

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## QUESTIONS ON NOTICE

**No. 81**

**THURSDAY, 15 MAY 2014**

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**Memo:** The electronic publication of Questions on Notice as part of the Notice Paper is available on the Parliament's Internet site at [www.parliament.wa.gov.au](http://www.parliament.wa.gov.au).

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### Questions postponed from previous sittings: -

Tuesday, 1 April 2014

- 2075. Mr B.S. Wyatt to the Premier
- 2076. Mr B.S. Wyatt to the Premier
- 2094. Mr B.S. Wyatt to the Premier
- 2096. Mr B.S. Wyatt to the Premier
- 2098. Mr B.S. Wyatt to the Premier
- 2106. Mr B.S. Wyatt to the Premier
- 2115. Mr B.S. Wyatt to the Premier
- 2116. Mr B.S. Wyatt to the Premier

Wednesday, 9 April 2014

- 2155. Mr R.H. Cook to the Minister for Health
- 2163. Mr M. McGowan to the Premier; Minister for State Development; Science
- 2164. Mr M. McGowan to the Deputy Premier; Minister for Health; Training and Workforce Development
- 2172. Mr M. McGowan to the Minister for Transport; Finance
- 2180. Mr M. McGowan to the Premier; Minister for State Development; Science
- 2181. Mr M. McGowan to the Deputy Premier; Minister for Health; Training and Workforce Development
- 2189. Mr M. McGowan to the Minister for Transport; Finance

Tuesday, 6 May 2014

- 2240. Dr A.D. Buti to the Minister for Police
- 2241. Mr R.H. Cook to the Minister for Health

- 2242. Mr F.M. Logan to the Minister for Training and Workforce Development
- 2243. Mr F.M. Logan to the Minister for Training and Workforce Development

Thursday, 8 May 2014

- 2244. Ms M.M. Quirk to the Minister for Police
- 2245. Mr R.H. Cook to the Minister for Health
- 2246. Mr R.H. Cook to the Minister for Health
- 2247. Mr R.H. Cook to the Minister for Health
- 2248. Mr M. McGowan to the Premier; Minister for State Development; Science
- 2249. Mr M. McGowan to the Deputy Premier; Minister for Health; Training and Workforce Development
- 2250. Mr M. McGowan to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development
- 2251. Mr M. McGowan to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs
- 2252. Mr M. McGowan to the Treasurer; Minister for Energy; Citizenship and Multicultural Interests
- 2253. Mr M. McGowan to the Minister for Planning; Culture and the Arts
- 2254. Mr M. McGowan to the Minister for Police; Tourism; Road Safety; Women's Interests
- 2255. Mr M. McGowan to the Minister representing the Minister for Mental Health; Disability Services; Child Protection
- 2256. Mr M. McGowan to the Minister representing the Attorney General; Minister for Commerce
- 2257. Mr M. McGowan to the Minister for Transport; Finance
- 2258. Mr M. McGowan to the Minister for Mines and Petroleum; Housing
- 2259. Mr M. McGowan to the Minister for Sport and Recreation; Racing and Gaming
- 2260. Mr M. McGowan to the Minister representing the Minister for Agriculture and Food; Fisheries
- 2261. Mr M. McGowan to the Minister for Local Government; Community Services; Seniors and Volunteering; Youth
- 2262. Mr M. McGowan to the Minister for Environment; Heritage
- 2263. Mr M. McGowan to the Minister for Emergency Services; Corrective Services; Small Business; Veterans
- 2264. Mr M. McGowan to the Minister for Water; Forestry
- 2265. Mr M. McGowan to the Premier; Minister for State Development; Science
- 2266. Mr M. McGowan to the Deputy Premier; Minister for Health; Training and Workforce Development
- 2267. Mr M. McGowan to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development
- 2268. Mr M. McGowan to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs
- 2269. Mr M. McGowan to the Treasurer; Minister for Energy; Citizenship and Multicultural Interests
- 2270. Mr M. McGowan to the Minister for Planning; Culture and the Arts
- 2271. Mr M. McGowan to the Minister for Police; Tourism; Road Safety; Women's Interests
- 2272. Mr M. McGowan to the Minister representing the Minister for Mental Health; Disability Services; Child Protection

- 2273. Mr M. McGowan to the Minister representing the Attorney General; Minister for Commerce
- 2274. Mr M. McGowan to the Minister for Transport; Finance
- 2275. Mr M. McGowan to the Minister for Mines and Petroleum; Housing
- 2276. Mr M. McGowan to the Minister for Sport and Recreation; Racing and Gaming
- 2277. Mr M. McGowan to the Minister representing the Minister for Agriculture and Food; Fisheries
- 2278. Mr M. McGowan to the Minister for Local Government; Community Services; Seniors and Volunteering; Youth
- 2279. Mr M. McGowan to the Minister for Environment; Heritage
- 2280. Mr M. McGowan to the Minister for Emergency Services; Corrective Services; Small Business; Veterans
- 2281. Mr M. McGowan to the Minister for Water; Forestry
- 2282. Mr M. McGowan to the Premier
- 2283. Mr M. McGowan to the Minister for State Development
- 2284. Mr M. McGowan to the Minister for Mines and Petroleum
- 2285. Mr R.H. Cook to the Minister for Health

Tuesday, 13 May 2014

- 2286. Dr A.D. Buti to the Minister for Health
- 2287. Mr C.J. Tallentire to the Parliamentary Secretary representing the Minister for Commerce
- 2288. Mr M.P. Murray to the Minister for Mines and Petroleum
- 2289. Ms M.M. Quirk to the Minister representing the Attorney General
- 2290. Ms M.M. Quirk to the Minister for Corrective Services
- 2291. Ms M.M. Quirk to the Minister for Emergency Services
- 2292. Ms M.M. Quirk to the Minister for Emergency Services
- 2293. Ms M.M. Quirk to the Minister for Emergency Services
- 2294. Ms M.M. Quirk to the Minister for Emergency Services
- 2295. Ms M.M. Quirk to the Minister for Emergency Services
- 2296. Ms M.M. Quirk to the Minister for Emergency Services
- 2297. Ms M.M. Quirk to the Minister for Emergency Services
- 2298. Ms M.M. Quirk to the Minister for Health
- 2299. Ms M.M. Quirk to the Minister for Police
- 2300. Ms M.M. Quirk to the Minister for Police
- 2301. Ms M.M. Quirk to the Minister for Police
- 2302. Ms M.M. Quirk to the Minister for Police
- 2303. Ms M.M. Quirk to the Minister for Police
- 2304. Ms M.M. Quirk to the Minister for Police
- 2305. Ms M.M. Quirk to the Premier
- 2306. Ms M.M. Quirk to the Treasurer
- 2307. Ms M.M. Quirk to the Minister for Transport
- 2308. Ms M.M. Quirk to the Minister for Water

Wednesday, 14 May 2014

- 2309. Mr P.C. Tinley to the Minister for Planning

**Questions listed for this sitting: -**

**2310. Mr P.B. Watson to the Minister for Energy:**

- (1) What is the process when negotiating with property owners for High Voltage Transmission (HVT) power lines to pass through their property?
- (2) What is the policy for any form of annual payment, or compensation, for landowners who are proposed to have HVT power lines on their property?
- (3) Do property owners who have HVT power lines on their property now receive any annual payment, or form of compensation, and if so what is it and how was it determined?

**2311. Mr P.B. Watson to the Minister for Energy:**

- (1) Who undertook the route survey for the proposed High Voltage Transmission power line from Muja to the Southdown mine site at Wellstead?
- (2) What was the total cost of the survey?
- (3) Did Grange Resources contribute to the cost of the survey, and if so what was the amount?

**2312. Mr P.B. Watson to the Minister for Local Government:**

- (1) I refer to the answer for Estimates Committee 22 August 2013 Supplementary Information No. A46 Table 1, and ask:
  - (a) is it correct that elected members have made 22 complaints to the Standards Panel, as opposed to the Department of Local Government, and that the outcomes of these complaints have been findings of no jurisdiction on two occasions, findings of no breach on 17 occasions and findings of breach on two occasions, with one complaint ongoing;
  - (b) is it correct that this records that in the two years covered by the Table the Standards Panel has not dismissed a complaint by an elected member against an elected member under Section 5.110(6)(a) of the *Local Government Act*; and
  - (c) how many times did the Standards Panel request the complainants, as opposed to the complaints officers, to clarify their allegations and provide information, or more information in support of them, and what procedure did the Standards Panel follow when doing so?
- (2) I refer to the answer for Estimates Committee 22 August 2013 Supplementary Information No. A46 Table 3, and ask:
  - (a) is it correct to say that this records that chief executive officers and employees have made eight complaints to the Standards Panel as opposed to the Department of Local Government, and that the outcomes of these complaints have been a finding of no jurisdiction on one occasion, findings of no breach on four occasions and findings of breach on two occasions, with one complaint ongoing;
  - (b) is it correct to say that this records that in the two years covered by the Table the Standards Panel has not dismissed a complaint by a chief executive officer or employee against an elected member under Section 5.110(6)(a) of the *Local Government Act*;
  - (c) how many of the complaints made to the Standards Panel were made by chief executive officers and how many were made by employees; and
  - (d) how many times did the Standards Panel request the complainants, as opposed to the complaints officers, to clarify their allegations and provide information, or more information in support of them, and what procedure did the Standards Panel follow when doing so?

- (3) Does a chief executive officer have the statutory power to make a complaint against an elected member for and on behalf of a local authority as a whole, and if so:
  - (a) what criteria govern the lawful exercise of this power; and
  - (b) how often has such a complaint been made to the Standards Panel since its inception?
- (4) Since the inception of the Standards Panel how many complaints have been made to it by persons other than elected members, CEOs and employees?
- (5) I refer to the answers to Question on Notice No. 894 1 April 2014 (b), (c) and (d), and ask:
  - (a) are you aware that the words “dismiss a complaint” under Section 5.125(2) of the *Local Government Act*, have the same meaning as the words “dismissing the complaint” under Section 5.110(6)(a); and
  - (b) does the Standards Panel have the power under Section 5.110(6)(a) to dismiss complaints following findings of breach whenever it is of the view that none of the sanctions authorised by Section 5.110(6)(b) and (c) is “warranted” or “appropriate”, and, if so, can you identify the provisions in the Act or Regulations that confer this power on the Standards Panel?
- (6) On the 15 occasions that the Standards Panel has dismissed a complaint following a finding of breach under Section 5.110(6)(a):
  - (a) has its findings and decisions on all occasions been published on the Local Government web site, and if not, why not;
  - (b) did the Standards Panel inform the complainants of the grounds upon which it dismissed their complaints;
  - (c) did the Standards Panel advise the complainants of their right to seek review of its decisions under Section 5.125 of the *Local Government Act*; and
  - (d) on how many occasions did the complainants exercise their right of review under Section 5.125 of the *Local Government Act*?
- (7) I refer to the answers to Question on Notice No. 894 1 April 2014 (f), (g), (h) and (l), and ask:
  - (a) does the Presiding Member of the Standards Panel have, and can they exercise, a discretionary power on behalf of the Standards Panel to request but not require complainants, as opposed to complaints officers, to clarify their allegations and provide information, or more information, to support them;
  - (b) what is the statutory source of this power;
  - (c) is this power absolute or is the Presiding Member required to exercise this power in accordance with objective criteria;
  - (d) is this power delegable, and has it ever been delegated to, officers serving the Standards Panel;
  - (e) what procedure is the Presiding Member required to follow when exercising this power; and
  - (f) apart from instances where the Standards Panel has lacked the jurisdiction to deal with the complaints lodged, has the Presiding Member ever declined to request complainants, as opposed to complaints officers, to clarify their allegations and provide information, or more information, to support them, and if so, how many complainants have not received such requests?
- (8) With reference to Section 5.110(3) of the *Local Government Act*, I ask:
  - (a) since its inception, and apart from instances where it has lacked the jurisdiction to deal with the complaints lodged, has the Standards Panel ever declined to request the complaints officer to provide anything further that the Standards Panel requires;
  - (b) what considerations govern the Standards Panel’s exercise of its discretion to request the complaints officer to provide anything further that the Standards Panel requires;

- (c) what procedure is the Standards Panel required to follow when requesting the complaints officer to provide anything further that the Standards Panel requires; and
  - (d) when the request for “anything further” that the Standards Panel requires relates to a complaint made by complainant other than the complaints officer, what procedure is the complaints officer required to follow to obtain from the complainant what the Standards Panel further requires?
- (9) Why is it that all Standards Panel Findings and Reasons for Findings are not published on the Local Government web site?

**2313. Mr P.B. Watson to the Minister for Transport:**

- (1) Now that all taxi drivers come under the one Act, will the fine for the non-payment of fares be the same for fare evaders in regional areas as it is in the metropolitan area, and if not, why not?
- (2) Will regional taxi drivers have the ability to get the cost of the fare back from fare evaders, and if not why not?
- (3) When will regional taxis have cameras installed?

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**PETER J. McHUGH**

Clerk of the Legislative Assembly

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