (5) If not, why not?
- (6) What legislative measures is the Minister considering to address homelessness, and in particular youth homelessness, in Western Australia?
- (7) When will these legislative measures be introduced into Parliament?
- (8) If no legislative measures are being considered, what other measures is the Minister taking to address homelessness, and in particular youth homelessness?

603. Hon Christine Sharp to the Minister for Racing and Gaming representing the Attorney General

With reference to young people paroled, bailed or awaiting parole from all State Institutions -

- (1) For the period, and by year, 1993-2002, how many young people (aged under 25 years of age) who were eligible for parole were not released, for a period greater than a day, because a condition of parole was that they have stable accommodation?
- (2) How many young people (aged under 25 years of age) who are currently eligible for parole have not been released because a condition of parole is that they have stable accommodation?
- (3) For the period, and by year, 1993-2002, how many young people (aged under 25 years of age) who have been released on bail with a condition of bail that they have or maintain stable accommodation have been taken back into detention because they have not maintained stable accommodation?

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- (4) With respect to the State Homelessness Taskforce Report of January 31 2002, what actions is the Department of Justice undertaking to address recommendations contained within the Report?
- (5) With respect to the above Report, and in particular Recommendations 2.2.4, 2.2.5 and 2.3.8 (Action - Priority Table pages 6 and 7), is the Department of Justice preparing to implement these recommendations?
- (6) With respect to those Recommendations listed above, is the Government prepared to commit to providing the funds as listed in the Report?
- (7) If not, why not?

L B MARQUET
Clerk of the Legislative Council