

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 72

Tuesday, April 9 2002

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

POSTPONED QUESTIONS

Notice Given *Thursday, February 28 2002*

- 450. Hon Norman Moore to the Minister for Housing and Works representing the Minister for Energy
- 452. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Health
- 454. Hon Norman Moore to the Leader of the House representing the Premier
- 458. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Health

Notice Given *Tuesday, March 12 2002*

- 465. Hon Giz Watson to the Parliamentary Secretary representing the Minister for State Development
- 466. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 467. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 468. Hon Jim Scott to the Minister for Racing and Gaming representing the Minister Assisting the Minister for Planning and Infrastructure
- 471. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 473. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage

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Postponed Questions***Notice Given*** ***Wednesday, March 13 2002***

- 475. Hon Jim Scott to the Parliamentary Secretary representing the Minister for State Development
- 477. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 480. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Education

Notice Given ***Thursday, March 14 2002***

- 485. Hon Peter Foss to the Parliamentary Secretary representing the Minister for State Development
- 495. Hon Ray Halligan to the Leader of the House representing the Minister for Citizenship and Multicultural Interests
- 496. Hon Ray Halligan to the Leader of the House representing the Minister for Citizenship and Multicultural Interests
- 497. Hon Ray Halligan to the Leader of the House representing the Minister for Citizenship and Multicultural Interests
- 498. Hon Ray Halligan to the Minister for Housing and Works
- 500. Hon Ray Halligan to the Minister for Housing and Works
- 501. Hon Ray Halligan to the Minister for Housing and Works
- 503. Hon Ray Halligan to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

Notice Given ***Wednesday, March 20 2002***

- 506. Hon Simon O'Brien to the Parliamentary Secretary representing the Minister for Health
- 507. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 508. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
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Postponed Questions

- 514. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 515. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
- 517. Hon Jim Scott to the Minister for Housing and Works representing the Minister for the Environment and Heritage
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Notice Given ***Thursday, March 21 2002***

- 523. Hon Alan Cadby to the Parliamentary Secretary representing the Minister for Education
- 524. Hon Norman Moore to the Leader of the House representing the Premier
- 525. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 526. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
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Notice Given ***Tuesday, March 26 2002***

- 531. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development
- 532. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for State Development

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

Notice Given ***Wednesday, March 27 2002***

535. Hon Norman Moore to the Parliamentary Secretary representing the Minister for State Development
536. Hon Norman Moore to the Leader of the House representing the Premier
537. Hon Robin Chapple to the Minister for Housing and Works representing the Minister for Energy
538. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
539. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Tourism
540. Hon Jim Scott to the Minister for Government Enterprises
541. Hon Jim Scott to the Leader of the House representing the Premier
542. Hon Jim Scott to the Leader of the House representing the Premier

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

I refer to ongoing concerns relating to the process of destocking the Windimurra and Anketell pastoral leases, currently held by Dale Zadow, and ask -

- (1) Who is responsible for keeping records of destocking orders and default notices served on particular pastoral leaseholders?
- (2) For how long are such records retained?
- (3) Are such records taken into consideration if the subject of such notices and orders attempts to purchase another pastoral lease in the future?
- (4) What is the process for assessing whether or not a particular person is fit and proper to hold a pastoral lease title?
- (5) Who administers such a process?
- (6) Will the present process confronting Mr Zadow regarding Windimurra and Anketell Stations impact in any way on possible future attempts to lease pastoral land?

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

I refer to ongoing concerns relating to the process of destocking the Windimurra and Anketell pastoral leases, currently held by Dale Zadow. I understand that they have been given a conditional right to sell the leasehold title, and ask -

For what reason have the Zadows been issued with a further default notice, on the grounds that the business plan has not yet been completed, given that on sale of the leasehold title any business plan will be rendered null and void and will not bind the new leaseholder?

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

I refer to question on notice No. 384 of Wednesday, December 19 2001 and the answers provided -

- (1) Can the Minister provide the details of tenement numbers of the mineral leases owned by Kalgoorlie Consolidated Gold Mines which cover the entire road that was constructed from the Goldfields Highway through to the Prospectors and Miners Hall of Fame?
- (2) If not, why not?
- (3) Can the Minister table a copy of the approval provided to the Hall of Fame Project Manager on February 25 2000?
- (4) If not, why not?

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(5) Can the Minister table a copy of a scaled map which shows the position of the road constructed in relation to the Goldfields Highway, surrounding mineral leases, private property and the Prospectors and Miners Hall of Fame?

(6) If not, why not?

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

I refer to a letter dated February 15 2002 titled 'Hampton Location 191' signed by Shelley Brindal, A/Project Officer, South East Region Land Administration Services Branch, Department of Land Administration -

(1) Can the Minister state what are those concerns with residential development, including a caravan being in such close proximity to Parkeston, which has been identified as a site for intensified industrial activity?

(2) If not, why not?

(3) Can the Minister state how far in metres is Hampton Location 191 from Parkeston?

(4) If not, why not?

(5) Can the Minister state how far in metres is Hampton Location 191 to mining activity and what is the specific mining activity which is being undertaken?

(6) If not, why not?

(7) Can the Minister give the specific date in which Parkeston was identified as a site for intensified industrial activity?

(8) If not, why not?

(9) Can the Minister give the specific date on which Hampton Location 191 and the lease was first issued by the Department of Land Administration?

(10) If not, why not?

(11) Can the Minister provide a scaled map showing the position of Hampton Location 191, the Parkeston area identified as a intensified industrial activity and the close mining activity?

(12) If not, why not?

(13) Can the Minister state how many residential houses there are in Parkeston?

(14) If not, why not?

(15) Can the Minister state how far in metres is Parkeston from the Ninga Mia Aboriginal community and how many residential houses are in this community?

(16) If not, why not?

(17) Can the Department of Land Administration review the entire matter with a view to issuing a lease to Mr Paul Stokes given that ceasing occupation and use of the land will cause severe unnecessary hardship to the person?

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(18) If not, why not?

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

I refer to question on notice No. 370 of Wednesday, December 19 2001 and the answers provided -

- (1) Does the State Mining Engineer have the authority and capability to issue both stop work orders under Regulation 120L and Work Directions under Regulation 120H of the *Mining Regulations 1981*?
- (2) If not, why not?
- (3) Do any of the Directors of the Department have the authority and capability to issue both stop work orders under Regulation 120L and Work Directions under Regulation 120H of the *Mining Regulations 1981*?
- (4) If yes to (3), which Directors of the Department?
- (5) Can the Minister state what other specific officers of the Department and their positions within the Department have the authority and capability to issue both stop work orders under Regulation 120L and Work Directions under Regulation 120H of the *Mining Regulations 1981*?
- (6) If not, why not?

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

I refer to a letter of complaint with supporting evidence dated February 15 2002 from Mr B Hounslow sent to the Minister for State Development concerning Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM) breaching the *Mining Act* -

- (1) Has the Minister received this letter?
- (2) If yes, can the Minister indicate the date on which it was received?
- (3) Will the Minister ensure that all of the issues and questions raised by Mr Hounslow in his letter are all responded to?
- (4) If not, why not?
- (5) Will the Minister urgently direct that an inspector from the Department of Mineral and Petroleum Resources immediately direct KCGM in writing to cease conducting any activities associated with its mining activity or other activities within 100 metres of Mr Hounslow's residential property?
- (6) If not, why not?
- (7) Has KCGM employees/contractors breached section 20(5) of the *Mining Act* with respect to all the complaints referred to in the letter?
- (8) If not, why not?

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(9) If yes to (7), will prosecution proceedings be commenced?

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

I refer to a discussion which occurred on Tuesday, March 5 2002 at approximately 3.40pm on the back lawn of Mr Hounslow's property, 7 Williamstown Road, in which Mr and Mrs Hounslow, and the Chairperson of the Williamstown Residents Committee, Ross Collins, Regional Mining Registrar and Jim Boucaut, Regional Mining Engineer were present -

- (1) Did Mr Ross Collins in relation to black and white photos photocopied from the original colour photos sent to the Minister's office in a letter dated February 15 2002 state with words to the effect, 'We are not taking any notice of photo's ... I wouldn't really worry about the photos... we'll ask Brian to explain'?
- (2) If yes, what are the reasons for Mr Ross Collins stating this?
- (3) Can the Minister explain how Mr Brian Hounslow can explain what was in copied black and white photos which were not recognisable in the form they were in to Mr Hounslow and were described by him as being doctored up by the Department?
- (4) If not, what did Mr Ross Collins specifically state?
- (5) Did Mr Jim Boucaut in relation to previous concerns about fly rock coming from the Mt Charlotte/Cassidy mine and landing on Mr Hounslow's house state with words to the effect 'That's a safety issue, that there is legislation that talks about fly rock causing a hazard and danger to the public, it is a mines regulation, if you tell me about that I have the power to do something about that ... you can't blast rock whether it's a road, whether it's anything, what I am trying to say there is a law that basically I can enforce on that one'?
- (6) If yes to (5), can the Minister state the full text of the Mines Regulation Mr Boucaut was referring to and explain why Mr Boucaut can enforce and prosecute under this law?
- (7) If no to (5), what did Mr Jim Boucaut specifically state?
- (8) Can the Minister explain why Mr Boucaut and Mr Ross Collins with the Department cannot enforce and prosecute under section 20(5) of the *Mining Act* and provide a level of protection to Mr Hounslow and his family, given Mr Boucaut stated that he can enforce and prosecute under the Mines Regulation concerning fly rock?
- (9) If not, why not?

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

- (1) Is it correct that Alinta Gas is connected to numbers 3, 4, 5 and 6 Croesus Street, Kalgoorlie?
- (2) If so, on what date were they connected and when will the rest of the houses in Croesus Street be able to connect to Alinta Gas?
- (3) Can the Minister supply a scaled map showing where the Alinta Gas mains run along Maritana Street, Dugan Street, Croesus Street and Brookman Street in Kalgoorlie?

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- (4) Can the Minister indicate an approximate date in which residents in Victoria Street and Outridge Terrace in Kalgoorlie will be able to connect to Alinta Gas?
- (5) If not, why not?

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

I refer to a discussion that occurred on Tuesday, March 5 2002 at approximately 3.40pm on the back lawn of Mr Hounslow's property, 7 Williamstown Road, in which Mr and Mrs Hounslow, and the Chairperson of the Williamstown Residents Committee, Ross Collins, Regional Mining Registrar and Jim Boucaut, Regional Mining Engineer were present -

- (1) Is it correct that Mr Ross Collins and/or Mr Jim Boucaut visited Mr Hounslow's property earlier in the day at approximately 11.15am or 11.30am?
- (2) If yes to (1), why didn't Mr Ross Collins and Mr Jim Boucaut leave a note in the letter box advising Mr and Mrs Hounslow that they would like to make contact and meet with them to discuss their complaints made to the Minister for State Development?
- (3) If no to (1), what time of the day did Mr Ross Collins and Mr Boucaut visit Mr Hounslow's property and why didn't they leave a note in the letter box advising Mr and Mrs Hounslow that they would like to make contact and meet with them to discuss their complaints made to the Minister for State Development?

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

I refer to Mining Lease 26/261 and the Mount Percy Tailings Dam -

- (1) Can the Minister state who are both the holders and operator of Mining Lease 26/261?
- (2) If not, why not?
- (3) Is it correct that Mining Lease 26/261 has a tenement condition on it which states 'An annual inspection report being provided to the Department of Minerals and Energy by a geotechnical/engineering specialist to review the performance of the tailings structure, validate the engineering design and review the results of environmental monitoring'?
- (4) If not, will the Minister table a copy of all the tenement conditions on Mining Lease 26/261?
- (5) If yes to (3), can the Minister provide the specific dates in which the annual reports covering the entire tenement condition were received by the Department for the three years ending 1999, 2000 and 2001, the specific dates of the annual reports, the name of the specific annual reports and whom they were produced by?
- (6) Has the holders/operator of Mining Lease 26/261 breached the tenement condition referred to in question (3) above, for any of the years ending 1999, 2000 and 2001?
- (7) If yes to (6), can the Minister state why no forfeiture proceedings were implemented and a fine imposed upon the holders?

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- (8) If no to (6), why not?
- (9) Is it correct that Mining Lease 26/261 has a tenement condition on it which states 'At decommissioning of the tailings dam, the lessee submitting a review by an engineering/geotechnical specialist of -
- (a) the status of the structure;
 - (b) its contained tailings;
 - (c) the results of environmental monitoring; and
 - (d) any ongoing remedial works required,
- to the State Mining Engineer for his assessment and written approval'?
- (10) If yes to (9), can the Minister state -
- (a) when on what date the tailings dam was decommissioned;
 - (b) the date the Department received from the lessee the review as required per the tenement condition; and
 - (c) the name and date of the report and whom it was completed by?
- (11) If not, can the Minister table a copy of all the tenement conditions?
- (12) Has the tenement holder breached the tenement condition referred to in question (9)?
- (13) If not, why not?
- (14) If yes to (12), will the Minister or the Department issue forfeiture proceedings and impose a fine?

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

I refer to Sulphur Dioxide monitoring for Kalgoorlie Consolidated Gold Mines Pty Ltd in the Annual Environmental Report for the year 2000 -

- (1) Is it correct that throughout the year the EPP NEPM standard was exceeded for six hours, when the permitted limit for the year was eight hours?
- (2) If not, can the Minister state how many hours the standard was exceeded?
- (3) If yes to (1), can the Minister state what specific actions the company has taken to ensure the events do not occur again to exceed the permitted limit?

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

I refer to Mining Lease M26/39 -

- (1) Is it correct that M26/39 has a tenement condition on it which states 'No Developmental or productive mining being commenced until the tenement holder has submitted a plan of the

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proposed operations and measures to safeguard the environment to the State Mining Engineer for assessment and until his written approval has been obtained'?

- (2) If not, will the Minister table a copy of all the tenement conditions?
- (3) Is it correct that the condition referred to in question (1) above, was not complied with in the years of 1992 and 1993?
- (4) If yes, can the Minister explain why no forfeiture proceedings were implemented and a fine imposed upon the holder?
- (5) If no to (3), why not?
- (6) Can the Minister state who were the tenement holders of M26/39 from July 1990 through to March 2002?
- (7) If not, why not?

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

I refer to a letter I understand is dated December 5 1990 signed by A W Extract, District Mining Engineer addressed to the Registered Manager - Metallurgy, Kalgoorlie Consolidated Gold Mines titled 'HCN LEVELS ON CIL PLANT- GIDGI ROASTER' and copy of a record book entry dated December 3 1990 signed by Special Inspector of Mines -

- (1) Was the above referred to letter sent to the company?
- (2) If not, why not?
- (3) Is it correct that part of the letter states 'A recent inspection of the above operation on the December 3 1990 discovered levels of HCN significantly above the TLV of 10ppm. The readings were taken by one of your portable, hand held monitors as we were walking over the top of tanks 1B and 1C. The levels indicated a reading in excess of 20ppm while over tank 1C and although we were informed of the high reading by your plant operator prior to our inspection the levels recorded appear to occur regularly in tanks 1A, 1B and 1C ...'?
- (4) If not, will the Minister table a copy of the entire letter?
- (5) If yes to (3), can the Minister state what short and long term measures were implemented to maintain the HCN level in the CIL plant to the maximum TLV of 10ppm?
- (6) Is it correct that the record book entry referred to above in part states 'I have today carried out an inspection of your roaster, CIL plant and workshop. The following defects were observed -
 - (a) Roaster #1 burner port has a leak and noxious fumes are being released;
 - (b) Tank 1B and 1C of the CIL plant had HCN levels in excess of the maximum TLV of 10ppm. Tank 1C recorded a HCN level in excess of 20ppm;
 - (c) A Bennetts - Day Crew Operator - was observed not wearing safety glasses while preparing samples at the sample preparation area of the CIL plant; and
 - (d) Clean up of concentrate spillage was being conducted during this inspection. Housekeeping levels around the site are generally good'?

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- (7) If not, will the Minister table a copy of the record book entry?
- (8) If yes to (6), were all the defects rectified to ensure that they did not occur again to create an unsafe working environment for any of the workers?

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

I refer to Mining Leases 26/383, 26/308, 26/451, General Purpose Leases G26/44-68, G26/70-71, G26/73-78, G26/82-86, a file a note which I understand is signed by Jay Ranasooriya, Geotechnical Engineer dated February 4 1997 concerning Kalgoorlie Consolidated Gold Mines (KCGM) tailings storage facilities 1996 Annual Operational Audit, Annual Operational Audit 2000 of the Fimiston I and II Tailings Storage facilities, a letter dated July 1 1996 signed by H Jones, Assistant Director Research and Technical Services addressed to Mr P W Rowe, The Registered Manager, Kalgoorlie Consolidated Gold Mines reference HJ.FK 2009/96 and the 2000 Operational Audit report for the Tailings Storage Facilities at the Gidgi Roaster produced by Golder Associates -

- (1) Has KCGM or the holders of the tenements covering the Fimiston II tailings dams breached any of the tenement conditions in not complying with the minimal operational freeboard requirement in 1996, 1997 and 2000?
- (2) If not, why not?
- (3) Will the Minister or the Department impose tenement conditions under the *Mining Act* upon all the tenements covering the Fimiston I, Fimiston II and Gidgi tailings dams to ensure that KCGM complies with the minimal operational freeboard requirement?
- (4) If yes to (1), can the Minister explain why no forfeiture proceedings were implemented and a fine imposed upon the holder?
- (5) Is it correct that part of the 2000 Operational Audit report for the Tailings Storage Facilities at the Gidgi Roaster on page 4 states 'A total of 19 air well pumps have been installed since the previous audit to intercept seepage discharge to the north west of the TSF. Three of these air wells are collecting seepage water immediately under the division wall between the two cells (Photograph 8) and the balance are located on Gidgi west and down gradient of the western flank of the TSF. About 300m³/day of seepage water (at 20-50ppm WAD CN) is being recovered and recirculated to the plant'?
- (6) If yes, can the Minister state how the figure of 300m³/day of seepage water was estimated or calculated and how is the water determined to be seepage water from the tailings facility?
- (7) If no to (5), will the Minister state what is on page 4 of the report?
- (8) Can the Minister state the amount of seepage water in cubic metres and litres per day that is seeping into the groundwater from the Fimiston I and Fimiston II tailings dams and is being recovered through all air well pumps, the production bores all known as the Eastern Borefield located around the Fimiston I and Fimiston II tailings dams?
- (9) If not, why not given that it can be estimated at the Gidgi Tailings dams?
- (10) Is it correct that the Annual Operational Audits for all the tailings dams produced by Golder Associates and other reports produced by Hydrogeologists, and Geotechnical Engineers are

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submitted to the Department as evidence of compliance with the *Mining Act 1978* and Regulations and *Mines Safety and Inspection Act* and Regulations?

- (11) If yes, why are all of these reports considered to be evidence of compliance for the various Acts administered by the Department?
- (12) If no to (10), why are all of these reports not considered to be evidence of compliance for the various Acts administered by the Department and what are the reasons for these reports being submitted to the Department?

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

I refer to question on notice Nos 372 and 373 of December 19 2001 and answers provided, a letter dated December 6 1999 reference 95178, 95449 and 95642 signed by the previous Minister for Mines addressed to Kalgoorlie Consolidated Gold Mines Pty Ltd, numerous mining activities and other activities interfering with the land with equipment being operated specifically a crane, bobcat and truck, forklift and flat tray truck loading/unloading equipment, cherry picker with hydraulic jacks, equipment being removed and placed in sheds by forklift and by hand all well within 100 metres of 7 Williamstown Road without the written consent of the occupier for the period between March 11 2002 and March 28 2002 -

- (1) Will the Minister or the Department urgently issue a stop work order under Regulation 120L of the *Mining Act 1978* and Regulations to KCGM, holders of Mining Lease 26/353, to ensure that KCGM complies with section 20(5) of the *Mining Act* and that residents are provided with regulatory protection given the following -
- (a) KCGM has previously stated to the Department in writing in June 1999 that should there any such activities contemplated in the future, then KCGM would comply with the requirements of the *Mining Act*;
- (b) the record book entry made by Mr P Capon, District Inspector of Mines on August 30 1999; and
- (c) the previous Minister for Mines has written in to KCGM December 1999 requesting that KCGM refrain from conducting any activity associated with its mining operations that is not authorised for the purposes of section 20(5)?
- (2) If not, why not?
- (3) Will the Minister and his Department provide the same equal treatment and tolerance to other mining companies and prospectors in the industry?
- (4) Will the Department prosecute KCGM or the holders of Mining Lease 26/353 for breaching section 20(5) given there have been previous complaints made in 1998, 1999, February 15 2002 and the circumstances outlined in question (1) above?
- (5) If not, why not?

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

I refer to questions on notice Nos 372 and 373 of Wednesday, December 19 2001, answers provided, previous letters of complaint dated December 17 1998 and August 25 and 30 1999 from Mr Brian Hounslow and all previous complaints from Mr and Mrs Meyer Forst concerning Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM), Homestake Gold of Australia, Normandy Gold Mines activities on Mining Lease 26/353 and other complaints on Mining Lease 26/131 -

- (1) Is it correct that Mr Hounslow made many complaints in a letter dated August 25 1999 supported with video evidence of work being conducted at Mt Charlotte within 100 metres of his residential property between the period of July 27 1999 through to August 6 1999?
- (2) If yes, can the Minister state what each specific activity on each specific date was being complained about, depicted in the video and described by Mr Hounslow in his letter?
- (3) If no to (1), will the Minister table the entire letter of complaint from Mr Hounslow?
- (4) Is it correct that Mr Hounslow made further separate complaints in a letter dated August 30 1999?
- (5) If yes, can the Minister state what each specific activity was being complained about?
- (6) If no to (4), why not?
- (7) Can the Minister state how many times Mr and Mrs Meyer Forst have complained and detail what each specific complaint has been about on Mining Lease 26/353?
- (8) If not, why not?
- (9) Is it correct that KCGM were in breach of section 20(5) of the *Mining Act 1978* and Regulations concerning the Mt Charlotte conveyor belt in Williamstown in 1995 on Mining Lease 26/131?
- (10) If yes, what is the penalty for breaching section 20(5)?
- (11) If no to (9), why not?

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

I refer to question on notice No. 372 of Wednesday, December 19 2001, answers provided and an incident which I understand occurred on or about November 8 2001 on Mining Lease 26/353 where a front end loader operated by Kalgoorlie Consolidated Gold Mines Pty (KCGM) employees/contractors was operating removing/pushing earth soil and clearing vegetation within 100 metres of 7 Williamstown Road -

- (1) Is it correct that Mining Lease 26/353 has a tenement condition on it which states 'Unless the written approval of the District Mining Engineer, Department of Minerals and Energy, is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval, all topsoil

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being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations'?

- (2) If yes, can the Minister give the specific date and table a copy of the written departmental approval that allowed the above referred to incident on or about November 8 2001?
- (3) If no to (1), can the Minister table a copy of all of the tenement conditions on Mining Lease 26/353?
- (4) Has the holder/operator of Mining Lease 26/353 breached the tenement condition referred to in (1) above?
- (5) If yes, will the Minister impose the maximum possible fine given there has been numerous repeated previous complaints from residents when KCGM has not refrained from conducting activities within 100 metres of residential properties despite written assurances to the Department that KCGM would comply with the *Mining Act*?
- (6) If no to (4), why not?
- (7) Did KCGM, Normandy Mining Ltd, Homestake Gold of Australia seek prior written approval in writing from the Department including lodging a Ground Disturbance Application or a Notice of Intent accompanied with a map prior to the incident on or about November 8 2001?
- (8) If yes, on what date were these documents lodged with the Department?

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

I refer to questions on notice Nos 372 and 373 of Wednesday, December 19 2001, answers provided, previous letters of complaint dated December 17 1998 and August 25 and 30 1999 from Mr Brian Hounslow and all previous complaints from Mr and Mrs Meyer Forst concerning Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM), Homestake Gold of Australia, Normandy Gold Mines activities on Mining Lease 26/353 and other complaints on Mining Lease 26/131 -

- (1) Can the Minister state how many times in number will the Department or his office allow KCGM employees/contractors to repeatedly breach the *Mining Act 1978* and other legislation administered by the Department causing significant problems for residents before it will commence a prosecution to highlight the fact that repeated activities and practices are unacceptable?
- (2) If not, why not?
- (3) Can the Minister detail what were the specific complaints made by Mr Hounslow in a letter dated December 17 1998?
- (4) If not, why not?

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561. Hon Robyn McSweeney to the Parliamentary Secretary representing the Minister for Health
Can the Minister confirm that \$500 000 has been allocated for the planning of a new hospital in Denmark?

562. Hon Robyn McSweeney to the Parliamentary Secretary representing the Minister for Health
- (1) What categories do Sir Charles Gardiner Hospital have in their Emergency Department?
 - (2) What are the time frames that patients in these categories are seen eg. I believe Category One patients are to be seen by a doctor within half an hour?
 - (3) Could the Minister provide time frames and some examples of what Category One patients would be and the same for Category Two, Three etc.?

563. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

Further to the Minister for Planning and Infrastructure's media statement of March 12 2002 on the re-assignment of the Port Kennedy Project -

- (1) If the project is changed in any way will the Minister for Planning and Infrastructure table the variation in Parliament as required by Clause 21 of Section 1 of the *Port Kennedy Resort Development Act*?
- (2) Will this variation be subject to appropriate development and environmental approvals?
- (3) Will the Minister table any advice she has been given that indicates that any proposed additions or other changes to the project need to be tabled in Parliament?

564. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

Further to question on notice No. 399 of February 19 2002 -

Is the Network Leasee required to inform Westrail or the West Australian Government of all improvements to the rail network system and the value of those improvements under the terms of the network lease?

565. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

- (1) What studies have been carried out to ensure that the North Eastern Hills Settlement Plan does not have negative impacts on the air and water quality for the Perth Metropolitan Region?
- (2) Is the Minister aware that the West Australian Planning Commission have stated that 'there is sufficient urban and urban-deferred land available in the Metropolitan Regions to accommodate an additional 209 300 lots or a population of 586 000, equivalent to between 21 and 27 years supply and that this does not take into account the amount of land in

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rural areas which is zoned for and capable of further subdivisions (Ministry for Planning - Land Monitoring Report, December 1996)?

- (3) Does the Department consider that this is a sufficient area of land to hold for future urban use and how is this assessed?
- (4) Does the oversupply of urban land lead to an undervaluing of lots and in turn promote urban sprawl?
- (5) Does the Minister consider that there should be limits on the size of Perth's expansion?
- (6) Has, or will, the Department of Planning and Infrastructure carry out research into the optimum size of the city?

566. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

- (1) How many submissions were received from the public regarding the North Eastern Hills Settlement Pattern Plan?
- (2) How many submissions were in favour of the plan?
- (3) How many were opposed?
- (4) What changes to the Plan resulted from these submissions?

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

Steve Appleyard of the DEP was quoted in *The West Australian* newspaper, April 4 2002, as stating that micro-organisms appeared to have stabilised the contamination plume under Nufarm in Kwinana -

- (1) Will the Minister identify what micro-organisms are responsible for stabilising the chemical contaminants?
- (2) Will the Minister table any groundwater survey and monitoring results in and around Nufarm's deep well chemical disposal aquifer?
- (3) What restrictions are there on what chemicals?
- (4) What quantities of each chemical, can Nufarm dispose of into the deep aquifer?
- (5) Will the Minister table testing and monitoring results of the stormwater which is allowed to drain into the groundwater?
- (6) If not, why not?
- (7) Will the Minister table the contaminant limits and levels set by the DEP for Nufarm's stormwater disposal into the groundwater?
- (8) If not, why not?

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568. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Education

- (1) What pesticides and herbicides does the Education Department permit to be used around schools?
- (2) What quantities of each herbicide and pesticide have been used around school premises for each of the last four years?
- (3) Has the Department investigated alternatives to the use of each of the chemicals?

569. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

Further to question on notice No. 434 of February 26 2002 -

- (1) The Heathcote Co-ordination Agreement of 2001 was a contract/agreement between which parties?
- (2) Does the agreement contain any provisions as to the future use or zoning of the Heathcote lower land?
- (3) If yes, what are the provisions?
- (4) When does the Government intend to implement those provisions?

L B MARQUET

Clerk of the Legislative Council