

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 23

Tuesday, 10 September 2013

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, 25 June 2013**

- 133. Hon Sally Talbot to the Minister for Mental Health
- 138. Hon Adele Farina to the Minister for Child Protection
- 153. Hon Adele Farina to the Minister for Mental Health
- 155. Hon Adele Farina to the Minister for Mental Health

Notice Given **Wednesday, 26 June 2013**

- 168. Hon Stephen Dawson to the Minister for Agriculture and Food representing the Minister for Fisheries
- 170. Hon Alanna Clohesy to the Minister for Commerce
- 171. Hon Samantha Rowe to the Minister for Mental Health representing the Treasurer

Notice Given **Thursday, 27 June 2013**

- 177. Hon Sally Talbot to the Minister for Mental Health
- 178. Hon Sally Talbot to the Minister for Mental Health
- 179. Hon Sally Talbot to the Minister for Child Protection
- 180. Hon Sally Talbot to the Minister for Mental Health
- 186. Hon Sally Talbot to the Minister for Mental Health

Notice Given **Tuesday, 6 August 2013**

- 187. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 188. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Housing
- 189. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 190. Hon Sally Talbot to the Minister for Child Protection
- 191. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 192. Hon Robin Chapple to the Minister for Aboriginal Affairs

LEGISLATIVE COUNCIL

Postponed Questions

- 194. Hon Sally Talbot to the Minister for Child Protection
- 195. Hon Sally Talbot to the Minister for Child Protection
- 196. Hon Sally Talbot to the Minister for Child Protection
- 197. Hon Sally Talbot to the Minister for Child Protection
- 198. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 199. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Regional Development
- 202. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry

Notice Given **Wednesday, 7 August 2013**

- 208. Hon Kate Doust to the Minister for Commerce
- 210. Hon Amber-Jade Sanderson to the Attorney General representing the Minister for Corrective Services

Notice Given **Thursday, 8 August 2013**

- 213. Hon Kate Doust to the Leader of the House representing the Minister for Finance
- 215. Hon Kate Doust to the Leader of the House representing the Minister for Finance
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- 230. Hon Kate Doust to the Leader of the House representing the Minister for Finance
- 231. Hon Kate Doust to the Leader of the House representing the Minister for Finance
- 232. Hon Kate Doust to the Leader of the House representing the Minister for Finance

Notice Given **Tuesday, 13 August 2013**

- 233. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum

LEGISLATIVE COUNCIL

Postponed Questions

234. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Water
235. Hon Kate Doust to the Leader of the House representing the Minister for Finance
236. Hon Kate Doust to the Leader of the House representing the Minister for Finance
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267. Hon Kate Doust to the Leader of the House representing the Minister for Finance
268. Hon Kate Doust to the Leader of the House representing the Minister for Finance
269. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment

LEGISLATIVE COUNCIL

Postponed Questions

Notice Given *Wednesday, 14 August 2013*

270. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry

Notice Given *Thursday, 15 August 2013*

271. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment

272. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment

LEGISLATIVE COUNCIL

 QUESTIONS ASKED TODAY

Notice Given *Tuesday, 10 September 2013*

273. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

With respect to Alcoa in Australia, and its subsidiaries and associated companies, and their bauxite mining operations in Western Australia, I ask:

- (a) how many tenements are held by each company by type, number and hectare size;
- (b) how many hectares have been mined in each of the last five years;
- (c) how many hectares will be mined each year when the company expands to its full approved rate of production;
- (d) what is the total area mined to date;
- (e) how much of the total area mined required the clearing of native forest;
- (f) how many hectares have been rehabilitated to date;
- (g) how much of this area has been rehabilitated with jarrah forest species;
- (h) what is the current annual production of bauxite and alumina;
- (i) when the company expands to its full approved rate of production, what will be the annual production of bauxite and alumina;
- (j) how many hectares are currently used as Residue Disposal Areas;
- (k) what is the total area of closed Residue Disposal Areas;
- (l) what area of new Residue Disposal Areas will be required when the company expands to its full approved rate of production;
- (m) how much residue has been produced in each of the last five years;
- (n) what is the total amount of residue produced to date;
- (o) how much residue will be produced each year when the company expands to its full approved rate of production;
- (p) when do the company's mining leases expire;
- (q) when does the company anticipate completion of its approved expansion; and
- (r) will the Minister please table a map showing the mining leases, the area mined to date, and the area rehabilitated to date?

274. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

- (1) Is there a requirement from Woodside to provide the Department of Environment with Dark Smoke and Flare CO₂e tonnages for the Pluto plant on the Burrup?
- (2) If yes to (1), will the Minister please table those reports?
- (3) When did Pluto start production?
- (4) When did Pluto begin exporting its product?
- (5) Does Pluto have a licence to operate?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 10 September 2013*

- (6) If no to (5), why not?
 (7) If yes to (5), when was the licence granted?

275. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

- (1) When was the Dampier Marine Park first considered?
 (2) What progress towards a listing has been made since it was first considered?
 (3) Why has there been this delay between its initial consideration and now?
 (4) When will the Dampier Marine Park be declared?

276. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

With regard to question on notice No. 5950 where the Minister for Mental Health representing the Minister for Environment said “The Government is committed to pursuing the protection of the conservation and heritage values of the area. Formal reservation will require further consultation and approval within government, and Indigenous land use agreement(s) to be reached with registered native title parties.”, I ask:

- (a) has the Government undertaken consultation within government agencies or Ministers regarding the protection of the conservation and heritage values of the area recommended by the Waterbank Coordinating Committee;
 (b) if no to (a), why not;
 (c) if no to (a), when will the Government begin this work;
 (d) is it correct that the Waterbank Coordinating Committee recommended the area to become a reserve for conservation and Aboriginal heritage with opportunities for nature-based tourism; and
 (e) if yes to (d), when does the Minister propose to implement those recommendations?

277. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport:

With regard to the future of the Broome Port, I ask:

- (a) have any studies or reports been commissioned into the expansion of the Broome Port; and
 (b) if yes to (a), will the Minister table these reports?

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

With regard to comments by the Minister for State Development in Parliament on 20 August 2013 which were: “...other companies tell me they will never use floating liquefied natural gas (LNG) for a variety of reasons...” and “...Inpex, I think, is having further exploration success, so we will see what happens with its next project. Its next project may well find its way to James Price Point.” I ask:

- (a) which companies have told the Minister that they will never use floating LNG;
 (b) has the Minister had any indication from Inpex or any other company that they have an interest in developing onshore LNG facilities at James Price Point; and
 (c) if yes to (b), when was the interest indicated?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 10 September 2013*

279. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

I refer to the decision of the Supreme Court of Western Australia on 19 August 2013 invalidating the decisions of the Environmental Protection Authority (EPA) and the Minister for the Environment to approve the Browse LNG Precinct, and ask:

- (a) does the Minister share the view of the law firm Clayton Utz that “For the Browse LNG Precinct (if this is to be further pursued by the State given the Premier’s recent statement apologising for the Precinct’s failure) it’s back to square one. The EPA will have to completely reassess the proposal (without the involvement of the conflicted members and arguably without the involvement of the Chairman)”; and
- (b) if no to (a), which of the decisions and actions of the EPA forming part of its assessment process, concluding with the “decision” made by Mr Vogel on 16 July 2012, are unaffected by the Supreme Court’s declarations?

280. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

The West Kimberley National Heritage places, as gazetted in 2011, includes the Dampier Coast dinosaur trackways, which are recognised as having “outstanding heritage value to the nation” because they record “the best and most extensive evidence of dinosaurs from the western half of the continent, some of which are unknown from body fossils, for the diversity and exceptional sizes of the sauropod prints and the unique census of the dinosaur community that they provide.” In relation to these trackways, I ask:

- (a) is the Minister aware of the statement of the palaeontologist Dr Stephen Salisbury, as reported on ABC Kimberley Radio on 17 July 2012, that in 2011 he had discussed the potential impact of the Browse LNG precinct upon the dinosaur trackways located at the James Price Point site with the Chairperson of the Environmental Protection Authority (EPA), who advised Dr Salisbury that “had the EPA known of such sites in 2008, then they would have picked a different site”;
- (b) in light of the decision by the Supreme Court on 19 August 2013 declaring the environmental approval of the Browse LNG precinct invalid, is it now time for the Minister to recommend to the State to abandon its plans for this development at James Price Point; and
- (c) if no to (b), why not?

281. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

In regard to the Environmental Protection Authority’s (EPA) decision to recommend approval of Toro Energy’s proposed uranium mine at Wiluna on 21 May 2012, I ask:

- (a) what, if any, conflicts of interest were there on the part of EPA decision-makers with regards to Toro Energy:
 - (i) will the Minister table this information and if not, why not;
- (b) what, if any, conflicts of interest were there on the part of EPA decision makers and Toro’s major shareholders:
 - (i) will the Minister table this information and if not, why not;

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given **Tuesday, 10 September 2013**

- (c) were there any interests in common identified between the Directors of EPA and the Directors of Toro via other companies, please see http://www.robinchapple.com/sites/default/files/QON%20Toro%20Energy%20Limited%20ID%20&%20Summary_1.pdf>http://www.robinchapple.com/sites/default/files/QON%20Toro%20Energy%20Limited%20ID%20&%20Summary_1.pdf and please provide details; and
- (d) is the Minister aware of the *Sunday Times* article, dated 25 August 2013, in which it was reported that two members of the EPA attended the Toro Energy Christmas function soon after recommending that Toro's Wiluna be approved:
- (i) will the Minister please provide the names of these people and if not, why not; and
- (ii) will the Minister please clarify the status of their attendance and if not, why not?

282. Hon Robin Chapple to the Minister for Aboriginal Affairs:

With regard to a lease at Beagle Bay that is held by Arrow Pearls, I ask:

- (a) what is the nature of the lease, including its purpose, the area leased, and what is its duration;
- (b) who are the parties to the lease;
- (c) have the Native Title holders and/or claimants to the area been consulted and have they approved the lease or an extension to the lease;
- (d) are there any plans to develop the lease area to establish a supply base and port to service the Browse Basin project;
- (e) if yes to (d), has the area been surveyed for its environmental values and has it received Environmental Protection Authority approval to proceed; and
- (f) what ground-disturbing works have been approved as part of the lease and/or lease extension?

283. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

- (1) Is the Minister aware of the recent sale by Rey Resources Ltd of the Duchess Paradise coal project in the Fitzroy River catchment to a Hong Kong-based company called Crystal Yield Investment?
- (2) As a result of this sale, exactly what form of tenement or mining right does Crystal Yield now own?
- (3) Has the transfer of this tenement or right to Crystal Yield been completed:
- (a) if so, when was it completed and what sum was paid by Crystal Yield Investment?
- (4) Does Crystal Yield now own a mining lease or a mining license as defined in the *Mining Act 1978*:
- (a) if no, by what process will Crystal Yield acquire such a tenement or license?
- (5) When will the Mining Wardens Court make its determination on the grant of a mining lease for this project?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 10 September 2013*

- (6) Does the project require environmental approval prior to being granted a mining lease or license?
- (7) Which entity, Rey Resources or Crystal Yield, will now be designated as the proponent responsible for preparing and submitting the project Public Environment Review (PER) report to the Environmental Protection Authority (EPA) for assessment?
- (8) Given that the scoping study for the project was submitted to the EPA almost two years ago, when does the Minister expect Rey Resources or Crystal Yield to submit its PER documentation?
- (9) Have officers of the Department of Mines met with representatives of Crystal Yield:
 - (a) if so, on what date and what was discussed?
- (10) Given that, according to Rey Resources' reporting, Crystal Yield will withhold full payment for the project if a mining lease or license is not obtained by a specified date, does this arrangement place pressure on the Department of Mines and Petroleum, the EPA or the Minister to fast-track the granting of such tenements or licenses:
 - (a) if so, what effect has this had on these entities; and
 - (b) if not, why not?

284. Hon Sally Talbot to the Minister for Child Protection:

For each of the utilities Synergy, Horizon, Water Corporation and Alinta in relation to the Hardship Utilities Grant Scheme (HUGS) for August 2013:

- (a) what was the number of approved grants;
- (b) what was the total grant amount; and
- (c) what was the average amount paid?

285. Hon Sally Talbot to the Minister for Child Protection:

For all Hardship Utility Grant Scheme (HUGS) applicants processed by the Department of Child Protection in August 2013, can the department please detail how many applicants were from:

- (a) Great Southern Region;
- (b) South West Region;
- (c) Goldfields Region;
- (d) Murchison-Gascoyne Region;
- (e) Wheatbelt Region;
- (f) East Kimberley Region;
- (g) West Kimberley Region;
- (h) Pilbara Region;
- (i) Peel Region; and
- (j) Mid West?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 10 September 2013*

286. Hon Sally Talbot to the Minister for Child Protection:

For all Hardship Utility Grant Scheme (HUGS) applicants processed by the Department of Child Protection in August 2013, can the department please provide the number of applications by:

- (a) postcode;
- (b) regional development region;
- (c) main source of income;
- (d) family status;
- (e) number of children;
- (f) gender;
- (g) age;
- (h) housing tenure; and
- (i) ethnicity?

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

- (1) What lands have been purchased for Bush Forever site 275 (Stakehill Wetland)?
- (2) How much has been spent on these acquisitions?
- (3) How many more properties need to be purchased for Bush Forever site 275?
- (4) What is the time frame and budget for the remaining purchases?
- (5) Who will be responsible for the management of this site?
- (6) Of the land that has been purchased to date, what management has been carried out?
- (7) What community and local conservation groups are involved in this management?
- (8) How do government agency cut backs affect the management of purchase land?
- (9) Will increased revenue from the passing of the *Land Tax Amendment Bill 2013* be used to improve the management of Bush Forever site 275?
- (10) What changes to the Environmental Management Plan for Stakehill Wetland, December 2010, have taken place?
- (11) What review has there been of this management plan?
- (12) What input does the local community have in:
 - (a) fire management;
 - (b) weed management;
 - (c) visitor use and access; and
 - (d) uses outside of the Environmental Management Plan?
- (13) What chemical agents are currently been used for weed control?
- (14) Are firebreaks being rotary-hoed?
- (15) If yes to (14):
 - (a) what was the previous method used to construct and maintain firebreaks;
 - (b) were these previous methods less intrusive; and

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 10 September 2013*

- (c) why has the method changed?
- (16) What feral animal control is taking place?
- (17) What signage has been erected?
- (18) What public infrastructure has been installed?
- (19) What methods are being used to guide public use and practices?
- (20) What rehabilitation of degraded areas has taken place?

288. Hon Alanna Clohesy to the Parliamentary Secretary representing the Minister for Training and Workforce Development:

As at 31 March 2013 and by occupation, how many apprentices and trainees were in training in the East Metropolitan electoral region?

289. Hon Alanna Clohesy to the Parliamentary Secretary representing the Minister for Training and Workforce Development:

For the three months ending 31 March 2013 and by occupation:

- (a) how many apprentices and trainees commenced training in the East Metropolitan electoral region; and
- (b) how many apprentices and trainees completed training in the East Metropolitan electoral region?

290. Hon Kate Doust to the Minister for Commerce:

I refer to the *Department of Commerce Annual Report 2011-12*, page 55 which refers to the Springboard Women's Development Program and I note that two additional programs are planned for 2012-13, and I ask:

- (a) what was the cost of providing the program in 2011-12;
- (b) what is the purpose of the program;
- (c) what is the cost for each of the 2012-13 programs; and
- (d) which agencies or departments will attend?

MALCOLM PEACOCK

Clerk of the Legislative Council