

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 37

Tuesday, 19 November 2013

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, 15 October 2013***

- 334. Hon Robin Chapple to the Leader of the House representing the Minister for State Development
- 335. Hon Robin Chapple to the Leader of the House representing the Minister for Energy
- 336. Hon Robin Chapple to the Leader of the House representing the Minister for Energy
- 342. Hon Robin Chapple to the Minister for Child Protection
- 356. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Regional Development
- 357. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Regional Development

Notice Given ***Wednesday, 16 October 2013***

- 361. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 362. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 364. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 365. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 366. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 367. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 368. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 369. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 370. Hon Stephen Dawson to the Minister for Mental Health
- 371. Hon Stephen Dawson to the Minister for Child Protection
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Notice Given *Tuesday, 22 October 2013*

- 383. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 384. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
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Notice Given *Wednesday, 23 October 2013*

- 387. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 388. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 389. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 391. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry

Notice Given *Thursday, 24 October 2013*

- 392. Hon Robin Chapple to the Leader of the House representing the Minister for State Development

Notice Given *Tuesday, 29 October 2013*

- 393. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health
- 394. Hon Adele Farina to the Minister for Agriculture and Food representing the Minister for Housing
- 395. Hon Adele Farina to the Minister for Agriculture and Food representing the Minister for Regional Development
- 396. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health
- 397. Hon Adele Farina to the Minister for Education
- 399. Hon Stephen Dawson to the Minister for Child Protection
- 400. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 401. Hon Darren West to the Leader of the House representing the Premier

Notice Given *Thursday, 31 October 2013*

- 402. Hon Adele Farina to the Minister for Agriculture and Food representing the Minister for Regional Development
- 403. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health

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- 404. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health
- 405. Hon Adele Farina to the Minister for Mental Health
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- 581. Hon Ljiljanna Ravlich to the Minister for Education
- 582. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry
- 583. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Health
- 584. Hon Stephen Dawson to the Minister for Mental Health
- 585. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport

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 QUESTIONS ASKED TODAY

*Notice Given**Tuesday, 19 November 2013***586. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:**

I refer to question without notice No. 411, asked on 13 August 2013, about the mercury contamination at mining tenements M15/497 and M15/498, and I ask:

- (a) has the Department of Environment Regulation started investigating this suspected contaminated site, as required;
- (b) if yes to (a), can the Minister table the findings;
- (c) if no to (a), why not;
- (d) who is the current holder of these mining tenements;
- (e) is the current holder of these mining tenements responsible for the rehabilitation of the site, including decontaminating the soil;
- (f) if no to (e), who is responsible; and
- (g) what actions has the holder of the tenements or the responsible person as defined in (f) done to rehabilitate and decontaminate the site?

587. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

- (1) Is there a requirement for the Department of Parks and Wildlife to reduce the fuel loads on Crown Reserves by annual seasonal burning?
- (2) If yes to (1), can the Minister please outline the related policy, including the size, location and nature of seasonal burning on Crown Reserves?
- (3) If yes to (1), has all seasonal burning on Crown Reserves been carried out in preparation for this summer's fire season?
- (4) If yes to (3), can the Minister please table the location and dates of this seasonal burning?
- (5) If no to (3), when will the department carry out its annual seasonal burning in Crown Reserves?
- (6) Does the department liaise with rural Councils and the Volunteer Bush Fire Brigades of Western Australia to establish the most effective means of reducing fuel loads?
- (7) If yes to (6), can the Minister please table details of these meetings?
- (8) If no to (6), where does the department get their information to ensure the fuel loads in Crown Reserves are appropriately reduced and adapted to specific areas?

588. Hon Ken Travers to the Attorney General representing the Minister for Police:

- (1) Has the National Transport Commission convened a meeting of the Australian Road Rules Maintenance Group to discuss the "One Metre" law?
- (2) If yes to (1), when and what was the outcome of the meeting?
- (3) Who represented Western Australia at that meeting?
- (4) If no to (1), when will this meeting occur?

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589. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

I refer to the article entitled, "Fitzroy Crossing breaks its temperature record", on page 2 of the *Kimberley Echo*, Thursday, 7 November 2013, and ask:

- (a) does the Minister or his department/s conclude that this record was the result of global Climate Change impacts; and
- (b) if no to (a), what does the Minister conclude that this temperature record was the result of?

590. Hon Robin Chapple to the Leader of the House representing the Minister for State Development:

I refer to Tabled paper 949, tabled in the Legislative Council on 8 April 2013, and ask:

- (a) was this the final version of the "Burrup and Maitland Industrial Estates Agreement Implementation Deed";
- (b) if no to (a), why not;
- (c) if yes to (a), why was the document only partially signed;
- (d) if no to (a), will the Minister table the final version;
- (e) if yes to (a), is the document valid if it was not fully signed by the contracting parties; and
- (f) if no to (d), why not?

591. Hon Ken Travers to the Leader of the House representing the Premier:

I refer to question on notice No. 294, and ask:

- (a) what records are kept regarding the use of departmental equipment;
- (b) what records were checked in providing the answer to question on notice No. 294;
- (c) were any media advisors or communications officers asked about the use of departmental equipment; and
- (d) if yes to (c), please identify them?

592. Hon Ken Travers to the Leader of the House representing the Premier:

- (1) Have any ministerial media advisors or communication officers, employed by the Department of the Premier and Cabinet, established or operated any Twitter accounts since 30 June 2012?
- (2) If yes, what is/are the name(s) of the Twitter account(s)?

593. Hon Sue Ellery to the Minister for Education:

Which non-government organisations receive funding from the Department for Education and, if any, please list them and the dollar value of the current contract?

594. Hon Sue Ellery to the Minister for Education:

Which non-government organisations, not schools, receive funding from the Department for Education Services and, if any, please list them and the dollar value of the current contract?

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595. Hon Sue Ellery to the Minister for Education:

- (1) What is the number of demountable classrooms in use by each public secondary school in 2013?
- (2) What is the number of demountable classrooms predicted to be required by each public secondary school in the following years based on current enrolment projections:
 - (a) 2014;
 - (b) 2015;
 - (c) 2016; and
 - (d) 2017?

596. Hon Sue Ellery to the Minister for Education:

- (1) What is the number of demountable classrooms in use in each public primary school in 2013?
- (2) What is the number predicted to be required by each public primary school in the following years based on current enrolment projections:
 - (a) 2014;
 - (b) 2015;
 - (c) 2015; and
 - (d) 2017?

597. Hon Robin Chapple to the Minister for Mental Health:

With regard to the Oombulgurri community living in Wyndam, I ask:

- (a) what is the number of Oombulgurri residents that have been relocated to Wyndam;
- (b) what mental health services are available for the Oombulgurri community living in Wyndam;
- (c) what clinics or health centres have been offering them support;
- (d) how many members of the Oombulgurri community have made, or had made for them, appointments at these clinics and/or health centres over the last 12 months;
- (e) how many of these appointments were cancelled and/or not attended; and
- (f) in relation to (e), of this number:
 - (i) how many had a follow-up appointment; and
 - (ii) how many of these follow-up appointments were missed?

598. Hon Robin Chapple to the Leader of the House representing the Minister for State Development:

I refer to the *Australian Financial Review* article of Tuesday, 22 October 2013, page 6, "Palmer in alleged mining act breach", and I ask:

- (a) what were the circumstances that led to International Exploration failing to meet the annual minimum expenditure for tenement numbered E08/1555;
- (b) did International Exploration provide an explanation as to why they failed to meet the annual minimum expenditure for that tenement;
- (c) if yes to (b), will the Minister table that explanation;

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- (d) if no to (b), why not;
- (e) will the Minister table all correspondence between the Department of State Development (DSD) and International Exploration, and any other entity in respect of the company's failure to meet the annual minimum expenditure for tenement number E08/1555;
- (f) will the Minister table all correspondence between DSD and International Exploration, and any other entity in respect of the company's forfeiture or surrender of tenement number E08/1555;
- (g) if no to (e) and/or (f), why not;
- (h) on what date did DSD become aware of failure of International Exploration to meet their annual minimum expenditure for tenement numbered E08/1555, and how;
- (i) on what date did International Exploration forfeit or surrender tenement numbered E08/1555;
- (j) on what date did Mineralogy Pty Ltd plaintiff International Exploration tenement numbered E08/1555;
- (k) is the Minister aware that Mineralogy Pty Ltd, Australasian Resources Ltd and International Exploration Ltd share the same office at Level 7, 218 St Georges Terrace, Perth;
- (l) is the Minister aware that Australasian Resources Ltd has 100 per cent equity in International Exploration Ltd;
- (m) is the Minister aware that Mr Clive Palmer is Australasian Resources Limited controlling shareholder with 60 per cent holding of fully paid ordinary shares with Mineralogy holding a further 9.57 per cent holding of fully paid ordinary shares;
- (n) is the Minister aware that Mineralogy Pty Ltd is controlled by Mr Clive Palmer, the Australasian Resources Ltd's controlling shareholder;
- (o) does section 69 of the *Mining Act 1978* allow for related companies to take over leases and not be subject to the provisions of that section;
- (p) if no to (o), why not; and
- (q) if no to (o), why was Mineralogy Pty Ltd allowed to take up the ground released by International Exploration, namely tenement numbered E08/1555?

599. Hon Robin Chapple to the Attorney General representing the Minister for Emergency Services:

I refer to the Department of Fire and Emergency Services (DFES) Built Environment Branch (BEB), compliance and operating procedures, and ask:

- (a) under what legislation is it justified that the Perth Arena has been denied a direct brigade alarm;
- (b) in the interest of public safety, would it not be responsible for DFES to provide a direct brigade alarm for the Perth Arena;
- (c) if no to (b), why not;

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- (d) why does DFES BEB's advice for compliance with their operating procedures, as part of the building licence submissions process, carry a disclaimer notice that they will not be held responsible or liable for the advice they give;
- (e) are any of the DFES BEB fire engineers professionally chartered engineers;
- (f) if yes to (e), how many;
- (g) if no to (e), why not;
- (h) what levies do DFES BEB charge for fire safety submissions;
- (i) have DFES BEB staff numbers decreased or increased since their role under clause 18B(1) of Building Regulations 2012, as amended, legislation diminished, whereby they are now only required to comment on matters relating to DFES operating procedures; and
- (j) if yes to (i), how much have they decreased or increased by?

600. Hon Robin Chapple to the Attorney General representing the Minister for Emergency Services:

I refer to the Department of Fire and Emergency Services (DFES) Built Environment Branch (BEB), Compliance and Operating Procedures, and ask:

- (a) when a Fire Engineering Brief is submitted online to DFES and it is given a submission number, does the website provide a full transparent list of submission numbers and an expected time for response;
- (b) if no to (a), why not;
- (c) what is the onboard water tank size for DFES Scania medium pumper vehicles;
- (d) what national or international standards does DFES use as a reference for the design of its fire fighting appliances;
- (e) how does DFES measure and record the amount of water used at a structural fire incident;
- (f) if it does not measure and record how much water is used at a structural fire, why not; and
- (g) how many people are qualified to undertake compliance checks for the purposes of connection to the Direct Brigade Alarm Network?

601. Hon Robin Chapple to the Attorney General representing the Minister for Emergency Services:

I refer to the 2012 Autumn edition of the *Built Environment Branch* (BEB) Newsletter, and ask:

- (a) as stated on page 4, "FESA will raise issues of concern as a result of little or no liaison over a project directly with the Building Commission who may audit the new approvals process", what is meant by concerns and what is the reason for this when legislation does not require this interaction under the *Building Regulations 2012* (as amended);

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- (b) as stated on page 5, “FESA plans assessment will continue to focus on Fire Brigade Intervention requirements of the BCA. This will not be exclusive however and should BEB consider a submission requires comment on other aspects of the BCA, it will not be precluded from doing so”, what is the legislative clause that requires Department of Fire and Emergency Services (DFES) to comment on other aspects of a submission that are not associated with Fire Brigade Intervention;
- (c) with regard to (b), what fees does the DFES BEB charge for these services;
- (d) as stated on page 5, “FESA will provide the BS with a list of elements of the project that it considers should be tested or inspected during construction or at project completion for inclusion in permit documentation. FESA considers that this will ensure the project achieves a level of satisfactory construction and compliance with BCA and fire service requirements”, what is the legislative clause that requires DFES to provide the building surveyor with this list; and
- (e) with regard to (d), what fees does the DFES BEB charge for these services?

602. Hon Stephen Dawson to the Minister for Agriculture and Food representing the Minister for Regional Development:

I refer to the supplementary information from Estimates Committee B given in the other place from the Minister for Regional Development to the Member for Mandurah, outlining the Local Governments whose individual applications for funding from the Country Local Government Fund for 2012-13 were deemed not eligible, as they did not meet the criteria, and I ask:

- (a) for each of the thirty-six Local Governments listed:
 - (i) how much funding had been applied for;
 - (ii) which criteria were not met in order to deem the application “not eligible”; and
 - (iii) which projects were to be funded from that application;
- (b) were there any other Local Governments who were refused funding for reasons other than not meeting the criteria; and
- (c) if yes to (b), for each Local Government refused funding:
 - (i) what was the reason for the refusal;
 - (ii) how much funding had been applied for; and
 - (iii) what was intended to be funded from the application?

603. Hon Ken Travers to the Minister for Agriculture and Food:

I refer to the 2012-13 Department of Agriculture and Food annual survey used to measure key performance indicators, conducted by Painted Dog Research, and ask:

- (a) will the Minister table a copy of the full survey report provided to the department; and
- (b) if not, why not?

604. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Health:

- (1) I refer to the case of Mrs Ivanca Pavlinovich who attended Swan District Hospital in late October 2009 with a suspected sprained or fractured left ankle, and ask:

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- (a) on what date was Mrs Pavlinovich admitted to Swan District Hospital and what diagnosis and treatment she received on that occasion;
 - (b) on what date was Mrs Pavlinovich discharged from hospital;
 - (c) did the hospital provide an ongoing care plan for Mrs Pavlinovich;
 - (d) if yes to (c), can the Minister provide a copy of the care plan for Mrs Pavlinovich; and
 - (e) if no to (c), why was a care plan not provided to Mrs Pavlinovich?
- (2) I refer to the case of Mrs Ivanca Pavlinovich who attended Swan District Hospital in late October 2009 with a suspected sprained or fractured left ankle, and ask:
- (a) can the Minister advise the date that Mrs Pavlinovich was transferred from Swan District Hospital to Royal Perth Hospital;
 - (b) can the Minister advise why Mrs Pavlinovich was transferred from Swan District Hospital to Royal Perth Hospital;
 - (c) can the Minister confirm that the room occupied by Mrs Pavlinovich and five other elderly patients during her stay at Swan District Hospital was evacuated and sterilized upon Mrs Pavlinovich's transfer to Royal Perth Hospital;
 - (d) if yes to (c), why was that room in question evacuated and sterilized upon Mrs Pavlinovich's transfer to Royal Perth Hospital; and
 - (e) did Mrs Pavlinovich or any of the other five patients contract a bacterial infection at that time and, if so, what was the bacterial infection?
- (3) I refer to the case of Mrs Ivanca Pavlinovich who attended Swan District Hospital in late October 2009 with a suspected sprained or fractured left ankle, and ask:
- (a) was Mrs Pavlinovich put into an induced coma whilst at Royal Perth Hospital and, if so, when was she put into an induced coma and why;
 - (b) did Mrs Pavlinovich have seventy-five per cent of her bowel removed whilst at Royal Perth Hospital and, if so, when was it removed and why;
 - (c) did Mrs Pavlinovich have spinal surgery whilst at Royal Perth Hospital and, if so, when did she have spinal surgery and why;
 - (d) did Mrs Pavlinovich have her left leg amputated whilst at Royal Perth Hospital and, if so, when was her left leg amputated and why;
 - (e) can the Minister explain how a sprained/fractured left ankle resulted in bowel removal, spinal surgery, and an amputated leg; and
 - (f) if no to (f), why not?
- (4) I refer to the case of Mrs Ivanca Pavlinovich who attended Swan District Hospital in late October 2009 with a suspected sprained or fractured left ankle, and ask:
- (a) has Mrs Pavlinovich been approached by the Department of Health to discuss ongoing medical expenses and, if not, why not;
 - (b) has Mrs Pavlinovich been approached by the Department of Health to discuss the matter of damages and, if not, why not; and
 - (c) if no to (a) and (b), when will the Department of Health be contacting Mrs Pavlinovich in relation to ongoing medical expenses and damages?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 19 November 2013*

605. Hon Ken Travers to the Attorney General representing the Minister for Emergency Services:

- (1) How much funding was provided to all Department of Fire and Emergency Service gazetted volunteer marine rescue groups in the following financial years:
 - (a) 2011-12; and
 - (b) 2012-13?
- (2) How much funding is budgeted to be provided to all Department of Fire and Emergency Service gazetted volunteer marine rescue groups in:
 - (a) 2013-14; and
 - (b) each of the forward estimates?
- (3) How much funding was provided to the Metropolitan Volunteer Sea Rescue Group in the following financial years:
 - (a) 2011-12; and
 - (b) 2012-13?
- (4) How much funding is budgeted to be provided to the Metropolitan Volunteer Sea Rescue Group in:
 - (a) 2013-14; and
 - (b) each of the forward estimates?
- (5) How much funding has been provided to the Fremantle Volunteer Sea Rescue Group since 1 July 2013?
- (6) How much funding is budgeted to be provided to the Fremantle Volunteer Sea Rescue Group during the remainder of the 2013-14 financial year?
- (7) How much funding is budgeted to be provided to the Fremantle Volunteer Sea Rescue Group in each year of the forward estimates?
- (8) How much of the funding provided to the Metropolitan Volunteer Sea Rescue Group was provided to Fremantle Volunteer Sea Rescue Group in the following financial years:
 - (a) 2011-12; and
 - (b) 2012-13?
- (9) Did the Department of Fire and Emergency Services provide any funds to the Fremantle Volunteer Sea Rescue Group at or about the time it became gazetted under the *Fire and Emergency Services Act 1998* on 23 July 2013?
- (10) If yes to (9), when and how much?

NIGEL LAKE

Acting Clerk of the Legislative Council