

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 129

Thursday, 25 November 2010

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, 29 June 2010*

2531. Hon Robin Chapple to the Leader of the House representing the Minister for State Development (*SO 138(d) response - September 8 2010*)

Notice Given *Tuesday, 19 October 2010*

2893. Hon Giz Watson to the Leader of the House representing the Minister for State Development

Notice Given *Wednesday, 20 October 2010*

2897. Hon Robin Chapple to the Leader of the House representing the Minister for State Development

2899. Hon Kate Doust to the Leader of the House representing the Premier

2921. Hon Sue Ellery to the Leader of the House representing the Premier

2936. Hon Ken Travers to the Leader of the House representing the Premier

2937. Hon Ken Travers to the Leader of the House representing the Premier

2939. Hon Ken Travers to the Leader of the House representing the Premier

2948. Hon Adele Farina to the Leader of the House representing the Minister for Housing

Notice Given *Tuesday, 9 November 2010*

2996. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Water

2997. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Water

cqb381.129.25Nov2010 (A272822)

LEGISLATIVE COUNCIL

Postponed Questions

2999. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
3000. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
3001. Hon Alison Xamon to the Minister for Environment
3002. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health
3006. Hon Alison Xamon to the Minister for Training and Workforce Development
3007. Hon Alison Xamon to the Minister for Training and Workforce Development
3008. Hon Alison Xamon to the Minister for Training and Workforce Development
3009. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
3012. Hon Robin Chapple to the Minister for Mines and Petroleum
3013. Hon Giz Watson to the Minister for Environment
3014. Hon Giz Watson to the Minister for Environment
3015. Hon Giz Watson to the Minister for Environment
3016. Hon Giz Watson to the Minister for Child Protection representing the Minister for Agriculture and Food
3018. Hon Robin Chapple to the Minister for Environment
3019. Hon Alison Xamon to the Leader of the House representing the Minister for Commerce
3020. Hon Lynn MacLaren to the Leader of the House representing the Minister for Housing
3021. Hon Lynn MacLaren to the Leader of the House representing the Minister for Housing
3022. Hon Lynn MacLaren to the Minister for Transport
3023. Hon Lynn MacLaren to the Minister for Child Protection
3024. Hon Lynn MacLaren to the Minister for Environment
3025. Hon Lynn MacLaren to the Minister for Environment representing the Minister for Tourism
3026. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Planning
3027. Hon Robin Chapple to the Minister for Mines and Petroleum
3028. Hon Lynn MacLaren to the Minister for Transport

Notice Given **Wednesday, 10 November 2010**

3029. Hon Ken Travers to the Minister for Transport
3030. Hon Ken Travers to the Minister for Transport
3034. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Lands
3035. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Regional Development
3036. Hon Ken Travers to the Parliamentary Secretary representing the Treasurer

LEGISLATIVE COUNCIL

Postponed Questions

3038. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Corrective Services
3039. Hon Ken Travers to the Minister for Transport
3040. Hon Ken Travers to the Minister for Transport
3041. Hon Ken Travers to the Minister for Transport
3042. Hon Ken Travers to the Minister for Transport
3043. Hon Ken Travers to the Minister for Transport
3044. Hon Ken Travers to the Minister for Transport
3045. Hon Ken Travers to the Minister for Transport
3046. Hon Ken Travers to the Minister for Transport
3047. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Water
3048. Hon Ken Travers to the Minister for Transport
3049. Hon Ken Travers to the Minister for Transport
3050. Hon Ken Travers to the Minister for Transport
3051. Hon Ken Travers to the Minister for Transport
3052. Hon Ken Travers to the Minister for Transport
3053. Hon Ken Travers to the Minister for Transport
3054. Hon Ken Travers to the Minister for Transport
3055. Hon Ken Travers to the Parliamentary Secretary representing the Treasurer
3056. Hon Ken Travers to the Minister for Energy representing the Minister for Police
3057. Hon Ken Travers to the Minister for Transport
3058. Hon Ken Travers to the Minister for Transport
3059. Hon Ken Travers to the Minister for Transport
3060. Hon Matt Benson-Lidholm to the Leader of the House representing the Minister for Commerce
3061. Hon Ken Travers to the Minister for Mines and Petroleum
3062. Hon Ken Travers to the Minister for Fisheries
3063. Hon Ken Travers to the Minister for Electoral Affairs
3064. Hon Ken Travers to the Minister for Transport
3065. Hon Ken Travers to the Minister for Disability Services
3066. Hon Ken Travers to the Minister for Energy
3067. Hon Ken Travers to the Minister for Training and Workforce Development
3068. Hon Ken Travers to the Minister for Child Protection

LEGISLATIVE COUNCIL

Postponed Questions

- 3069. Hon Ken Travers to the Minister for Community Services
- 3070. Hon Ken Travers to the Minister for Seniors and Volunteering
- 3071. Hon Ken Travers to the Minister for Women's Interests
- 3072. Hon Ken Travers to the Minister for Environment
- 3073. Hon Ken Travers to the Minister for Youth
- 3074. Hon Ken Travers to the Leader of the House representing the Premier
- 3075. Hon Ken Travers to the Parliamentary Secretary representing the Treasurer
- 3076. Hon Ken Travers to the Leader of the House representing the Minister for State Development
- 3077. Hon Ken Travers to the Minister for Transport representing the Deputy Premier
- 3078. Hon Ken Travers to the Minister for Transport representing the Minister for Health
- 3079. Hon Ken Travers to the Minister for Transport representing the Minister for Indigenous Affairs
- 3080. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Regional Development
- 3081. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Lands
- 3082. Hon Ken Travers to the Parliamentary Secretary representing the Minister Assisting the Minister for State Development
- 3083. Hon Ken Travers to the Parliamentary Secretary representing the Minister Assisting the Minister for Transport
- 3084. Hon Ken Travers to the Minister for Energy representing the Minister for Education
- 3085. Hon Ken Travers to the Minister for Environment representing the Minister for Tourism
- 3086. Hon Ken Travers to the Minister for Energy representing the Minister for Police
- 3087. Hon Ken Travers to the Minister for Energy representing the Minister for Emergency Services
- 3088. Hon Ken Travers to the Minister for Energy representing the Minister for Road Safety
- 3089. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation
- 3090. Hon Ken Travers to the Leader of the House representing the Minister for Racing and Gaming
- 3091. Hon Ken Travers to the Minister for Transport representing the Minister Assisting the Minister for Health
- 3092. Hon Ken Travers to the Minister for Child Protection representing the Minister for Planning
- 3093. Hon Ken Travers to the Minister for Child Protection representing the Minister for Culture and the Arts
- 3094. Hon Ken Travers to the Parliamentary Secretary representing the Attorney General
- 3095. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Corrective Services

LEGISLATIVE COUNCIL

Postponed Questions

- 3096. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Water
- 3097. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Mental Health
- 3098. Hon Ken Travers to the Minister for Energy representing the Minister for Local Government
- 3099. Hon Ken Travers to the Minister for Energy representing the Minister for Heritage
- 3100. Hon Ken Travers to the Minister for Energy representing the Minister for Citizenship and Multicultural Interests
- 3101. Hon Ken Travers to the Minister for Child Protection representing the Minister for Agriculture and Food
- 3102. Hon Ken Travers to the Minister for Child Protection representing the Minister for Forestry
- 3103. Hon Ken Travers to the Minister for Energy representing the Minister Assisting the Minister for Education
- 3104. Hon Ken Travers to the Leader of the House representing the Minister for Commerce
- 3105. Hon Ken Travers to the Leader of the House representing the Minister for Science and Innovation
- 3106. Hon Ken Travers to the Leader of the House representing the Minister for Housing
- 3107. Hon Ken Travers to the Leader of the House representing the Minister Assisting the Treasurer
- 3108. Hon Ken Travers to the Minister for Mines and Petroleum
- 3109. Hon Ken Travers to the Minister for Fisheries
- 3110. Hon Ken Travers to the Minister for Electoral Affairs
- 3111. Hon Ken Travers to the Minister for Transport
- 3112. Hon Ken Travers to the Minister for Disability Services
- 3113. Hon Ken Travers to the Minister for Energy
- 3114. Hon Ken Travers to the Minister for Training and Workforce Development
- 3115. Hon Ken Travers to the Minister for Child Protection
- 3116. Hon Ken Travers to the Minister for Community Services
- 3117. Hon Ken Travers to the Minister for Seniors and Volunteering
- 3118. Hon Ken Travers to the Minister for Women's Interests
- 3119. Hon Ken Travers to the Minister for Environment
- 3120. Hon Ken Travers to the Minister for Youth
- 3121. Hon Ken Travers to the Leader of the House representing the Premier
- 3122. Hon Ken Travers to the Parliamentary Secretary representing the Treasurer
- 3123. Hon Ken Travers to the Leader of the House representing the Minister for State Development
- 3124. Hon Ken Travers to the Minister for Transport representing the Deputy Premier

LEGISLATIVE COUNCIL

Postponed Questions

- 3125. Hon Ken Travers to the Minister for Transport representing the Minister for Health
- 3126. Hon Ken Travers to the Minister for Transport representing the Minister for Indigenous Affairs
- 3127. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Regional Development
- 3128. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Lands
- 3129. Hon Ken Travers to the Parliamentary Secretary representing the Minister Assisting the Minister for State Development
- 3130. Hon Ken Travers to the Parliamentary Secretary representing the Minister Assisting the Minister for Transport
- 3131. Hon Ken Travers to the Minister for Energy representing the Minister for Education
- 3132. Hon Ken Travers to the Minister for Environment representing the Minister for Tourism
- 3133. Hon Ken Travers to the Minister for Energy representing the Minister for Police
- 3134. Hon Ken Travers to the Minister for Energy representing the Minister for Emergency Services
- 3135. Hon Ken Travers to the Minister for Energy representing the Minister for Road Safety
- 3136. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation
- 3137. Hon Ken Travers to the Leader of the House representing the Minister for Racing and Gaming
- 3138. Hon Ken Travers to the Minister for Transport representing the Minister Assisting the Minister for Health
- 3139. Hon Ken Travers to the Minister for Child Protection representing the Minister for Planning
- 3140. Hon Ken Travers to the Minister for Child Protection representing the Minister for Culture and the Arts
- 3141. Hon Ken Travers to the Parliamentary Secretary representing the Attorney General
- 3142. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Corrective Services
- 3143. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Water
- 3144. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Mental Health
- 3145. Hon Ken Travers to the Minister for Energy representing the Minister for Local Government
- 3146. Hon Ken Travers to the Minister for Energy representing the Minister for Heritage
- 3147. Hon Ken Travers to the Minister for Energy representing the Minister for Citizenship and Multicultural Interests
- 3148. Hon Ken Travers to the Minister for Child Protection representing the Minister for Agriculture and Food
- 3149. Hon Ken Travers to the Minister for Child Protection representing the Minister for Forestry

LEGISLATIVE COUNCIL

Postponed Questions

3150. Hon Ken Travers to the Minister for Energy representing the Minister Assisting the Minister for Education
3151. Hon Ken Travers to the Leader of the House representing the Minister for Commerce
3152. Hon Ken Travers to the Leader of the House representing the Minister for Science and Innovation
3153. Hon Ken Travers to the Leader of the House representing the Minister for Housing
3154. Hon Ken Travers to the Leader of the House representing the Minister Assisting the Treasurer
3155. Hon Robin Chapple to the Leader of the House representing the Premier
3156. Hon Robin Chapple to the Leader of the House representing the Premier

Notice Given Thursday, 11 November 2010

3157. Hon Alison Xamon to the Minister for Transport
3158. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Mental Health
3159. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Mental Health
3160. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Mental Health
3161. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Mental Health
3162. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Mental Health
3163. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Mental Health
3164. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Water
3166. Hon Adele Farina to the Minister for Energy representing the Minister for Education
3167. Hon Ken Travers to the Leader of the House representing the Minister for State Development
3168. Hon Ken Travers to the Leader of the House representing the Minister for State Development
3169. Hon Ken Travers to the Leader of the House representing the Minister for State Development

Notice Given Tuesday, 16 November 2010

3170. Hon Giz Watson to the Minister for Environment
3171. Hon Nigel Hallett to the Minister for Child Protection representing the Minister for Forestry
3172. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
3173. Hon Alison Xamon to the Minister for Environment
3174. Hon Ken Travers to the Minister for Transport
3175. Hon Ken Travers to the Minister for Transport
3176. Hon Ken Travers to the Minister for Transport

Notice Given Wednesday, 17 November 2010

3177. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Water
3178. Hon Ljiljana Ravlich to the Minister for Environment representing the Minister for Tourism

LEGISLATIVE COUNCIL

Postponed Questions

3179. Hon Ljiljana Ravlich to the Minister for Environment representing the Minister for Tourism
3180. Hon Ljiljana Ravlich to the Minister for Environment representing the Minister for Tourism
3181. Hon Ljiljana Ravlich to the Minister for Training and Workforce Development
3182. Hon Ljiljana Ravlich to the Minister for Training and Workforce Development
3183. Hon Ljiljana Ravlich to the Minister for Training and Workforce Development
3184. Hon Ljiljana Ravlich to the Minister for Training and Workforce Development
3185. Hon Ljiljana Ravlich to the Minister for Training and Workforce Development
3186. Hon Ljiljana Ravlich to the Minister for Environment representing the Minister for Tourism
3187. Hon Ljiljana Ravlich to the Minister for Environment representing the Minister for Tourism
3188. Hon Matt Benson-Lidholm to the Minister for Transport
3189. Hon Matt Benson-Lidholm to the Minister for Disability Services
3190. Hon Matt Benson-Lidholm to the Minister for Transport representing the Minister for Health
3191. Hon Matt Benson-Lidholm to the Minister for Transport representing the Minister for Indigenous Affairs
3192. Hon Matt Benson-Lidholm to the Leader of the House representing the Minister for Housing
3193. Hon Matt Benson-Lidholm to the Leader of the House representing the Minister for Commerce
3194. Hon Matt Benson-Lidholm to the Leader of the House representing the Minister for Science and Innovation
3195. Hon Matt Benson-Lidholm to the Leader of the House representing the Minister for Sport and Recreation
3196. Hon Matt Benson-Lidholm to the Leader of the House representing the Minister for Racing and Gaming

Notice Given ***Thursday, 18 November 2010***

3197. Hon Giz Watson to the Minister for Child Protection representing the Minister for Agriculture and Food

Notice Given ***Tuesday, 23 November 2010***

3198. Hon Linda Savage to the Minister for Transport
3199. Hon Linda Savage to the Minister for Transport
3200. Hon Linda Savage to the Minister for Disability Services
3201. Hon Linda Savage to the Minister for Transport representing the Minister for Health
3202. Hon Linda Savage to the Minister for Transport representing the Minister for Indigenous Affairs
3203. Hon Linda Savage to the Leader of the House representing the Minister for Housing

LEGISLATIVE COUNCIL

Postponed Questions

- 3204. Hon Linda Savage to the Leader of the House representing the Minister for Commerce
- 3205. Hon Linda Savage to the Leader of the House representing the Minister for Science and Innovation
- 3206. Hon Linda Savage to the Leader of the House representing the Minister for Sport and Recreation
- 3207. Hon Linda Savage to the Leader of the House representing the Minister for Racing and Gaming
- 3208. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 3209. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water

Notice Given ***Wednesday, 24 November 2010***

- 3210. Hon Alison Xamon to the Minister for Child Protection representing the Minister for Environment
- 3211. Hon Ed Dermer to the Minister for Transport representing the Minister for Health
- 3212. Hon Ken Travers to the Minister for Transport

LEGISLATIVE COUNCIL

QUESTIONS ASKED TODAY

Notice given *Thursday, 25 November 2010*

3213. Hon Robin Chapple to the Minister for Mines and Petroleum

With reference to photographs taken on 21 January 2010, of clearing of vegetation and construction of bores undertaken with exploration equipment available for viewing at, www.mp.wa.gov.au/rchapple/Kaltails, a document dated 3 December 2009 titled, 'KCGM Mining Proposal and Works Approval Application', questions on notice No. 2005 answered on 23 March 2010, No. 2589 answered on 30 June 2010, No. 5970 answered on 27 February 2008, a media statement dated November 13 2007 titled 'Minister tells mining companies to clean up their act', and a media statement dated 13 July 2010 titled 'Environmental enforcement and compliance penalties reviewed', and I ask -

- (1) Can the Minister table a large Department of Mines and Petroleum (DMP) map indicating and denoting where the specific locations, including mining tenure of where clearing of vegetation and construction of bores by KCGM employees/contractors took place on General Purpose Leases G 26/165 and G26/166?
- (2) If no to (1), why not?
- (3) Can the Minister table a large DMP map indicating and denoting where the specific locations, including mining tenure of where clearing of vegetation and construction of bores by KCGM employees/contractors took place on Prospecting Licenses P 26/2790 and 26/2373?
- (4) If no to (3), why not?
- (5) Can the Minister table a large DMP map (separate to the maps requested in (1) and for clarity purposes) indicating and denoting where the specific locations of where clearing of vegetation and construction of bores by KCGM employees/contractors took place in September 2009, on all areas which at the time in question did not have granted mining tenure?
- (6) If no to (5), why not?
- (7) Will the DMP seek to have a penalty imposed as part of forfeiture action on KCGM for each of the respective breaches of tenement conditions on Prospecting License P26/2790 and P26/2373?
- (8) If No to (7) why not?
- (9) Has KCGM as operator for Barrick Gold and Newmont Mining, breached any other tenement conditions other than on tenements G26/165. G26/166 and P26/2790 and P26/2373?
- (10) If yes to (9), what were those tenement numbers and the specific text of the conditions breached?

3214. Hon Robin Chapple to the Minister for Mines and Petroleum

With reference to photographs taken on 21 January 2010, of clearing of vegetation and construction of bores undertaken with exploration equipment available for viewing at, www.mp.wa.gov.au/rchapple/Kaltails, a document dated 3 December 2009 titled, 'KCGM Mining
cqb381.129.25Nov2010 (A272822)

LEGISLATIVE COUNCIL

Questions Asked Today*Notice given**Thursday, 25 November 2010*

Proposal and Works Approval Application', questions on notice No. 2005 answered on 23 March 2010, No. 2589 answered on 30 June 2010, No. 5970 answered 27 February 2008, a media statement dated November 13 2007 titled 'Minister tells mining companies to clean up their act', and a media statement dated 13 July 2010 titled 'Environmental enforcement and compliance penalties reviewed', and I ask -

- (1) Will the Department of Mines and Petroleum (DMP) initiate forfeiture action on General Purpose Leases 26/165 and G 26/166 for failing to abide by tenement conditions?
- (2) If no to (2), why not?
- (3) Given that the Minister has stated that 'exploration and clearing activities' were carried out in September 2009 without the necessary prior approvals, will the DMP initiate forfeiture action on Prospecting Licences P26/2373 and P26/2790?
- (4) If no to (3), why not?
- (5) Can the Minister describe what specific type of machinery and equipment was used in September 2009 by KCGM contractors/employees to carry out 'exploration and clearing activities'?
- (6) If no to (5), why not?
- (7) Can the Minister state the duration over how many days and hours approximately that 'exploration and clearing' activities took place on G26/165, G26/166, P26/2790, P26/2373 and areas of land which did not have granted mining tenure?
- (8) If no to (7), why not?
- (9) Does the DMP regard the breaches of tenement conditions by KCGM on G26/165 and G26/166 as being extremely serious given that KCGM in a very similar manner were previously fined \$57 500 in 1995 for a breach of tenement conditions in failing to obtain the prior written permission of the DMP for clearing and construction activities on the Fimiston 2 tailings dam?
- (10) If no to (9), why not?
- (11) Does the DMP regard the breaches of tenement conditions by KCGM on P26/2790 and P26/2373 as being extremely serious?
- (12) If yes to (11), -
 - (a) to what extent; and
 - (b) why?
- (13) If no to (11), why not?
- (14) Given that the Minister has stated in part for question on notice No. 2589 of 30 June 2010 that 'none of the other mining tenements mentioned were granted until early October 2009', does the DMP regard exploration and clearing activities being undertaken by KCGM employees/contractors on unallocated crown land without any form of granted mining tenure as being extremely serious?
- (15) If no to (14), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice given **Thursday, 25 November 2010**

(16) If yes to (14), -

(a) why; and

(b) what action if any, does the DMP intend to take on this matter?

3215. Hon Robin Chapple to the Minister for Child Protection representing the Minister for Environment

I refer to a media statement dated 16 June 2008, from the Department of Environment and Conservation (DEC) titled, 'Hazelmere rendering company pays \$25 000 penalty for odour emission', and unreasonable odour emissions of ammonium nitrate fumes from blasts which seriously impacted upon residents which occurred on 11 and 16 February 2010, at a site managed by Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM), who is the management company for Newmont and Barrick at the Mount Charlotte gold mining operations, and ask -

(1) Will KCGM be prosecuted under the *Environmental Protection Act 1986*, for causing unreasonable odour emissions for the incidents on 11 and 16 February 2010, in the same/similar manner as other companies referred to, in the DEC media statements above?

(2) If no to (1), why not?

(3) Can the Minister explain why the investigation in relation to the above referred to incident was not completed and finalized as of 8 September 2010?

(4) If no to (3) why not?

3216. Hon Robin Chapple to the Minister for Child Protection representing the Minister for Environment

I refer to question on notice No. 2393 of 6 May 2010, photographs taken on 21 January 2010, depicting clearing of vegetation and construction of bores undertaken with exploration equipment available for viewing at www.mp.wa.gov.au/rchapple/Kaltails, a document dated 3 December 2009 entitled, 'KCGM Mining Proposal and Works Approval Application', a media statement dated 1 May 2005 entitled, 'Unauthorised native vegetation clearing conviction', and another dated 30 November 2009 entitled 'illegal land clearers fined \$10000 each', and I ask -

(1) Given the Minister has indicated that the Department of Environment and Conservation (DEC), has not received an application to clear native vegetation under the *Environmental Protection Act 1986* in the vicinity of the monitoring bores referred to above, will the company/employees/contractors be prosecuted for breaching sections 51 C, 99Q or any other sections of the *Environmental Protection Act 1986*, in clearing and damaging vegetation in the vicinity of the monitoring bores referred to in the photographs above?

(2) If no to (1), why not?

(3) Can the Minister table a large Department of Environment and Conservation (DEC) map indicating and denoting where the specific locations, including mining tenure of where clearing of vegetation and construction of bores by KCGM employees/contractors took place?

(4) If no to (3), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice given *Thursday, 25 November 2010*

- (5) Can the Minister table a large DEC map (separate to the maps requested in (3) and for clarity purposes) indicating and denoting where the specific locations of where clearing of vegetation and construction of bores by KCGM employees/contractors took place in September 2009, on all areas which at the time in question did not have granted mining tenure?
- (6) If no to (5) why not?

3217. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Water
I refer to the Dongara line DL5W (70119309), and I ask -

- (1) How many bores are there in this line?
- (2) How long has this bore been at this location?
- (3) Will the minister supply all monitoring logs for this bores for the life of this bore?
- (4) If no to (3), why not?
- (5) On what dates were the logs of these bores created?
- (6) Is any trend apparent from these logs; and, if so, what are they?

3218. Hon Robin Chapple to the Leader of the House representing the Minister for State Development

I refer to land clearing at James Price Point, and question 969 answered by the Minister on 18 November 2010, and I ask -

- (1) What evidence does the Minister have that the north east access track is a historical track, and will the Minister table this evidence?
- (2) What permits are required for the geotechnical work currently being undertaken by Woodside on the north east access track, and will the Minister table these permits?
- (3) How is a historical track defined and is it an offence to clear more than 5 meters of a historical track?
- (4) Does the clearing of a historical track have to take place on the original alignment and is it an offence to clear outside the original alignment?

3219. Hon Robin Chapple to the Minister for Transport

With reference to electric bicycles and the current 200W power limit, and the comparative Canadian and USA standards of 500W with a speed limit of 20mph and 1000W respectively, I ask -

- (1) Will the Minister consider allowing for more flexibility with power limits, but impose a requirement for speed governors to be installed on electric bicycles?
- (2) Is the Minister aware that 200W is not enough to provide the benefits of easier hill climbs, even at low inclines and assisted starting?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice given *Thursday, 25 November 2010*

- (3) Is the Minister aware that many electric bicycles that exceed the 200W threshold are produced in Australia and/or are available for import but are controlled to 30kmh or under in top speed?
- (4) Given that most conventional bicycles can and are peddled at speeds well in excess of 30kmh, can the Minister explain why in Western Australia we do not have laws in respect of speed control mechanisms or speed governors for electric bikes, as opposed to those limiting power by wattage?

3220. Hon Robin Chapple to the Leader of the House representing the Premier

With reference to the advertisement that appeared in the *WA Business News* on Thursday 18 November, page 35 titled 'Oakajee port and rail project feasibility delivered on time', I ask -

- (1) Can the Premier identify the date when the photograph was taken?
- (2) Can the Premier identify the document being passed between himself and John Langoulant when the photograph was taken?
- (3) Did the document identified declare that the Oakajee port and rail project had been declared technically feasible?
- (4) Were OPR supposed to complete their bankable feasibility study by March 2010?
- (5) When did OPR finish their bankable feasibility study?
- (6) Was the document referred to as 'Oakajee port and rail project feasibility delivered on time' actually referring to a draft technical study?
- (7) Have OPR asked for and been granted an extension of time to prepare their bankable feasibility study?
- (8) Did the Premier give permission for or have knowledge that his photo would be used in this advertisement?

3221. Hon Matt Benson-Lidholm to the Minister for Transport representing the Minister for Indigenous Affairs

- (1) How many section 18 applications were submitted by BHP Billiton or any of its subsidiaries in 2009-10?
- (2) On how many occasions has the final decision by the Minister been different to the original recommendation of the Aboriginal Material Cultural Committee?
- (3) Do staff from the Minister's Office ever liaise with the Aboriginal Material Cultural Committee regarding section 18 applications?
- (4) Do staff from the Minister's Office ever liaise with the applicant regarding section 18 applications?
- (5) Which members of the Minister's staff are involved in the liaison referred to in (3) and (4), and what level are they?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice given *Thursday, 25 November 2010*

3222. Hon Matt Benson-Lidholm to the Minister for Transport representing the Minister for Indigenous Affairs

- (1) How many section 18 applications were submitted by Rio Tinto or any of its subsidiaries in 2009-10?
- (2) On how many occasions has the final decision by the Minister been different to the original recommendation of the Aboriginal Material Cultural Committee?
- (3) Do staff from the Minister's Office ever liaise with the Aboriginal Material Cultural Committee regarding section 18 applications?
- (4) Do staff from the Minister's Office ever liaise with the applicant regarding section 18 applications?
- (5) Which members of the Minister's staff are involved in the liaison referred to in (3) and (4), and what level are they?

3223. Hon Matt Benson-Lidholm to the Minister for Transport representing the Minister for Indigenous Affairs

- (1) How many requests for mining access permits to aboriginal lands were submitted by BHP Billiton or any of its subsidiaries in 2009-10?
- (2) On how many occasions has the final decision by the Minister been different to the original recommendation of the Aboriginal Lands Trust?
- (3) Do staff from the Minister's Office ever liaise with the Aboriginal Lands Trust regarding mining access permits to aboriginal lands?
- (4) Do staff from the Minister's Office ever liaise with the applicant regarding mining access permits to aboriginal lands?
- (5) Which members of the Minister's staff are involved in the liaison referred to in (3) and (4), and what level are they?

3224. Hon Matt Benson-Lidholm to the Minister for Transport representing the Minister for Indigenous Affairs

- (1) How many requests for mining access permits to aboriginal lands were submitted by Rio Tinto or any of its subsidiaries in 2009-10?
- (2) On how many occasions has the final decision by the Minister been different to the original recommendation of the Aboriginal Lands Trust?
- (3) Do staff from the Minister's Office ever liaise with the Aboriginal Lands Trust regarding mining access permits to aboriginal lands?
- (4) Do staff from the Minister's Office ever liaise with the applicant regarding mining access permits to aboriginal lands?
- (5) Which members of the Minister's staff are involved in the liaison referred to in (3) and (4), and what level are they?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice given *Thursday, 25 November 2010*

3225. Hon Ken Travers to the Minister for Transport

- (1) Can the Minister confirm that the Public Transport Authority (PTA) implemented a public holiday schedule for train services on Friday 24 September 2010?
- (2) Can the Minister confirm that there were at least twenty drivers who were not allocated to trains due a public holiday schedule and remained in the Public Transport depots during peak time on Friday 24 September 2010?
- (3) Why were these drivers not allocated to trains during the peak period?
- (4) Can the Minister advise whether any charges have been laid against drivers under the Public Transport Authority Rail Car Drivers (Transperth Train Operations) Award 2006 since 24 September 2010?
- (5) If yes to (4), -
 - (a) how many have been charged;
 - (b) what is the nature of those charges;
 - (c) when was it determined that charges would be laid;
 - (d) who determined that charges would be laid; and
 - (e) when were drivers notified of the charges?
- (6) Were you notified prior to charges being laid?
- (7) Have all Rail Car Drivers who were absent on 24 September been charged and if no, how was it determined who would be charged?
- (8) Have any Rail Car Drivers who were originally rostered off for 24 September been charged, and if yes, why?
- (9) Does the Minister accept this action may inflame tensions at Rail Car Depots and increase stress levels of Rail Car Drivers?
- (10) Was stress related illness one of the major reasons for Rail Car Drivers taking leave on 24 September 2010?
- (11) Have any conditions of employment in the Public Transport Authority Rail Car Drivers (Transperth Train Operations) Award 2006 been removed by any process at any time, and if yes, what were the conditions removed or changed?
- (12) Why were these Conditions removed or changed?
- (13) How do Western Australian Rail Car Drivers pay and conditions compare to other States in Australia?
- (14) Did the removal of any terms and conditions reduce the level of remuneration to Perth Urban Rail Car Drivers below that of similar Drivers in other States?
- (15) Was the removal of Terms and Conditions from the 2006 Award legally enforceable?
- (16) If no to (15), can the Minister explain why the PTA is laying charges against drivers but itself is not complying with the Award?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice given *Thursday, 25 November 2010*

- (17) Did the Commission issue any orders requiring that no parties take any industrial action whilst they are arbitrating on the dispute between the PTA and Perth Urban Rail Car Drivers?
- (18) If yes to (17), does the Minister consider laying charges could be seen as an industrial action against the drivers?

3226. Hon Ken Travers to the Minister for Transport

I refer to question No. 957 in relation to funding options to assist the taxi industry with the upgrade of cameras, and I ask -

- (1) Can the Minister guarantee that taxi drivers will not have to pay for the cost of new cameras through increased lease payments to the owners of the vehicles?
- (2) Can the Minister guarantee that taxi passengers will not have to pay for the new cameras through any form of levy on taxi fares?

3227. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation

I refer to your announcement on 7 September 2010, regarding the Government reaching agreement on a lease for Perth Oval, and ask-

- (1) Does the Government also intend to seek an agreement with the company that has management rights over the Oval?
- (2) If yes to (1), have negotiations commenced and if so, when?
- (3) What does the Government hope to achieve from any agreement?
- (4) When does the Government expect negotiations to be completed?
- (5) Does the Government have a timeline for key milestones in the redevelopment of Perth Oval as a rectangular stadium?
- (6) If yes to (5), will the Minister table it?
- (7) If no to (5), why not?
- (8) When does the Government expect to have concept plans finalised?
- (9) When does the Government expect construction will commence?
- (10) When does the Government expect the redeveloped stadium to be completed?

3228. Hon Ken Travers to the Minister for Transport

I refer to the Government's announcement yesterday that it has allocated funding to the grain rail network, and ask for each bin in the Kwinana South Zone -

- (1) Can the Minister table a list with the current cost of transporting grain to port by:
- (a) road only; and
- (b) road and rail?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice given *Thursday, 25 November 2010*

- (2) Can the Minister table a list with the estimated cost of transporting grain to port after this funding is spent by -
 - (a) road only; and
 - (b) road and rail?
- (3) In estimating (2), what assumptions have been made as to the efficiencies that will be achieved from the Brookton strategy?

3229. Hon Ken Travers to the Minister for Transport

- (1) On what basis was it determined that the speed limit would change at Lakes Road, on the highway that connects Perth to Bunbury?
- (2) Has the Government considered to changing the speed limit to 110km per hour at Thomas Road?
- (3) At what point between Lakes and Thomas Roads are traffic counters located, and what is the volume of traffic at each of these points?

3230. Hon Ken Travers to the Leader of the House representing the Minister for Commerce

- (1) Can the Minister confirm that Government's current offer to Perth train drivers will result in them receiving total pay increases of only 13.5 percent over five years?
- (2) Can the Minister confirm that if drivers had accepted the EBA offered in 2008, the current offer would result in total pay increases of 22.75 percent over five years?
- (3) Does the Barnett Government now accept that the current pay offer is inadequate and will be the major cause of any disruptions on the Perth rail system?

3231. Hon Ken Travers to the Minister for Transport

- (1) Can you confirm that the peak period ceases by 8.30am each weekday on bus and train services in zones 5-9?
- (2) If no to (1), what time does the peak period finish in each of the zones 5-9?

NIGEL LAKE

Acting Clerk of the Legislative Council