

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 236

Tuesday, 16 October 2012

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, 14 August 2012*

5811. Hon Alison Xamon to the Minister for Mental Health (*SO107(2) response – 19 September 2012*)
5888. Hon Ljiljanna Ravlich to the Minister for Mental Health (*SO107(2) response – 19 September 2012*)
5893. Hon Ljiljanna Ravlich to the Minister for Mental Health (*SO107(2) response – 19 September 2012*)

Notice Given *Tuesday, 11 September 2012*

5949. Hon Kate Doust to the Minister for Commerce
5956. Hon Giz Watson to the Minister for Mines and Petroleum
5958. Hon Alison Xamon to the Minister for Commerce
5959. Hon Alison Xamon to the Minister for Commerce
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5964. Hon Alison Xamon to the Minister for Commerce
5973. Hon Alison Xamon to the Minister for Mental Health
5974. Hon Alison Xamon to the Minister for Mental Health
6005. Hon Linda Savage to the Minister for Commerce

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Postponed Questions**Notice Given** **Wednesday, 12 September 2012**

- 6018. Hon Kate Doust to the Minister for Commerce
- 6019. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 6020. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 6021. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 6022. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 6023. Hon Ljiljanna Ravlich to the Minister for Mental Health

Notice Given **Tuesday, 18 September 2012**

- 6028. Hon Sue Ellery to the Minister for Mental Health representing the Minister for Health
- 6029. Hon Robin Chapple to the Minister for Indigenous Affairs
- 6030. Hon Lynn MacLaren to the Minister for Finance representing the Minister for Transport
- 6032. Hon Giz Watson to the Minister for Education representing the Minister for Corrective Services
- 6033. Hon Giz Watson to the Minister for Mental Health representing the Minister for Health
- 6034. Hon Giz Watson to the Minister for Education representing the Minister for Corrective Services
- 6035. Hon Giz Watson to the Leader of the House representing the Minister for Science and Innovation
- 6036. Hon Giz Watson to the Minister for Education representing the Minister for Corrective Services
- 6037. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6038. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6039. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6040. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6041. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6042. Hon Ljiljanna Ravlich to the Minister for Energy
- 6043. Hon Ljiljanna Ravlich to the Minister for Energy
- 6044. Hon Ljiljanna Ravlich to the Minister for Commerce
- 6045. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
- 6046. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
- 6047. Hon Robin Chapple to the Minister for Indigenous Affairs
- 6050. Hon Robin Chapple to the Minister for Education representing the Minister for Housing

Notice Given **Wednesday, 19 September 2012**

- 6051. Hon Kate Doust to the Leader of the House representing the Minister for Science and Innovation
- 6052. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

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Postponed Questions

6054. Hon Alison Xamon to the Minister for Corrective Services
 6055. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
 6056. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
 6057. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

Notice Given Thursday, 20 September 2012

6066. Hon Sue Ellery to the Attorney General representing the Minister for Police
 6067. Hon Sue Ellery to the Attorney General representing the Minister for Police
 6068. Hon Sue Ellery to the Attorney General representing the Minister for Police
 6069. Hon Sue Ellery to the Attorney General representing the Minister for Police

Notice Given Tuesday, 25 September 2012

6070. Hon Linda Savage to the Minister for Mental Health representing the Minister for Health
 6071. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
 6072. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
 6073. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
 6074. Hon Adele Farina to the Minister for Mental Health representing the Minister for Environment
 6075. Hon Adele Farina to the Minister for Mental Health representing the Minister for Environment
 6076. Hon Adele Farina to the Minister for Mental Health representing the Minister for Environment
 6077. Hon Adele Farina to the Minister for Mental Health representing the Minister for Environment
 6078. Hon Adele Farina to the Minister for Education representing the Minister for Housing
 6079. Hon Adele Farina to the Minister for Education representing the Minister for Housing
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 6089. Hon Adele Farina to the Minister for Education representing the Minister for Housing
 6090. Hon Adele Farina to the Minister for Education representing the Minister for Housing
 6091. Hon Adele Farina to the Minister for Education representing the Minister for Housing

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Postponed Questions

- 6092. Hon Adele Farina to the Minister for Education
- 6093. Hon Adele Farina to the Minister for Education
- 6094. Hon Adele Farina to the Minister for Education
- 6095. Hon Adele Farina to the Minister for Education
- 6096. Hon Adele Farina to the Minister for Education
- 6097. Hon Adele Farina to the Minister for Education
- 6098. Hon Adele Farina to the Minister for Education
- 6099. Hon Adele Farina to the Minister for Mental Health representing the Minister for Water
- 6100. Hon Adele Farina to the Minister for Mental Health representing the Minister for Water
- 6101. Hon Adele Farina to the Minister for Mental Health representing the Minister for Environment
- 6102. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
- 6103. Hon Adele Farina to the Minister for Education representing the Minister for Training and Workforce Development
- 6104. Hon Adele Farina to the Minister for Mental Health representing the Minister for Water
- 6105. Hon Adele Farina to the Minister for Mental Health representing the Minister for Water
- 6106. Hon Adele Farina to the Minister for Mental Health representing the Minister for Water
- 6107. Hon Adele Farina to the Minister for Mental Health representing the Minister for Environment
- 6108. Hon Adele Farina to the Minister for Mental Health representing the Minister for Environment
- 6109. Hon Adele Farina to the Minister for Education representing the Minister for Emergency Services
- 6110. Hon Adele Farina to the Minister for Education representing the Minister for Emergency Services
- 6111. Hon Adele Farina to the Minister for Education representing the Minister for Emergency Services
- 6112. Hon Adele Farina to the Minister for Education representing the Minister for Emergency Services
- 6113. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
- 6114. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
- 6115. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
- 6116. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
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- 6118. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
- 6119. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
- 6120. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
- 6121. Hon Adele Farina to the Minister for Finance representing the Minister for Transport
- 6122. Hon Adele Farina to the Minister for Finance representing the Minister for Transport

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6123. Hon Adele Farina to the Minister for Mental Health
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6137. Hon Adele Farina to the Minister for Mental Health representing the Minister for Health
6138. Hon Adele Farina to the Minister for Mental Health representing the Minister for Health
6139. Hon Adele Farina to the Minister for Mental Health representing the Minister for Health
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6146. Hon Adele Farina to the Minister for Mental Health representing the Minister for Health
6147. Hon Adele Farina to the Minister for Mental Health representing the Minister for Health
6148. Hon Adele Farina to the Minister for Mental Health representing the Minister for Health
6149. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Planning
6150. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Tourism
6151. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Tourism

Notice Given **Wednesday, 26 September 2012**

6152. Hon Sue Ellery to the Attorney General representing the Minister for Police
6153. Hon Sue Ellery to the Attorney General representing the Minister for Police
6154. Hon Sue Ellery to the Attorney General representing the Minister for Police
6155. Hon Robin Chapple to the Minister for Education representing the Minister for Corrective Services

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Postponed Questions

- 6156. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6157. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6158. Hon Sally Talbot to the Parliamentary Secretary representing the Minister for Lands
- 6159. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6160. Hon Giz Watson to the Minister for Mental Health representing the Minister for Health

Notice Given *Thursday, 27 September 2012*

- 6161. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 6162. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 6163. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 6164. Hon Kate Doust to the Minister for Commerce

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QUESTIONS ASKED TODAY

Notice Given *Tuesday, 16 October 2012*

6165. Hon Philip Gardiner to the Minister for Finance representing the Minister for Transport

The Rail Freight Corridor Land Use Agreement (Narrowgauge) and Railway Infrastructure Lease Agreement between the Western Australian Government, Westnet Narrowgauge Pty Ltd (Network Lessee), Australian Western Railroad Pty Ltd (Purchaser) and Australian Railroad Group Pty Ltd (Guarantor) contained initial performance standards for the Rail Network as per Schedule 4 of the agreement, dated December 2000. S15.2 and 15.3 of that agreement allow these initial performance standards to change from time to time as agreed to by the Minister and the Network Lessee. I ask —

- (1) Have the initial performance standards been changed, as per s15.3 of the Lease Agreement, in relation to what is now termed the Tier3 rail lines as designated in the *Strategic Grain Network Report*, dated December 2009?
- (2) What was considered to be the purpose of the Tier3 rail lines at the time this Lease Agreement was negotiated, with particular relevance to the terminology of being fit for purpose?
- (3) If there has been a change in performance standard from the initial performance standard, what were those changes?
- (4) If so, when and what documentation exists between Government and the Lessee concerning any change?
- (5) If the performance standard of the Tier3 rail network has not been changed, how is it that unless expenditure is made on the lines prior to end October 2012, that the Government is stating they will be closed?

6166. Hon Robin Chapple to the Minister for Indigenous Affairs

On 9 November 2011, in the course of considering an application by Fortescue Metals Group (FMG), under section 18 of the *Aboriginal Heritage Act 1972* (AHA), the Aboriginal Cultural Materials Committee (ACMC) asked the Director General of the Department of Indigenous Affairs (DIA) to inform the Minister that the Committee was ‘uncomfortable making a decision, given the challenge to the veracity of the information provided to the Committee by FMG regarding sites in Yindjibarndi Country’. I ask —

- (1) Was the Minister informed of this?
- (2) If yes to (1), on what date was this information sought?
- (3) If no to (1), why not?
- (4) If yes to (1), what response, direction or guidance did the Minister provide to the Director General of DIA?
- (5) If yes to (1), was a response provided to the ACMC by the Director General of DIA or the Minister?
- (6) If yes to (4), what response, direction or guidance occurred?
- (7) If yes to (4), will the Minister table that response, direction or guidance?

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(8) If yes to (5), what was the nature of the response?

(9) If yes to (5), will the Minister table that response?

The Committee also asked the Director General to seek additional funding if necessary to 'enable DIA to provide the ACMC with information regarding the nature and significance of sites relating to the FMG Firetail section 18 applications'. I ask —

(10) Was the Minister informed of the Committee's request for DIA to provide information regarding the nature and significance of sites relating to the FMG Firetail section 18 applications?

(11) If yes to (10), on what date?

(12) If no to (10), why not?

(13) If yes to (10), did the Minister approve of the Committee's request for DIA to provide information regarding the nature and significance of sites relating to the FMG Firetail section 18 applications?

(14) If no to (10), why not?

(15) If yes to (13), what action was undertaken by DIA to facilitate the Committee's request for DIA to provide information regarding the nature and significance of sites relating to the FMG Firetail section 18 applications?

(16) If yes to (15), on what date did this occur?

(17) If yes to (15), will the Minister table that information?

(18) Was additional funding provided to DIA by the Director General?

At the time when the ACMC made this request, FMG had made five 'Firetail section 18 applications'; including —

- (a) the section 18 Notice for the Firetail Priority Mining Area (DIA File No: 11/0211), which identified nine sites on the land and was —
 - (i) submitted to the ACMC on 18 February 2011;
 - (ii) resubmitted on 17 March 2011;
 - (iii) considered by the ACMC on 1 June 2011;
 - (iv) given conditional ministerial consent on 30 June 2011;
 - (v) made the subject of an appeal by FMG to the State Administrative Tribunal (SAT) on 8 August 2011;
 - (vi) in accordance with orders made by the SAT, pending ministerial reconsideration;
- (b) the section 18 Notice for the Firetail Conveyors & Trinity TSF (Tailings & Storage Facility) (DIA File No: 11/0755), which identified 22 sites on the land and was —
 - (i) submitted to the ACMC on 19 August 2011;
 - (ii) considered by the ACMC on 13 October 2011;
 - (iii) pending ministerial consent;

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- (c) the section 18 Notice for the Firetail West and Trinity (DIA File No 11/0975), which identified six sites on the land and was —
- (i) submitted to the ACMC on 21 October 2011; and
 - (ii) pending consideration by the ACMC on 14 December 2011,

and I ask —

- (19) Will the Minister confirm that at the time of the ACMC's request, the application for the Firetail Priority Mining Area (the 'land') was again before the Minister, pending reconsideration of the Minister's earlier conditional consent, given on 30 June 2011?

On or around 24 October 2011, in accordance with orders made by the SAT (on 6 October 2011), the Minister received submissions from Yindjibarndi Aboriginal Corporation RNTBC (YAC), regarding the Minister's reconsideration of his earlier decision on FMG's section 18 Notice for the Firetail Priority Mining Area. (see submissions of invitee - Yindjibarndi Aboriginal Corporation RNTBC - Concerning Minister's Reconsideration of section 18 Decision, dated 24 October 2011, at [6.4]), and I ask —

- (20) Will the Minister confirm that the submissions of YAC included a list of coordinates for 22 Aboriginal sites, previously recorded by YAC's anthropologist, Philip Davies (during a site visit in May 2011), all of which were apparently within the land (the subject of FMG's section 18 Notice for the 'Firetail Priority Mining Area') but had not been included as 'sites on the Land' by FMG?

On or around 11 November 2011, the Registrar received a spread sheet from YAC listing the coordinates of sites previously recorded by Eureka and Veritas; and, a review of the spread sheet revealed 'several of the listed sites were located within section 18 land and had not been included as sites on the land by FMG' —

- (a) for section 18 Notice 11/0755 [Firetail Conveyors & Trinity TSF] FMG had indicated in its application that the land subject of the Notice contained 22 Aboriginal heritage sites. Based on information from the Eureka report and spread sheet the sites on the land subject of this Notice may have been as many as 39; and
- (b) for section 18 Notice 11/0975 [Firetail West and Trinity] FMG had indicated in its application that the land subject of the Notice contained six Aboriginal heritage sites. Based on information from the Eureka report and spread sheet the sites on the Land subject of this Notice may have been as many as ten; and
- (c) (see: DIA Report on the 'Assessment of 17 Heritage Places', undated internal report released under FOI, at 2-3). The DIA subsequently conducted a field investigation in the Firetail area to determine if FMG had failed to include the additional sites, identified in the spread sheet, in the Notices,

and I ask —

- (21) Will the Minister explain why his department's field investigation did not include an examination of the Firetail Priority Mining Area to determine if (in the section 18 Notice for that land) FMG had failed to include the 22 sites that were identified in the submissions from YAC, given that Notice was then before the Minister for reconsideration?

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Questions Asked Today

Notice Given *Tuesday, 16 October 2012*

6167. Hon Robin Chapple to the Minister for Education representing the Minister for Training and Workforce Development

I refer to the issue of employment in the Kimberley —

- (1) How many registered Aboriginal job seekers are there in the Kimberley?
- (2) How many registered non-Aboriginal job seekers are there in the Kimberley?
- (3) How many registered Aboriginal job seekers are in the stream 'significant barriers to employment'?
- (4) How many registered non-Aboriginal job seekers are in the stream 'significant barriers to employment'?
- (5) How many registered Aboriginal job seekers are in the stream 'severe barriers to employment'?
- (6) How many registered non-Aboriginal job seekers are in the stream 'severe barriers to employment'?
- (7) How many registered Aboriginal job seekers are there on the Dampier Peninsula, including Broome?
- (8) How many registered non-Aboriginal job seekers are there on the Dampier Peninsula, including Broome?
- (9) How many registered Aboriginal job seekers on the Dampier Peninsula, including Broome, are in the stream 'significant barriers to employment'?
- (10) How many registered non-Aboriginal job seekers on the Dampier Peninsula, including Broome, are in the stream 'significant barriers to employment'?
- (11) How many registered Aboriginal job seekers on the Dampier Peninsula, including Broome, are in the stream 'severe barriers to employment'?
- (12) How many registered non-Aboriginal job seekers on the Dampier Peninsula, including Broome, are in the stream 'severe barriers to employment'?

6168. Hon Robin Chapple to the Leader of the House representing the Minister for State Development

I refer to the issue of lower spending by the Department of State Development (DSD), as stated in the Annual Report on State Finances 2011-12, and I ask —

- (1) How much was the DSD budget for the Browse project?
- (2) What was the detailed budget breakdown?
- (3) Which items were below budget?
- (4) Why were these items below budget?
- (5) Which items were above budget?
- (6) Why were these items above budget?
- (7) What have been the expenditures of other departments ascribed to or resulting from this DSD, as the proponent, driven project?

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Questions Asked Today

Notice Given *Tuesday, 16 October 2012*

6169. Hon Robin Chapple to the Minister for Commerce

I refer to photos located at <http://www.robinchapple.com/qdata> of an accident at Geraldton Port in late May '2012-05 Geraldton Port Accident.pdf', and ask —

- (1) Was the accident investigated by WorkSafe?
- (2) If yes to (1), on what date did the accident occur?
- (3) If yes to (1), on what date did WorkSafe investigate the accident?
- (4) If no to (1), why not?
- (5) If yes to (3), was the plant and the EWP maintained in the position of the accident until WorkSafe attended the site?
- (6) If no to (5), why not?
- (7) What was the cause of the accident?
- (8) Was anyone injured in this accident?
- (9) Where any lives put at risk as a result of this accident?
- (10) If yes to (9), how many and what was the nature of the risk?
- (11) Who authorised the placement of this plant at this location?
- (12) Was a due diligence evaluation carried out on the operation of this plant at this location prior to the commencement of operations?
- (13) If yes to (12), who by?
- (14) If no to (12), why not?
- (15) Was the plant suitable for the task at that location?
- (16) If no to (15), why was it used?
- (17) Have any prosecutions or warnings been issued in respect of this accident?

6170. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

In relation to the Forest Management Plan 2014-2023, I ask —

- (1) What is the estimated cost to the Department of Environment and Conservation of —
 - (a) preparing the plan and its subsidiary documents;
 - (b) implementing the plan and its subsidiary documents during the first financial year 2014-2015; and
 - (c) monitoring and auditing compliance with the plan and its subsidiary documents during the first financial year 2014-2015?
- (2) How much of this amount will be covered by —
 - (a) the Forest Products Commission; or
 - (b) other source(s) (please specify)?

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Notice Given *Tuesday, 16 October 2012*

6171. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

In relation to the Forest Management Plan 2014-2023, I ask —

- (1) What is the estimated cost to the Conservation Commission of —
 - (a) preparing the plan and its subsidiary documents;
 - (b) auditing implementation and compliance with the plan and its subsidiary documents, including establishment of Fauna Habitat Zones and assessment of Old Growth Forest nominations, during the first financial year 2014-2015?
- (2) How much of this amount will be covered by —
 - (a) the Forest Products Commission; or
 - (b) other source(s) (please specify)?

6172. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

In relation to the Forest Management Plan 2004-2013, I ask —

- (1) What has been the cost to the Conservation Commission of auditing implementation and compliance with the plan and its subsidiary documents, including establishment of Fauna Habitat Zones and assessment of Old Growth Forest nominations?
- (2) How much of this amount was covered by —
 - (a) the Forest Products Commission; or
 - (b) other source(s) (please specify)?

6173. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

In relation to the Forest Management Plan 2004-2013, I ask —

- (1) What has been the cost to the Department of Environment and Conservation of —
 - (a) implementing the plan and its subsidiary documents; and
 - (b) monitoring and auditing compliance with the plan and its subsidiary documents?
- (2) How much of this amount was covered by —
 - (a) the Forest Products Commission; or
 - (b) other source(s) please specify?

6174. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry

In relation to the Forest Management Plan 2004-2013, I ask —

- (1) What has been the cost to the Forest Products Commission of —
 - (a) implementing the plan and its subsidiary documents; and
 - (b) monitoring and auditing compliance with the plan and its subsidiary documents?
- (2) How much of this amount was covered by —
 - (a) payments by the buyers of forest products; or
 - (b) other source(s) (please specify)?

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Questions Asked Today

Notice Given *Tuesday, 16 October 2012*

6175. Hon Giz Watson to the Minister for Finance representing the Minister for Transport

I refer to the proposed Margaret River bypass road, and I ask —

- (1) What are your department's figures for the amount of traffic that passes through the town (not figures for traffic entering and traffic leaving)?
- (2) What proportion of that figure relates to trucks/heavy vehicles?
- (3) What research/survey/evidence are these figures based on?
- (4) Has this information been made publicly accessible?
- (5) If no to (4), why not?

6176. Hon Giz Watson to the Minister for Indigenous Affairs

I refer to the statement by the Attorney General on 26 September 2012 during debate on the *Sentencing Amendment Bill 2012* that 'if you cannot get an interpreter to understand what is going on, you cannot be expected to plead [guilty or not guilty] until you do', and I ask —

- (1) How many Western Australian Aboriginal people ordinarily speak a language other than standard Australian English at home?
- (2) In the financial year 2011-2012, how many Aboriginal people were provided with an interpreter?
- (3) Regarding the answer to (2), will the Minister please provide a breakdown showing —
 - (a) the nature of the matter for which the interpreter was provided (e.g. in court, police interview, appointment with legal representative, medical appointment);
 - (b) the location (e.g. town/city name) at which the interpreter was provided; and
 - (c) the language for which the interpreter was provided?
- (4) How closely does the provision of interpreter services indicated in the answers to (2) and (3) match the level of need for Aboriginal language interpreter services in Western Australia (please provide full details including research/evidence relied upon)?

6177. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry

How many times in the last 12 months has the Forest Products Commission deferred logging operations after conducting an old growth audit (please provide full details regarding each occasion)?

6178. Hon Robin Chapple to the Minister for Indigenous Affairs

I refer to the provision of funds from the Department of Indigenous Affairs (DIA) for a human resource to ensure appropriate repatriation of stolen bones, and I ask —

- (1) Is the DIA going to provide funding for wages and on costs for Mr Neil Carter as the Organisations Repatriations and Cultural Heritage Officer beyond 31 December 2012?
- (2) If no to (1), why not?
- (3) If no to (1), what expectation does the DIA have of the Kimberley Aboriginal Law and Culture Centre that this program can continue?
- (4) If no to (1), what assurances will the DIA provide to the Aboriginal people of the Kimberley that their cultural heritage will be protected and respected?
- (5) Will the Minister consider continuing the funding for this project to its completion?

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Questions Asked Today

Notice Given *Tuesday, 16 October 2012*

6179. Hon Robin Chapple to the Minister for Energy

I refer to Verve's use of spare and unused capacity on the South West Interconnected System, and ask —

- (1) When Western Power was disaggregated what was the total network capacity allocated to Verve?
- (2) How much declared sent out capacity was allocated at each of Verve's generation sites?
- (3) What conditions were stipulated for use of this capacity, such as term and relinquishment if not being used?
- (4) How much network capacity in total does Verve currently have reserved on the South West Interconnected System?
- (5) How much unused or underutilized capacity does Verve currently have in total?
- (6) How much unused or underutilized capacity does Verve currently have at each of its generation sites?
- (7) If Verve is not currently utilizing all of its allocated capacity, what is the estimated cost being paid by Verve to Western Power for this unused capacity?
- (8) What is the total cost of Verve's access to the network?

6180. Hon Robin Chapple to the Minister for Indigenous Affairs

I refer to the provision of Training and Development options for Indigenous staff working within the Department of Indigenous Affairs, and ask —

- (1) What percentage of current staff working within the Department of Indigenous Affairs (DIA) is Aboriginal?
- (2) What accredited professional development opportunities have indigenous staff within the DIA been offered since June 2011 (i.e. training that provides an accredited certification or academic qualification of some kind)?
- (3) How many indigenous staff within the DIA have taken up accredited training opportunities since June 2011?
- (4) What percentage of staff working within the Department of Indigenous Affairs in June 2008, June 2009, June 2010 and June 2011 was Aboriginal?
- (5) What level of funding is currently allocated to the training and career development of Aboriginal staff within DIA in the 2012-13 Budget?
- (6) What level of funding was allocated to the training and career development of Aboriginal staff within DIA in the 2008-09, 2009-10, 2010-11 and 2011-12 Budgets?
- (7) How many Aboriginal staff have been promoted within DIA since June 2011?
- (8) How are promotions awarded to Aboriginal staff within DIA (i.e. on what criteria are level advancements based)?
- (9) Over the past year has the DIA received any complaints regarding the accessibility or quality of training offered to indigenous staff working within the DIA?

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Questions Asked Today

Notice Given *Tuesday, 16 October 2012*

6181. Hon Alison Xamon to the Minister for Finance representing the Minister for Transport

I refer to —

- (a) the Ministerial media statement ‘State Government to invest \$178.8 million in grain freight network’ where the then Transport Minister said that although no rail lines would close some non-economic lines would be put into ‘care and maintenance’;
- (b) the Minister’s response to the Standing Committee on Environment and Public Affairs’ (Committee) Report on the *Petition No. 145 – Closure of Tier 3 Rail Lines in the Central Wheatbelt* indicating he did not support the Committee’s recommendations to keep the Tier 3 rail lines open until the end of 2014 or to conduct further economic review in the absence of conclusive evidence that these lines were viable;
- (c) the Minister’s response to my questions on notice Nos 5832, 5833, 5834, 5835, 5836 and 5837 indicating that there are currently no plans to close the Tier 3 rail lines; and
- (d) the Minister’s announcement on 11 October 2012 that the Tier 3 rail lines would stay open until at least October 31 2013,

and I ask —

- (1) Can the Minister explain and clarify the Government’s position and intentions in relation to the Tier 3 rail lines, including what it means for the lines to be placed in ‘care and maintenance’?
- (2) Why, if the Government is concerned about the safety of the Tier 3 lines, has it maintained that —
 - (a) it will not invest in Tier 3 rail; and
 - (b) any decision to keep the Tier 3 rail lines open depends on CBH Group and Brookfield Rail coming to a commercial arrangement without State Government involvement?
- (3) Why, if the decision to keep the Tier 3 lines open is a matter for private investors and commercial arrangement between CBH Group and Brookfield Rail, has the State Government repeatedly extended the date for closure of the Tier 3 rail lines?
- (4) In light of the recent announcement that the Tier 3 lines will stay open until at least October 2013, please outline the plan and timeframe over which each of the Tier 3 rail lines have/will be placed into ‘care and maintenance’.
- (5) In respect of each of the Tier 3 rail lines in (4), will placing the lines in care and maintenance result in increased truck movements on roads in the Perth hills and scarp region?
- (6) If yes to (5), can the Minister explain how the \$118.3 million that is currently being spent on road improvements will provide for the expected replacement truck traffic to operate safely while the Tier 3 rail lines are in ‘care and maintenance’?

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6182. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry

Regarding the financial year 2011-2012, for the native forest logging industry (excluding sandalwood), I ask —

- (1) What was —
 - (a) the gross stumpage; and
 - (b) the base stumpage,

the Forest Products Commission (FPC) received from the sale of native forest logs?

- (2) What was the total amount paid by the FPC to contractors engaged in the native forest logging industry?
- (3) What was the cost to the FPC itself for its engagement in the native forest logging industry?
- (4) How much did the FPC pay to —
 - (a) the Department of Environment and Conservation; and
 - (b) the Conservation Commission,

for their involvement in the native forest logging industry?

6183. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Agriculture and Food

Further to the Minister's response to question without notice No. 696, I ask —

- (1) Will the Minister provide details of the modelling referred to in answer to (5), including by whom it was done and when; and
 - (a) substantiate the assertion that substituting live exports with local processing 'would lead to negative economic impacts over the midterm for Western Australia'; and
 - (b) table the modelling?
- (2) Will the Minister please table the two feasibility studies to which he referred?
- (3) If no to (2), why not?
- (4) Please identify the study that determined 'Western Australia has sufficient abattoir space and a surplus of abattoir capacity at present' and provide the evidence that substantiates this statement.
- (5) With reference to point 8, as the live export market is so volatile, what mechanisms is the Department of Agriculture and Food Western Australia putting in place to assist farmers with a 'plan b' (for want of a better term) when market volatility occurs?

6184. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

I refer to question on notice No. 3271 asked 15 February 2011, and I ask —

- (1) In which Department of Water documents is information regarding the allocation limits for each sub-area of the East Murchison and Goldfields Groundwater Areas described?
- (2) Are these documents publicly available, and if so, where?
- (3) If no to (2), please table the documents.
- (4) If no to (3), please state why not.

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- (5) Please describe the scientific basis (such as annual recharge rates, etc) behind the Department's setting of allocation limits within —
 - (a) the East Murchison Groundwater Area; and
 - (b) the Goldfields Groundwater Area?
- (6) In relation to (5), is scientific information to support the setting of allocation limits within the East Murchison Groundwater Area and the Goldfields Groundwater Area publicly available?
- (7) If yes to (6), where is it and what are the names of relevant documents?
- (8) If no to (6), please table the relevant documents.
- (9) If no to (8), please state why not.
- (10) In relation to (5), what on-the-ground research has the Department of Water conducted in each Groundwater Area and when was the last year or years that this was done?
- (11) What is the total annual groundwater allocation limit for each of the sub-areas within the East Murchison and Goldfields Groundwater Areas?
- (12) In relation to (11), what distinction, if any, is made between hyper-saline and less saline (brackish to fresh) groundwater resources? Please provide details for each sub-area if this distinction is made.
- (13) What research, if any, is the Department of Water aware of into the impacts of current and projected water consumption on the samphire habitat and stygofauna populations in the Wiluna area, in particular in the vicinity of Lake Way?
- (14) Is the Department of Water aware of any studies having been conducted or planned on the cumulative impact of water use in the vicinity of Wiluna?
- (15) Would the Minister for Water consider initiating a study into the cumulative impacts of current water users, projected water use, groundwater recharge rates and environmental requirements in and around Wiluna?
- (16) If no to (15), why not?
- (17) Please provide an update on the progress of the 'mining guideline' that was to be developed by the Department of Water to assist in guiding the licence assessment process.
- (18) Would the phrase 'detailed and certain' be an accurate description of the Department's current state of knowledge of available groundwater resources within the East Murchison and Goldfields Groundwater Areas?
- (19) If no to (18), what is a more accurate description?

6185. Hon Alison Xamon to the Minister for Education

I refer to the schools that have been identified as being at risk of bushfires, and I ask —

- (1) Has any costing been done at any of the schools for installing a fully self-sufficient roof sprinkler system for one or more buildings?
- (2) If yes to (1), will the Minister please provide these costings?
- (3) If costings have been done, but will not be provided, please state why not?

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6186. Hon Alison Xamon to the Minister for Education

I refer to the bushfire preparedness plans of schools located in the bushfire zone, and I ask —

- (1) Have all schools on the bushfire zone register prepared bushfire plans in accordance with *The Principals' Guide to Bushfire* policy?
- (2) If no to (1), please identify which schools have yet to develop their bushfire plans?
- (3) Have all school bushfire plans been prepared in conjunction with their relevant local government authority?
- (4) Does the Department of Education hold copies of each school's *Emergency and Critical Incident Management Plan*, which should include the bushfire management plan?

6187. Hon Alison Xamon to the Attorney General

I refer to the fires that burned houses and property in Toodyay in February 2009, Margaret River in November 2011 and Roleystone-Kelmscott in February 2011, and I ask —

- (1) How many of the people whose houses or property were damaged or destroyed by the Toodyay fire are suing, or have sued, the Government for compensation?
- (2) How many of the people whose houses or property were damaged or destroyed by the Margaret River fire are suing, or have sued, the Government for compensation?
- (3) How many of the people whose houses or property were damaged or destroyed by the Roleystone-Toodyay fire are suing, or have sued, the Government for compensation?

6188. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Environment

I refer to the answer to question without notice No. 665 of 18 September 2012 regarding the care and maintenance programme of the Hanson's Red Hill quarry, in which the Minister for Planning identified the Environmental Protection Authority as the responsible government agency, and I ask —

- (1) Will the Minister please table the care and maintenance programme for Hanson's Red Hill quarry referred to by the Department of Planning?
- (2) If no to (1), why not?

6189. Hon Alison Xamon to the Minister for Finance representing the Minister for Transport

I refer to the answer to question on notice No. 5652 of 11 September 2012 regarding moving the Midland train station, and I ask —

- (1) Has any planning been undertaken towards moving the Midland train station closer to the Midland Health Campus?
- (2) If yes to (1), please specify the planning that has been done?
- (3) Will any funding be nominated in future budget years towards any of the following for moving the train station towards the Midland Health Campus —
 - (a) a feasibility study;
 - (b) design work;
 - (c) construction ; and
 - (d) any other costs?

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- (4) If yes to (3) (a–d), please specify how much and when?
- (5) Has any planning been undertaken towards moving the Midland train station to the south, in line with the recommendations of the *Midland 2017 Enquiry by Design* report?
- (6) If yes to (5), please specify the planning that has been done?
- (7) Will any funding be nominated in future budget years towards any of the following for moving the train station to the south? If yes, please specify how much for —
 - (a) a feasibility study;
 - (b) design work;
 - (c) construction ; and
 - (d) any other costs?

6190. Hon Alison Xamon to the Minister for Mines and Petroleum

I refer to the new Petroleum Environment Regulations, especially the provisions regarding the disclosure of chemicals used in fracking fluids, and I ask —

- (1) Will those provisions apply retroactively to wells that have already been fracked for unconventional gas?
- (2) Will the Minister please table the chemicals that were used in the fracking fluid for each of the following wells —
 - (a) Corybas-1;
 - (b) Warro-3;
 - (c) Warro-4;
 - (d) Whicher Range-4;
 - (e) Yulleroo-2;
 - (f) Woodada-Deep-1;
 - (g) Senecio-2; and
 - (h) Arrowsmith-2?

6191. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Health

I refer to the new Midland Health Campus, to be operated by St John of God Health Care, and I ask —

- (1) Have any hospital by-laws been formulated for this hospital yet?
- (2) If yes to (1), will the Minister please table these by-laws?

6192. Hon Alison Xamon to the Minister for Energy

I refer to the *Switch the Future* program and the answer to question on notice No. 5838 regarding the difficulty in gaining high quality data by which to judge a trial and the answer to question without notice No. 757 in which the *Switch the Future* challenge was provided as an answer to the need to save energy, and I ask —

- (1) Was the original trial of thirty households constructed in such a way as to gain the quality of data required to adequately assess the impact of the program?
- (2) How will the success of the *Switch the Future* challenge be judged?

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6193. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Environment

I refer to the answer to question on notice No. 5504 regarding staffing levels at the Department of Environment and Conservation and noting that there will be approximately forty full time equivalent contract staff less in the Regional Services Division, and I ask —

- (1) How many, if any, of these contract staff have been replaced by public servants?
- (2) If no replacements have been made, please advise —
 - (a) where were those positions located;
 - (b) what tasks were those staff undertaking; and
 - (c) how will those tasks now be managed?

6194. Hon Alison Xamon to the Minister for Education

I refer to the John Forrest Senior High School in Morley, and I ask —

- (1) What, if any, refurbishments, improvements or new buildings are currently planned for this school?
- (2) Is there a notional budget in current or future years towards improvements at this school?
- (3) If yes to (2), what is the notional budget?

6195. Hon Alison Xamon to the Minister for Finance representing the Minister for Transport

I refer to improvements to train stations on the Midland line, and I ask —

- (1) Are there currently any plans to upgrade the Bayswater train station?
- (2) If yes to (1), please provide details of —
 - (a) the work to be undertaken;
 - (b) the estimated cost; and
 - (c) the time-frame in which it is likely this work will occur?
- (3) If no to (1), why not?

6196. Hon Alison Xamon to the Minister for Mines and Petroleum

I refer to the Department of Mines and Petroleum mining inspectors in the 2010-11 financial year, and I ask —

- (1) How many inspectors were employed in the Department of Mines and Petroleum as —
 - (a) employee's inspectors of mines;
 - (b) assistant inspectors of mines;
 - (c) district inspectors of mines; and
 - (d) special inspectors of mines, including any sub-categories of special inspectors of mines?
- (2) For each of the inspectors in (1) —
 - (a) what was the inspector salary range per annum; and
 - (b) where was the inspector employed?

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- (3) How many, if any, positions were vacant?
- (4) What was the average remuneration for all mining inspectors?

6197. Hon Alison Xamon to the Minister for Mines and Petroleum

I refer to the Department of Mines and Petroleum mining inspectors in the 2011-12 financial year, and I ask —

- (1) How many inspectors were employed in the Department of Mines and Petroleum as —
 - (a) employee's inspectors of mines;
 - (b) assistant inspectors of mines;
 - (c) district inspectors of mines; and
 - (d) special inspectors of mines, including any sub-categories of special inspectors of mines?
- (2) For each of the inspectors in (1) —
 - (a) what was the inspector salary range per annum; and
 - (b) where was the inspector employed?
- (3) How many, if any, positions were vacant?
- (4) What was the average remuneration for all mining inspectors?

6198. Hon Alison Xamon to the Minister for Mental Health

I refer to the Mental Health Emergency Response Line (MHERL), and I ask —

- (1) What are the current operating hours of the MHERL?
- (2) How many calls were made to the MHERL in —
 - (a) 2008-09;
 - (b) 2009-10;
 - (c) 2010-11;
 - (d) 2011-12; and
 - (e) January 2012 to date?
- (3) For each of (1)(a)-(e), how many of these calls were answered directly by a MHERL staff member?
- (4) For each of (1)(a)-(e), how many of these calls were not answered?
- (5) For each of (1)(a)-(e), how many of these calls were answered by an answering machine or answering service?

6199. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

I refer to question on notice No. 3271 asked on 15 February 2011, and ask —

- (1) What is the current total annual groundwater abstraction, in gegalitres, for each of the sub-areas within the East Murchison and Goldfields Groundwater Areas?
- (2) If feasible, please state the proportion of the total groundwater allocation in each sub-area that is hyper-saline (e.g. 5000mg/L TDS and above) and that which is brackish or fresh (less than 5000mg/L TDS).

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- (3) How many water licence applications for one gigalitre or greater has the Department of Water received or been notified of but is yet to assess in each sub-area of the East Murchison and Goldfields Groundwater Areas?
- (4) In relation to (3), what is the total amount of water, in gigalitres, these applications amount to, by sub-area?
- (5) In relation to (4), if feasible, please state whether the applications are for hyper-saline or brackish-to-fresh groundwater resources.

6200. Hon Alison Xamon to the Minister for Commerce

I refer to the ongoing shortage of WorkSafe inspectors, and I ask —

- (1) During the 2007-08, 2008-09, 2009-10, 2011-12, 2012-13 financial years, has the Department of Commerce commissioned any external consultants to —
 - (a) review and report on the staffing issues facing WorkSafe; and/or
 - (b) make recommendations as to how the situation might be improved?
- (2) If yes to (1), in respect of each report or set of recommendations please —
 - (a) briefly explain the terms of reference;
 - (b) provide the date of commission and publication; and
 - (c) table a copy?
- (3) If no to (1), why not?

6201. Hon Alison Xamon to the Minister for Commerce

I refer to WorkSafe, and I ask —

- (1) Has capital works funding been put aside in forward estimates to upgrade the WorkSafe data collection system?
- (2) If yes to (1) —
 - (a) how much funding has been allocated; and
 - (b) for what years has the allocation been made?
- (3) What, if any, issues does WorkSafe have with the current data collection system?
- (4) Has WorkSafe developed a model for a new data collection system?
- (5) If yes to (4) —
 - (a) what, and how, will this model address deficiencies in the current data collection system; and
 - (b) how will the new data collection system address broader problems facing WorkSafe?
- (6) If no to (4), when will WorkSafe begin developing a model for a new collection system?

6202. Hon Alison Xamon to the Minister for Commerce

I refer to the ongoing shortage of WorkSafe inspectors and I ask, what was the turnover of WorkSafe inspectors in respect of the —

- (a) 2007-08;
- (b) 2008-09;

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- (c) 2009-10; and
- (d) 2011-12,

financial years?

6203. Hon Alison Xamon to the Minister for Commerce

I refer to the Department of Commerce (department) Agency Response to the Auditor General's Public Sector Performance Report (Report 9 – June 2012), and I ask —

- (1) Has the department now received advice on how to remedy the department's accumulation of an extra \$1 million in revenue on behalf of the Plumbers Licensing Board over a five year period?
- (2) If yes to (1), can the Minister explain how, and over what timeframe, the department will be remedying the situation?
- (3) If no to (2), why not?
- (4) Please detail what steps, if any, the department has taken to ensure that such errors do not occur in the future.

6204. Hon Alison Xamon to the Minister for Commerce

I refer to the Department of Commerce Agency Response to the Auditor General's Public Sector Performance Report (Report 9 – June 2012), and I ask —

- (1) Have the enhanced costing models that the department indicated it would roll out for industry-funded activities been completed?
- (2) If yes to (1), what is timeframe for the roll out of these costing models?
- (3) If no to (1), when will these models be —
 - (a) completed; and
 - (b) rolled out?
- (4) Please specify how these models will ensure that the department's administration costs in relation to specific legislation will align with the revenues collected on an ongoing basis?

6205. Hon Alison Xamon to the Minister for Commerce

I refer to the Auditor General's Public Sector Performance Report (Report 9 – June 2012) and specifically to the finding that the reported revenue received from plumbers did not match the increasing industry activity, and I ask —

- (1) What steps, if any, is the Department of Commerce (department) taking to ensure clearer communication with the Plumbers Licensing Board (board)?
- (2) Please specify how, if at all, the steps detailed in (1) will ensure that in future —
 - (a) the roles and responsibilities of the board and the department are clearly defined and enacted;
 - (b) the board will be involved in significant decisions affecting its mandate; and
 - (c) the board will be provided with timely, accurate and complete information to enable it to effectively monitor risks, finances and operational performance?
- (3) Will the department guarantee that the board will be entitled to receive independent legal, accounting or other advice in relation to future issues involving the department and the board?

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- (4) If no to (3), will the department give the board timely access to any legal, accounting or other advice it obtains in relation to future issues involving the department and the board?
- (5) If no to (4), why not?

6206. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

I refer to question on notice No. 3271 asked 15 February 2011, and ask —

- (1) In which Department of Water documents is information regarding the allocation limits for each sub-area of the East Murchison and Goldfields Groundwater Areas described?
- (2) Are these documents publicly available, and if so, where?
- (3) If no to (2), please table the documents.
- (4) If no to (3), please state why not.
- (5) Please describe the scientific basis (such as annual recharge rates, et cetera) behind the department's setting of allocation limits within —
- (a) the East Murchison Groundwater Area; and
- (b) the Goldfields Groundwater Area.
- (6) In relation to (5), is scientific information to support the setting of allocation limits within the East Murchison Groundwater Area and the Goldfields Groundwater Area publicly available?
- (7) If yes to (6), where is it and what are the names of relevant documents?
- (8) If no to (6), please table the relevant documents.
- (9) If no to (8), please state why not.
- (10) In relation to (5), what on-the-ground research has the department conducted in each groundwater area and when was the last year or years that this was done?
- (11) What is the total annual groundwater allocation limit for each of the sub-areas within the East Murchison and Goldfields groundwater areas?
- (12) In relation to (11), what distinction, if any, is made between hyper-saline and less saline (brackish to fresh) groundwater resources? Please provide details for each sub-area if this distinction is made.
- (13) What research, if any, is the Department of Water aware of, into the impacts of current and projected water consumption on the samphire habitat and stygofauna populations in the Wiluna area, in particular in the vicinity of Lake Way?
- (14) Is the department aware of any studies having been conducted or planned on the cumulative impact of water use in the vicinity of Wiluna?
- (15) Would the Minister for Water consider initiating a study into the cumulative impacts of current water users, projected water use, groundwater recharge rates and environmental requirements in and around Wiluna?
- (16) If no to (15), why not?
- (17) Please provide an update on the progress of the 'mining guideline' that was to be developed by the department to assist in guiding the licence assessment process.

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- (18) Would the phrase 'detailed and certain' be an accurate description of the department's current state of knowledge of available groundwater resources within the East Murchison and Goldfields groundwater areas?
- (19) If no to (19), what is a more accurate description?

6207. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment

What were the full time equivalent staff levels for each of the Department of Environment and Conservation's offices and worksites listed below for the financial years 2006-2007, 2007-2008, 2008-2009, 2010-2011, 2011-2012 —

- (a) Kalgoorlie (Goldfields regional headquarters);
- (b) Kununurra (Kimberley regional headquarters);
- (c) Broome Work Centre;
- (d) Derby Work Zone;
- (e) Fitzroy Crossing Work Zone;
- (f) Geraldton (Midwest regional headquarters);
- (g) Casablanca Complex;
- (h) Shark Bay District;
- (i) Jurien Bay (Moora District);
- (j) Cervantes Work Centre;
- (k) Karratha (Pilbara regional headquarters);
- (l) Exmouth District;
- (m) Albany (South Coast regional headquarters);
- (n) Ravensthorpe;
- (o) Esperance District;
- (p) Bunbury (South West regional headquarters);
- (q) Busselton (Blackwood District);
- (r) Kirup Work Centre;
- (s) Nannup Work Centre;
- (t) Collie - Wellington District;
- (u) Harvey Work Centre;
- (v) Bentley (Swan regional headquarters);
- (w) Mundaring - Nearer to Nature;
- (x) Perth Hills District;
- (y) Dwellingup Work Centre;
- (z) Jarrahdale Work Centre;
- (aa) Swan Coastal District;
- (bb) Yanchep National Park;

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- (cc) Marine Parks Work Centre;
- (dd) Mandurah Work Centre;
- (ee) Cockburn Sound Management Council;
- (ff) Kwinana Work Centre;
- (gg) Manjimup (Warren regional headquarters);
- (hh) Donnelly District;
- (ii) Manjimup Work Centre;
- (jj) Northcliffe Work Centre;
- (kk) Frankland District;
- (ll) William Bay Work Centre (Denmark Office);
- (mm) Narrogin (Wheatbelt regional headquarters);
- (nn) Great Southern District;
- (oo) Katanning Work Centre;
- (pp) Central Wheatbelt District (Merredin); and
- (qq) Central Wheatbelt District (Northam Work Centre)?

6208. Hon Robin Chapple to the Minister for Finance

I refer to the submission made by Picton Press to the Department of Environment and Conservation and members of Parliament in September 2012 regarding Forest Stewardship Council (FSC) accreditation in relation to government printing procurement, and I ask —

- (1) Is the Minister aware of the environmental damage which can result from inappropriate management of timber harvesting for paper production?
- (2) Does the Minister support the statement from the sustainability and governance section of the State Sustainability Strategy that ‘All government departments should be taking the lead to improve their economic, social and environmental performance in a demonstrable manner’?
- (3) If yes to (2), does the Minister agree that FSC accreditation provides an assurance that the printing thus being carried out is performed using paper obtained from sustainably managed forests?
- (4) If no to (3), why not?
- (5) If yes to (3), can the Minister explain why FSC accreditation is not a requirement for printers tendering for government work?

6209. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry

- (1) In relation to the export of sawn native forest timbers from Western Australia, what quantity of sawn —
 - (a) jarrah;
 - (b) karri; and
 - (c) marri,

(please provide figures on a per species basis) was exported from Western Australia in 2011-2012?

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- (2) In relation to (1), what was the total exported from Western Australia in 2011-2012?
- (3) In relation to the export of whole native forest logs from Western Australia, what quantity of whole native forest logs of —
- (a) jarrah;
 - (b) karri;
 - (c) marri,

(please provide figures on a per species basis) was exported from Western Australia in 2011-2012?

- (4) In relation to (3), what was the total exported from Western Australia in 2011-2012?

6210. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

In the financial year 2011-2012 —

- (a) how many proposals were referred to the Environmental Protection Authority (EPA) for assessment; and
- (b) how many of the proposals that were referred to the EPA did the EPA assess and at what level?

6211. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to the answers to question without notice No. 751 about the critically endangered thrombolite communities in the lakes in the Peel–Yalgorup Ramsar convention area, and I ask —

- (1) Is there a 2012 paper by Professor Jacob John on the critically endangered thrombolite communities in the lakes in the Peel–Yalgorup Ramsar convention area?
- (2) If yes to (1), will the Minister table this paper?
- (3) If no to (2), why not?

6212. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

- (1) What setbacks are required for the new industrial area at Margaret River, including (but not limited to) where it borders the bush block at Glenbrook Estate?
- (2) What mechanism is in place to ensure the required setbacks are complied with?

6213. Hon Giz Watson to the Minister for Mines and Petroleum

I refer to the answer given to my question on notice No. 5955 on 25 September 2012, and I ask —

- (1) Will the Minister please table the dust management plan associated with the sandstone quarry on Irishtown Road near Donnybrook?
- (2) If no to (1), why not?

6214. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

- (1) Further to question on notice No. 5615 of 2012 relating to the prescribed fire BB125 in Sollya forest block and Milyeannup National Park, near Nannup, and the unplanned fire in D'Entrecasteaux National Park, Gingilup Swamps Nature Reserve and private property in November and December 2011, will the Minister please table the Prescribed Fire Plan for

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prescribed burn BB125, including parts A, B, C, D and E, and the Red Flag Burn Prescribed Fire Plan?

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

6215. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry

Further to question on notice No. 5788, submitted on 14 August 2012, I ask for each of the years 2004 to 2012 in (a) cubic metres and (b) tonnes, what amount of 1st grade and 2nd grade karri sawlogs was obtained from thinning of post-clear-felled even-aged karri regrowth?

6216. Hon Giz Watson to the Attorney General representing the Minister for Police

I refer to the *Witness Protection (Western Australia) Act 1996* Annual Report 2011-2012, and I ask —

- (1) Regarding the two operations terminated from the State Witness Protection Program (SWPP), what was the reason for the termination?
- (2) Regarding the 23 participants including children in the SWPP, how many separate households does this figure represent?
- (3) When are the amendments to the Act referred to at page 3 of the Annual Report intended to be introduced to Parliament?

6217. Hon Giz Watson to the Attorney General representing the Minister for Police

I refer to the *Surveillance Devices Act 1998* Annual Report 2011-2012, and I ask —

- (1) Since answering my question without notice No. 666 on 15 September 2010, has Western Australia Police introduced a central record of the number of convictions achieved as a result of product obtained via warrant pursuant to the *Surveillance Devices Act 1998*?
- (2) If yes to (1), how many convictions were achieved in 2011-2012 as a result of product obtained via such a warrant?
- (3) If no to (1), what is the current reason for this?
- (4) Subsequent to the destruction of product (relating to 900 warrants accumulated over 13 years of interception) described in the answer to question without notice No. 666, in relation to how many further warrants has product been destroyed?

6218. Hon Giz Watson to the Minister for Education representing the Minister for Corrective Services

I refer to the Office of the Inspector of Custodial Services' 'Report of an announced inspection of Boronia Pre-release Centre for Women' published in July 2012, and I ask —

- (1) Regarding Recommendation 1 and the response thereto —
 - (a) what progress has been made to date (please provide full details); and
 - (b) when will the reviewed, updated information about Boronia be available to Aboriginal women?
- (2) Regarding Recommendation 3 and the response thereto —
 - (a) with which Aboriginal institutions and agencies does Boronia currently collaborate on in-reach and out-reach programs and activities, and how (please provide full details);

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- (b) what specific further strategies have been introduced to date following Recommendation 3; and
- (c) what specific further strategies are to be introduced during the remainder of the current term of government, following Recommendation 3?
- (3) Regarding Recommendation 8 and the response and the footnote thereto, what has your department proactively done to ensure Boronia's residents can continue to access the previous level of services from State Training Providers and to ensure the total number of allocated hours is increased in line with the increasing prison population?
- (4) Regarding Recommendations 9 and 10 and the responses thereto —
 - (a) when will the review of Policy Directive 68 (Prisoner Employment Program) be completed;
 - (b) if the review has already been completed, what was the outcome; and
 - (c) what additional strategies have been implemented since Recommendation 9 was made, to ensure all staff and managers actively support and promote the Prisoner Employment Program?
- (5) Regarding Recommendation 11 and the response thereto, when will the updated orientation DVD be available?
- (6) Regarding Recommendation 12 and the response thereto —
 - (a) when will the communication material for distribution to suitable Bandyup prisoners be available;
 - (b) if the communication material is already available, how many Bandyup prisoners have received it to date;
 - (c) have Bandyup assessment staff visited Boronia;
 - (d) if no to (6)(c), when will this take place;
 - (e) what further strategies have been identified to reinvigorate the transition process of prisoners from Bandyup to Boronia (please provide full details); and
 - (f) what progress has been made to date on those?
- (7) Regarding Recommendation 13 and the response thereto —
 - (a) why is a feasibility study necessary given Skype's successful use at other Western Australian prisons;
 - (b) has the feasibility study been completed yet; and
 - (c) if no to (7)(b), when is it due to be completed?
- (8) Regarding Recommendation 16 and the response thereto —
 - (a) what recommendations were made by the review; and
 - (b) what is the timetable for implementing those recommendations?
- (9) Regarding Recommendation 18 and the response thereto, what steps have been taken to secure funding for a methodologically robust independent evaluation of Boronia's post-release outcomes, including a comparison with other male and female prisons?

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6219. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

Regarding the expiry of the Licence L6130/1989/12 for Millennium Inorganic Chemicals (MIC) to use the Dalyellup Waste Residue Disposal Facility, I ask —

- (1) What preparations is MIC undertaking to move its waste disposal to a different site?
- (2) Can the Minister give his assurance that MIC will re-locate to a suitable waste disposal facility by 3 March 2013?
- (3) Have any of the 10 breaches disclosed by the Department of Environment and Conservation (DEC) prior to 5 April 2011 resulted in prosecution?
- (4) If yes to (3), please provide details?
- (5) If no to (3), why not?
- (6) Has the department received any complaints regarding the Dalyellup Waste Residue Facility since the 5 April 2011?
- (7) Can the Minister please provide details of any breaches of licence conditions since the 5 April 2011?
- (8) If yes to (7), please provide details?
- (9) Have any breaches outlined in (7) been prosecuted or resulted in fines?
- (10) If yes to (9), please provide details?
- (11) If no to (9), why not?
- (12) Have there been any site visits by DEC since 5 April 2011?
- (13) If yes to (12), please provide details?
- (14) Will the Minister reassess the classification of the titanium dioxide waste in the environmental approval process of the new waste disposal facility?

US regulation 40 Code of Federal Regulations (CFR) 268.36 http://www.lawserver.com/law/country/us/cfr/40_cfr_268-36 has been in place since May 2002. It contains specific provisions for Environmental protection Authority (EPA) Hazardous Wastes Numbers K176, K177, and K178, and soil and debris contaminated with these wastes, radioactive wastes mixed with these wastes, and soil and debris contaminated with radioactive wastes mixed with these wastes, including titanium dioxide wastes. Such wastes are prohibited from land disposal.

- (15) Is the Minister aware of these provisions?
- (16) Given that that these provisions are best practice in waste disposal, should similar wastes in Western Australia not be banned from land disposal too?

The Material Safety Data Sheet for Titanium dioxide MSDS <http://www.sciencelab.com/msds.php?msdsId=9925268> lists the following 'Potential Chronic Health Effects: Carcinogenic Effects: A4 (Not classifiable for human or animal.) by ACGIH, 3 (Not classifiable for human.) by IARC. Mutagenic Effects: Mutagenic for mammalian somatic cells. Also the substance may be toxic to lungs, upper respiratory tract. Repeated or prolonged exposure to the substance can produce target organs damage'. Page 4 of this Data Sheet states that 'Possibly hazardous short term degradation products are not likely. However, long term degradation products may arise,' which suggests that, over time, the waste may have hazardous effects.

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- (17) Given this, how will the Minister ensure that the use of the location as a sports facility after rehabilitation has no negative health impact on its users?
- (18) Given that soil disturbances are likely during the construction period of the sports facilities, how does the Minister ensure that no negative health impacts occur for local residents in the vicinity of the facility?
- (19) Can the Minister provide details of any other Titanium Dioxide waste site worldwide that on closure has been used as a sports ground facility after rehabilitation?
- (20) If yes to (20), please provide details?

6220. Hon Giz Watson to the Minister for Fisheries

Referring to the article in the *Sunday Times* of 7 October 2012 titled *Hungry for WA Shark Fins*, I ask —

- (1) Regarding the delegation to China led by the Fisheries Department and referred to in the article. Please provide details of the —
 - (a) nature and purpose of the trade mission;
 - (b) duration of the trip;
 - (c) name, position and role of each member of the delegation;
 - (d) countries visited; and
 - (e) total cost of the trip?
- (2) Who funded the expenses of the delegation?
- (3) What percentage of expenses was funded by —
 - (a) the Department of Fisheries; and
 - (b) any other government department or agency?
- (4) Please provide full details of the companies and restaurants the delegation spoke to about purchasing Western Australian shark fins.

Conservation groups are concerned that the Western Australian government's trade mission will damage the campaign to reduce demand for shark fin soup that is central to efforts to control overfishing of sharks and the illegal shark fin trade.

- (5) What is the Department of Fisheries policy on the illegal shark fin trade?
- (6) The IUCN Shark Specialist group estimates that between 1,21 – 2,29 million metric tonnes of sharks are killed each year for the shark fin trade. How many tonnes of shark are killed annually in Western Australia?
- (7) What percentage of the income from the Western Australian Southern Demersal Gillnet and Longline Fisheries (WASDGLF) does the export of shark fins currently represent?
- (8) What percentage of the income from the WASDGLF comes from sale of edible shark meat?
- (9) Please provide details about the department's role in the certification process, including timeframe and cost.

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6221. Hon Giz Watson to the Minister for Fisheries

I refer to the Standing Committee on Estimates and Financial Operation's Additional Questions for the 2012-13 Budget Estimates Hearing of the Department of Fisheries, held on 6 June 2012, and I ask —

- (1) How much was the entire Pilbara fishery (trap, line and trawl) worth in each of the years 2010 and 2011?
- (2) How much was the Pilbara Trawl worth in each of the years 2010 and 2011?
- (3) In answer to Fisheries Estimates question 5.1 the department lists the number of mortalities of dolphins in the Pilbara Trawl in each year since 2007. My question relates to the department's understanding of the impacts of these mortalities on the Pilbara dolphin population, and I ask —
 - (a) what is the current population of dolphins in the Pilbara;
 - (b) how many of those are expected to come into contact with the Pilbara Trawl;
 - (c) in the article referred to in the Estimates question, published 22 May and entitled 'Dolphins still drowning in Pilbara nets', cetacean researchers express concerns that the current level of mortality may be a threat to the survival of Pilbara dolphins, can the department tell us what the sustainable mortality of dolphins in the Pilbara Trawl is to avoid the collapse of local populations;
 - (d) if yes to 3(c), what is this figure; and
 - (e) what evidence does the department have to support the figure given at 3(d)?
- (4) These questions relate to sawfish interaction with the Pilbara Trawl. In answer to Fisheries Estimates question 5.2 the department lists the number of mortalities of sawfish that have died in the Pilbara trawl each year since 2007, and goes on to state that whilst sawfish are critically endangered as assessed by IUCN, they are not endangered in Australia, and I ask —
 - (a) what is the estimated current population of knifetooth sawfish, *Anoxypristis cuspidata*, and green sawfish, *Pristis zijsron*, in Western Australian waters;
 - (b) does the Department have estimates of how this population compares to pre-fishing populations;
 - (c) if yes to 4(b), please provide details;
 - (d) what evidence does the department have to support these estimates; (please provide this evidence); and
 - (e) what is the sustainable level of mortality in the Pilbara Trawl for knifetooth sawfish, *Anoxypristis cuspidata*, and green sawfish, *Pristis zijsron*, to avoid localised depletion of populations of these species?
- (5) In Fisheries Estimates question 5.3 the department lists a large number of sea-snakes, seahorses and pipefish that are taken in the Pilbara Trawl fishery. My question relates to these species —
 - (a) what species of protected pipefish, sea horse and sea-snakes are caught in the Pilbara Trawl;
 - (b) for each of these species, what is their conservation status under Environmental Protection and Biodiversity Conservation Act 1999 and IUCN;

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- (c) what is the estimated rate of drop out from nets of these small species; and
- (d) what evidence underpins these estimates?
- (6) What management measures are in place to minimize the impact of trawling in the Pilbara on bottom habitat?
- (7) Can the Department of Fisheries provide maps showing the extent of habitat change in the fishery area caused by bottom trawling?
- (8) If yes to (7), please table these maps.
- (9) If no to (7), how is habitat change measured without such maps?
- (10) In answer to Fisheries Estimates question 5.4, the department states that several species of demersal scalefish cannot be readily taken by the trap and line fishery in the Pilbara. Which species of demersal scalefish are not readily taken by trap and line fisheries in the Pilbara?
- (11) In answer to Fisheries Estimates question 5.10 the department identifies two reported sea lion captures in 2009 and two in 2011, and I ask —
 - (a) can the Minister please provide the following details —
 - (i) location of capture;
 - (ii) the sex and age of the captured sea lions;
 - (iii) the colony from which the sea lions are expected to have originated; and
 - (b) were these captures reported by fishers or by fisheries department observers on vessels;
- (12) In answer to Fisheries Estimates question 5.23 the Department of Fisheries identifies that NZ fur seals were captured in 2010, 2011 and 2012, how can the department be sure that Australian sea lion captures are not misreported as New Zealand Fur Seals, and —
 - (a) can the department advise where these captures occurred;
 - (b) for vessels without observers, what training is given to fishing vessel operators to ensure they are correctly identifying by-catch species; and
 - (c) can the department outline how many kilometre gillnet hours of fishing effort occurred in areas of Australian Sea Lion foraging habitat?
- (13) In answer to Fisheries Estimates question 5.10 the Department identifies two reported sea lion captures in 2009 and two in 2011. I refer to a document entitled ‘Application to the Department of Sustainability, Environment, Water, Population and Communities on Western Australia’s Temperate Demersal Gillnet and Demersal Longline Fisheries (Covering the West Coast Demersal Gillnet and Demersal Longline [Interim] managed fishery and the Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery) Against the Guidelines for the Ecologically Sustainable Management of Fisheries (2nd Edition) - 2007, January 2012.’ In this document the two sea lion captures in 2009 and 2011 and reported in the Estimates hearing were not mentioned. I ask —
 - (a) did the Department of Fisheries report the two Australian sea lion captures in 2009 and two captures in 2011 to the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) in any other format that was available to the public during the public comment period for the assessment of the fishery for Wildlife Trade Operation license for the Western Australian Southern Demersal Gillnet and Longline Fisheries (WASDGLF); and

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- (b) If no to (13)(a) and given that evidence of actual sea lion captures is pertinent to the risk to sea lions posed by this fishery, why not?
- (14) In answer to Fisheries Estimates question 5.23 a number of dolphin deaths are identified by the Department in 2006, 2008, 2009, 2010 and 2011 in the WASDGLF. Where did these deaths occur?
- (15) In answer to Fisheries Estimates question 5.14, the Department identifies that 117,090 gillnet hours of observer data have been collected for the WASDGLF. I ask —
- (a) what was this observer program designed to detect;
 - (b) where and when were these observers deployed;
 - (c) was the observer program targeted in areas of known sea lion foraging habitat;
 - (d) what percentage of total fishing effort, in kilometre gillnet hours over the period of the observer program, does this represent; and
 - (e) what percentage of total fishing, in kilometre gillnet hours over the period of 1993 to 2012, does this represent?
- (16) In South Australia the shark gillnet fishery is divided into zones and each zone has a target levels for by-catch mortality of Australian Sea Lions which triggers the shut-down of the fishery for the remainder of the season once the target by-catch mortality level is reached, and I ask —
- (a) is the Minister aware of the South Australian by-catch target level for sea lions;
 - (b) does the department have a target level for by-catch mortality for Western Australian sea lion populations;
 - (c) if yes to 16(b), what is it; and
 - (d) if no to 16(b), why not?
- (17) In answer to Fisheries Estimates question 5.16 the department notes that a satellite tagging program has been undertaken on 42 sea lions from 8 colonies in Western Australia. There are 24 colonies in Western Australia. What empirical data does the department have on the foraging habits and ranges in the remaining 16 colonies?
- (18) This question refers to record keeping for catch of endangered and protected species in Western Australian fisheries —
- (a) please provide details about the reporting system for captures of threatened and protected species;
 - (b) what staff time is allocated to maintaining this system;
 - (c) please provide the total number of each threatened and protected species reported captured in Western Australia's fisheries per year from 2006 to 2012; and
 - (d) what is the target limit for mortalities in Western Australia's fisheries for each of these threatened and protected species?

6222. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to the Environmental Protection Agency's statements at Attachment 1 of its end-of-term audit into the Forest Management Plan (FMP) 2004–2013 about 'lack of implementation of a substantial portion of the conservation reserve proposals under the previous FMP' and that 'It is not clear to the

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Environmental Protection Authority (EPA) that there is a timetable within the life of this FMP 2003-14 for the implementation of the remaining 339 areas as formal conservation reserves', and I ask —

- (1) Have you/your department obtained legal advice as to whether —
 - (a) clause 95(a) of the Regional Forest Agreement for the South-West Forest Region of Western Australia (which relevantly states 'Western Australia will implement the CAR Reserve System described in Attachment 1 and identified on Map 1...') has been breached; and
 - (b) the Ministerial Condition referred to in the Minister for the Environment's Ministerial Statement 641 of 4 December 2003 (that the current FMP could be implemented subject to condition 4: 'The performance target for Key Performance Indicator 1 be modified to require the Conservation Commission and the Department of Conservation and Land Management to complete all actions for which they are responsible for 100 per cent of the individual areas proposed to have their land category formally changed within 10 years of the approval of the plan') has been breached?
- (2) If no to (1)(a) and/or (1)(b), why not?
- (3) If yes to (1)(a), what steps have you/your department taken subsequently?
- (4) If yes to (1)(b), what steps have you/your department taken subsequently?

6223. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to clauses 34 and 36 of the Regional Forest Agreement for the South-West Forest Region of Western Australia ('RFA') which require the Australian government to report on Western Australia's performance against the milestones and commitments in the RFA and the State's Forest Management Plan, however the Department of Agriculture, Fisheries and Forestry has published only one such report, for the year 2000, on its website. I ask —

- (1) Has the Minister or his department received all reports?
- (2) Of the reports the Minister's office or department have received, are they publicly available and if so, where?
- (3) If no to (2) —
 - (a) which reports have been received;
 - (b) will the Minister table them?
- (4) If no to (3)(b), why not?

6224. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to —

- (a) Clause 95(b) of the Regional Forest Agreement for the South-West Forest Region of Western Australia (RFA) (which states that Western Australia will 'make improvements to its Forest Management System including audits as outlined in Clause 42');
- (b) Clause 42 of the RFA (which states 'Within 5 years of the date of this Agreement, Western Australia will further improve its Forest Management System and processes through the development and implementation of environmental management systems

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in accordance with the principles specified in Attachment 13 and the actions identified in Attachment 5 and acknowledges that its objective for native forest management under the CALM Act is system certification comparable with ISO 14000 series. The Parties note that such a system would include independent auditing of compliance with Codes of Practice and the Forest Management Plan.’);

- (c) the Minister’s answer to my Question on Notice No. 5348 on 20 March 2012 about whether improvements had been made to Western Australia’s Forest Management System including audits as outlined in Clause 42 (which answer related to the Forest Products Commission but not to other aspects of the Forest Management System); and
- (d) the Conservation Commission’s statement at page 55 of its end-of-term audit into the current Forest Management Plan that ‘The Department (of Environment and Conservation) has not developed an environmental management system to a standard suitable for certification. However, work progressed on incorporating these principles into aspects of the Department’s management system’,

and I ask —

- (1) Has your department made improvements to its Forest Management system as outlined in Clause 42 of the RFA?
- (2) Have you/your department obtained legal advice as to whether the failure to develop an environmental management system suitable for certification breaches legally binding obligations under the RFA?
- (3) If no to (2), why not?
- (4) If yes to (2), what steps have you/your department taken subsequently?
- (5) Have the actions outlined in Attachment 5 to the RFA been taken (please provide full details)?

6225. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to Ministerial Condition 6 of the Ministerial Statement 641 of 4 December 2003 approving the Forest Management Plan 2004 – 2013 (‘FMP’) (that the FMP have the ‘addition of a requirement for the immediate implementation of indicative fauna habitat zones’) and the statement at page 14 of the Conservation Commission’s end-of-term audit into the FMP that ‘The finalisation of fauna habitat zones has been progressively completed on a priority basis, with approximately 100 out of 283 having been finalised by February 2012’, and I ask —

- (1) Have you/your department obtained legal advice as to whether Ministerial Condition 6 has been breached?
- (2) If no to (1), why not?
- (3) If yes to (1), what steps have you/your department taken subsequently?

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6226. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to the Forest Management Plan 2004 – 2013 ('FMP') and the Forest Product Commission's 'FMP Compliance Report 2010' which has no information about FMP compliance by the FPC and its contractors apart from one incident relating to plantations, and I ask —

- (1) How many complaints has the Department of Environment and Conservation (DEC) received alleging breach of the FMP by the Forest Products Commission (FPC) —
 - (a) over the past two years; and
 - (b) during the life of the current FMP?
- (2) How many incidents have been recorded by DEC regarding breaches of the FMP by the FPC —
 - (a) over the past two years; and?
 - (b) during the life of the current FMP?
- (3) Regarding the answer to (2), how many of these resulted in prosecutions and what was the outcome?
- (4) What are the five most serious incidents relating to breaches of the FMP by the FPC to date?
- (5) Regarding each answer to (4) —
 - (a) what enforcement action was taken by DEC in response;
 - (b) what was the outcome of that action, including but not limited to —
 - (i) any penalty; and
 - (ii) any criminal prosecution?

6227. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to section 10(1) of the *Forest Products Act 2000*, which empowers the Forest Products Commission (FPC) to enter into contracts for the harvesting and sale of forest products, and I ask —

- (1) How many complaints has the Department of Environment and Conservation (DEC) received regarding alleged breaches of the Forest Management Plan (FMP) by FPC contractors —
 - (a) over the past two years; and
 - (b) during the life of the current FMP?
- (2) How many incidents have been recorded by DEC regarding breaches of the FMP by FPC contractors —
 - (a) over the past two years; and
 - (b) during the life of the current FMP?
- (3) Regarding the answer to (2), how many of these resulted in prosecutions and what was the outcome?
- (4) What are the five most serious incidents relating to breaches of the FMP by FPC contractors to date?
- (5) Regarding each answer to (4) —
 - (a) what enforcement action was taken by DEC in response;

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- (b) what was the outcome of that action, including but not limited to —
 - (i) any penalty; and
 - (ii) any criminal prosecution?

6228. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to the Department of Environment and Conservation (DEC)'s Enforcement and Prosecution Policy of May 2008, and I ask —

- (1) How many incidents relating to the Forest Management Plan 2004–2013 (FMP) resulted in —
 - (a) prosecution;
 - (b) infringement notice;
 - (c) caution notice/written warning (and of these, how many have been resolved);
 - (d) modified penalty notice;
 - (e) statutory notices and directions;
 - (f) other written notices;
 - (g) amendment to licence conditions/permit;
 - (h) physical intervention; and
 - (i) suspension or revocation of works approval or licence/permit?
- (2) What are the five most serious incidents relating to the FMP to date?
- (3) Regarding each answer to (2) —
 - (a) what enforcement action was taken by DEC in response;
 - (b) what was the outcome of that action, including but not limited to —
 - (i) any penalty; and
 - (ii) any criminal prosecution?

6229. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry

I refer to section 10(1) of the *Forest Products Act 2000*, which empowers the Forest Products Commission (FPC) to enter into contracts for the harvesting and sale of forest products, and I ask —

- (1) How many complaints regarding alleged breaches of the Forest Management Plan (FMP) by FPC contractors have been received by the Minister/FPC —
 - (a) over the past two years; and
 - (b) during the life of the current FMP?
- (2) Where such a complaint is received by the Minister/FPC, is it always referred to the Department of Environment and Conservation for investigation, and if appropriate, enforcement action?
- (3) If no to (2), what is the process for investigation of the complaint, and if appropriate taking enforcement action (please provide full details)?
- (4) For all complaints of this nature received by the Minister/FPC over the past two years —
 - (a) how was the complaint dealt with;

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- (b) what was the final outcome, including but not limited to —
 - (i) any penalty; and
 - (ii) any criminal prosecution?
- (5) What are the five most serious incidents relating to breaches of the current FMP by FPC contractors to date?
- (6) Regarding each answer to (5) —
 - (a) what enforcement action was taken in response, and by which department/agency;
 - (b) what was the outcome of that action, including but not limited to —
 - (i) any penalty; and
 - (ii) any criminal prosecution?

6230. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to the quarterly environmental enforcement statistics produced by the Department of Environment and Conservation (DEC), and I ask —

- (1) For each quarter for the past two years —
 - (a) how many complaints related to native forestry activities;
 - (b) how many incidents related to native forestry activities; and
 - (c) how many enforcement sanctions related to native forestry activities?
- (2) For each quarter for the period of the current Forest Management Plan that precedes (1) —
 - (a) how many complaints related to native forestry activities;
 - (b) how many incidents related to native forestry activities; and
 - (c) how many enforcement sanctions related to native forestry activities?

6231. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Planning

I refer to the letter, dated 26 April 2012, (the Letter) from the Minister for Planning to Hon Brian Ellis MLC regarding *Petition 131 – Cement and Lime Manufacturing, Nowergup*, and ask —

- (1) With reference to the statement in the Letter ‘The SPP 2.4 supporting mapping was compiled using Local Government approved Extractive Industry Licences ...’, is the Minister aware that Lime Industries Pty Limited, the owner of Lot 52 Nowergup Rd, has never held an approval for any activity including extractive industry for this site?
- (2) On what basis was this site identified in the current SPP2.4?
- (3) In identifying this site in the current SPP2.4, was consideration given to the fact that there are a number residents living well within the minimum 300 metres buffer separation distance required by the Environmental Protection Authority Guidance No 3 Separation Distances between Industrial and Sensitive Land Uses.
- (4) If yes to (3), please give details?
- (5) If no to (3), why not?

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- (6) Could the Minister please explain —
- (a) what ‘new GIS based environment information’ will be used in the approvals process; and
- (b) how this ‘new GIS based information’ will be used in the approvals process?
- (7) What does ‘revised agency referrals’ mean (page 2, paragraph 1 of the Letter) and how will they replace the role of the Environmental and Conservation Reference Charts (ECRC) in the approvals process?
- (8) When will the revised SPP2.4 be released for public comment and how long will the proposed public consultation period be?
- (9) What agencies have contributed to the review of SPP 2.4?
- (10) Has the Chamber of Commerce contributed to the review and how?
- (11) Has there been as part of the review a cost/benefit analysis of the potential environmental cost to the designation of Basic Raw Material supplies?
- (12) If yes to (11), what are the findings of that analysis?
- (13) If no to (11), will such an analysis be carried out?
- (14) If no to (13), why not?
- (15) Has there been, as part of the review, a cost benefit analysis of the potential economic cost and opportunity cost of the designation of Basic Raw Material status over the Nowergup/Carabooda area which has been identified in the Future of East Wanneroo 2007 by the Western Australian Planning Commission as being suitable for rural subdivision and landscape protection?
- (16) If yes to (15), what are the findings of that analysis?
- (17) If no to (15), will such an analysis be carried out?
- (18) If no to (17), why not?

6232. Hon Linda Savage to the Minister for Finance representing the Minister for Transport

I refer to the Transport Minister’s announcement on 11 October 2012 that \$16 million has been allocated to build two new steel and concrete traffic bridges - one at Seventh Avenue and the other at Third Avenue, and ask —

- (1) What ‘minor preconstruction works’ have already been undertaken on the Seventh Avenue Bridge?
- (2) Can the Minister confirm that construction works on the Seventh Avenue Bridge will commence in 2014-2015?
- (3) Has funding been allocated to commence construction work?
- (4) If yes to (3), in which year has the funding been allocated?
- (5) Why will construction work on the Seventh Avenue Bridge not start any sooner than 2014-2015?
- (6) Is \$16 million the total estimated cost of the two new bridge construction projects?
- (7) What is the allocation or estimated total project cost for the Seventh Avenue Bridge?

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- (8) What is the allocation or estimated total project cost for the Third Avenue Bridge?
- (9) Has the State Government applied, or is the Government considering applying, for Federal Government funding towards these two new bridge projects?

6233. Hon Linda Savage to the Minister for Finance representing the Minister for Transport

I refer to the Midland to Perth train service which departs Midland at 7.53am on weekdays, and ask —

- (1) What were the total week day passenger boardings in each of the following financial years —
- (a) 2009/10;
 - (b) 2010/11; and
 - (c) 2011/12?
- (2) Is the 7.53am weekday train service a two-car or four-car service?
- (3) When was this service reduced to a two car service, and why?
- (4) When will this service return to a four-car service, and if not, why not?

6234. Hon Linda Savage to the Minister for Finance representing the Minister for Transport

I refer to the Midland to Perth train services which depart Midland at 7.33am, 7.44am, 8.04am, 8.13am, 8.24am and 8.33am on weekdays, and ask —

- (1) What were the total week day passenger boardings in each of the following financial years for each of the above services —
- (a) 2009-10;
 - (b) 2010-11; and
 - (c) 2011-12?
- (2) Are the above weekday train services two-car or four-car services?

6235. Hon Linda Savage to the Attorney General representing the Minister for Police

I refer to the Minister for Police's comments in Parliament on 18 September 2012 regarding community forums, and ask —

- (1) Will the Minister confirm that the Bayswater Police Station will continue to be staffed by frontline police officers?
- (2) If no to (1), why not?
- (3) Can the Minister provide this guarantee – that Bayswater Police Station will continue to be staffed by frontline police officers – now and into the future?
- (4) How many full time equivalent (FTE) uniform police officer positions are currently allocated at Bayswater Police Station?
- (5) How many of these FTE uniform police officer positions are currently filled and how many are currently vacant?
- (6) How many FTE civilian police officer positions are currently allocated at Bayswater Police Station?
- (7) How many of these FTE civilian police officer positions are currently filled and how many are currently vacant?

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- (8) Under the current Budgetary cuts or savings being imposed by Treasury, can the Minister guarantee that there will be no cuts in the number of FTE uniform police officers at Bayswater Police Station?
- (9) Under the current Budgetary cuts or savings being imposed by Treasury, can the Minister guarantee that there will be no cuts in the number of FTE civilian police officers at Bayswater Police Station?

MALCOLM PEACOCK
Clerk of the Legislative Council