

FWESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 15

Thursday, 19 March 2009

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 December 2008*

- 185. Hon Giz Watson to the Minister for Energy representing the Minister for Education
- 189. Hon Giz Watson to the Minister for Transport representing the Attorney General
- 190. Hon Paul Llewellyn to the Minister for Energy

Notice Given *Wednesday, 3 December 2008*

- 194. Hon Sue Ellery to the Leader of the House representing the Premier
- 205. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Regional Development

Notice Given *Tuesday, 9 December 2008*

- 219. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation
- 222. Hon Ken Travers to the Minister for Transport
- 224. Hon Ken Travers to the Minister for Environment representing the Minister for Tourism

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- 230. Hon Ed Dermer to the Parliamentary Secretary representing the Treasurer
- 231. Hon Carolyn Burton to the Parliamentary Secretary representing the Treasurer
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- 234. Hon Giz Watson to the Minister for Energy representing the Minister for Citizenship and Multicultural Interests
- 235. Hon Kate Doust to the Minister for Energy
- 236. Hon Ray Halligan to the Minister for Environment representing the Minister for Tourism
- 237. Hon Ray Halligan to the Minister for Disability Services
- 238. Hon Ray Halligan to the Minister for Local Government
- 239. Hon Ray Halligan to the Minister for Local Government
- 240. Hon Ray Halligan to the Minister for Energy representing the Minister for Education
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- 242. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
- 243. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Commerce
- 244. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Housing and Works
- 245. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Mental Health
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- 252. Hon Ljiljanna Ravlich to the Minister for Fisheries
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- 262. Hon Ljiljanna Ravlich to the Minister for Environment
- 263. Hon Ljiljanna Ravlich to the Minister for Youth
- 264. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 265. Hon Ljiljanna Ravlich to the Leader of the House representing the Minister for State Development

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- 266. Hon Ljiljanna Ravlich to the Minister for Transport representing the Deputy Premier
- 267. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister for Health
- 268. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister for Indigenous Affairs
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- 282. Hon Ljiljanna Ravlich to the Leader of the House representing the Minister for Sport and Recreation
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- 284. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister Assisting the Minister for Health
- 285. Hon Ljiljanna Ravlich to the Minister for Child Protection representing the Minister for Planning
- 286. Hon Ljiljanna Ravlich to the Minister for Child Protection representing the Minister for Culture and the Arts
- 287. Hon Ljiljanna Ravlich to the Minister for Transport representing the Attorney General
- 288. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister for Corrective Services

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- 289. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Water
- 290. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Mental Health
- 291. Hon Ljiljanna Ravlich to the Minister for Energy representing the Minister for Local Government
- 292. Hon Ljiljanna Ravlich to the Minister for Energy representing the Minister for Heritage
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- 294. Hon Ljiljanna Ravlich to the Minister for Child Protection representing the Minister for Agriculture and Food
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- 308. Hon Ljiljanna Ravlich to the Minister for Environment
- 309. Hon Ljiljanna Ravlich to the Minister for Youth
- 310. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 311. Hon Ljiljanna Ravlich to the Leader of the House representing the Minister for State Development
- 312. Hon Ljiljanna Ravlich to the Minister for Transport representing the Deputy Premier
- 313. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister for Health
- 314. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister for Indigenous Affairs

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- 319. Hon Ljiljanna Ravlich to the Minister for Energy representing the Minister for Education
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- 328. Hon Ljiljanna Ravlich to the Leader of the House representing the Minister for Sport and Recreation
- 329. Hon Ljiljanna Ravlich to the Leader of the House representing the Minister for Racing and Gaming
- 330. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister Assisting the Minister for Health
- 331. Hon Ljiljanna Ravlich to the Minister for Child Protection representing the Minister for Planning
- 332. Hon Ljiljanna Ravlich to the Minister for Child Protection representing the Minister for Culture and the Arts
- 333. Hon Ljiljanna Ravlich to the Minister for Transport representing the Attorney General
- 334. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister for Corrective Services
- 335. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Water
- 336. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Mental Health
- 337. Hon Ljiljanna Ravlich to the Minister for Energy representing the Minister for Local Government

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- 338. Hon Ljiljanna Ravlich to the Minister for Energy representing the Minister for Heritage
- 339. Hon Ljiljanna Ravlich to the Minister for Energy representing the Minister for Citizenship and Multicultural Interests
- 340. Hon Ljiljanna Ravlich to the Minister for Child Protection representing the Minister for Agriculture and Food
- 341. Hon Ljiljanna Ravlich to the Minister for Child Protection representing the Minister for Forestry
- 342. Hon Ljiljanna Ravlich to the Minister for Energy representing the Minister Assisting the Minister for Education
- 343. Hon Giz Watson to the Minister for Transport representing the Attorney General
- 344. Hon Giz Watson to the Minister for Transport representing the Minister for Health
- 345. Hon Giz Watson to the Minister for Environment representing the Minister for Tourism
- 346. Hon Giz Watson to the Minister for Child Protection representing the Minister for Agriculture and Food
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- 352. Hon Giz Watson to the Minister for Transport representing the Minister for Corrective Services
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- 366. Hon Ken Travers to the Minister for Transport
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- 370. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation
- 371. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation
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- 374. Hon Ken Travers to the Minister for Transport
- 375. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation
- 376. Hon Ljiljanna Ravlich to the Minister for Training
- 377. Hon Carolyn Burton to the Minister for Transport
- 378. Hon Kate Doust to the Minister for Energy

Notice Given **Wednesday, 11 March 2009**

- 380. Hon Jon Ford to the Minister for Energy representing the Minister for Police

Notice Given **Thursday, 12 March 2009**

- 381. Hon Matt Benson-Lidholm to the Minister for Child Protection representing the Minister for Agriculture and Food
- 382. Hon Kim Chance to the Minister for Environment
- 383. Hon Giz Watson to the Minister for Transport representing the Minister for Indigenous Affairs
- 384. Hon Anthony Fels to the Minister for Energy representing the Minister for Police
- 385. Hon Anthony Fels to the Minister for Transport representing the Attorney General
- 386. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
- 387. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
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- 389. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

Notice Given **Tuesday, 17 March 2009**

- 390. Hon Jon Ford to the Minister for Mines and Petroleum
- 391. Hon Giz Watson to the Minister for Transport representing the Minister for Corrective Services

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- 392. Hon Adele Farina to the Parliamentary Secretary representing the Treasurer
- 393. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Regional Development
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Notice Given Wednesday, 18 March 2009

- 401. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Lands
- 402. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Lands
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- 407. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Lands
- 408. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Lands
- 409. Hon Sheila Mills to the Minister for Environment
- 410. Hon Sue Ellery to the Minister for Child Protection
- 411. Hon Sue Ellery to the Minister for Child Protection
- 412. Hon Sue Ellery to the Minister for Child Protection
- 413. Hon Sue Ellery to the Minister for Child Protection

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QUESTIONS ASKED TODAY

*Notice given**Thursday, 19 March 2009*

414. Hon Giz Watson to the Minister for Transport representing the Minister for Indigenous Affairs
With regard to questions without notice Nos' 415 and 455, in relation to the Apache Energy Devil Creek Development, and question on notice No. 5913, asked of the Minister for Environment, I ask -

- (1) Is it correct as stated by the Minister, that as the Environmental Protection Authority (EPA) had not completed an environmental impact assessment under the provisions of the *Environmental Protection Act 1986*, the Minister was not authorised by law to make such a section 18 decision, after the Aboriginal Cultural Material Committee (ACMC) had met and made a recommendation to the Minister?
- (2) Is it correct in part (9), (10) and (11) of question on notice No. 5913, asked of the Minister for Environment, that the EPA cannot make a decision in respect of projects until advice has been received whether a proposal can be assessed?
- (3) If yes to (2), at what level, once the (ACMC) has provided advice on the application?
- (4) Will the Minister outline the correct chronology of decision making in respect of the Department on these issues?

415. Hon Giz Watson to the Minister for Environment

With regard to question on notice No. 5913, and Senate question No. 398, asked of the Federal Minister for Heritage, Environment and Arts, in respect of M47/112, M47/29 and M47/326 leases, I ask -

- (1) Did the Environmental Protection Authority (EPA) in making its decisions, in respect of answers to parts 13 to 15 of question 5913, communicate the proposal to the Federal Department of Heritage, Environment and Arts?
- (2) Did the EPA make its decision that the environmental impacts were not so significant as to warrant formal environment impact assessment after receiving advice from the Federal Department of Heritage, Environment and Arts?
- (3) If no to (1) and (2), why was a decision made in respect of M47/112, M47/29 and M47/326, two of which fall in part within National Heritage listed area of the Dampier Archipelago (including the Burrup Peninsula) without referral or advice from the Department of Heritage, Environment and Arts?
- (4) Was the matter referred under the EPBC Act to the Department of Heritage, Environment and Arts?
- (5) If no to (4), why not?

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Questions Asked Today*Notice given**Thursday, 19 March 2009*

416. Hon Giz Watson to the Minister for Mines and Petroleum

I refer to the German television program at,

http://www.daserste.de/ttt/beitrag_dyn~uid,tuzcluf3km5vgggr~cm.asp, entitled Der Schatz von Murujuga by the TV station Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland (also available at <http://www.dampierrockart.net/Media/2008-05-04%20Der%20Schatz%20von%20Murujuga-ARD%20Germany.wmv>), in which the former Minister appears, and ask -

- (1) Are our West Australian gas fields 'some of the largest gas reserves on the planet'?
- (2) What are the gross proven and probable reserves and contingent resources of the West Australian gas fields in trillion cubic feet by field?
- (3) What is the current global consumption rate of LNG?
- (4) What is the expected annual percentage increase of global LNG consumption?
- (5) What are the gross proven, probable reserves and contingent resources of the Russian fields of Urengoy, Yamburg, Shtokman, Zapolyaroye, Bonavenko, Medvezhye, Orenburg and Kharsavey?
- (6) What are the gross proven, probable reserves and contingent resources of the Qatar-Iranian field of North Field-S Pars?
- (7) What are the gross proven, probable reserves and contingent resources of the Qatar-Algerian field of Hassi R'Mel?
- (8) What are the gross proven, probable reserves and contingent resources of the American field of Hugoton?
- (9) What are the gross proven, probable reserves and contingent resources of the American field of Groningen?
- (10) What are the gross proven, probable reserves and contingent resources of the Turkmenistan field of Dauletabad-Donmez?
- (11) What are the gross proven, probable reserves and contingent resources of the Kazakhstan field of Karachaganak?
- (12) Does the Minister agree with the former Minister that our West Australian gas fields 'some of the largest gas reserves on the planet'?

417. Hon Giz Watson to the Minister for Transport representing the Minister for Indigenous Affairs

With regard to question on notice No. 5918, answered in the Legislative Council on 18 March 2008, I ask -

- (1) In what capacity did Mr Brian Burke and Mr Julian Grill represent Portman during the period in question?
- (2) Did Mr Brian Burke or Mr Julian Grill have any dialogue or correspondence with any member of the Department of Environmental Protection during the period in question?

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- (3) Did Mr Brian Burke or Mr Julian Grill have any dialogue or correspondence with any member of the Environmental Protection Authority during the period in question?
- (4) Did Mr Brian Burke or Mr Julian Grill have any dialogue or correspondence with any member of the Minister's staff during the period in question?
- (5) Did Mr Brian Burke or Mr Julian Grill have any dialogue or correspondence with the former Minister during the period in question?
- (6) If yes to any of (1) to (5) above, will the Minister advise the nature and dates of that dialogue or correspondence?

418. Hon Giz Watson to the Minister for Transport representing the Minister for Indigenous Affairs
With regard to Department of Indigenous Affairs (DIA) Aboriginal Sites Register and answer to part four of question on notice No. 6095, I ask -

- (1) Have officers of the DIA advised any proponents that Aboriginal Site Number 23323 is not relevant to their project on the Burrup Peninsula and that an application pursuant to section 18 of the *Aboriginal Heritage Act 1972* in regard to this site was therefore not required?
- (2) If yes to (1), on how many occasions and why was this done in light of the Minister's answer to part four of question on notice No. 6095?
- (3) Did officers of the DIA advise proponents incorrectly?
- (4) If the DIA advised proponents incorrectly, what action will be taken to remedy the situation?

419. Hon Giz Watson to the Minister for Transport representing the Minister for Health

I refer to the site for the new Fiona Stanley Hospital, and ask -

- (1) Did the flora and vegetation assessment for the site indicate that development will or may have a negative impact on any critically endangered species?
- (2) If yes to (1) -
 - (a) which species;
 - (b) what is the nature of the risk; and
 - (c) how will the risk to each species be managed?
- (3) Did the fauna assessment for the site indicate that development of the site will, or may have a negative impact on any fauna species, whether specifically on site or in the metropolitan area generally?
- (4) If yes to (3) -
 - (a) which species;
 - (b) what is the nature of the risk; and
 - (c) how will the risk to each species be managed?

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- (5) Have any previously cleared sites been considered as an alternative site for the development?
- (6) If yes to (5), for each alternative site, -
 - (a) what is the location of the site?
 - (b) what are the reasons it was rejected?

420. Hon Giz Watson to the Minister for Transport representing the Minister for Indigenous Affairs
 With regard to question's without notice Nos 415 and 455, in relation to the Apache Energy Devil Creek development, I ask -

- (1) In what part of the *Aboriginal Heritage Act 1972*, the *Aboriginal Heritage Regulations 1974*, the *Environmental Protection Act 1986* or the *Environmental Protection Regulations 1987* is it stated that if the Environmental Protection Authority had not completed an environmental impact assessment under the provisions of the *Environmental Protection Act 1986*, the Minister was not authorised by law to make such a section 18 decision?
- (2) Why was the Minister not authorised by law to make such a decision in respect of the Apache section 18 application?
- (3) In respect of (1) and (2), who in the Department of Indigenous Affairs (DIA) advised the Minister of such a legal requirement?
- (4) Are the registered claimants of the area the Yaburara Mardudhunera WC96/089 and the Wong-Goo-Tt-Oo WC98/040?
- (5) In respect of the insufficient consultation by Apache Northwest Pty Ltd with two native title groups regarding the construction and future operation of the Devil Creek gas plant and associated infrastructure, were the two groups referred to in the letter the Ngarluma and Kuruma Marthudunere Native Title Groups?
- (6) Who within the DIA made the decision that the Ngarluma and Kuruma Marthudunere Native Title Groups should be consulted by Apache Northwest Pty Ltd in respect of their development?
- (7) On what basis was the decision made that the Ngarluma and Kuruma Marthudunere Native Title Groups should be consulted by Apache Northwest Pty Ltd in respect of their development and why?
- (8) Was any correspondence, communication or presentation received by the ACMC, the DIA or the Minister from the Ngarluma Native Title Group or entities representing or purporting to represent their views that they should be consulted?
- (9) If yes to (8), from whom, on what date and by what method was this information received?
- (10) Was any correspondence, communication or presentation received by the ACMC, the DIA or the Minister from the Kuruma Marthudunere Native Title Group or entities representing or purporting to represent their views that they should be consulted?
- (11) If yes to (10), from whom on what date and by what method was this information received?

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- (12) If yes to (8) and (10), will the Minister table any correspondence associated with any such communication?
- (13) If no to (12), why not?

421. Hon Matt Benson-Lidholm to the Minister for Environment

I refer to the Ministers media release on 2 February, regarding the transport of lead through Fremantle, where the Minister refers to, 'an extension of the \$5 million security bond where the proponent fails to clean up any lead spills along the transport route', and I ask -

- (1) Has this security bond been lodged?
- (2) If yes to (1) can the Minister advise the House where this bond will be held?
- (3) If no to (1), why not?

422. Hon Anthony Fels to the Minister for Environment

I refer to Statement No. 783 dated 2 February 2009, by the Minister for Environment concerning the amended conditions pursuant to section 46 of the *Environmental Protection Act 1986*, to allow the export of lead carbonate by Magellan Metals Pty Ltd from the Port of Fremantle rather than from the Port of Esperance, and I ask -

- (1) Outside of Cabinet discussions and prior to approving the abovementioned proposal, has the Minister held any formal consultations on this matter with any Ministers other than the Minister for Health, the Minister for Transport or the Minister for Mines and Petroleum?
- (2) If no to (1), why not?
- (3) Despite the Minister's answer provided on 17 March 2009, that the Environmental Protection Authority (EPA) did not consider it relevant for her to consult the Minister for Agriculture and Food on this matter, why on her own initiative did she not consult the Minister for Agriculture and Food given the volume and value of agriculture and food product that is shipped in and out of the Port of Fremantle and that will be contaminated in any repeat of the Esperance lead carbonate poisonings?
- (4) Given the EPA and DEC have been 'missing in action' on this matter, will the Minister for Environment now enter into consultations with and seek the advice of the Minister for Agriculture and Food on this matter?
- (5) Did the Minister for Environment receive formal advice supporting the proposal from, -
 - (a) any of the Ministers mentioned in question (1); and
 - (b) if any, which Minister or Ministers mentioned in (2), gave formal written advice supporting the proposal?
- (6) Has the Minister for Environment given any approval or amendment/extension of an existing approval for the export or movement, on or after 1 January 2009, of any type of lead product from the Port of Esperance?
- (7) If yes to (6), -

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- (a) why;
 - (b) what is the date, statement number, or other reference detail of each approval, amendment or extension;
 - (c) who is the proponent that can use each approval, amendment or extension;
 - (d) on what date will each such approval, amendment or extension terminate; and
 - (e) will the Minister table in this House all approvals, amendments, extensions or policies whether issued by her, by the previous Ministers or by the respective Departments, Authorities and Agencies, and that in any way touch on the matter of lead product transport or lead product export to or from the Ports of Esperance or Fremantle?
- (8) Regarding the remaining lead carbonate (Magellan) material held at the Port of Esperance, -
- (a) under what approval, monitoring and/or controls will the poisonous Magellan lead material be reloaded and then moved or exported from the Port of Esperance;
 - (b) will the poisonous lead material have to be reloaded into and moved only in bulk bags that are locked in air sealed shipping containers;
 - (c) if yes to (b), will any such bags and containers be sealed in accordance with the safety requirements for poisonous or highly hazardous products;
 - (d) whether or not containerised bulk bags are to be used to move the poisonous material at Esperance, is it true that such containers as is proposed for use in the Fremantle proposal have openings in the top and bottom allowing venting of the internal air and contents mix during storage and/or transport;
 - (e) will such bulk bags, containers, as may be used for this poisonous lead material at either the mine site, the Port of Fremantle or the Port of Esperance be sealed so as to be both airtight and water-tight;
 - (f) can the poisonous Magellan lead material be moved only to the Port of Fremantle;
 - (g) is there still about 9 000 tonnes or more of such powdered lead material held for reloading at the Port of Esperance; and
 - (h) by what modes of transport (road, rail or sea ship) can the poisonous Magellan lead material be moved from the Port of Esperance?
- (9) Has the Minister for Environment ordered that export of all and any type of lead product from the Port of Esperance is to cease?
- (10) If no to (9), why not?
- (11) When does the Minister propose to ensure that export from the Port of Esperance of lead product (whether or not in accordance with Statement No. 559 of 28 November 2000) will cease?
423. Hon Anthony Fels to the Minister for Transport representing the Minister for Health
- (1) How many persons graduated as nurses from universities in Western Australia during 2008?

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- (2) How many graduates were recruited into the Western Australian public hospital system for, -
 - (a) 2006;
 - (b) 2007; and
 - (c) 2008?
- (3) How many of these graduates were still in the public health system after, -
 - (a) two years; and
 - (b) four years?

424. Hon Anthony Fels to the Minister for Transport representing the Minister for Health

For Sir Charles Gairdner Hospital, Royal Perth Hospital, Swan Districts Hospital and Fremantle Hospital, please provide the following information, -

- (1) Please detail the number of Emergency Department presentations over the Christmas/New Year period for, -
 - (a) 2005;
 - (b) 2006;
 - (c) 2007; and
 - (d) 2008?
- (2) Please detail the number of Emergency Department related alcohol presentations over the Christmas/New Year period for, -
 - (a) 2005;
 - (b) 2006;
 - (c) 2007; and
 - (d) 2008?
- (3) Please detail the number of Emergency Department related illicit drug presentations over the Christmas/New Year period for, -
 - (a) 2005;
 - (b) 2006;
 - (c) 2007; and
 - (d) 2008?
- (4) Please detail the number of Emergency Department presentations for, -
 - (a) 2005;
 - (b) 2006;
 - (c) 2007; and

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- (d) 2008?
- (5) Please detail the number of Emergency Department related alcohol presentations for, -
 - (a) 2005;
 - (b) 2006;
 - (c) 2007; and
 - (d) 2008?
- (6) Please detail the number of Emergency Department related alcohol presentations for, -
 - (a) 2005;
 - (b) 2006;
 - (c) 2007; and
 - (d) 2008?
- (7) Please detail the number of Emergency Department related illicit drug presentations for, -
 - (a) 2005;
 - (b) 2006;
 - (c) 2007; and
 - (d) 2008?
- (8) Please define the Christmas/New Year period used to answer the questions, for example, 20 December to 3 January?

425. Hon Anthony Fels to the Minister for Environment

I refer to Statement No. 783 dated 2 February 2009, by the Minister for Environment concerning the amended conditions pursuant to s46 of the *Environmental Protection Act 1986* to allow for the export of lead carbonate by Magellan Metals Pty Ltd from the Port of Fremantle rather than from the Port of Esperance, and I ask -

- (1) Prior to approving the abovementioned proposal, did the Minister receive formal and written advice supporting the proposal from, -
 - (a) the Solicitor General's office;
 - (b) senior officers from any of her Departments, Authorities, Agencies;
 - (c) senior officers from the Port of Esperance;
 - (d) senior officers from the Port of Fremantle;
 - (e) senior officers from the City of Fremantle;
 - (f) the Mayor of Fremantle; and
 - (g) senior officers from any Departments and/or Agencies of other Ministers?

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- (2) If no to (1), why not?
- (3) If yes to (1), when did you receive the final advice from each of them?
- (4) If yes to (1)(b), which were those Departments, Agencies?
- (5) If the answer to question (1)(g) is no, when will the Minister hold consultations on the matter with the senior officers of other relevant Departments and/or Agencies and/or seek their advice?
- (6) Prior to approving the abovementioned proposal, have any senior officers from any of the Minister's Departments and/or Agencies held formal consultations with any senior officers from any Departments and/or Agencies of other Ministers?
- (7) If no to (6), -
 - (a) why not;
 - (b) when will such consultations take place; and
 - (c) which departments will be involved in those consultations that are to take place?

426. Hon Giz Watson to the Minister for Environment

With regard to question on notice No. 5913, and question without notice Nos' 415 and 455, asked of the Minister for Indigenous Affairs, I ask -

- (1) Is it correct in part nine, ten and eleven of question on notice No. 5913, asked of the Minister for Environment, that the Environmental Protection Authority (EPA) cannot make a decision in respect of projects until advice has been received whether a proposal can be assessed?
- (2) If yes to (1), at what level, once the Aboriginal Cultural Material Committee (ACMC) has provided advice on the application?
- (3) Is it correct as stated by the Minister of Indigenous Affairs that as the EPA had not completed an environmental impact assessment under the provisions of the *Environmental Protection Act 1986* the Minister was not authorised by law to make such a section 18 decision, after the ACMC had met and made a recommendation to the Minister?
- (4) Will the Minister outline the correct chronology of decision making in respect of her Department on these issues?

427. Hon Giz Watson to the Minister for Transport representing the Minister for Indigenous Affairs

With regard to the functions of former Department of Indigenous Affairs (DIA) Director General Amanda Cattermole, I ask -

- (1) Did former DIA Director General Amanda Cattermole (previously DIA Principal Legal Officer) make any specific recommendations to the Minister of the day relating to the reform of the *WA Aboriginal Heritage Act* (AHA), while serving in either of these two positions?
- (2) If yes to (1), will the Minister disclose to parliament the nature of Ms Cattermole's recommendations for reform of the AHA?

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- (3) If yes to (2), will the Minister itemise any policy documents relating to Ms Cattermole's proposals for the reform of the AHA?
- (4) If yes to (1), will the Minister table any such documents?
- (5) Is it the intention of the Minister to implement any of Ms Cattermole's recommendations?
- (6) If yes to (5), which ones?
- (7) If no to (5), why not?

428. Hon Jon Ford to the Minister for Mines and Petroleum

- (1) (1) As of the 1 of March 2009, how many mining applications by each category, -
 - (a) were waiting for completion;
 - (b) were waiting for completion that were over three months since lodgement;
 - (c) were waiting for completion that were over six months since lodgement;
 - (d) were waiting for completion that were over 12 months since lodgement;
 - (e) were waiting over two years since lodgement;
 - (f) have been completed 1 October 2008 to 1 March 2009; and
 - (g) have been approved between 1 October 2008 to 1 March 2009?
- (2) What was the total number of mining applications awaiting approval as of 1 October 2008?

429. Hon Jon Ford to the Minister for Mines and Petroleum

I refer to the Minister for Mines and Petroleum's media statement of Wednesday 11 February, 2009, titled Minister rejects Opposition claims on Ravensthorpe as 'counter-productive' and the quote attributed to the Minister, 'The State Government will do everything it can for the communities of Ravensthorpe and Hopetoun to offset fallout from BHP Billiton's decision to mothball its nickel operation which was primarily based on factors outside the State's control, namely the global economic crisis,' and I ask -

- (1) Have any members of the Government or it's Agencies visited these communities since 11 February 2009?
- (2) If yes to (1), -
 - (a) who were they; and
 - (b) what was the nature and purpose of the visit?
- (3) If no to (1), why not?

MALCOLM PEACOCK

Clerk of the Legislative Council