

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 32

Tuesday, 31 October 2017

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

POSTPONED QUESTIONS

Notice Given ***Tuesday, 15 August 2017***

145. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water (*SO108(2) response – 13 September 2017*)

Notice Given ***Tuesday, 5 September 2017***

333. Hon Robin Chapple to the Minister for Environment
335. Hon Robin Scott to the Minister for Regional Development
336. Hon Nick Goiran to the Minister for Environment representing the Treasurer
345. Hon Nick Goiran to the Minister for Environment
350. Hon Alison Xamon to the Minister for Disability Services

Notice Given ***Wednesday, 6 September 2017***

360. Hon Robin Chapple to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
362. Hon Robin Chapple to the Minister for Environment
363. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry

Notice Given ***Thursday, 7 September 2017***

364. Hon Alison Xamon to the Leader of the House representing the Attorney General
365. Hon Alison Xamon to the Leader of the House representing the Attorney General
366. Hon Alison Xamon to the Leader of the House representing the Attorney General
367. Hon Alison Xamon to the Minister for Education and Training
368. Hon Alison Xamon to the Minister for Education and Training

Notice Given ***Tuesday, 12 September 2017***

370. Hon Tjorn Sibma to the Minister for Regional Development
371. Hon Tjorn Sibma to the Minister for Environment

LEGISLATIVE COUNCIL

Postponed Questions

- 372. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry
- 373. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 374. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 375. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water

Notice Given **Wednesday, 13 September 2017**

- 377. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 378. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum

Notice Given **Thursday, 14 September 2017**

- 379. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water

Notice Given **Tuesday, 10 October 2017**

- 380. Hon Alison Xamon to the Minister for Education and Training
- 381. Hon Alison Xamon to the Minister for Education and Training
- 382. Hon Alison Xamon to the Minister for Education and Training
- 383. Hon Alison Xamon to the Leader of the House representing the Premier
- 384. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 385. Hon Dr Steve Thomas to the Leader of the House representing the Minister for Community Services
- 386. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
- 387. Hon Robin Chapple to the Minister for Environment
- 388. Hon Robin Chapple to the Minister for Environment representing the Minister for Lands
- 389. Hon Robin Chapple to the Minister for Environment
- 390. Hon Diane Evers to the Minister for Environment
- 391. Hon Nick Goiran to the Leader of the House representing the Premier
- 392. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer
- 393. Hon Tjorn Sibma to the Leader of the House representing the Premier
- 394. Hon Tjorn Sibma to the Leader of the House representing the Minister for Community Services
- 395. Hon Tjorn Sibma to the Leader of the House representing the Premier
- 396. Hon Tjorn Sibma to the Leader of the House representing the Minister for Community Services
- 397. Hon Tjorn Sibma to the Leader of the House representing the Premier
- 398. Hon Robin Scott to the Minister for Environment representing the Treasurer
- 399. Hon Nick Goiran to the Minister for Regional Development

LEGISLATIVE COUNCIL

Postponed Questions

- 400. Hon Diane Evers to the Minister for Environment
- 401. Hon Diane Evers to the Minister for Environment
- 402. Hon Robin Chapple to the Minister for Agriculture and Food
- 403. Hon Robin Scott to the Minister for Regional Development representing the Minister for Mines and Petroleum

Notice Given ***Wednesday, 11 October 2017***

- 404. Hon Martin Aldridge to the Leader of the House representing the Premier
- 405. Hon Peter Collier to the Minister for Disability Services
- 406. Hon Peter Collier to the Minister for Disability Services
- 407. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Tourism
- 408. Hon Martin Aldridge to the Leader of the House representing the Premier

LEGISLATIVE COUNCIL

 QUESTIONS ASKED TODAY

Notice Given

Tuesday, 31 October 2017

409. Hon Diane Evers to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade:

- (1) I refer to section 81 of the *Financial Management Act 2006* and I ask, will the Minister please table a complete, consolidated, current version of each of the following State agreements:
- (a) the *Alumina Refinery Agreement*, being the agreement which in its original form prior to variation was contained in the First Schedule to the *Alumina Refinery Agreement Act 1961*;
 - (b) the *Alumina Refinery (Wagerup) Agreement*, being the agreement which in its original form prior to variation was contained in the Schedule to the *Alumina Refinery (Wagerup) Agreement and Acts Amendment Act 1978*;
 - (c) the *Alumina Refinery (Pinjarra) Agreement*, being the agreement which in its original form prior to variation was contained in the First Schedule to the *Alumina Refinery (Pinjarra) Agreement Act 1969*; and
 - (d) the *Alumina Refinery (Worsley) Agreement*, being the agreement which in its original form prior to variation was contained in the First Schedule to the *Alumina Refinery (Worsley) Agreement Act 1973*?
- (2) If no to (1)(a):
- (a) why not;
 - (b) will the Minister please table all variations to that agreement that have not been ratified by an Act nor tabled in this place; and
 - (c) if no to (2)(b), why not?
- (3) If no to (1)(b):
- (a) why not;
 - (b) will the Minister please table all variations to that agreement that have not been ratified by an Act nor tabled in this place; and
 - (c) If no to (3)(b), why not?
- (4) If no to (1)(c):
- (a) why not;
 - (b) will the Minister please table all variations to that agreement that have not been ratified by an Act nor tabled in this place; and
 - (c) if no to (4)(b), why not?
- (5) If no to (1)(d):
- (a) why not;
 - (b) will the Minister please table all variations to that agreement that have not been ratified by an Act nor tabled in this place; and
 - (c) if no to (5)(b), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given

Tuesday, 31 October 2017

410. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

- (1) I refer to the past 10 years' Forest Products Commission (FPC) annual reports and ask, why did the production of firewood and charcoal logs from native forests increase in 2016-17 compared to the previous four years?
- (2) What was the reason for the high level of production of firewood and charcoal logs from native forests in the year 2011-12?
- (3) What is the projected or estimated production of firewood and charcoal logs, in either tonnes or cubic metres, from native forests for the years 2017-18, and if available 2018-19?
- (4) For each year from 2006-7 to 2016-17, will the Minister please list the names of the customers who bought:
 - (a) firewood; and
 - (b) charcoal logs sourced from native forests from Forest Products Commission?
- (5) In 2016-17, how many tonnes of native forest-sourced firewood or charcoal logs were sold to Simcoa?
- (6) I refer to regulation 148(c) of the *Forest Management Regulations 1993*, made under the *Conservation and Land Management Act 1984*, which specifies that "Upon application and payment of the fee, if any...the CEO shall provide any person with...a copy of any...contract", where contract includes contract of sale, and to the November 2013 Opinion of the Auditor General that a decision by the then Minister for Forestry not to provide copies of three contracts of sale to Parliament was not reasonable and was therefore not appropriate and ask, will the Minister please table all contracts of sale that exist between purchasers of chiplogs; and firewood and charcoal logs sourced from native forest and the FPC?
- (7) Will the Minister please provide a breakdown by species of the 194,314 tonnes of native forest-sourced firewood and charcoal logs produced in 2016-17?
- (8) Will the Minister please provide a breakdown, by species, of the 136,089 tonnes of native forest-sourced chiplogs produced in 2016-17?
- (9) For each year 2012-13 to the present, what was the revenue generated for the FPC from the sale of:
 - (a) chiplogs; and
 - (b) firewood and charcoal logs sourced from native forests?

411. Hon Alison Xamon to the Minister for Education and Training:

- (1) I refer to the answer to question on notice No. 214 regarding the more than 2000 trees removed from school sites in the last five years due to being dangerous, unhealthy or dead, and I ask:
 - (a) how many of those trees were replaced by one or more tree plantings of a suitable species;
 - (b) does the Department of Education have a policy regarding replacing trees on school sites when they are removed for health and/or safety reasons; and
 - (c) will the Minister please table any such policy?
- (2) Will the Minister please table Appendix D of the Primary School Landscape Brief, referred to in that document as *Appendix D: Schedule of Trees to Use With Caution*?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

412. Hon Alison Xamon to the Minister for Education and Training:

I refer to the rezoning and disposal of sites previously used as schools across the metropolitan area, and I ask:

- (a) for each of the last 10 financial years, will the Minister please:
 - (i) identify which public school sites have had their zoning changed to a use other than school; and
 - (ii) identify which of these sites have been sold; and
- (b) for the sites that have been sold, has the money been used for a particular purpose, or returned to general revenue?

413. Hon Robin Chapple to the Minister for Regional Development:

I refer to the Department of Primary Industries and Regional Development investigations into the suitability of the Bonaparte Plains in the Kimberley for irrigated agriculture, and I ask:

- (a) when did investigations begin;
- (b) what studies are being undertaken;
- (c) have any studies been completed;
- (d) if yes to (c), will the Minister table the studies or reports;
- (e) if no to (d), why not;
- (f) what was the total budget for the work;
- (g) how much has yet to be spent;
- (h) did the department have an agreement with the native title holders regarding the work;
- (i) if no to (h), why not;
- (j) if yes to (h), what benefits were provided to the native title holders;
- (k) how many bore holes have been drilled for the project;
- (l) will the Minister table the water investigation and soil investigation plans;
- (m) if no to (l), why not;
- (n) how much land was cleared for the project;
- (o) did the department obtain a clearing permit to clear the land;
- (p) if no to (o), why not;
- (q) did the department obtain permits to drill the bores; and
- (r) if no to (q), why not?

414. Hon Alison Xamon to the Minister for Education and Training:

I refer to the International Baccalaureate qualification, and ask:

- (a) has the Minister considered making this qualification available to Western Australian public school students;
- (b) will the Minister consider making this qualification available to Western Australian public school students; and
- (c) if the answer to (b) is yes, which schools are being considered for delivery of the Baccalaureate?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given Tuesday, 31 October 2017

415. Hon Robin Chapple to the Minister for Environment:

I refer to question on notice No. 175 asked on 11 March 2015 regarding the *Derby Tidal Power Project - Compliance Assessment Report*, and ask:

- (a) is the Minister aware that Tidal Energy Australia has not placed the compliance assessment report on its website in accordance with the commitment made in the compliance assessment plan;
- (b) will the Minister table the compliance assessment reports provided by Tidal Energy Australia as per its commitment made in the compliance assessment plan;
- (c) if no to (b), why not;
- (d) if Tidal Energy Australia has not provided the compliance assessment report, will the Minister please explain why; and
- (e) if Tidal Energy Australia has not provided the compliance assessment report, how will the Minister ensure it is provided and under what timeframe?

416. Hon Robin Chapple to the Minister for Environment representing the Minister for Planning:

I refer to the Bush Forever strategic plan and the comprehensive, adequate and representative reserve system to retain regionally significant bushland, which aims to conserve at least 10 per cent of each of the original 26 vegetation complexes of the Swan Coastal Plain portion of the Perth Metropolitan Region, and to protect threatened ecological communities, and ask:

- (a) for each Heddle Vegetation Complex:
 - (i) what was its pre-European extent in hectares;
 - (ii) what is its current extent in hectares;
 - (iii) what is its current percentage of the pre-European extent;
 - (iv) what percentage of each Heddle Complex is proposed for protection in Bush Forever;
 - (v) what area in hectares is secured for conservation; and
 - (vi) what percentage is secured for conservation;
- (b) for each of the 287 Bush Forever Areas and any additions, will the Minister please provide details of ownership and management responsibility;
- (c) for each Bush Forever Area, will the Minister please identify those legally secured for conservation as 'A' Class Reserves for the stated purpose of nature conservation;
- (d) how many Bush Forever Areas are fully secured as 'A' Class Reserves or equivalent for the stated purpose of nature conservation;
- (e) how many Bush Forever Areas are wholly owned by the Western Australian Planning Commission;
- (f) what funds have been secured for the management of the Bush Forever Areas that the department is proposing to manage; and
- (g) which Bush Forever Areas is the department proposing to manage?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given **Tuesday, 31 October 2017**

417. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

I refer to the *Forest Product Commissions 2016-17 Annual Report*, and ask, can the Minister please:

- (a) advise what is driving the Native Forest segment revenue increase from \$32.5 million in 2015-16 to \$36.6 million in 2016-17 (pages 109-110);
- (b) advise what is driving the change in biological asset valuation from a decrease of \$5.9 million in 2015-16 to a decrease of only \$144,000 in 2016-17 (pages 109-110); and
- (c) table the calculations for the biological asset valuation for 2015-16 and 2016-17 (pages 109-110)?

418. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

- (1) I refer to the *Review of Old Growth Forests Status for Barrabup 03*, and the websites of the Conservation and Parks Commission (CPC) and Department of Conservation, Biodiversity and Attractions (DCBA) and ask, given both agencies' websites state old growth assessments requested by public nomination will be conducted by the Commission until 30 June 2017, why was the old growth assessment for Barrabup, requested on 6 June 2017, conducted by DCBA and not the CPC?
- (2) Will the Minister please table all minutes and memos from the meeting held on 24 March 2017 by staff of the CPC and the then Department of Parks and Wildlife to discuss old growth forest assessment procedures?
- (3) If no to (2), why not?

419. Hon Diane Evers to the Minister for Regional Development representing the Minister for Fisheries:

- (1) I refer to answers by the Department of Primary Industries to questions submitted prior to the 2017-18 Budget Estimates hearings and ask, by what date or month does the Minister hope to make a rebate available for scientifically tested personal shark deterrents used specifically in surfing?
- (2) In relation to (1):
 - (a) which brands and products of deterrent suitable for surfing are being tested;
 - (b) which organizations are doing the testing;
 - (c) in what location(s) is the testing being done;
 - (d) with which species of shark is the testing being done;
 - (e) is the Western Australian Government funding the testing and, if so, how much money in dollars has it contributed; and
 - (f) are any of the products being tested suitable for boogie boards and, if so, will the Minister please name them?
- (3) Noting that as of 28 September 2017, less than seven per cent of applications for the rebate available for the Shark Shield Freedom 7 were made by people aged under 25, will the Government investigate options for making personal shark deterrent devices more affordable or accessible for low-income people?
- (4) If no to (3), why not?

LEGISLATIVE COUNCIL

Questions Asked Today*Notice Given Tuesday, 31 October 2017*

- (5) If yes to (3), what options is the Government considering?
- (6) Given public feedback I have received shows that many ocean-users do not know about the rebate or do not understand the testing and verification of the devices that has been done, does the Minister agree that there would be merit in doing more publicity and awareness-raising about the rebate and the deterrents?
- (7) If no to (6), why not?
- (8) A Shark Shield Freedom 7 retails for around \$700, so even with the \$200 rebate, its cost may be beyond the reach of low-income ocean-users, and I ask what is the Government's view about increasing the value of the rebate, for example to \$300?

420. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

I refer to the answers to Question 3c, provided by the Forest Products Commission (FPC) in the 2017-18 Budgets Estimates Hearings - Questions Prior to Hearings and ask, could the Minister please advise the forecast change in biological assets each year, from 2017-18 to 2020-21, noting the FPC Annual report each year only provides the figure for the reported year and the previous?

421. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

I refer to the answers to Question 3(b), provided by the Forest Products Commission (FPC) in the 2017-18 Budgets Estimates Hearings - Questions Prior to Hearings and ask, could the Minister please:

- (a) advise when will the Statement of Corporate Intent (SCI) be tabled; and
- (b) confirm that the 2018-19 SCI will include the forecast profit/loss for the FPC for each year, given the previous SCI (2016-17) on the FPC's website only details one year?

422. Hon Robin Chapple to the Minister for Environment representing the Minister for Planning:

I refer to the Metropolitan Region Improvement Fund (MRIF), and ask:

- (a) what is the current balance of the MRIF;
- (b) which authority is responsible for the management of the MRIF;
- (c) under which legislation is the fund managed, please include the section or sections of the legislation;
- (d) does Treasury and/or Cabinet have any jurisdiction over the allocation and/or expenditure of the MRIF;
- (e) if yes to (d), will the Minister table any correspondence between Treasury and the Western Australian Planning Commission during 2017;
- (f) if no to (e), why not;
- (g) will the Minister provide details of how the MRIF is being used; and
- (h) if no to (g), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

423. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

I refer to the answers to Questions 1a and 2, provided by the Forest Products Commission in the 2017-18 Budgets Estimates Hearings - Questions Prior to Hearings, and ask could the Minister please advise:

- (a) if any further capital appropriation or operating subsidies have been approved from 2017-18 to 2020-21; and
- (b) if the answer to (a) is Yes, how much has been approved and for what purpose?

424. Hon Robin Chapple to the Minister for Environment:

I refer to the Bush Forever strategic plan and the comprehensive, adequate and representative reserve system to retain regionally significant bushland, which aims to conserve at least 10 per cent of each of the original 26 vegetation complexes of the Swan Coastal Plain portion of the Perth Metropolitan Region, and to protect threatened ecological communities, and ask:

- (a) for each Heddle Vegetation Complex:
 - (i) what was its pre-European extent in hectares;
 - (ii) what is its current extent in hectares;
 - (iii) what is its current percentage of the pre-European extent;
 - (iv) what percentage of each Heddle Complex is proposed for protection in Bush Forever;
 - (v) what area in hectares is secured for conservation; and
 - (vi) what percentage is secured for conservation;
- (b) for each of the 287 Bush Forever Areas and any additions, will the Minister please provide details of ownership and management responsibility;
- (c) for each Bush Forever Area, please identify those legally secured for conservation as 'A' Class Reserves for the stated purpose of nature conservation;
- (d) how many Bush Forever Areas are fully secured as 'A' Class Reserves or equivalent for the stated purpose of nature conservation;
- (e) how many Bush Forever Areas are wholly owned by the Western Australian Planning Commission;
- (f) what funds have been secured for the management of the Bush Forever Areas that the department is proposing to manage; and
- (g) which Bush Forever Areas is the department proposing to manage?

425. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry:

I refer to the answer to Question 3a, provided by the Forest Products Commission in the 2017-18 Budgets Estimates Hearings - Questions Prior to Hearings and ask, could the Minister please advise:

- (a) the forecast 2018-19 net profit/loss after tax, adjusted for non-cash items of biological asset valuation and onerous contracts revaluation;
- (b) the amount of biological asset valuation included in the calculation; and
- (c) the forecast amount being invested in plantation each year from 2017-18 to 2020-21?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

426. Hon Robin Chapple to the Minister for Environment representing the Minister for Planning:

- (1) Is the Minister aware that Bush Forever was introduced and commenced in December 2000 and was meant to be completed in 2010?
- (2) Is the Minister aware that in 2012 the Urban Bushland Council, with the support of the Department of Environment and Conservation held a Bush Forever Report Card Conference, which revealed the extent of the implementation and the incomplete actions?
- (3) Is the Minister aware that at the Bush Forever Report Card Conference in 2012 the Minister for Planning committed to the preparation of an audit as a priority to be completed by early 2013?
- (4) I refer to question without notice No. 439 asked on 12 May 2016 by Hon Lynn MacLaren regarding Bush Forever Sites, and ask:
 - (a) now that the “Perth and Peel Green Growth Plan for 3.5 million” has been released, will the Minister please table the audit results; and
 - (b) if no to (a), why not?

427. Hon Robin Chapple to the Leader of the House representing the Premier:

I refer to the \$7 million allocated to dredging Roebuck Bay and the statement the Premier made on the radio on 26 October 2017, which described the dredging as “...it’s basically getting rid of some rocks...it’s not that environmentally significant...”, and I ask:

- (a) is the Premier aware that part of Roebuck Bay was designated a “Wetland of International Importance” under the Ramsar Convention in June 1990, an intergovernmental treaty that provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources;
- (b) is the Premier aware that the Bay is used by up to 300,000 shorebirds annually, is a feeding ground and transit area on migration for Loggerhead and Green Turtles which are both on the international threatened species Red list;
- (c) is the Premier aware that the Bay is a nursery and refuge for Sawfish which are listed as Totally Protected under the *Western Australian Fish Resources Management Act 1994* and also listed as Critically Endangered on the International Union for Conservation of Nature and Natural Resources or IUCN Red List (IUCN 2008);
- (d) is the Premier aware that Roebuck Bay is Australia’s most important wetland in terms of the diversity of wader species it supports in internationally significant numbers;
- (e) is the Premier aware that the proposed dredging is within 500 metres of crucially important seagrass beds that provide important feeding grounds for protected migratory dugongs and green turtles as well as a nursery for recreationally important fish and crabs;
- (f) is the Premier aware that the second largest snubfin dolphin population in the world lives in Roebuck Bay and that they are vulnerable to noise disturbance;
- (g) is the Premier aware that the proposed dredging is within 3.7kms of the Yawuru Nagulagun Roebuck Bay Marine Park;

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

- (h) is the Premier aware that water and sediment quality are a key performance indicator in the Yawuru Nagulagun Roebuck Bay Marine Park and that despite the large tidal ranges, some areas of the bay are not well flushed and modelled retention times for nutrients in the water column can be more than 20 days at certain times of the year;
- (i) is the Premier aware that the proposed dredging is 4kms away from Paspaley's pearling lease;
- (j) is the Premier aware that according to the Yawuru Nagulagun Roebuck Bay Marine Park management plan, it is generally understood that strong tidal currents flow through the Roebuck Deep, where Channel Rock is situated, from north-west to south-east and back on flood and ebb tides respectively and that the Paspaley pearling lease is situated at the south east end of Roebuck Deep;
- (k) is the Premier aware that the Port of Broome has stated that 85,000 cubic metres of seabed as a minimum will need to be dredged including 15,000 cubic metres around the wharf;
- (l) will there be any blasting taking place;
- (m) does the Premier still believe that the dredging programme is about "...basically getting rid of some rocks..." and that it's "...not that environmentally significant...";
- (n) will the Premier ensure that the Environmental Protection Authority assesses this proposal at the Public Environmental Review level in order to make sure that the dredging does not have negative impacts on seagrass beds and the dugong and turtle that feed on them, the marine park, the Paspaley pearling lease and important recreation fish species; and
- (o) if no to (n), why not?

428. Hon Nick Goiran to the Leader of the House representing the Attorney General:

I refer to the Magistrates Court of Western Australia and ask, for the past two completed years, either calendar or fiscal, what were the number of:

- (a) general procedure claims lodged;
- (b) minor case claims lodged;
- (c) consumer/trader claims lodged;
- (d) residential claims lodged;
- (e) dividing fence matters lodged; and
- (f) further to (a) to (e), what were the number of such claims/matters that went to trial?

429. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum:

- (1) Excluding their superannuation accounts, how many staff in the Department of Mines, Industry Regulation and Safety hold shares in resources companies?
- (2) Excluding their superannuation accounts, how many staff in the Department of Mines, Industry Regulation and Safety hold shares in mining, equipment and services and/or petroleum, equipment and services companies?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

430. Hon Alison Xamon to the Leader of the House representing the Attorney General:

I refer to the Coroner's recommendation that Parliament consider the abolition of the power to arrest and detain an intoxicated person for street drinking where the police officer reasonably suspects the person will continue street drinking unless the person is arrested, and I ask:

- (a) does the Government support this recommendation;
- (b) if no to (a), why not;
- (c) if yes to (a), has the Government undertaken any work to progress this recommendation;
- (d) if yes to (c), what work has been undertaken; and
- (e) if no to (c), why not?

431. Hon Alison Xamon to the Minister for Education and Training:

I refer to the provision of support services to students at TAFE colleges, and I ask:

- (a) are there any policies or guidelines regarding action which should be taken by TAFE staff if a student is identified, or identifies, as in need of counselling or psychological support;
- (b) if yes to (a), will the Minister please provide a copy of the policies and/or guidelines; and
- (c) if no to (a), why not?

432. Hon Alison Xamon to the Minister for Education and Training:

- (1) Will the Minister please table the 2017 Delivery and Performance Agreements for each child and parent centre?
- (2) If no to (1), why not?

433. Hon Alison Xamon to the Minister for Education and Training:

- (1) Would the Minister please table the Delivery and Performance Agreements for each TAFE college for each of the years 2014 to 2017?
- (2) If no to (1), why not?

434. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health:

Regarding Department of Health, Western Australia files from the Derby Hospital:

- (a) is the Minister aware that some former Derby Hospital patients have multiple file numbers, which are known as Universal Medical Record Numbers (UMRN);
- (b) is it true that in or around 1990, a number of Derby Hospital patients had new files and UMRN created:
 - (i) if yes to (b), why did this happen; and
 - (ii) if no to (b), why do several of my constituents, who were former Derby patients, have multiple records and UMRN relating to their long term treatment at Derby Hospital;
- (c) is the Minister aware that some West Australians have extreme difficulty accessing their medical records due to the problem of multiple UMRN; and

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice Given**Tuesday, 31 October 2017*

- (d) is the Minister aware that, where a West Australian has been allocated multiple UMRN, that the matching and merging of those multiple records is dependent entirely on the particular health service or hospital having the human resources to match multiple records to the patient's Global UMRN:
- (i) if no to (d), does the Minister think it reasonable that some patient's records may never be reconciled; and
 - (ii) if yes to (d), does the Minister plan to ensure that UMRN and their corresponding files be reconciled for all West Australian patients:
 - (A) if yes to (d)(ii), what is the timeframe for this;
 - (B) if no to (d)(ii), why not; and
 - (C) if no to (d)(ii), does the Minister plan to take any other steps to assist West Australians who wish to access their multiple Health Department files?

435. Hon Alison Xamon to the Minister for Education and Training:

I refer to the cessation of the administrative grant to independent public schools, and I ask:

- (a) does the Government intend for more schools to become Independent Public Schools;
- (b) if yes to (a), how many;
- (c) if yes to (a), will these schools be provided funding to assist in the transition to becoming independent; and
- (d) if yes to (c), how much?

436. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection:

I refer to the Coroner's recommendation that "all children [other than successful long term foster placements] transferred from one location to another have a case worker", and I ask:

- (a) does the Government support this recommendation;
- (b) if no to (a), why not;
- (c) if yes to (a), what action has the Government taken to address this recommendation; and
- (d) if no action has been taken, why not?

437. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection:

I refer to the Coroner's recommendation that, "on the transfer of children in care from one location and set of carers to another, there be appropriate assessment by consultant paediatricians in the new location to record a child's welfare and progress", and that this should be "on top of and in addition to their annual assessments", and I ask:

- (a) does the Government support this recommendation;
- (b) if no to (a), why not;
- (c) if yes to (a), what action has the Government taken to address this recommendation; and
- (d) if no action has been taken, why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

438. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services:

I refer to recommendations made by the Coroner as a result of the inquest into the death of Jayden Stafford Bennell regarding the engagement of Aboriginal mental health workers to form part of the mental health team in prisons, and I ask:

- (a) how many Aboriginal mental health workers are currently employed at correctional facilities; and
- (b) if none, why not?

439. Hon Nick Goiran to the Minister for Environment:

I refer to the email from the Minister's office, dated 24 October 2017 notifying that the Minister will be in the Baldvis electorate on Wednesday 25 October 2017, and I ask:

- (a) for what period of time was the Minister in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Minister attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Minister; and
 - (iii) did the Minister receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Minister table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

440. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services:

I refer to the engagement of Aboriginal community organisations in prisons and at Banksia Hill Detention centre, and I ask:

- (a) for each prison and for Banksia Hill Detention Centre, please advise:
 - (i) which, if any, Aboriginal-controlled community organisations currently deliver programs at the facility;
 - (ii) which, if any, Aboriginal-controlled community organisations currently undertake other activities at the facility;
 - (iii) the nature of the program delivered or other activity undertaken by each organisation;
 - (iv) how many prisoners/young people are engaged in the program/activity; and
 - (v) how regularly staff from the organisation visit the facility to deliver the program/activity?

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice Given**Tuesday, 31 October 2017***441. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services:**

I refer to the Inspector of Custodial Services Report of an *Announced Inspection of Banksia Hill Juvenile Detention Centre (April 2015)*, and to the Inspector's finding that the "security classification process for detainees remained severely under-developed", and that there "was no established minimum-security regime, which was a missed opportunity to manage detainees in more flexible ways and provide a behaviour incentive for detainees", and I ask:

- (a) has a new security and classification tool been implemented;
- (b) if yes to (a), will the Minister please provide information about the tool, including:
 - (i) how the security classifications of individual young people are determined;
 - (ii) the different security classifications available;
 - (iii) how often each young person's security classification is reviewed;
 - (iv) the numbers of young people currently accommodated at Banksia Hill Detention in each security classification;
 - (v) how the security classification is used to determine where young people will be accommodated;
 - (vi) whether young people with different security classifications are accommodated together;
 - (vii) whether there is now an established minimum-security regime;
 - (viii) if yes to (vii), please describe this regime; and
 - (ix) if no to (vii), why not;
- (c) if yes to (a), has the tool been evaluated;
- (d) if yes to (c), will the Minister please table a copy of the evaluation;
- (e) if no to (c), why not;
- (f) if no to (d), why not; and
- (g) if no to (a), why not?

442. Hon Nick Goiran to the Minister for Environment:

I refer to the email from the Minister's office, dated 23 October 2017, and I ask:

- (a) for what period of time was the Minister in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Minister attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Minister; and
 - (iii) did the Minister receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Minister table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

LEGISLATIVE COUNCIL

Questions Asked Today*Notice Given Tuesday, 31 October 2017***443. Hon Nick Goiran to the Minister for Environment:**

I refer to the email from the Minister's office, dated 24 October 2017 notifying that the Minister will be in the Bateman electorate on Wednesday 25 October 2017, and I ask:

- (a) for what period of time was the Minister in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Minister attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Minister; and
 - (iii) did the Minister receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Minister table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

444. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health:

I refer to the system of annual reporting to the Executive Director, Public Health by designated officers of the authorisation of the posthumous collection of gametes, and I ask:

- (a) how many returns were received in the last completed reporting period; and
- (b) what is the date range for the last completed reporting period?

445. Hon Nick Goiran to the Leader of the House representing the Premier:

I refer to the email from the Premier's office, dated 17 October 2017, and I ask:

- (a) for what period of time was the Premier in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Premier attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Premier; and
 - (iii) did the Premier receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Premier table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

446. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection:

I refer to the email from the Minister's office, dated 17 October 2017, and I ask:

- (a) for what period of time was the Minister in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Minister attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Minister; and
 - (iii) did the Minister receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Minister table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

447. Hon Alison Xamon to the Minister for Education and Training:

I refer to the tender for the design and location of the new building to be built on the Mount Hawthorn Primary School site and I ask, when and where the tender for this work was advertised?

448. Hon Alison Xamon to the Minister for Education and Training:

I refer to the design and location of the new school building to be added to the Mount Hawthorn Primary School, and I ask:

- (a) were there any design considerations that required the fig tree to be removed;
- (b) will the Minister please detail these design considerations;
- (c) were any designs considered that included the retention of the fig tree;
- (d) if no to (c), why not; and
- (e) will the Minister explain why the chosen design was better than any alternates?

449. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:

(1) Has any analysis been carried out on Form 5 (Operations report - Expenditure on Mining Tenement) for the following to ascertain what percentage of expenditure is for:

- (a) desktop analysis; and
- (b) on-ground expenditure?

(2) If yes to (1)(a) and/or (1)(b), will the Minister table the data?

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

(4) Is the Minister putting in place any guidelines or rules pertaining to how much expenditure must be carried out for on-ground activity?

(5) If yes to (4), will the Minister provide further details?

(6) If no to (5), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

450. Hon Colin de Grussa to the Leader of the House representing the Minister for Child Protection:

For the years 2010, 2011, 2012, 2013, 2014, 2015, 2016 and 2017 to date, can the Minister please provide:

- (a) the number of children who were or are under a protection order, until 18 years of age, as set out in section 57 of the *Children and Community Services Act 2004*;
- (b) the number of section 57 protection orders, until 18 years of age, which were revoked for those years and the age of each child at the time the order was revoked; and
- (c) the number of section 57 protection orders, until 18 years of age, which 'lapsed' due to the child reaching 18 years of age for those years?

451. Hon Colin de Grussa to the Leader of the House representing the Minister for Child Protection:

In relation to the number of children in the care of the Department of Child Protection and Family Support as at this date:

- (a) what number of children are currently in the CEO's care in each region of Western Australia:
 - (i) Kimberley;
 - (ii) Pilbara;
 - (iii) Gascoyne;
 - (iv) Mid West;
 - (v) Wheatbelt;
 - (vi) Goldfields-Esperance;
 - (vii) Peel;
 - (viii) South West;
 - (ix) Great Southern; and
 - (x) Metropolitan;
- (b) what was the number of children in the CEO's care in each region of Western Australia in the years 2015, 2016 and 2017 to date;
- (c) what percentage of children currently in the care of the CEO in each region of Western Australia have been under State care for:
 - (i) under 12 months;
 - (ii) more than 12 months; and
 - (iii) more than 24 months;
- (d) what percentage of children currently in the care of the CEO in each region of Western Australia are Aboriginal; and
- (e) how do the figures in (d) compare with the years 2015, 2016 and 2017 to date?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

452. Hon Colin de Grussa to the Leader of the House representing the Minister for Child Protection:

I refer to staffing level changes within relevant service areas of the Department of Communities (DoC) and the previous Department of Child Protection and Family Support (DCPaFS), and I ask:

- (a) what is the regional FTE breakdown by region and town across Western Australia for DCPaFS service areas 1, 4, 5, 6, 7, 9 and 10 in 2015-16, 2016-17 and service areas 1 to 7 in DoC for 2017-18;
- (b) what is the total regional staff breakdown by region and town across Western Australia for DCPaFS service areas 1, 4, 5, 6, 7, 9 and 10 in 2015-16, 2016-17 and service areas 1 to 7 in DoC for 2017-18;
- (c) what is the metropolitan FTE level for DCPaFS service areas 1, 4, 5, 6, 7, 9 and 10 in 2015-16, 2016-17 and service areas 1 to 7 in DoC for 2017-18;
- (d) what is the total number of metropolitan staff for DCPaFS service areas 1, 4, 5, 6, 7, 9 and 10 in 2015-16, 2016-17 and service areas 1 to 7 in DoC for 2017-18; and
- (e) can the Minister outline what efforts being made by the State Government to improve and increase the frontline resource of the DoC across existing Child Protection and Prevention of Family and Domestic Violence portfolio areas?

453. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to staffing level changes within relevant service areas of the Department of Primary Industries and Regional Development (DPIRD) and the previous Department of Food and Agriculture WA (DAFWA), and ask:

- (a) what is the regional FTE breakdown by region and town across Western Australia for DAFWA service delivery areas 1 to 6 in 2015-16, 2016-17 and service delivery areas 4 to 9 in DPIRD for 2017-18;
- (b) what is the total number of staff by region and town across Western Australia for DAFWA service delivery areas 1 to 6 in 2015-16, 2016-17 and service delivery areas 4 to 9 in DPIRD for 2017-18;
- (c) what is the metropolitan FTE level over financial years 2015-16, 2016-17 for DAFWA service delivery areas 1 to 6 and service delivery areas 4 to 9 in DPIRD for 2017-18;
- (d) what is the total number of metropolitan staff over financial years 2015-16, 2016-17 for DAFWA service delivery areas 1 to 6 and service delivery areas 4 to 9 in DPIRD for 2017-18;
- (e) what is the anticipated FTE that will be deployed by region and town within DPIRD service areas 4 to 9 as part of the Minister's planned increase in jobs, and by what date will this occur; and
- (f) what is the anticipated number of staff that will be deployed by region and town within DPIRD service areas 4 to 9 as part of the Minister's planned increase in departmental jobs, and by what date will this occur?

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice Given**Tuesday, 31 October 2017***454. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Health:**

I refer to a report on youth issues prepared by the Mental Health Advocacy Service for the Minister for Mental Health, as referred to on page iv in the Mental Health Advocacy Service Annual Report 2016-17, and I ask:

- (a) will the Minister please table this report; and
- (b) if no to (a), why not?

455. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health:

I refer to findings reported in the Mental Health Advocacy Service Annual Report 2016-17 about admission practices for 16 and 17 year old mental health patients, and I ask:

- (a) are there provisions for 16 and 17 year olds in current assertive patient flow arrangements;
- (b) if no to (a), what protocols are in place to ensure timely and efficient access to appropriate inpatient care for 16 and 17 year old children;
- (c) is the Minister aware that some 16 and 17 year olds with acute mental health conditions are waiting days in emergency departments for a bed, or being admitted in to adult mental health wards;
- (d) is the department implementing measures to prevent these practices from occurring in the future;
- (e) if yes to (d), what are they; and
- (f) if no to (d), why not?

456. Hon Alison Xamon to the Minister for Education and Training:

I refer to the Department of Education's processes for the design and construction of additional buildings at existing schools, and I ask:

- (a) is there an office within the Department of Education responsible for ensuring that all departmental policies and guidelines are adhered to throughout the process;
- (b) are there any standard procedures regarding consultation with the school community when locating and designing a new building for the school;
- (c) does the school board have any role or responsibility in ensuring that the school community is engaged and consulted during the design phase of a project;
- (d) is there a mechanism to internally review plans and designs of school buildings; and
- (e) how can a school community group engage such a mechanism?

457. Hon Alison Xamon to the Minister for Education and Training:

I refer to the Department of Education's Primary School Brief Section 5.17.7 "Functional and Spatial Planning", and I ask:

- (a) with relation to 8c, could the Minister please advise if trees and/or bushland can be considered under this provision as part of the character, history and heritage of the site; and
- (b) with relation to 8e, could the Minister please advise how the Landscape Architect Consultant is to determine whether a tree is significant?

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice Given**Tuesday, 31 October 2017***458. Hon Alison Xamon to the Minister for Education and Training:**

I refer to the current 600-student capacity of the International School of Western Australia (ISWA) and their publicly stated expectation that their capacity will remain at 600 after the move to the Doubleview Primary School site as per the Government's decision to provide a like-for-like facility, and I ask:

- (a) why did the development proposal and associated traffic management plan that went before Metro North-West Joint Development Assessment Panel only have a 350-student capacity;
- (b) has, or will, the Department of Education require student numbers at ISWA to be kept to 350 or fewer;
- (c) will the Department of Education construct, or contribute financially to the construction of additional buildings should ISWA enrolments go over 350 students; and
- (d) will the Department of Education review their advice regarding the appropriateness of the size of the Doubleview Primary School site for the proposed site-sharing arrangement in the light of an ISWA capacity of 600 students?

459. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning:

I refer to the City of Vincent's decision on 13 December 2016 to adopt Policy 7.1.1 – Built Form, and I ask:

- (a) when did the Western Australian Planning Commission receive the landscaping and setback provisions of this policy for approval pursuant to Clause 7.3.2 of State Planning Policy 3.1 – Residential Design Codes;
- (b) is there a statutory timeframe by which a decision regarding these provisions should be made;
- (c) if yes to (b), what is this timeframe;
- (d) if there has been a delay, will the Minister please explain why; and
- (e) when will the Western Australian Planning Commission make a decision on these provisions?

460. Hon Robin Chapple to the Minister for Environment representing the Treasurer:

I refer to the article in *The Australian* on 13 May 2016, "WA budget 2016: royalty relief grants \$41m to Chinese giants", and ask:

- (a) what is the current subsidy provided by the State Government to Citic;
- (b) what is Citic's annual profit for the 2016-17 financial year;
- (c) what is Citic's royalty and how much have they paid for the 2016-17 financial year;
- (d) what is the current subsidy provided by the State Government to Ansteel;
- (e) what is Ansteel's annual profit for the 2016-17 financial year;
- (f) what is Ansteel's royalty and how much have they paid for the 2016-17 financial year; and
- (g) why is the State Government providing the subsidies to Citic and Ansteel?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given

Tuesday, 31 October 2017

461. Hon Robin Chapple to the Minister for Environment:

- (1) When will Cockburn Cement Ltd complete the transition from burning coal to burning natural gas exclusively for its processes at its premises in Russell Road, Munster?
- (2) If Cockburn Cement Ltd has not yet begun transitioning towards eliminating the storage and burning of coal at its premises in Munster, has the Minister or his Government made a decision to impose a mandatory requirement on this company to commence and complete the transition to burning natural gas exclusively within a specified time?
- (3) If yes to (2), what is the timeframe?
- (4) If no to (2), why not?
- (5) Has the Minister revoked the direction made under section 36(1)(b) of the *Environmental Protection Act 1986*, gazetted on 16 November 2010, which directed the Environmental Protection Agency not to review the *Environmental Protection (Kwinana) (Atmospheric Wastes) Policy 1999*?
- (6) If yes to (5), what is the timeframe?
- (7) If no to (5), why not?
- (8) Has the Minister directed the Environmental Protection Agency to undertake a review of the *Environmental Protection (Kwinana) (Atmospheric Wastes) Policy 1999* insofar as it applies to the premises in Munster operated by Cockburn Cement Ltd?
- (9) If no to (8), why not?
- (10) If yes to (8), what is the timeframe for the review and reporting of the review?
- (11) If yes to (8), will the review be made publicly available and, if so, where will it be published?
- (12) If no to (11), why not?
- (13) Does the Minister or his department have information that groundwater extracted by Cockburn Cement Ltd at its premises in Munster contains sulphur and/or sulphur compounds and, if so:
 - (a) what sulphur compounds are present;
 - (b) what is the range of concentrations of sulphur compounds present at each extraction point;
 - (c) what other naturally occurring and introduced impurities are present at each extraction point; and
 - (d) what is the range of concentrations of each of those other impurities from each extraction point?
- (14) Do the existing conditions or any proposed new conditions on the licence, granted by the Minister's department to Cockburn Cement Ltd to operate its Munster premises, contain a requirement to remove sulphur or sulphur compounds from groundwater it extracts at this site?
- (15) If no to (14), why not?
- (16) Do the existing and any proposed conditions on the licence, granted by the Minister's department to Cockburn Cement Ltd to operate its Munster premises, contain a requirement to remove impurities, other than sulphur and sulphur compounds, from groundwater it extracts at the site?
- (17) If no to (16), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice Given**Tuesday, 31 October 2017*

- (18) Will the Minister provide a list of how many megalitres of groundwater were extracted for use at the Munster premises operated by Cockburn Cement Ltd in each of the calendar years 2010 up to and including 2016?
- (19) If no to (18), why not?
- (20) Has the Minister, pursuant to section 37A of the *Environmental Protection Act 1986*, declared that the National Environmental Protection Measures be an approved policy or does he intend to do so?
- (21) If yes to (20), what is the timeframe?
- (22) If no to (20), why not?
- (23) If the Minister and his Government do not intend to implement the National Environmental Protection Measures in Western Australia, what air pollution standards will his Government adopt in respect of residential areas in Perth?
- (24) Does the Minister and his Government intend to impose the same maximum limits on toxic gas and particulate emissions from the Munster premises operated by Cockburn Cement Ltd as those prescribed in the National Environmental Protection Measures?
- (25) If yes to (24), what is the timeframe?
- (26) If no to (24), why not?
- (27) If Cockburn Cement Ltd does not presently comply with the National Environmental Protection Measures in relation to toxic gas and particulate emissions from its Munster premises, what additional pollution control technologies and practices could be mandated by Government to ensure this company complies with world's best practice in reducing its emission of such toxic gases and particulates?

462. Hon Diane Evers to the Minister for Environment representing the Minister for Police:

- (1) I refer to the classification of crossbows as prohibited weapons, as a result of changes introduced in Western Australia in 2011 to the *Weapons Act 1999*, and I ask:
 - (a) is the Government aware of any instances of the illegal use of crossbows in Western Australia since 2011;
 - (b) are regulations pertaining to the purchase, possession, use, sale, supply or manufacture of crossbows being enforced in Western Australia;
 - (c) if yes to (b), how are they being enforced; and
 - (d) if yes to (b), what financial and human resources are currently allocated to enforcement of crossbow regulations?
- (2) What is the Government's position on the suggestion that crossbows should be registered firearms, requiring licensing?
- (3) I refer to the classification of compound bows as controlled weapons under the *Weapons Act 1999*, and I ask:
 - (a) is the Government aware of any instances of the illegal use of compound bows in Western Australia since the *Weapons Act 1999* came into effect;
 - (b) are regulations pertaining to the purchase, possession, use, sale, supply or manufacture of compound bows being enforced in Western Australia;

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given **Tuesday, 31 October 2017**

- (c) if yes to (b), how are they being enforced; and
- (d) if yes to (b), what financial and human resources are currently allocated to enforcement of compound bow regulations?

463. Hon Alison Xamon to the Minister for Disability Services:

I refer to the January 2016 report produced by People with Disability WA for the Disability Services Commission, titled *Feasibility Study: Independent Support Person Program for People with Intellectual or Cognitive Disability*, and I ask:

- (a) will the Minister please table this report;
- (b) if no to (a), why not; and
- (c) has any action been taken by the Government based on the findings and/or recommendations of this report?

464. Hon Nick Goiran to the Leader of the House representing the Premier:

I refer to the email from the Premier's office, dated 18 October 2017, and I ask:

- (a) for what period of time was the Premier in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Premier attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Premier; and
 - (iii) did the Premier receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Premier table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

465. Hon Dr Steve Thomas to the Minister for Environment:

I refer to the potential contamination of soil and water by chemicals known as per and poly fluoro alkyl substances (PFAS) found in fire retardant foam, and I ask:

- (a) have these substances been discovered in soil or water in Western Australia;
- (b) if yes to (a), where have they been found and in what concentrations;
- (c) if yes to (b), how have the contaminated materials been managed;
- (d) are there any stockpiles or is there any storage of soils or water contaminated by PFAS; and
- (e) if yes to (d), are any of these managed or controlled by the Western Australian State Government?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

466. Hon Dr Steve Thomas to the Minister for Environment representing the Minister for Transport:

I refer to the potential contamination of soil and water by chemicals known as per and poly fluoro alkyl substances (PFAS) found in retardant foam, and I ask:

- (a) is the Minister or the Public Transport Authority (PTA) aware of PFAS contamination in soil taken, or likely to be taken, from the Forrestfield Airport Link tunnelling project being overseen by the PTA;
- (b) can the Minister confirm the stockpiling of PFAS contaminated soil from this project;
- (c) if yes to (b), where is this stockpile of PFAS contaminated soil located; and
- (d) if yes to (b), what plan is in place to manage the PFAS contaminated soil?

467. Hon Peter Collier to the Minister for Environment representing the Minister for Police:

For each week from 13 March 2017 to 1 October 2017, how many speeding infringements have been issued?

468. Hon Nick Goiran to the Minister for Environment:

I refer to the email from the Minister's office, dated 16 October 2017, and I ask:

- (a) for what period of time was the Minister in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Minister attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Minister; and
 - (iii) did the Minister receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Minister table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

469. Hon Robin Chapple to the Minister for Environment:

- (1) Will the Minister provide a table of how much native vegetation has been cleared in Western Australia for each of the last ten years?
- (2) If no to (1), why not?
- (3) For the South West Region of Western Australia, which is an internationally recognised biodiversity hotspot for conservation priority, will the Minister provide a table of how much native vegetation has been cleared in each Local Government Authority's (LGA) area in each of the last ten years?
- (4) If no to (3), why not?
- (5) For the Swan Coastal Plain portion of the Perth Metropolitan Region, will the Minister provide a table of how much native vegetation has been cleared for each of the last ten years?
- (6) If no to (5), why not?

LEGISLATIVE COUNCIL

Questions Asked Today**Notice Given** **Tuesday, 31 October 2017**

- (7) What legal provisions are in place to prevent any further clearing, specifically for the LGAs, that have only 10 percent or less than 10 percent of pre-European extent of native vegetation remaining?
- (8) If the answer to (7) is none, what legally binding provisions to prevent any further clearing will the Minister introduce and when?
- (9) If the answer to (8) is none, why not?
- (10) How is the extent of native vegetation clearing monitored?
- (11) How is the extent of native vegetation clearing reported?
- (12) Is a report publicly available and, if so, where may it be found?
- (13) How often is native vegetation clearing monitored and reported on?
- (14) If native vegetation clearing is not monitored and/or reported on, does the Minister have plans to do so and, if so, when and how?
- (15) If no to (14), why not?

470. Hon Nick Goiran to the Leader of the House representing the Minister for Local Government:

I refer to the email from the Minister's office, dated 16 October 2017, and I ask:

- (a) for what period of time was the Minister in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Minister attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Minister; and
 - (iii) did the Minister receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Minister table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

471. Hon Nick Goiran to the Leader of the House representing the Premier:

I refer to the email from the Minister's office, dated 13 October 2017, and I ask:

- (a) for what period of time was the Premier in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Premier attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Premier; and
 - (iii) did the Premier receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Premier table those documents;

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

- (e) if yes to (d), when; and
- (f) if no to (d), why not?

472. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:

I refer to an email, which I understand maybe dated on or about 30 April 2014, from Dan Machin, Acting Director, Operations Environment, in response to a email from Mr Russell Waldon titled "Subject: POW- P Applications" copied to Daniel Endacott and Ian Mitchell, and I ask:

- (a) is it correct the above referred to email in part states "DMP's Environmental division also recognises that the majority of prospectors are responsible environmental operators. In fact it is well known within the division that many prospectors undertake successful rehabilitation of legacy areas as they prospect previously disturbed lands";
- (b) if yes to (a), can the Minister explain why the environmental division keeps on continually targeting and making it harder for small miners/prospectors with increased delays to approvals increased paperwork, increasing duplication and complexity in many documents required to be lodged with the environmental division, creating barriers to entry, extra unnecessary costs, ultimately destroying jobs in the Western Australian economy and importantly the discovery of the new mines of tomorrow which the State relies upon for jobs, and royalty income;
- (c) can the Minister explain why the resources of the department with the environmental division are so focussed on making it harder with complexity, increased duplication, increased paperwork for small miners and prospectors when the department have recognised a very long time ago that the majority are responsible environmental operators, carrying out successful/ responsible rehabilitation practices which overall are enhancing the environment; and
- (d) if no to (c) why not?

473. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:

- (1) Does the Minister support Department of Mines Industry Regulation and Safety (DMIRS) formerly Department of Mines and Petroleum (DMP) employees altering policy and departmental documents which have had a major impact on the mining industry when the previous Government was in caretaker?
- (2) If yes to (1), why?
- (3) If no to (1), why not?
- (4) Can the Minister explain why is it so important that employees observe and comply with caretaker conventions when an election is called?
- (5) If no (4), why not?
- (6) What are the specific relevant sections of legislation and penalty, if any, for employees from DMIRS, formerly DMP, that do not comply with caretaker conventions and in particular altering policy and departmental documents which have had a major impact on the mining industry?
- (7) Does the Minister support employees being involved in party political activities?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given **Tuesday, 31 October 2017**

- (8) If yes to (7), why?
- (9) If no to (7), why not?

474. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:

I refer to a newspaper article titled, *Gorey: Reforms to cut through red tape*, dated 14 June 2012, which appeared on page 13 of the *Kalgoorlie Miner* and comments directly attributed to Phil Gorey, Executive Director of the Department of Mines and Petroleum, and ask:

- (a) is it correct that Dr Phil Gorey told the *Kalgoorlie Miner* “It is not about making the rules harder, having more paperwork, it is about having the most efficient environmental regulations”;
- (b) if no to (a), what specifically did Dr Phil Gorey state to the *Kalgoorlie Miner* newspaper on this matter;
- (c) if yes to (a), does the Minister now support regulatory reform which makes the rules harder, increases the level of compliance paperwork and complexity and ultimately costs on the industry;
- (d) can the Minister explain how the Reforming Environmental Regulation (RER) program would cut down on costs of compliance, red tape and remove uncertainty for people operating within the industry;
- (e) if no to (d), why not;
- (f) can the Minister explain how the “industry could be bigger” in terms of comments made by Mr Phil Gorey;
- (g) if no to (f), why not;
- (h) did Mr Phil Gorey state to the *Kalgoorlie Miner* that “We do get complaints and they might be from landholders, the community, even other operators, but by and large the environmental performance of the industry from prospectors to exploration to mining the operations are pretty good”;
- (i) if no to (h), what did Mr Phil Gorey specifically state to the *Kalgoorlie Miner* newspaper on this matter;
- (j) if yes to (h), does the Minister stand by the statements made that by and large the environmental performance of the industry from prospectors to exploration mining operations are pretty good;
- (k) is the RER reform process aimed at reducing and eliminating duplication, reducing the level of paperwork required to be submitted to the DMP, reducing costs and complexity for prospectors or miners who seek departmental approval to conduct both exploration and mining operations;
- (l) if no to (k), why not; and
- (m) if yes to (k), why and how will this be achieved?

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice Given**Tuesday, 31 October 2017***475. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:**

I refer to a rejection letter, dated 4 April 2016, from the Acting Executive Director, Marnie Leybourne, Department of Mines and Petroleum (DMP) titled "Rejection notification for Program of Work Application on E25/512 and E27/532, registration ID 55611", addressed to Mr Cranston Edwards and an email, apparently dated on or about 21 March 2016, from Marnie Leybourne, Director, Operations Environment, addressed to Mr Cranston Edwards, and I ask:

- (a) can the Minister state on what specific date the Program of Work (POW) application was received by the DMP;
- (b) if no to (a), why not;
- (c) can the Minister state on what specific date the excess tonnage application was received by the DMP;
- (d) if no to (c), why not;
- (e) is it correct the above referred to email, dated 21 March 2016, from Marnie Leybourne in part states "Cranston, we are chasing this up, The excess tonnage requests were sent by us (I mean the Environment Division) on 30 July last year, so I am not sure where, or why, they have been held up. We will let you know";
- (f) if no to (e), will the Minister state what is specifically correct;
- (g) if yes to (e), can the Minister explain why it was held up for such a long period of time;
- (h) can the Minister list how many individual separate officers/contractors within the DMP, the respective job level and financial remuneration had to specifically review this matter before the excess tonnage application was referred to the Minister's office;
- (i) if no to (g), why not;
- (j) can the Minister provide a detailed timeline, from the date of receipt with specific dates, including which specific officers by position title who reviewed this excess tonnage application, on what dates before it passed to each successive DMP officer, and again before it finally went before the Minister's office or officer delegated ministerial authority for determination;
- (k) if no to (j), why not;
- (l) did the DMP recommend or suggest approval of the excess tonnage application to the Minister's office;
- (m) if yes to (l), what specific options did it outline;
- (n) if no to (l), what specific options did it outline;
- (o) can the Minister explain why it apparently took from 25 June 2015, well over 10 months, till 4 April 2016, to process a POW application and excess tonnage application, which ultimately was rejected, given that this process has historically only taken a maximum of several months and in some cases much shorter timeframes than one month to get an outcome;
- (p) if no to (o), why not;
- (q) can the Minister state how long a timeframe in days did the excess tonnage application remain in the Minister's office, from the date received until the date it was determined and returned back to the DMP;

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

- (r) if no to (q), why not;
- (s) can the Minister state which specific officers by title within the DMP, if any, have delegated ministerial authority to determine excess tonnage applications for POW applications; and
- (t) if no to (s), why not?

476. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:

I refer to a letter of approval signed by Marnie Leybourne, Director Operations Environment, from the Department of Mines and Petroleum (DMP), dated 22 January 2016, addressed to Mr Cranston Edwards for a Program of Work (POW) registration ID 56198, which apparently was dated 25 June 2015, and I ask:

- (a) can the Minister give a specific date as to when the above referred to POW was received by the DMP;
- (b) if no to (a), why not;
- (c) can the Minister explain why it took nearly seven months for a professional small prospector/gold producer to get approval from the environmental division of the DMP to be able to conduct exploration in a timely manner, which ultimately provides for job generation and employment in the eastern goldfields region;
- (d) if no to (c), why not;
- (e) given the Government's stated commitments to generating jobs, employment, reducing red tape, eliminating duplication/complexity and fast tracking approvals, does the Minister regard the timeframe of nearly seven months to get approval to conduct work and then ultimately generate wealth for the State as being acceptable for any POW lodged with the department;
- (f) if no to (e), why not;
- (g) if yes to (e), why;
- (h) does the Minister recognise that significant delays over many extended months to POW's approval by the DMP for professional small gold producers/prospectors effectively puts them out of work, costing jobs in the mining sector, generation of income, which is spent through the local community in terms of the economic multiplier effect and is not helpful in terms of stimulating the Western Australian State economy;
- (i) if no to (h), why not; and
- (j) if yes to (h), will the Minister ensure that the department takes expedient action to stop this from occurring in order to help stimulate the economy?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 31 October 2017*

477. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water:

I refer to Tabled Paper 500 from question on notice No. 146 asked on 15 August 2017 to the Minister for Regional Development representing the Minister for Water, and ask:

- (a) will the Minister please provide a list of locations of the applications for water licences listed in Tabled Paper 500;
- (b) will the Minister please provide a list of applicants for those applications listed in Tabled Paper 500;
- (c) will the Minister please provide a list of all properties the applicants listed in (b) own or lease; and
- (d) if no to (a), (b) or (c), why not?

478. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:

I refer to the media statement, dated 7 September 2017 titled, “Changes to gold royalty arrangements part of budget repair task”, and comments attributed to the Minister, and I ask:

- (a) can the Minister explain how the Department of Mines, Industry Regulation and Safety (DMIRS) and Government understand the challenges that smaller producers and prospectors face within the industry to retain the 2,500 ounce royalty free threshold;
- (b) if no to (a), why not;
- (c) can the Minister state what the specific challenges are that both small producers and prospectors face within the mining industry as a whole, not necessarily related to the proposed gold royalty issue;
- (d) if no to (c), why not;
- (e) can the Minister explain why is it so important to protect small gold producers and prospectors with the retention of the 2,500 ounce royalty free threshold;
- (f) if no to (e), why not;
- (g) can the Minister explain how the retention of the 2,500 ounce royalty free threshold for smaller gold producers and prospectors helps the State of Western Australia; and
- (h) if no to (g), why not?

NIGEL PRATT

Clerk of the Legislative Council