

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 7

Thursday, 25 May 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 ***Thursday, 11 May 2017***

1. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
2. Hon Nick Goiran to the Leader of the House representing the Premier
3. Hon Nick Goiran to the Minister for Environment representing the Minister for Transport
4. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
5. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health

Notice Given ***Tuesday, 16 May 2017***

6. Hon Martin Aldridge to the Minister for Agriculture and Food
7. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
8. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
9. Hon Martin Aldridge to the Leader of the House representing the Premier
10. Hon Martin Aldridge to the Leader of the House representing the Premier
11. Hon Martin Aldridge to the Leader of the House representing the Premier
12. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
13. Hon Robin Chapple to the Minister for Environment representing the Minister for Mines and Petroleum
14. Hon Robin Chapple to the Minister for Environment representing the Minister for Mines and Petroleum
15. Hon Robin Chapple to the Minister for Environment representing the Minister for Mines and Petroleum

Notice Given ***Wednesday, 17 May 2017***

16. Hon Lynn MacLaren to the Minister for Environment representing the Minister for Planning
17. Hon Simon O'Brien to the Minister for Environment
18. Hon Martin Aldridge to the Leader of the House representing the Premier

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Notice Given *Tuesday, 23 May 2017*

19. Hon Peter Collier to the Leader of the House representing the Premier

Notice Given *Wednesday, 24 May 2017*

20. Hon Martin Aldridge to the Minister for Environment representing the Treasurer
21. Hon Dr Steve Thomas to the Minister for Environment
22. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health
23. Hon Nick Goiran to the Minister for Education and Training
24. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
25. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
26. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection

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

I refer to all mining lease applications within Western Australia and the guidelines for applicants to supply the necessary requested information, and ask:

- (a) can the Minister please explain why, under the *Mining Act 1978*, the Department of Mines and Petroleum (DMP) insists when a mining lease is lodged, that at the same time, or within 14 days, a statement and mineralization report is also required to be lodged for assessment;
- (b) if no to (a), why not;
- (c) can the Minister please explain why the DMP insists that when a mining lease is lodged, that a mining proposal is also required to be lodged for assessment; and
- (d) if no to (c), why not?

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

I refer to the Department of Mines and Petroleum (DMP) guidelines for applicants appertaining to the section 58(1)(b) statement to accompany applications for all exploration licences within Western Australia, and ask:

- (a) can the Minister advise why the DMP insists that all the information data within the section 58(1)(b) statement must relate directly to the land comprised within the exploration licence application;
- (b) if no to (a), why not;
- (c) why are generic statements within the section 58(1)(b) statement not acceptable when the DMP Mining Registrar assesses all applications before the Minister grants or refuses each application;
- (d) can the Minister explain what is the functional purpose for the DMP insisting that the section 58(1)(b) statement must demonstrate to the Mining Registrar or Mining Warden that the full area is applied for as opposed to only part or various parts being effectively explored within the term of the licence;
- (e) if no to (d), why not;
- (f) can the Minister explain why is it so important that the section 58(1)(b) statement must specify the goals, the outcomes the exploration program of work intends to accomplish, the objectives, the steps the program will take to attain the goal, the activities including the specific activities to be undertaken to meet the objectives and ultimately fulfil the goal and how this is relevant with compliance with the *Mining Act 1978* when the Mining Registrar or Mining Warden looks at these before the Minister grants or refuses each application;
- (g) if no to (f), why not;

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- (h) can the Minister explain why the DMP insists that for financial resources in terms of compliance with the *Mining Act 1978* that the applicant must have regard to their total annual commitment for all granted titles and all other pending mining tenement applications for which they are responsible either in their own name, the name of related entities or as a joint venture/farm in partner;
- (i) if no to (h), why not;
- (j) does the proposed exploration work program need to specify the estimated full amount of money to be expended in each respective year on each stage of the proposed exploration program for the full term of the exploration licence;
- (k) if yes to (j), can the Minister explain why;
- (l) if no to (j), can the Minister explain why not;
- (m) can the Minister explain why is it so important that the section 58(1)(b) statement must specifically contain and include the names, qualifications and experience of the personnel managing and implementing the proposed exploration work program being assessed as opposed to an application having no names, qualifications and experience of the personnel and how this is relevant for the DMP assessing compliance with each application under the *Mining Act 1978*; and
- (n) if no to (m), why not?

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

I refer to the newspaper article titled, *Funds plea to fix bad road*, which appeared on page 3 of the *Kalgoorlie Miner*, dated Tuesday, 25 April 2017, concerning very bad road conditions on the Kurnalpi Pinjin Road, and ask:

- (a) is the Minister aware of the dangerous and deteriorating condition of the Kurnalpi Pinjin Road;
- (b) what, if anything, has been done to improve the condition of the road;
- (c) will the Government seriously consider allocating financial funds through Royalties for Regions or some other funding to improve the safety and operating conditions of the Kurnalpi Pinjin Road;
- (d) if no to (c), why not; and
- (e) if yes to (c), will the Minister please outline the Government's plans and funding commitments to improve the safety and condition of the Kurnalpi Pinjin Road?

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

I refer to all exemption applications made with Western Australia, form 5 expenditure report obligations lodged with the Department of Mines and Petroleum (DMP) and the Wardens Court case *GMK Exploration Pty Ltd (applicant for exemption) and Glyn Thomas Morgan (objector) 2016(WAMW 14)* and the Government's stated position in terms of creating jobs and employment:

- (a) does the Minister strongly support that the holder of all mining tenements held should progressively each consecutive year continue to identify minerals and devise plans to optimize mineral wealth within the State of Western Australia;
- (b) if no to (a), why not;

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- (c) if yes to (a), what are those specific reasons;
- (d) does the Minister strongly support, that in order for an applicant to avail itself for exemption under section 102(h) of the *Mining Act 1978*, that the legislation contemplates a nexus between work done on one mining tenement establishing a real or potential resource on other tenements within the combined reporting group and that this should involve a heavy emphasis/ process of exploration rather than merely mining to find the future mines of tomorrow rather than simply adopting administrative processes that support warehousing of tenements through exploitation with exemption applications;
- (e) if yes to (d), what are those specific reasons;
- (f) if no to (d), why not;
- (g) will the Minister with the DMP now proactively make sure that all tenement holders focus on exploration with physical on ground work with form 5 financial expenditure reports to create jobs and employment in the regions where the respective mining tenure is held and strongly discourage people who seek exemptions only to warehouse mining tenure at the expense of the *bona fide* miner and explorer against the best interests of the State;
- (h) if no to (g), why not;
- (i) if yes to (g), how is the DMP proactively going to achieve this in terms of administration;
- (j) does the Minister strongly support all legislative provisions under the *Mining Act 1978*, whereby it prevents the holder of multiple tenements, incurring significant expense, mining on one, or more, tenements and aggregating those expenses across tenements which are otherwise not in any way being actively explored;
- (k) if no to (j), why not; and
- (l) if yes to (j), what are those specific reasons?

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

I refer to the Wardens Court case titled, *2016(WAMW 14), GMK Exploration Pty Ltd (applicant for exemption) and Glyn Thomas Morgan (objector)* and the Government's stated position in terms of creating jobs and employment:

- (a) can the Minister explain how the Department of Mines and Petroleum (DMP) over an extended period of time has managed to adopt policies on exemption from expenditure guidelines that are directly contrary to regulation 58A(2) of the *Mining Regulations 1981*, which is clearly not supportive of making tenement holders actively explore and mine tenements to find the mines of tomorrow creating jobs and employment;
- (b) if no to (a), why not;

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- (c) prior to this Wardens Court decision, despite strong criticism from members of the public and Members of Parliament, can the Minister explain how the DMP itself has not been able to recognise that its own departmental policy guidelines on exemption from expenditure conditions suggest otherwise, are inconsistent with the *Mining Act 1978* and *Mining Regulations 1981*, resulting in them being void and should be disregarded; and
- (d) if no to (c), why?

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

I refer to the approval by the Executive Director Public Health to establish a system of annual reporting by designated officers for the authorisation of the posthumous collection of gametes, and I ask, what was the total number of times that a designated officer authorised the posthumous collection of gametes between 1 July 2014 and 30 June 2016?

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

I refer to section 334(5) of the *Health (Miscellaneous Provisions) Act 1911*, and I ask, how is this section enforced?

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

- (1) I refer to the May 2013-14 Budget by the then Liberal-National Government, which announced increased funding for palliative care services of \$19.513 million over the four year Forward Estimates, and I ask, what was the actual expenditure on palliative care services in the financial years:
 - (a) 2012-13;
 - (b) 2013-14;
 - (c) 2014-15; and
 - (d) 2015-16?
- (2) What is the anticipated expenditure on palliative care services in 2016-17?
- (3) Noting that \$10.22 million of the announced increased funding was to be directed to the expanded regional palliative care service:
 - (a) in which financial year was this increase provided;
 - (b) what was the actual expenditure to this service in the financial years 2013-14, 2014-15 and 2015-16; and
 - (c) what is the anticipated expenditure to this service in the 2016-17 financial year?
- (4) Noting that \$1.93 million of the announced increased funding was to be directed to the state-wide paediatric palliative care service:
 - (a) in which financial year was this increase provided;
 - (b) what was the actual expenditure to this service in the financial years 2013-14, 2014-15 and 2015-16; and
 - (c) what is the anticipated expenditure to this service in the 2016-17 financial year?

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- (5) Noting that \$3.79 million of the announced increased funding was to be directed to the palliative care services provided under contract by Bethesda Hospital:
- (a) in which financial year was this increase provided;
 - (b) what was the actual expenditure to this service in the financial years 2013-14, 2014-15 and 2015-16; and
 - (c) what is the anticipated expenditure to this service in the 2016-17 financial year?
- (6) Noting that \$3.56 million of the announced increased funding was to be directed to the implementation of the Continuum of End of life Framework:
- (a) in which financial year was this increase provided;
 - (b) what was the actual expenditure to this service in the financial years 2013-14, 2014-15 and 2015-16; and
 - (c) what is the anticipated expenditure to this service in the 2016-17 financial year?

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

- (1) Has a business case been prepared for each Water for Food project?
- (2) If yes to (1), will the Minister please table the business cases for each Water for Food project?
- (3) If no to (2), why not?

36. Hon Martin Aldridge to the Minister for Environment representing the Minister for Aboriginal Affairs:

I refer to Lot 12383, Forrest Hills Parade, Bindoon and the application by NBN Co. for the construction of a telecommunications facility, and ask:

- (a) has a referral been made under the *Aboriginal Heritage Act 1972* for assessment of the site;
- (b) on what date and on what grounds has a referral been made;
- (c) who has made the referral to the Department of Aboriginal Affairs and will the Minister provide a copy of the referral to the House;
- (d) has the Department of Aboriginal Affairs made a decision in relation to Aboriginal heritage at the site, and what is that decision; and
- (e) if no to (d), when will a decision be made and published?

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

I refer to the article, *At-risk child 'turned away' from hospital*, published in the *Kalgoorlie Miner* on Saturday 29 April 2017, which details the case of a child being sent home from Kalgoorlie Health Service after openly admitting to attempt suicide, and I ask:

- (a) was the Department of Child Protection notified of this incident;
- (b) if yes to (a), when; and
- (c) if yes to (a), what steps were taken by the department following notification?

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*Notice Given**Thursday, 25 May 2017***38. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Mental Health:**

I refer to the article, *At-risk child 'turned away' from hospital*, published in the *Kalgoorlie Miner* on Saturday 29 April 2017, which details the case of a child being sent home from Kalgoorlie Health Service after openly admitting to attempt suicide, and I ask:

- (a) was the Mental Health Commission notified of this incident;
- (b) if yes to (a), when; and
- (c) if yes to (a), what steps were taken by the commission following notification?

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

I refer to the article, *At-risk child 'turned away' from hospital*, published in the *Kalgoorlie Miner* on Saturday, 29 April 2017, which details the case of a child being sent home from Kalgoorlie Health Service after openly admitting to attempt suicide, and I ask:

- (a) was the Department of Health notified of this incident;
- (b) if yes to (a), when; and
- (c) if yes to (a), what steps were taken by the department following notification?

NIGEL PRATT

Clerk of the Legislative Council