

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 127

Thursday, 16 May 2019

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

POSTPONED QUESTIONS

Notice Given Tuesday, 2 April 2019

- 2043. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water (*SO108(2) response – 15 May 2019*)
- 2044. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Fisheries (*SO108(2) response – 15 May 2019*)
- 2059. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Health (*SO108(2) response – 15 May 2019*)

Notice Given Tuesday, 9 April 2019

- 2070. Hon Jacqui Boydell to the Minister for Education and Training
- 2071. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
- 2072. Hon Alison Xamon to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 2073. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 2074. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 2075. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
- 2076. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 2077. Hon Nick Goiran to the Minister for Education and Training
- 2078. Hon Alison Xamon to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 2079. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 2080. Hon Alison Xamon to the Minister for Environment representing the Minister for Emergency Services; Corrective Services

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- 2081. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 2082. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Industrial Relations

Notice Given **Wednesday, 10 April 2019**

- 2083. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Tourism
- 2084. Hon Alison Xamon to the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade
- 2085. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Racing and Gaming
- 2086. Hon Alison Xamon to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 2087. Hon Robin Chapple to the Minister for Regional Development
- 2088. Hon Robin Chapple to the Minister for Agriculture and Food
- 2089. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Tourism
- 2090. Hon Martin Aldridge to the Minister for Education and Training

Notice Given **Thursday, 11 April 2019**

- 2091. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health
- 2092. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health
- 2093. Hon Diane Evers to the Minister for Environment
- 2094. Hon Diane Evers to the Minister for Environment representing the Minister for Housing
- 2095. Hon Diane Evers to the Minister for Environment representing the Minister for Planning
- 2096. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands

Notice Given **Tuesday, 7 May 2019**

- 2097. Hon Diane Evers to the Minister for Environment
- 2098. Hon Robin Chapple to the Minister for Environment; Disability Services; Electoral Affairs
- 2099. Hon Diane Evers to the Minister for Environment; Disability Services; Electoral Affairs
- 2100. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 2101. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands
- 2102. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
- 2103. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services

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Postponed Questions

- 2104. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- 2105. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- 2106. Hon Nick Goiran to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 2107. Hon Dr Steve Thomas to the Minister for Environment; Disability Services; Electoral Affairs
- 2108. Hon Robin Chapple to the Minister for Environment representing the Minister for Asian Engagement
- 2109. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
- 2110. Hon Nick Goiran to the Leader of the House representing the Attorney General
- 2111. Hon Nick Goiran to the Minister for Environment representing the Minister for Transport; Planning
- 2112. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry
- 2113. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry
- 2114. Hon Robin Chapple to the Minister for Environment
- 2115. Hon Robin Chapple to the Minister Assisting the Minister for State Development, Jobs and Trade
- 2116. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 2117. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 2118. Hon Alison Xamon to the Minister for Education and Training
- 2119. Hon Alison Xamon to the Minister for Environment representing the Minister for Police
- 2120. Hon Alison Xamon to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 2121. Hon Alison Xamon to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 2122. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 2123. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services

Notice Given **Wednesday, 8 May 2019**

- 2124. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations

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Postponed Questions***Notice Given Thursday, 9 May 2019***

- 2125. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Industrial Relations
- 2126. Hon Aaron Stonehouse to the Minister for Environment representing the Minister for Police; Road Safety
- 2127. Hon Dr Steve Thomas to the Minister for Environment representing the Minister for Transport
- 2128. Hon Nick Goiran to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 2129. Hon Nick Goiran to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health

Notice Given Tuesday, 14 May 2019

- 2130. Hon Martin Aldridge to the Leader of the House representing the Premier
- 2131. Hon Martin Aldridge to the Minister for Education and Training
- 2132. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Racing and Gaming
- 2133. Hon Robin Chapple to the Minister for Environment; Disability Services; Electoral Affairs
- 2134. Hon Martin Aldridge to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations
- 2135. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
- 2136. Hon Martin Aldridge to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 2137. Hon Martin Aldridge to the Minister for Education and Training
- 2138. Hon Martin Aldridge to the Minister for Environment; Disability Services; Electoral Affairs
- 2139. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police; Road Safety
- 2140. Hon Martin Aldridge to the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade
- 2141. Hon Martin Aldridge to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 2142. Hon Martin Aldridge to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts
- 2143. Hon Martin Aldridge to the Leader of the House representing the Attorney General
- 2144. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Commerce
- 2145. Hon Martin Aldridge to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation
- 2146. Hon Martin Aldridge to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands

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- 2147. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- 2148. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
- 2149. Hon Martin Aldridge to the Minister for Environment representing the Minister for Energy
- 2150. Hon Martin Aldridge to the Minister for Environment representing the Minister for Transport; Planning
- 2151. Hon Martin Aldridge to the Minister for Environment representing the Minister for Housing; Veterans Issues; Youth; Asian Engagement
- 2152. Hon Martin Aldridge to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 2153. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science
- 2154. Hon Martin Aldridge to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health

Notice Given ***Wednesday, 15 May 2019***

- 2155. Hon Jacqui Boydell to the Minister for Environment; Disability Services; Electoral Affairs
- 2156. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
- 2157. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
- 2158. Hon Peter Collier to the Minister for Environment
- 2159. Hon Jacqui Boydell to the Leader of the House representing the Minister for Community Services

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*Notice Given**Thursday, 16 May 2019***2160. Hon Jacqui Boydell to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:**

I refer to the Pilbara towns of Newman, Port Hedland, Karratha, Tom Price and Newman, and I ask:

- (a) will the Minister provide the number of children under the care of the Department of Child Protection (DCP) for each of those locations annually for the past five years;
- (b) on how many occasions in the past five years have children in the care of the State in the above locations had recorded or reportable interactions or incidences with police; and
- (c) will the Minister outline what, if any, response came from DCP on each of the occasions in (b)?

2161. Hon Jacqui Boydell to the Minister for Environment representing the Minister for Housing; Veterans Issues; Youth; Asian Engagement:

I refer to the Pilbara towns of Newman, Port Hedland, Karratha, Roebourne, Tom Price and Wickham, and I ask:

- (a) will the Minister provide the number of houses in each town owned and/or leased by the Department of Housing annually for each of the past 5 years;
- (b) on how many occasions in the last five years have each of the houses in (a) had noise complaints/disorderly conduct and/or damage complaints lodged against them.; and
- (c) will the Minister outline what, if any, response was provided by the Department of Housing on each of the occasions in (b)?

2162. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

- (1) Will the Minister please table the Forest Products Commission's contract of sale with Auswest Timbers?
- (2) If no to (1), why not?

2163. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

I refer to the response provided to my questions without notice 582 on 15 August 2108 regarding an independent audit of the method of price calculation and payments made to sharefarmers/growers, originally scheduled for April 2018, then rescheduled to August 2018, and I ask:

- (a) has the independent audit been conducted;
- (b) if no to (a), why not; and

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- (c) if yes to (a), were any discrepancies found in the:
 - (i) method of price calculation and what was the nature of the discrepancies;
 - (ii) payments made by the Forest Products Commission to sharefarmers/growers; and
 - (iii) calculation of schedules of base plantation stumpages tabled:
- (A) if yes to (c)(iii), will the Minister please table amended schedules?

2164. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health:

I refer to the Dalyellup Greenpatch development, and I ask:

- (a) have the background radioactivity concentrations on the proposed Greenpatch development site been established by qualified professionals, including gamma radiation, concentrations of radium, uranium, thorium, radioactivity of any dust and concentrations of radon:
 - (i) if yes to (b), will the Minister please table the results of the assessment; and
 - (ii) if no to (b), why not; and
- (b) will the background radioactivity concentrations on the proposed Greenpatch development site be determined by qualified professionals again once excavations are completed and half the foundations for houses are constructed, including gamma radiation, concentrations of radium, uranium, thorium, radioactivity of any dust and concentrations of radon:
 - (i) if no to (b), why not?

2165. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health:

I refer to the Dalyellup Waste Residue Disposal Facility (DWRDF) located on Maidment Parade, Dalyellup, as well as the following reports: IAEA Safety report No.49, 2006 , particularly part 3.1.11; the IAEA Technical report No.419, parts 5.2, 5.3 and 5.4; the Australian RPS-15, 2008, part 2.10; ARPANSA Proposed Expansion of the Australian National Radiation Dose Register to the Mineral Sands Mining and Processing Industry; and the Cristal Pigment Australia Ltd Former Dalyellup Waste Residue Facility CSA Site Management Plan, and I ask:

- (a) have the radiological impacts of the DWRDF been fully assessed and quantified, including gamma radiation, concentrations of radium, uranium, thorium, radioactivity of any dust and concentrations of radon:
 - (i) if yes to (a), will the Minister please table the results of the assessment; and
 - (ii) if no to (a), why not; and
- (b) has the Radiological Council considered, or is it in the process of considering the release of Cristal Pigment Australia Pty Ltd's waste residue disposal site in Dalyellup under the *Radiation Safety Act*:
 - (i) if yes to (b):
 - (A) if a decision has been reached, what is that decision; and
 - (B) will the Minister table any radiological data the Council is relying on to make a decision; and
 - (ii) if no to (b), why not?

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*Notice Given**Thursday, 16 May 2019***2166. Hon Diane Evers to the Minister for Environment:**

I refer to the outdoor levels of radon and thoron registered at the boundaries of the Dalyellup Waste Residue Disposal Facility (DWRDF) as detailed in the Annual Radiation Monitoring Report in Cristal Pigment Australia's 2017 Annual Environmental Report, and I ask:

- (a) were the outdoor levels of radon and thoron registered at the boundaries of the DWRDF higher than expected in comparison to other coastal areas of Western Australia:
 - (i) if yes to (a), why; and
- (b) will the Minister please provide data on background environmental radiation levels for Dalyellup for the last five years:
 - (i) if no to (b), why not?

2167. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests:

I refer to the email from the Minister's office, dated 15 May 2019 and received at 7:12am from the Minister's A/Executive officer, and I ask:

- (a) for what period of time was the Minister in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Minister attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Minister; and
 - (iii) did the Minister receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Minister table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

2168. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health:

I refer to the Dalyellup Greenpatch development, and I ask:

- (a) has the flora and fauna in the area been checked for radiation contamination:
 - (i) if yes to (a), who undertook the assessment and what were the results; and
 - (ii) if no to (a):
 - (A) why not;
 - (B) will the flora and fauna in the area be checked for radiation contamination;
 - (C) if yes to (ii)(B), when and by whom; and
 - (D) if no to (ii)(B), why not?

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*Notice Given**Thursday, 16 May 2019***2169. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science:**

I refer to the proposed Southern Forests Irrigation Scheme (SFIS), and I ask:

- (a) is the Minister aware that the projected benefits have been based on the letter of intent process indicating that 26% of water uptake would be for avocado growing, while SFIS Co-operative Directors indicate that 50-60% of water allocated as of November 2018, would be for avocado production:
 - (i) if yes to (a), what are the implications of this discrepancy;
- (b) is the Minister aware that according to 'Avocados Australia's 2018 OrchardInfo Report', existing plantings already in the ground of between 0-6 years old and covering 1400 ha will increase avocado production by a factor of approximately 2.5, without additional irrigation:
 - (i) if yes to (b), what are the implications of this in terms of the business case for the SFIS;
- (c) is the Minister aware of evidence that shows the Directors of the SFIS Cooperative had prior knowledge of the Department of Water and Environmental Regulation imposed moratorium and passed that information on;
- (d) if any of the Directors of the SFIS Cooperative applied for and gained large license bodies for their own properties, is this a breach of their role under the *Rights of Water and Irrigation Act 2014*; and
- (e) is the Minister aware that large percentages of allocated water in west Manjimup is not being utilised, and that a lack of markets is seen by many farmers as the key limiting factor to increasing production, rather than a lack of water:
 - (i) if yes to (e), how has this factor been included in modelling for the SFIS business case?

2170. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water:

I refer to the proposed Southern Forests Irrigation Scheme (SFIS), and I ask:

- (a) is it possible to determine the volume of water run-off from an agricultural property that needs to be reserved for the environment:
 - (i) if yes to (a), how is this determined; and
 - (ii) if no to (b), why not;
- (b) will the Minister explain why the Department of Water and Environmental Regulation (DWER) revised the amount of unallocated water in the Middle Donnelly catchment down to 351 ML from 1.1 GL (as it was under the 2012 allocation plan) prior to the imposition of the moratorium:
 - (i) if no to (b), why not;
- (c) does DWER factor in land-use changes in their catchment modelling, such as reversion of plantation land to agricultural uses, which is a desirable outcome under the Shire of Manjimup Agricultural Expansion Plan:
 - (i) if yes to (c), will the Minister please outline how this is integrated into catchment modelling methodologies; and

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- (ii) if no to (c), why not;
- (d) since around 400 ha of plantation is scheduled to be cleared in 2019-2020 in Middle Donnelly, is the runoff coefficient the same value for pastured land, plantation land and native forest when determining the potential of a catchment to yield surface water:
 - (i) if yes to (d), why; and
 - (ii) if no to (d), what are the runoff coefficients for:
 - (A) pastured land;
 - (B) plantation land; and
 - (C) native forest;
- (e) in relation to the 'first comes first served' approach to license applications, what is DWER's responsibility to ensure that license applications are intended to be used by landowners on their property, rather than being speculative;
- (f) have there been instances where large water licenses have been approved prior to the sale of properties at unusually high prices by district standards; and
- (g) does DWER consider the size of applicants' properties in relation to the volume of water requested:
 - (i) if yes to (g), what criteria are used to assess the relative size of properties and the volume of water requested; and
 - (ii) if no to (g), why not?

2171. Hon Diane Evers to the Minister for Regional Development:

Does the Department of Water and Environmental Regulation consider the the purpose of water license when considering application for:

- (a) the Southern Forest Investment Scheme; and
- (b) Water licences in general?

2172. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water:

Does the Department of Water and Environmental Regulation consider the the purpose of water license when considering application for:

- (a) the Southern Forest Investment Scheme; and
- (b) Water licences in general?

2173. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water:

I refer to the Southern Forest Irrigation Scheme (SFIS), and I ask:

- (a) does the Department of Water and Environmental Regulation (DWER) consider the topography of the proposed dam site during the license application;
- (b) does the measured volume of the dam have to equate to the volume of the surface water license;
- (c) is there a distinction between A class and variable take licenses in this respect;

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- (d) does DWER have concerns about the ownership of water from the SFIS into the future? This is a major concern for many self-supply irrigators; and
- (e) in a drying climate where there is a real concern that water will be preferentially allocated to the SFIS due to the level of Government investment, what safe guards are there that self-supply licenses will not be impacted in this situation?

2174. Hon Colin Tincknell to the Parliamentary Secretary representing the Minister for Health:

I ask the Minister to report on the true extent of assaults in the health and mental health system. I refer to *The West Australian* newspaper report that medical staff are under attack and are being left inadequately protected against many high-risk patients. Therefore, I ask:

- (a) how many assaults on staff have there been in the public health system in the last five years and what is the underlying trend;
- (b) what kind of assaults are occurring;
- (c) where are the main hotspots for hospital staff being assaulted;
- (d) are high-risk areas being identified, and if yes:
 - (i) what security measures are being employed in these high-risk areas;
 - (ii) do any of our at-risk hospital staff currently have personal protection garments; and
 - (iii) if yes to (ii), what are they and when/where are they required; and
- (e) can the Government please highlight how it plans to better protect our doctors and nurses against serious assault?

2175. Hon Michael Mischin to the Leader of the House representing the Premier:

I refer to the increased allocation in the State Budget to the Governor's Establishment to meet "strategic advocacy and diplomacy outcomes", and for additional staffing to host functions and hospitality based events, conferences and seminars, and ask:

- (a) on what occasion or occasions did the Premier discuss this role for the Governor with Hon Kim Beasley AC and what was said;
- (b) what precisely are the "strategic advocacy and diplomacy outcomes" the Governor is meant to achieve;
- (c) who determines those objectives and who will decide if those objectives have been met and by what performance criteria;
- (d) was any advice sought or received from the Solicitor-General or State Solicitor or otherwise as to the proposed role and its compatibility with the doctrine of separation of powers between the Governor and the Executive and, if not, why not;
- (e) if any such advice was received, will the Premier table that advice and, if not, why not;
- (f) is there a business case or other needs analysis to support the additional allocation of funding and, if so, by whom was it prepared and when will the Premier table it;

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- (g) if there is no such business case or analysis, how was the amount and purpose of the funding determined; and
- (h) that the Premier provide a breakdown of how the additional \$1.4 million will be spent, and specifically, how much is to be spent on:
 - (i) staff, including their roles and titles and pay levels;
 - (ii) hospitality-based events;
 - (iii) conferences;
 - (iv) seminars; and
 - (v) food and beverages?

NIGEL PRATT

Clerk of the Legislative Council