

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 26

Wednesday, November 13 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

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

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169. Hon Norman Moore to the Leader of the House representing the Minister for Citizenship and Multicultural Interests
170. Hon Norman Moore to the Leader of the House representing the Minister for Federal Affairs
172. Hon Norman Moore to the Leader of the House representing the Minister for Public Sector Management
173. Hon Norman Moore to the Leader of the House representing the Minister for Science
174. Hon Norman Moore to the Minister for Housing and Works representing the Deputy Premier
175. Hon Norman Moore to the Minister for Housing and Works representing the Minister for Energy
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199. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

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207. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
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235. Hon Dee Margetts to the Minister for Agriculture, Forestry and Fisheries
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243. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Health

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- 244. Hon Giz Watson to the Minister for Housing and Works
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- 253. Hon Christine Sharp to the Minister for Housing and Works representing the Minister for the Environment and Heritage
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- 259. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
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264. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development

With regard to the Native Title hearing before Hon C. J. Sumner on Wednesday, November 6 2002 in relation to the Burrup peninsular, I ask -

- (1) Did Mr Carr the General Manager, Community Liaison in the Department of Minerals and Petroleum Resources give evidence to the hearing that there had never been any assessment of the potential impacts of emissions from petrochemical plants on the rock art on the Burrup peninsular?
- (2) If so to (1), -
 - (a) why was this not carried out; and
 - (b) how could the placement of petrochemical plants be considered for such a location without such an evaluation?
- (3) Did Mr Carr indicate that emissions from the petrochemical plants impacting on the rock art could be ameliorated by the use of various forms of coatings or sheds that could be placed over the rock art?
- (4) If yes to (3), -
 - (a) what would be the nature of the coverings;
 - (b) how extensive would they have to be; and
 - (c) who would bear the cost of implementation?

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

With regard to statements made by the Minister for State Development in *The Australian* on September 4 2002 when he said 'the Government would not spend a cent at Maitland unless a major project committed to the site' -

- (1) Did the Government table an affidavit or make a statement at the Native Title hearings on the Burrup peninsular that there had been four inquiries about the use of Intercourse Islands or the Maitland for industrial purposes and that one of those companies had had recent ongoing discussions with the Department of Mineral and Petroleum resources?
- (2) If so to (1), what was the nature of the industries that sought use of these locations?
- (3) If so to (1), what were the locations sought by those industries?
- (4) If so to (1), is one company considering a location on West Intercourse Island?
- (5) If so to (4), where on West Intercourse Island is being considered for the location of such an industry?

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- (6) In relation to (5), what is the industrial nature of that industry?
- (7) In relation to (5), who is or are the company or companies involved in such a proposition?
- (8) Did any of the companies identified in (1) subsequently move to the Burrup?

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

I refer to a letter which I understand is dated August 7 2002 reference 3575/1899V2 and 2746/974V2 (Job No. 022245) signed by T Thomson, Team Leader, South East Region, Land Administration Services from the Department of Land Administration (DOLA) titled 'Proposed Kalgoorlie-Boulder Tourist Railway Loopline to Hannan Street' -

- (1) Is it correct that part of this letter states 'The purpose of this plan is to show the proposal in relation to the bypass and intersecting roads and for stakeholders to further consider the proposal in relation to issues that need to be addressed'?
- (2) If no to (1), what does the letter state?
- (3) Will the Minister table a copy of the concept plan showing the proposed railway corridor 10 metres wide and suggested route which is to terminate in the general area of Hannan Street?
- (4) If no to (3), why not?
- (5) Can the Minister state what DOLA considers are the specific issues that need to be addressed?
- (6) If no to (5), why not?

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

I refer to Hampton Location 135 number 26 Austral Road, Kalgoorlie, Western Australia -

- (1) Can the Minister state the specific month and year in which the above property was converted or made to freehold land?
- (2) If no to (1), why not?
- (3) Was the permission or consent of the Department of Minerals and Energy required before the Department of Land Administration granted freehold title to the above property?
- (4) If no to (3), why not?
- (5) If yes to (3), why was permission or consent required and in what month and year was it provided?
- (6) Was the permission or consent of the City of Kalgoorlie-Boulder required before the Department of Land Administration granted freehold title to the above property?
- (7) If no to (6), why not?
- (8) If yes to (6), why was permission or consent required and in what month and year was it provided?

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- (9) Did Kalgoorlie Consolidated Gold Mines Pty Ltd as manager for the underlying Mining Lease holders or the holders themselves provide permission or consent to the granting of freehold title for the above property?
- (10) If no to (9), why not?
- (11) If yes to (9), on what specific date was permission or consent obtained and specifically from whom?

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

I refer to Mining Lease 26/261, Aboriginal Reserve number 24574 and the holders of the Mining Lease, Homestake Gold of Australia Ltd and Normandy Mining Ltd with Kalgoorlie Consolidated Gold Mines Pty Ltd as manager -

- (1) Given 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?
- (2) If no to (1), why not?
- (3) Can the Minister provide a specific date in which written permission was provided by the Department of Minerals and Energy or the Minister for Mines for drilling to be carried out on this Aboriginal Reserve?
- (4) If no to (3), why not?
- (5) Have the tenement holders breached the tenement condition prohibiting mining on the Aboriginal Reserve given drilling has taken place?
- (6) If no to (5), why not?
- (7) If yes to (5), why wasn't forfeiture action implemented against the holders of the Mining Lease and a fine imposed upon the holder?
- (8) What is the specific monetary penalty for breaching a mining lease condition and can the lease actually be forfeited?
- (9) Can the Minister state how many drill holes and the depth of these drill holes that were drilled into this Aboriginal Reserve number 24574?
- (10) If no to (9), why not?

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

I refer to a Department of Minerals and Energy file note which I understand is titled 'Kalgoorlie Aboriginal Reserves' and in particular Aboriginal Reserve number 24574 -

- (1) Is it correct that part of this file note states 'This Reserve is immediately adjacent to the Mt Percy operation. Mining Lease 26/61 extends over the Reserve, but carries a no mining

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condition in respect of the area covered by the Reserve. Waste rocks have been dumped by the company up to the Reserve boundaries, clearly with no regard to the people living there'?

- (2) If no to (1), what specifically in part does the file note state?
- (3) Can the Minister explain why the Department of Minerals and Energy was of the view that the dumping of waste rocks up to the boundary reserve clearly indicated the company clearly had no regard for the people who were living there?
- (4) If no to (3), why not?
- (5) Can the Minister explain why a departmental officer stated 'It is suggested this situation may be negotiable if handled carefully'?
- (6) If no to (5), why not?

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

I refer to a file note dated June 23 2000 signed by M D Wallwork, Executive Director Rural Roads addressed to the Commissioner, subject title 'Kalgoorlie Eastern Bypass Road-KCGM Realignment Proposal' -

- (1) Is it correct that part of this file note states 'In view of the foregoing it is difficult to sustain the argument that it is a Government responsibility to partially fund (50%) of the cost of realigning the bypass. The alignment selected for the bypass was appropriate at the time. Because circumstances have now changed in the mining environment since that time it does not appear to justify the contribution of Government funds to what is clearly a commercial project'?
- (2) If no to (1), what does it in part state?
- (3) Will the Minister table a full complete copy of the file note dated June 23 2000?
- (4) If no to (3), why not?

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

I refer to a letter dated March 7 2001 signed by J M Torlach, State Mining Engineer, reference JMT.JD titled 'Eastern Bypass Road Realignment' -

- (1) Has a geotechnical stability report been carried out in relation to further open pit expansion in relation to where the new bypass road is currently being constructed?
- (2) If no to (1), why not,
- (3) Why has the department approved or recommended the location of the new bypass road when clearly this road and its users will be at serious risk from open pit wall failure and from fly rock from mining operations?
- (4) If yes to (3), will the Minister table a full complete copy of the report to ensure that members of the public are clearly made aware of any risks?

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- (5) Can the Minister explain how the inferences of potential instability were drawn in 1992 documents by Department of Minerals and Energy officer(s)?
- (6) Will the Minister table a copy of the report completed in 1990 dealing with a section of road in the vicinity of the Mt Charlotte open pit?
- (7) If no to (6), why not?

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

I refer to a letter which I understand is dated July 28 1989 signed by J M Torlach, State Mining Engineer addressed to the Director, Trafalgar Mining NL titled 'Exploration and Mining Activity - Bulong, Mining Leases 25/19, 25/32, 25/64, Prospecting Licence 25/613, 25/509' -

- (1) Is it correct that part of the letter states -
 'The inspection revealed; numerous costeans which are considered to be likely to endanger the safety of any person or animal; a number of costeans within a distance of approximately 100 metres of Bennetts Dam, contrary to section 20(5)(e) of the *Mining Act*; substantial clearing of vegetation and surface excavation; construction of facilities such as dams, camp site and other buildings; no attempt to repair damage to the surface of the land.
 A search of our records shows that although a draft notice of Intent was submitted by W G Martinick and Associates Pty Ltd in September 1988 titled 'Taurus Alluvial Gold Project' for Trafalgar Mining NL, no approvals for any exploration or mining activity have been given. The work described above has therefore been carried out without authority'?
- (2) If no to (1), what does the letter in part state?
- (3) Can the Minister explain why the Department of Minerals and Energy considered the numerous costeans to be likely to endanger the safety of any person or animal?
- (4) If no to (3), why not?
- (5) Can the Minister explain why a number of costeans constructed within 100 metres of Bennetts dam are considered to be contrary to section 20(5)(e) of the *Mining Act*?
- (6) Can the Minister state how much area in hectares of substantial clearing of vegetation and surface excavation was carried out?
- (7) If no to (6), why not?

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

I refer to a letter which I understand is dated October 17 2001 reference JA.AER.2430-99 signed by Jeni Alford, Co-ordinating Environmental Officer, addressed to the Registered Manager, John Shipp, Kalgoorlie Consolidated Gold Mines and a letter dated December 19 2001 from John Shipp addressed to the Department of Mineral and Petroleum Resources -

- (1) Is it correct that part of the letter states -

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'The rehabilitation data is inadequate because it does not identify rehabilitation by tenement and thus cannot be related to bonds'?

- (2) If no to (1), what does the letter in part state?
- (3) Is it correct that part of the letter states -
'I summarised some of the disturbance data provided by Mr Bawden in 2000 and estimated that 331 hectares of historic and non KCGM disturbance was rehabilitated prior to the 1999 AER (see table 1 attached). This does not correlate well with Figure 5.6.2B(p52), which indicates over 600 hectares have been rehabilitated. In addition, Figure 5.6.2.B indicates that about 1600 hectares has been disturbed on KCGM's tenements in total whereas I estimate that disturbance created by KCGM exceeds 2082 hectares (see table 2 attached).'?
 - (4) If no to (3), what does part of the letter state?
 - (5) Can the Minister explain how the Department of Minerals and Energy is aware that KCGM is already modifying and monitoring groundwater levels and thus are aware of environmental impacts?
 - (6) If no to (5), why not?
 - (7) Can the Minister indicate a date and names of the specific reports in which water management plans (surface and groundwater) have been submitted to the Department of Mineral and Petroleum Resources?
 - (8) If no to (7), why not?
 - (9) Has a Life of Mine Closure Plan (LOMCP) been submitted to the Department of Mineral and Petroleum Resources in which Mr John Shipp of KCGM indicated would be completed by mid 2002?
 - (10) If no to (9), why not?
 - (11) Will the Minister or the Department as a matter of urgency request that KCGM provide a LOMCP?
 - (12) If yes to (10), will the Minister table a copy of the LOMCP so as members of the public can clearly see what is going to happen as part of the LOMCP?

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

I refer to a letter February 17 1995 addressed to the Mining Registrar Mines Department from Mr John Baker concerning the destruction of pegs and trenches, trees pushed over and wide spread disturbance of the ground surface and vegetation in relation to Prospecting Licence 26/2665 caused by Kalgoorlie Consolidated Gold Mines Pty Ltd employees/contractors -

- (1) Was the above letter dated February 17 1995 received by the Mines Department?
- (2) If yes to (1), on what date was it received?

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- (3) Did the above letter in part state -

‘I wish you the Mines Department to answer the following questions -

Did the Mines Department authorise the destruction and interference of pegs and trenches on application for Prospecting Licence P26/2665 to any person’s?

If so, by what legal instrument and on what authority? (ie was there a notice of intent and if so, who authorised these works and on what date was it authorised?) I also request a copy of that authorisation.

If the Mines Department did authorise these works as tenement applicant to the above Prospecting Licence P26/2665. Why was I not notified from your Department of such works?’

- (4) If yes to (1), can the Minister explain why the Regional Mining Registrar, Mr Ross Collins did not respond to Mr John Baker by answering the questions outlined in his letter dated February 17 1995?
- (5) Did the above letter dated February 17 1995 ask the Regional Mining Registrar to instruct the Police Gold Stealing Detection Unit to investigate the complaint and for the culprits to be charged under the *Criminal Code* or the *Mining Act 1978-1987* and Regulations?
- (6) If yes to (5), can the Minister explain why Mr Ross Collins did not instruct or ask the Police Gold Stealing Detection Unit to investigate and charge the culprits under the *Criminal Code* or the *Mining Act 1978-1987* and Regulations in relation to the damage to marking out pegs, trenches and surrounding land which were clearly evidence for a Warden’s Court hearing?
- (7) If no to (5), what specifically did the letter ask?

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

I refer to a newspaper article which appeared in the *Kalgoorlie Miner* page 5, Friday, July 12 2002 titled ‘Rail Line Sitting on Gold DMPR’ -

- (1) Is it correct that Dr Ivor Roberts from the Department of Mineral and Petroleum Resources said ‘the fact that the railway line was built there in the first place indicated early prospectors didn’t think it was valuable ore. It obviously would have been prospected earlier, but the advantage these days is we can mine areas like this properly’?
- (2) If yes to (1), on what evidence and information does Dr Ivor Roberts have to indicate that the early prospectors didn’t think it was valuable ore?
- (3) If no to (1), what specifically did Mr Ivor Roberts state?
- (4) Can the Minister explain what Mr Ivor Roberts means when he stated ‘it would have been prospected earlier’ given there are numerous very old shafts and workings in the area some partly filled in and some of which are clearly on the rail reserve property in very close proximity to the railway line itself?
- (5) If no to (4), why not?

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- (6) Can the Minister explain how can we mine areas like this properly and what advantage these days do we have that we never had before?
- (7) If no to (6), why not?
- (8) Did the Department of Mineral and Petroleum Resources make a submission or put in written comments to the Department of Planning and Infrastructure concerning the railway line removal/relocation?
- (9) If yes to (8), will the Minister table a copy of the written submission or written comments?
- (10) Is the Department of Mineral and Petroleum Resources in favour or supportive of having the existing railway line removed/relocated so as Kalgoorlie Consolidated Gold Mines Pty Ltd as the manager for Barrick Gold of Australia and Newmont Mining can undertake open pit mining operations on the rail reserve and other areas in close proximity?
- (11) If no to (10), why not?

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

- (1) Is it correct that the Geological Survey or the Department of Minerals and Petroleum Resources is generally not in a position to determine whether a particular mineral/gold deposit might be economically viable and it is up to the mining company/pro prospector, through a feasibility study to make such a determination?
- (2) If yes to (1), can the Minister please explain why?
- (3) If no to (1), can the Minister explain why and on what date did this change?

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

- (1) Is it correct that all open pits in the eastern goldfields and in the State of Western Australia are not bonded on the open pit itself, but only the areas of disturbance such as waste dumps, tailings facilities, camp sites, office sites and other areas of surface disturbance?
- (2) If yes to (1), can the Minister please explain why this is the case?
- (3) If no to (1), can the Minister explain how are bonds calculated on just the open pits themselves and what factors are taken into consideration?

278. 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 November 10 2000 reference A/104/87.St188 titled 'Fimiston Project Stage 2 - Mine and Waste Dumps (Statement 188)' signed by Jim Treloar for KJ Taylor, Director Evaluation Division from the Department of Environmental Protection -

- (1) Is it correct that part of the letter states 'Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM) has advised the Department of Environmental Protection (DEP) that it plans to

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finalise its long term plan for the Superpit in the next two years, which may include an application for further expansion of the Superpit beyond the Minister for the Environment's approval in 1991'?

- (2) If yes to (1), can the Minister please provide the precise details of the width, depth and length of the Superpit approvals as approved by the Minister for the Environment in 1991?
- (3) If no to (1), what specifically was stated in the letter dated November 10 2000?
- (4) Can the Minister state the specific total amount of tonnes per annum that were being treated through the processing mills for the KCGM super pit operations in 1991?
- (5) If no to (4), why not?
- (6) Can the Minister state the specific amount of tonnes per annum of open pit material that were being mined in 1991?
- (7) If no to (6), why not?
- (8) Can the Minister state the maximum size in terms of tonnage of the dump trucks that were being used in the superpit when approvals were given in 1991?
- (9) If no to (7), why not?
- (10) Will the Minister ensure that the DEP or the Environmental Protection Authority (EPA) will set the highest possible level of environmental assessment for any proposed expansion of KCGM superpit operations given that many persons wrote to the EPA, DEP and the Minister for the Environment concerning the Kalgoorlie Eastern Bypass Road, which will facilitate a major expansion of the open pit operations much closer to residential and business properties?
- (11) If no to (10), why not?

279. 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 September 19 2000 from Mr O B Mutton sent to the Environmental Protection Authority, the Department of Environmental Protection and the Minister for the Environment with 8 pages of a petition signed by 107 persons seeking the highest possible level of assessment for the bypass road which would facilitate and allow the expansion of Kalgoorlie Consolidated Gold Mines Pty Ltd (now Barrick Mines and Newmont Mining) super pit mining operations -

- (1) Can the Minister state the specific dates in which this letter and petition was received by the Department of Environmental Protection, Environmental Protection Authority and the Minister for Environment's office?
- (2) If no to (1), why not?
- (3) Is it correct that part of the petition stated -
 'We make this submission on the following grounds - Realignment of the Eastern Bypass Road will place it closer to the community; realignment of the Eastern Bypass Road will allow expansion of the super pit closer to the community; the full environmental impact on the community has not been fully assessed; the community deserves the right to be fully informed

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and have their concerns properly addressed; safety concerns exist regarding the proposed realigned path of the road; and safety concerns exist regarding the community living and working both within and outside the Safety Exclusion Zone.’?

(4) If no to (3), what did the petition specifically state?

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

I refer to a report titled ‘Goldfields Esperance Regional Planning Strategy July 2000’ and in particular page 155 of the report -

- (1) Is it correct that relocation of Ninga Mia Village is a major issue as it is in the path of the gold super pit?
- (2) If yes to (1), can the Minister explain on what basis with factual evidence it was determined that Ninga Mia Village is in the path of the gold super pit?

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

I refer to a report titled ‘Goldfields Esperance Regional Planning Strategy July 2000’ and in particular page 155 of the report and the ‘Ninga Mia Aboriginal Community Layout Plan - May 2002’ -

- (1) Is it correct that relocation of Ninga Mia Village is a major issue as it is in the path of the gold super pit?
- (2) If yes to (1), can the Minister explain on what basis with factual evidence it was determined that Ninga Mia Village is in the path of the gold super pit?
- (3) Is it correct in the Ninga Mia Aboriginal Community Layout Plan - May 2002 that in the medium to long term serious consideration should be given to relocation of the Ninga Mia Aboriginal community?
- (4) If yes to (3), what are the specific reasons as to why Ninga Mia should be relocated?
- (5) Will the Minister table a copy of the Ninga Mia Aboriginal Community Layout Plan - May 2002?
- (6) If no to (5), why not?

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

I refer to the ‘Ninga Mia Aboriginal Community Layout Plan May - 2002’ report -

- (1) Is it correct that in the medium to long term serious consideration should be given to the relocation of the community?
- (2) If yes to (1), can the Minister explain the specific reasons why Ninga Mia Aboriginal community needs to be relocated in the medium to long term?

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- (3) Will the Minister table a copy of the Ninga Mia Aboriginal Community Layout Plan May - 2002?
- (4) If no to (3), why not?

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

I refer to a newspaper article titled 'Health Concerns at Local Waste Ponds' which appeared on the front page of the *Kalgoorlie Miner* newspaper on Tuesday, September 24 2002 -

- (1) Is it correct that Mr Craig Byers said an inspection at the tip yesterday revealed the site was appropriately licensed and contained. It was not considered an environmental issue.?'?
- (2) If yes to (1), can the Minister explain why it was not considered an environmental issue?
- (3) If no to (1), what did Mr Craig Byers specifically state?
- (4) Can the Minister table a copy of the licence conditions for the Kalgoorlie-Boulder Yarri Road waste disposal ponds and the tip facility?
- (5) If not, why not?

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

I refer to the Bulong Nickel mine operations and specifically the tailings dams located in close proximity to the lake -

- (1) Can the Minister state how much seepage in terms of litres/year from the tailings dams is leaking and seeping back into the ground and surrounding groundwater at this operation?
- (2) If no to (1), why not?
- (3) Can the Minister state how much in litres/year is discharged into this tailings dam?
- (4) If no to (3), why not?
- (5) Can the Minister state what is the maximum specific holding capacity in terms of litres/per day that can be discharged into these tailings dams?
- (6) If no to (5), why not?
- (7) Can the Minister state what was the approximate cost of constructing the existing tailings dam?
- (8) If no to (7), why not?
- (9) Can the Minister state what was the approximate cost of constructing the previous tailings dam?
- (10) If no to (9), why not?

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

I refer to the proposed removal/relocation of the Railway line near the Mt Percy Open pits and mining operations in Kalgoorlie-Boulder -

- (1) Has the Minister or her Departments received a submission or written comments from the Department of Mineral and Petroleum Resources concerning this proposal?
- (2) If yes to (1), -
 - (a) on what date were they received; and
 - (b) what was the Department of Mineral and Petroleum's position on the matter?
- (3) If no to (1), why not?

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

I refer to a letter of complaint dated November 1 2002 concerning allegations of breaches by Kalgoorlie Consolidated Gold Mines Pty Ltd employees/contractors (Newmont Mining and Barrick Gold) in relation to section 20(5) of the *Mining Act 1978* and Regulations from the occupier of the residence at number 7 Williamstown Road, Kalgoorlie -

- (1) Has the Minister received the above letter?
- (2) If yes to (1), on what date was it received?
- (3) Can the Minister indicate an approximate date in which all of the concerns raised in the letter dated November 1 2002 will be investigated by his Department and the approximate date in which the Minister will provide a detailed reply addressing all the concerns raised?
- (4) If no to (3), why not?
- (5) Will Minister or the Department of Mineral and Petroleum Resources issue a stop work order under the Mining Regulations on all of the equipment/buildings and facilities within 100 metres of 7 Williamstown Road that have been continually being used by the company without the written consent of the occupier of 7 Williamstown Road?
- (6) If no to (5), why not?

287. 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 April 6 2001 addressed to Mr John Shipp, Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM) signed by Merv Stokes for Fred Tromp, Director Pollution Prevention Division titled 'Inspection of Licensed Premises License Number 5946/5 Gidgi Roaster, Kalgoorlie-Meekatharra Highway G24/24, G24/25-33, Kalgoorlie' and question on notice No. 64 of August 21 2002 -

- (1) Is it correct that part of the letter dated April 6 2001 states -

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‘Condition W2 requires the licensee to retain all matter containing saline or alkaline constituents within holding facilities in a manner which prevents pollution. As previously acknowledged by this Department, seepage from the TSF is evident with some ground water monitoring bores demonstrating high SWL’s, increased salinities and high WADCN levels.’?

- (2) If no to (1), what did the letter in part state?
- (3) If yes to (1), why was the Department specifically acknowledging certain matters?
- (4) Is it correct that part of the letter states -
‘Condition W4 requires the licensee to ensure that all pipelines containing saline, alkaline or cyanide constituents are sited within appropriate bunded facilities. During the inspection it was noted that ground water being recovered by the production bores was being carried in pipelines without appropriate bunding. It is understood that plans are already in place to rectify this non-compliance. Can you please confirm when these works will be undertaken’?
- (5) If yes to (4), will the Department prosecute KCGM for breaching condition W4 given that the company has repeatedly breached licence conditions at least seven times at various sites?
- (6) If no to (4), what did the letter in part state?
- (7) Will the Minister or the Department allow small prospectors/companies to breach their licence conditions with administrative or other breaches at least eight times without facing a prosecution?
- (8) If no to (7), why not?
- (9) If yes to (7), why?
- (10) Can the Minister advise how many times in numbers the Department is prepared to allow KCGM administrative breaches or other breaches of licence conditions before it will commence a prosecution against the company to demonstrate that it regards a breach of licence conditions as extremely serious?
- (11) If no to (10), why not?

288. 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 April 6 2001 addressed to Mr John Shipp, Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM) signed by Merv Stokes for Fred Tromp, Director Pollution Prevention Division titled ‘Inspection of Licensed Premises License Number 5946/5 Gidgi Roaster, Kalgoorlie-Meekatharra Highway G24/24, G24/25-33, Kalgoorlie’ -

- (1) Is it correct that part of the letter dated April 6 2001 states -
‘Similarly there has been some concerns raised regarding the format that the data, required by condition G7 of your current license, is being submitted to the DEP on an unmarked disk with no letter attached. Again these concerns will be addressed in separate correspondence from this Department’?
- (2) If no to (1), what did the letter in part state?

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- (3) If yes to (1), what were the specific concerns raised in separate correspondence?
- (4) Is it correct that part of the letter states -
 'From discussions during and after the inspection several licensing matters were raised that need to be addressed. These relate to the liquid chemical storage conditions, washdown bays and license exceedance reporting. Please be aware that these issues will be addressed when the license is reissued'?
- (5) If yes to (4), have all of these licensing matters raised now been addressed?
- (6) If no to (4), what did the letter in part state?

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

I refer 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 in Kalgoorlie within the last two years -

- (1) Have any of the drillers intersected asbestos in the open pit when undertaking blast hole drilling or exploration drilling?
- (2) If yes to (1), -
 - (a) on what dates was it intersected;
 - (b) how many times has it been intersected; and
 - (c) can the Minister provide a scaled plan showing the approximate position?

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

I refer to question on notice No. 69 of August 21 2002, No. 86 of August 22 2002 and Mr Clive Brown's website -

- (1) Is it correct that on Mr Clive Brown's website it states 'A fundamental commitment of this Government is that we will be open and accountable'?
- (2) If no to (1), what does it state?
- (3) Will the Minister now provide all the answers to the questions for question on notice No. 69 of August 21 2002?
- (4) If no to (3), why not?
- (5) Will the Minister be insisting for each and every Member of parliament asking any questions, that if they can indicate to the Minister that they are relevant, he will then arrange for them to be examined?
- (6) If no to (5), why not?

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- (7) Can the Minister explain why the Government is not being open and accountable by simply providing answers to all my questions in the first instance, rather than delaying matters by asking me to indicate how they are relevant?
- (8) If no to (7), why not?
- (9) Will the Minister now provide all the answers to the questions for question on notice No. 86 of August 22 2002?
- (10) If no to (9), why not?

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

I refer to question on notice No. 87 of August 22 2002 and the answers provided -

- (1) Can the Minister explain why it is a matter of judgement on the part of residents and businesses in deciding whether or not to make a submission to the Cooke Review given that the Minister can make it very clear by providing an answer which indicates that all of their concerns will be properly and thoroughly addressed as part of the review?
- (2) If no to (1), why not?
- (3) Will the Minister now make it clear to residents and businesses in Boulder that people in Kalgoorlie-Boulder who go to the trouble of making a submission to the Cooke Review concerning the operations of Kalgoorlie Consolidated Gold Pty Ltd (Newmont Mining and Barrick Mines), not just Williamstown will have all of their concerns thoroughly and properly addressed as part of the review?
- (4) If no to (4), why not?

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

- (1) What companies in Western Australia are accredited to test acid sulfate soils?
- (2) What procedures are in place to ensure that developers and mining companies use accredited organisations for the testing of acid sulfate soils?
- (3) What measures are in place to ensure that the sampling carried out by companies is according to ASSMAC guidelines?

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

- (1) Is the Minister aware that the Lactanz Dairy farm on the Scott Coastal Plain is discharging waste water from the farm into the adjoining D'Entrecasteaux National Park?
- (2) Is the Minister aware that the Lactanz Dairy farm has constructed channels that lead towards the D'Entrecasteaux National Park?
- (3) Did the Minister approve the procedure of waste water discharge for the Dairy?

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- (4) If no, who approved it?
 - (5) Will the Minister table the licence conditions for the Dairy farmer?
 - (6) Do these conditions permit high nutrient waste water to be discharged into the surrounding environment?
 - (7) Do these conditions permit high nutrient waste water to be discharged into the D'Entrecasteaux National Park and the Gingilup Nature Reserve?
 - (8) Does the DEP monitor the waste discharge?
 - (9) If not, will the Minister table the most recent monitoring results?
294. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- (1) Is the Minister aware that Cable Sands' Collis Thorp attacked the National Trust Australia (WA) as providing a highly inaccurate picture of Ludlow after the Trust's inclusion of the Ludlow Tuart Forest on the 2002 Endangered Places List?
 - (2) Is the Minister aware that Cable Sands' Collis Thorp demanded that the Trust retract the listing for the Ludlow Tuart Forest?
 - (3) Does the Minister agree with the comments made by the representative of Cable Sands?
 - (4) If not, what steps has the Minister taken to defend the decision by the National Trust Australia (WA)?
295. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- (1) Did Cable Sands offer financial assistance to CALM for the preparation of a management plan for the Tuart Forest National Park and areas of state forest?
 - (2) If yes, how much was that financial offer and when did Cable Sands give CALM the money?
 - (3) Has a management plan for the Tuart Forest National Park and areas of state forest been started?
 - (4) If not, why not?
 - (5) When will the management plan for the Tuart Forest National Park and areas of state forest be completed?
296. Hon Norman Moore to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

Can the Minister provide information showing the number of police rostered on each shift in the metropolitan area on -

- (a) Tuesday, November 5 2002; and

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(b) Saturday, November 2 2002?

297. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Health

- (1) Can the Minister explain the criteria or guidelines by which decisions are made to put metropolitan hospital emergency departments on an ambulance by-pass status?
- (2) If hospitals have different criteria, can the Minister provide the information for -
 - (a) each teaching hospital;
 - (b) the Joondalup Health Campus; and
 - (c) the non-teaching public hospitals in Perth?

298. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

- (1) What public infrastructure and landmarks have been named after former Premier, John Tonkin?
- (2) What was the reason for the naming in each case?

299. Hon Norman Moore to the Minister for Racing and Gaming representing the Minister for Police and Emergency Services

For the period between January 1 2002 and September 30 2002 -

- (1) How many adults have been charged over burglary incidents in the Kalgoorlie Districts?
- (2) Do any of them have prior criminal records?
- (3) If so, how many?
- (4) Have any of them served time in prison previously for any offence?
- (5) If so, how many?
- (6) Have any of them been sentenced to a prison sentence?
- (7) If so, how many?
- (8) Have any juveniles (under 18) been arrested in connection with burglaries in the Kalgoorlie District?
- (9) If so, how many?
- (10) Have any of those juveniles been charged and convicted on burglary charges?
- (11) If so, how many?
- (12) Do any of those juveniles arrested have prior convictions for burglary or other serious crime, including car theft?
- (13) If so, how many?

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(14) Have any of those arrests of juveniles resulted in sentences involving detention?

300. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Health

I refer the Minister to his reply to question on notice No. 229 in the Legislative Council, and ask -

- (1) When was the first approach made to the Western Australian Treasurer, the Hon Eric Ripper, or the Western Australian State Treasury, by the Minister or his agencies to request additional funding to meet the operating costs in running an MRI machine at Princess Margaret Hospital?
- (2) Were subsequent requests made to the State Treasurer or Treasury?
- (3) If no such request(s) has (have) been made, why not given the Minister's well publicised claims that he cannot find the money within his health budget allocation to pay for the operating costs of an MRI machine at PMH?
- (4) Has the Minister found the funds within his budget to cover the MRI operating costs for the planned MRI at PMH?
- (5) If not, has the Minister obtained any agreement with Western Australia's Treasury or the Treasurer (Hon Eric Ripper) to fund the MRI operation at PMH?
- (6) If not, how does the Minister plan to pay for the operating costs of PMH's MRI machine when it is installed?

L B MARQUET

Clerk of the Legislative Council