

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 73

Tuesday, 17 June 2014

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, 8 April 2014*

- 1014. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry
 - 1030. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
 - 1041. Hon Ken Travers to the Attorney General representing the Minister for Police
 - 1052. Hon Ken Travers to the Leader of the House representing the Minister for Finance
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Notice Given *Wednesday, 9 April 2014*

- 1065. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Water
- 1066. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport
- 1067. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Transport
- 1068. Hon Stephen Dawson to the Minister for Child Protection
- 1071. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 1072. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 1074. Hon Stephen Dawson to the Minister for Child Protection
- 1075. Hon Stephen Dawson to the Minister for Child Protection

Notice Given *Thursday, 10 April 2014*

- 1082. Hon Stephen Dawson to the Minister for Child Protection

Notice Given *Tuesday, 6 May 2014*

- 1089. Hon Stephen Dawson to the Minister for Child Protection
- 1090. Hon Stephen Dawson to the Minister for Child Protection
- 1091. Hon Stephen Dawson to the Minister for Disability Services
- 1092. Hon Stephen Dawson to the Minister for Child Protection

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1094. Hon Stephen Dawson to the Minister for Disability Services
1096. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
1099. Hon Lynn MacLaren to the Parliamentary Secretary representing the Minister for Transport
1100. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Planning
1102. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Water
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1115. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Water
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1187. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
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Notice Given **Wednesday, 7 May 2014**

1201. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Community Services
1203. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum

Notice Given **Thursday, 8 May 2014**

1205. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
1206. Hon Stephen Dawson to the Minister for Mental Health
1207. Hon Ljiljanna Ravlich to the Minister for Mental Health representing the Treasurer
1208. Hon Ljiljanna Ravlich to the Minister for Mental Health representing the Treasurer
1209. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Transport
1213. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry
1214. Hon Stephen Dawson to the Leader of the House representing the Minister for Energy
1215. Hon Stephen Dawson to the Minister for Agriculture and Food representing the Minister for Housing

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- 1216. Hon Stephen Dawson to the Minister for Mental Health representing the Minister for Community Services
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- 1218. Hon Stephen Dawson to the Minister for Mental Health representing the Minister for Community Services
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- 1220. Hon Stephen Dawson to the Minister for Mental Health representing the Minister for Community Services
- 1221. Hon Stephen Dawson to the Minister for Child Protection

Notice Given ***Tuesday, 13 May 2014***

- 1223. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry
- 1224. Hon Samantha Rowe to the Minister for Agriculture and Food representing the Minister for Housing
- 1225. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Regional Development
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- 1230. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Regional Development
- 1231. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 1233. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry
- 1234. Hon Lynn MacLaren to the Attorney General representing the Minister for Corrective Services
- 1235. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Housing
- 1236. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment

Notice Given ***Wednesday, 14 May 2014***

- 1237. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 1238. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 1240. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 1241. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport

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1243. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health
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1244. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Health
1246. Hon Lynn MacLaren to the Minister for Fisheries
1247. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Lands

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1248. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Lands:

I refer to the *Report to the Commissioner of Soil and Land Conservation on the condition of Western Australian pastoral resource base, 2013* by Dr PE Novelly and PWE Thomas, which indicates that “on-going rangeland degradation continues under present management on many leases, and that such management is therefore not in accordance with section 95 of the *Land Administration Act 1997*,” and I ask:

- (a) will the Minister please provide details of any action that is being undertaken to address this situation, including but not limited to:
 - (i) education of lessees; and
 - (ii) improved administration of the *Land Administration Act 1997*;
- (b) if no action is being undertaken, why not;
- (c) does the Minister believe there is some urgency to address this situation as stated in the report;
- (d) if no to (c), why not;
- (e) as recommended in the report, is the department developing a compliance program in conjunction with the Department of Agriculture and Food, which has components that focus on:
 - (i) promotion of land management standards required for compliance with section 108 of the *Land Administration Act 1997*;
 - (ii) monitoring of performance including directives; and
 - (iii) ultimately, enforcement action where management is unwilling to meet their obligations;
- (f) if no to (e), why not;
- (g) as recommended in the report, will the department implement well publicised proactive annual programs of inspection that target specific districts, outstanding directives or areas of special risk such as stock numbers well above assessed present carrying capacity;
- (h) if no to (g), why not;
- (i) given the report states that transitions or virtually permanent changes in rangeland resource being recorded are particularly worrying and indicative of totally inappropriate livestock management throughout much of pastoral Western Australia, does the Minister believe that the Rangeland Condition Monitoring system, whereby the pastoral lessee is responsible for assessing and reporting on rangeland conditions on their pastoral leases, is effectively enabling pastoral lessees to use methods of best pastoral and environmental management practice for the conservation and regeneration of pasture for grazing;
- (j) if yes to (i), please explain how and why; and

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- (k) if yes to (i), please explain what other factors may be contributing to transitions?

1249. Hon Stephen Dawson to the Minister for Agriculture and Food representing the Minister for Housing:

I refer to statements made by the Minister for Housing about the rebuilding of Warmun after the devastating flood of 2011, and ask:

- (a) how many new homes were built in Warmun;
- (b) were any of the homes repaired rather than being replaced and, if so, how many homes were refurbished;
- (c) what was the cost of building any new homes in Warmun;
- (d) what was the cost of repairs to existing homes in Warmun;
- (e) how many new homes are still needed for members of the Warmun community and when will they be built; and
- (f) what support programs were put in place after the flood to assist the Warmun community?

1250. Hon Sally Talbot to the Minister for Mental Health representing the Treasurer:

- (1) How many vehicles use the visitor and staff multi-deck car park at the QEII Medical Centre:
 - (a) Monday to Friday; and
 - (b) at weekends?
- (2) How many entrances and exits are there to the car park and what are their locations?
- (3) How many complaints about the car park and the entrance/exit design have been received from:
 - (a) the public; and
 - (b) staff?

1251. Hon Rick Mazza to the Minister for Agriculture and Food:

In relation to the Minister's response to my question without notice on 14 May 2014, the Minister responded to part (2), that the Royal Society for the Prevention of Cruelty to Animals (RSPCA) cannot bring any prosecution in its own name, however RSPCA inspectors appointed as general inspectors under section 33 of the *Animal Welfare Act 2002* can commence proceedings under part 3 of the Act. The Minister's response to part (5) of the same question was that Department of Agriculture and Food Western Australia (DAFWA) is not a party to prosecutions brought by RSPCA inspectors and has no oversight of those proceedings. I therefore ask:

- (a) for whom do the RSPCA inspectors act;
- (b) if in response to (a) the answer is the RSPCA, does that conflict with the Minister's response to part (2) of my question without notice;
- (c) do the inspectors act for DAFWA;
- (d) if yes for (c), does that conflict with the Minister's response to part (5) of my question without notice; and
- (e) will the Minister please clarify who is the prosecuting body?

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1252. Hon Amber-Jade Sanderson to the Minister for Agriculture and Food representing the Minister for Housing:

I refer to the fire that occurred on 6 November 2013 at units owned by the Department of Housing at 19 Braithwaite Road, Lockridge, and ask:

- (a) what maintenance or other work was done;
- (b) when was it done; and
- (c) who performed the work?

1253. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

With regard to activities being carried out at two locations in Broome, being Lot 30, No. 6 De Castilla Street and Lot E3 Port Drive, by M-I Australia Pty Ltd, I ask:

- (a) is the Minister aware that the company has for some months been operating without environmental approvals and licences;
- (b) has the Department of Environment Regulation (DER) advised the Department of Health, Broome Shire Council, Broome Port Authority, Yawuru Park Council and Roebuck Bay Working Group of M-I Australia's unlicensed activities, and that these have the potential to cause harm to the environment and human health;
- (c) will the Minister order an investigation into the operations of M-I Australia Pty Ltd in Broome including, but not limited to, their waste management processes; and
- (d) has DER investigated the drainage and containment measures at both of M-I Australia's Broome operational sites to ensure that environmental objectives for inland water quality, including that contained in aquifers, is being maintained?

1254. Hon Robin Chapple to the Minister for Aboriginal Affairs:

I refer to the Minister's media response to ABC Kimberley journalist, Erin Parke on 31 March 2014 and to an academic paper by lawyer, David Ritter titled 'Trashing Heritage' and published in *Studies in Western Australian History* in 2003 regarding proposed amendments to the *Aboriginal Heritage Act 1972 (AHA)*, and I ask:

- (a) is the Minister aware of the legal opinion that asserts that the *AHA* is inconsistent with the Federal *Native Title Act 1993 (NTA)* and the Federal *Racial Discrimination Act 1975 (RDA)*:
 - (i) if no to (a), why not; and
 - (ii) if yes to (a), how does the Minister intend to address the situation;
- (b) has the State Solicitor's office provided the Minister with advice on the matter:
 - (i) if no to (b), why not; and
 - (ii) if yes to (b), what was that advice;
- (c) if yes to (b), will the Minister table the advice:
 - (i) if no to (c), why not;

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- (d) do the current provisions of section 18 of the *AHA* breach the *RDA* by permitting a developer the right of appeal but not the Aboriginal custodian of the site in question:
 - (i) if no to (d), why not;
- (e) has the Minister sought legal advice on this matter:
 - (i) if no to (e), why not;
 - (ii) if no to (e), will the Minister now do so:
 - (A) if no to (e)(ii), why not; and
 - (iii) if yes to (e), what was that legal advice and will the Minister table it:
 - (A) if no to (e)(iii), why not;
- (f) will the Minister introduce amendments to section 18 of the *AHA* allowing Aboriginal parties the same rights of appeal as those enjoyed by developers:
 - (i) if no to (f), why not; and
 - (ii) if yes to (f), when will this occur; and
- (g) will the Minister introduce amendments to the *AHA* to make it consistent with the *NTA*:
 - (i) if no to (g), why not; and
 - (ii) if yes to (g), when will this occur?

1255. Hon Robin Chapple to the Leader of the House representing the Minister for Energy:

I refer to the Pilbara Underground Power Project and the Pilbara Underground Power Project Steering Committee, the *2014-15 Budget Papers* and the *Pilbara News* article "Shire to pay Horizon more", of 15 January 2014, and I ask:

- (a) what has been the expenditure to date for the Pilbara Underground Power Project, and from where have those funds been sourced, by amount;
- (b) what will be the final projected expenditure for the Pilbara Underground Power Project, and from where will those funds have been sourced, by amount;
- (c) by how much has the project blown out since its inception;
- (d) what has been the cause of those blow outs by item and amount;
- (e) what will be the total amount of the Shire of Roebourne's fiscal involvement in the Pilbara Underground Power Project;
- (f) what will be the cost to the ratepayers, by household, of the Shire of Roebourne's fiscal involvement in the Pilbara Underground Power Project;
- (g) which communities, businesses and industries are serviced by the Pilbara Underground Power Project;
- (h) what is the function of the Pilbara Underground Power Project Steering Committee;
- (i) how have the funds allocated to the Pilbara Underground Power Project Steering Committee been expended to date;
- (j) are any further funds to be allocated to the Pilbara Underground Power Project Steering Committee and, if so, how much;

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- (k) why is the Shire of Roebourne, and thereby the ratepayers, contributing to the funding of the Pilbara Underground Power Project;
- (l) what has been the cost to Hamersley Iron (Rio Tinto) in relation to power outages associated with lightning storms and cyclones in the last ten years;
- (m) was compensation sought by any companies of the power providers in relation to power outages associated with lightning storms and cyclones in the last ten years;
- (n) if yes to (m), what was the amount sought; and
- (o) if yes to (m), was an amount paid and what was that amount?

1256. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

I refer to the three rock outcrops that have been discovered by Geoscience Australia, that are part of the North Scott Reef and Browse Basin, regarded as ‘islands’ under the law of the sea because they are naturally formed and are ‘above ordinary high water’, and I ask:

- (a) how long does the department project these islands will remain above ordinary high water due to the advent of predicted sea level rise;
- (b) for each of the three rock outcrops what is the individual height above ordinary high water;
- (c) will the Minister identify the location of each of these outcrops; and
- (d) when these three rock outcrops drop below ordinary high water, what will be the status of the State’s current claim to ownership of the increased proportion of the Browse gas field?

1257. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

I refer to photographs ‘Ragged Hills_1830, 1838 and 1840’ of the Ragged Hills mine, Longitude 21.294383, and Latitude 121.145778 at <http://www.robinchapple.com/qdata>, and ask:

- (a) is the Minister concerned at the state of this abandoned mine site;
- (b) if no to (a), why not;
- (c) is the Minister concerned that the site is in dangerous condition with many unbunded and unfenced accesses to the shafts, pit and stopes;
- (d) if yes to (c), what does the Minister intend to do about the site; and
- (e) what role does Maverick Exploration Pty Ltd have in managing the safety and environment of the Ragged Hills mine site on their tenement E45/2032?

1258. Hon Stephen Dawson to the Minister for Child Protection:

For all Hardship Utility Grant Scheme applicants processed by the Department for Child Protection and Family Support in May 2014, 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;

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- (f) gender;
- (g) age;
- (h) housing tenure; and
- (i) ethnicity?

1259. Hon Stephen Dawson 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 for the period May 2014, can the Minister please advise on the following:

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

1260. Hon Stephen Dawson to the Minister for Child Protection:

Can the Minister please advise on the details of any change to the application eligibility of the Hardship Utilities Grants Program since inception?

1261. Hon Stephen Dawson to the Minister for Child Protection:

(1) For each of the utilities Synergy, Horizon, Water Corporation and Alinta in regards to the Hardship Utilities Grant Scheme, how many applications were received and how many applicants were approved and provided with financial assistance to pay utility bills for the following suburbs in May 2014:

- (a) Leeming;
- (b) Canning Vale;
- (c) Morley;
- (d) Wanneroo;
- (e) Willagee;
- (f) Samson;
- (g) Spencer Park;
- (h) Balcatta;
- (i) Dalyellup;
- (j) High Wycombe;
- (k) Kingsley;
- (l) Clarkson;
- (m) Noranda;
- (n) Yokine;
- (o) Currambine;
- (p) Parkwood;
- (q) Innaloo;
- (r) Huntingdale;

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- (s) Ellenbrook;
- (t) Darch; and
- (u) Peppermint Grove?

(2) What was the average payment for each utility for each of the suburbs listed?

1262. Hon Stephen Dawson to the Minister for Child Protection:

- (1) As at 31 May 2014, what was total number of applications to be a foster carer approved by category of relative and non-relative carer, by district?
- (2) As at 31 May 2014, what was the total number of registered foster carers, by category of relative carer and non-relative carer, by district?
- (3) As at 31 May 2014, what was the total number of registered foster carers with children placed, by category of relative and non-relative carers, by district?

1263. Hon Stephen Dawson to the Minister for Child Protection:

- (1) During the month of May 2014, what was the total number of registered carers with four or more children placed with them by category of relative and non-relative carer, by district?
- (2) During the month of May 2014, how many carers had a 'carer record screening' overdue or not recorded by category of relative and non-relative carer, by district?
- (3) During the month of May 2014, how many carers had overdue 'carer reviews' by category of relative and non-relative carer, by district?

1264. Hon Stephen Dawson to the Minister for Child Protection:

- (1) For the period 1 March 2014 to 31 May 2014, what was the number of initial inquiries in relation to suspected child sexual abuse received, by district and by category of mandated referrer?
- (2) For the period 1 March 2014 to 31 May 2014, what was the number of Safety and Wellbeing Assessment with harm assessment, by district and by category of harm of:
 - (a) neglect;
 - (b) sexual;
 - (c) physical abuse; and
 - (d) emotional abuse?

1265. Hon Stephen Dawson to the Minister for Child Protection:

- (1) For the period 1 December 2013 to 28 February 2014, what was the number of initial inquiries in relation to suspected child sexual abuse received, by district and by category of mandated referrer?
- (2) For the period 1 December 2013 to 28 February 2014, what was the number of Safety and Wellbeing Assessments with harm assessment, by district and by category of harm of:
 - (a) neglect;
 - (b) sexual;
 - (c) physical abuse; and
 - (d) emotional abuse?

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1266. Hon Stephen Dawson to the Minister for Child Protection:

- (1) For the period 1 December 2013 to 28 February 2014, how many Responsible Parenting Agreements have the Department for Child Protection and Family Support implemented?
- (2) How many of those Responsible Parenting Agreements listed in (1) originated from a referral from another State government department, and how many were referred by each department?
- (3) How many juveniles, whose parents agreed to a Responsible Parenting Agreement have:
 - (a) improved their attendance at school; and
 - (b) re-offended since the agreement was made?

1267. Hon Stephen Dawson to the Minister for Child Protection:

- (1) For the period 1 March 2014 to 31 May 2014, how many Responsible Parenting Agreements have the Department for Child Protection and Family Support implemented?
- (2) How many of those Responsible Parenting Agreements listed in (1) originated from a referral from another State government department, and how many were referred by each department?
- (3) How many juveniles, whose parents agreed to a Responsible Parenting Agreement have:
 - (a) improved their attendance at school; and
 - (b) re-offended since the agreement was made?

1268. Hon Stephen Dawson to the Minister for Child Protection:

- (1) During the months of March 2014, April 2014 and May 2014, how many individuals did the Department for Child Protection and Family Support refer to Centrelink for compulsory income management, by district?
- (2) How many individuals with children have presented seeking financial assistance on two or more occasions to the department for the period 1 March 2014 to 31 May 2014, by district?

1269. Hon Stephen Dawson to the Minister for Child Protection:

- (1) How many Department for Child Protection and Family Support staff working in the metropolitan region as at 1 May 2014 had:
 - (a) more than 15 cases allocated to them;
 - (b) the maximum 18 'exceptional circumstances' cases allocated to them; and
 - (c) a pro-rata case ratio greater than 18 cases?
- (2) How many Department for Child Protection and Family Support staff working in the country regions as at 1 May 2014 had:
 - (a) more than 15 cases allocated to them;
 - (b) the maximum 18 'exceptional circumstances' cases allocated to them; and
 - (c) a pro-rata case ratio greater than 18 cases?

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1270. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health:

Regarding the delivery of renal dialysis services for patients from the Kimberley, I ask:

- (a) how many dialysis facilities are there in the Kimberley, and in which towns and communities are they located:
 - (i) which organisations run the dialysis facilities; and
 - (ii) which organisations run the associated short stay accommodation facilities;
- (b) how many patients receive treatments at each dialysis facility and how many treatments do they each receive per month;
- (c) are the facilities running at capacity, and what is the capacity for each treatment centre and each accommodation facility;
- (d) what number of dialysis patients in the Kimberley are Aboriginal, and how many are non-Aboriginal;
- (e) how many dialysis patients travel from the Kimberley to Perth on a regular basis to receive their treatment:
 - (i) which towns do they travel from;
- (f) are there plans to build more dialysis facilities, with associated short stay accommodation attached, in the Kimberley:
 - (i) if yes to (f), will the Minister please provide details about where and when these will be built; and
 - (ii) if no to (f), why not; and
- (g) has the Government allocated funds to build more dialysis facilities, with associated accommodation, in the Kimberley:
 - (i) if yes to (g), will the Minister please provide details about where and when these will be built?

1271. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Housing:

Regarding the high rate of homelessness, overcrowding and associated social problems in Kununurra, as identified in the *East Kimberley Homelessness project report 2014*, I ask:

- (a) is the Minister aware of the report:
 - (i) if no to (a), why not; and
 - (ii) if yes to (a), what steps is the Minister taking to address the many concerns that are outlined in the report;
- (b) is the Minister aware that the 40-bed Gallarung Workers Hostel in Kununurra lies vacant despite the high rate of homelessness in the town:
 - (i) if no to (b), why not; and
 - (ii) if yes to (b), why is this so, and what is being done to better utilise the facility;
- (c) who is responsible for running the Gallarung Hostel, and to whom do they report;

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- (d) are there any plans to close the Gallarung Hostel:
 - (i) if yes to (d), why and when is this scheduled to take place; and
- (e) does the Minister have any plans to utilise the Gallarung Hostel in some way in order to alleviate the homelessness and overcrowding in Kununurra:
 - (i) if yes to (e), will the Minister please table his plans?

1272. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health:

Regarding the Patient Assisted Travel Scheme (PATS) administered by the Western Australian Community Health Service (WACHS), I ask:

- (a) have any substantive changes been made to PATS during the past 12 months:
 - (i) if yes to (a), will the Minister please outline these changes; and
 - (ii) if yes to (a), what methods have been used to communicate and explain these changes to the public;
- (b) under what circumstances is WACHS obliged to fund patient escorts:
 - (i) what are the grounds on which WACHS can refuse to fund an escort;
 - (ii) is WACHS obliged to fund an escort if the application has been authorised by a doctor; and
 - (iii) can the administrators of PATS override a doctor's recommendation regarding the use of an escort:
 - (A) if yes to (b)(iii), will the Minister please explain the circumstances in which this is permitted;
- (c) what proportion of people using PATS are Aboriginal versus non-Aboriginal, region:
 - (i) what percentage of patients using PATS are accompanied by an escort who is a health professional; and
 - (ii) of those who are not accompanied by an escort, who monitors patient health and safety enroute; and
- (d) how many patients, by region, are assisted to travel under PATS by bus and by plane?

1273. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Lands:

Up until 31 December 2009 Rangeland Condition Monitoring (RCM) was undertaken by the Department of Agriculture and Food Western Australia (DAFWA) for the Pastoral Land Board (PLB) by onsite inspections. This system has ceased. The new RCM system requires pastoral lessees to monitor the Rangeland Condition and report annually to the PLB via an online portal called ARCADIA managed by DAFWA. All RCM sites must be installed and baseline data collected by the Department for Lands by 2015. I ask:

- (a) how many lessees have reported data during the period 31 December 2009 to 31 December 2013;
- (b) although mandatory reporting does not come into effect until 2016, how has Department for Lands and/or PLB monitored the 452 stations since 31 December 2009;

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- (c) what guidelines will be used in determining whether a pastoral lease is renewed, and what constitutes a viable property, for example carrying capacity, soil, and vegetation condition; and
- (d) where it can be established that minimal pastoral activity is being undertaken, and by the use of a diversification permit income is realised by camping fees, should the pastoralist be subject to appropriate caravan park operator rates?

1274. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Regional Development:

Regarding page 173 of the *2014-15 Budget Paper 2, Volume 1*, I ask if the Minister would please provide details on the progress of the development of the Aboriginal Governance and Leadership program and outline the stages of the process of development which have now been completed, the current stage of the process, and the sums of money which have been spent on this program?

1275. Hon Robin Chapple to the Leader of the House representing the Minister for Energy:

- (1) I refer to the fact that the Western Power Technical Rules (current as of 23 December 2011) are defined to apply to all users of the network. Western Power currently discovered that direct current injection into the grid may cause harm to the grid (Western Power DC Injection Stakeholder Update, document reference number DM#11927053). Western Power decided that this direct current injection issue only applies to photovoltaic (PV) systems of 30 kVA to 150 kVA. According to the Western Power Technical Rules, zero direct current injection applies to all generators and loads on the grid, and I ask:
 - (a) why is Western Power only focusing on a renewable energy generators (here PV) between 30 kVA to 150 kVA;
 - (b) why is Western Power not including PV systems above 150 kVA;
 - (c) why is Western Power not including PV system below 30 kVA; and
 - (d) why is Western Power not including all other load appliances that interact with the grid?
- (2) Western Power stated in this DC Injection Stakeholder Update (document reference number DM#11927053) that it is researching about this direct current injection issue, and I ask:
 - (a) how is Western Power conducting this research;
 - (b) is Western Power consulting with the renewable energy industry;
 - (c) if yes to (2)(b), who are they consulting with;
 - (d) if no to (2)(b), can the renewable energy industry join Western Power in this research and support the decision with technically available product solutions;
 - (e) if no to (2)(d), why not; and
 - (f) is Western Power's research a transparent process, and how can the renewable energy industry contribute to this research?

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1276. Hon Robin Chapple to the Leader of the House representing the Minister for Energy:

I refer to the recent final rule change on 17 April 2014 by Australian Energy Market Commission (AEMC) to reduce barriers to the connection of embedded generators to distribute networks, making it cheaper, easier and faster for households and business to invest in and install clean and renewable energy systems, and I ask:

- (a) why do the new rules not apply to Western Australia, when Victoria, Queensland, New South Wales, South Australia and Tasmania are all going to adopt them;
- (b) was the Minister involved in discussions with the AEMC when they were determining the recent rule change;
- (c) if no to (b), why not;
- (d) if yes to (b), did the Minister indicate that Western Australian wasn't interested in adopting the new rule change;
- (e) will the Minister consider adopting this new rule change to support the renewable energy industry in Western Australia;
- (f) if no to (e), why not;
- (g) is the deteriorating financial position of Synergy, as recently reported in *The West Australian* article "Synergy hurtles toward red despite State subsidies" on 24 May 2014, the reason why Western Australia didn't adopt the new rule change; and
- (h) does the Government consider added competition to Synergy, by way of residential and commercial solar power systems being added to the network, a financial risk to Synergy?

1277. Hon Robin Chapple to the Leader of the House representing the Minister for Energy:

I refer to Western Power's Applications and Queuing Policy released in April 2013, which means that an applicant applying for a connection of 50MW has to cover a preliminary offer processing fee of \$67,000 and a preliminary offer acceptance fee (component 1 and 2) of \$300,000, making a total cost of \$367,000 to be paid before any guarantee that the connection application will be approved, and I ask:

- (a) does the Minister think that the total application fee of \$367,000 is an impediment on emerging power producers;
- (b) if yes to (a), what will the Minister do to provide a better guarantee of access or a reduction in this cost;
- (c) if no to (a), why not;
- (d) are these articulated levels of costs anti-competitive, providing Western Power with an unfair advantage;
- (e) if yes to (d), what will the Minister do to ensure that cost ceases to be anti-competitive to emerging power producers;
- (f) if no to (d), has this been tested by the National Competition Policy; and
- (g) if no to (f), why not?

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1278. Hon Robin Chapple to the Leader of the House representing the Minister for Energy:

- (1) Can commercial electricity users in Horizon Power supply areas choose to use stand-alone supply solutions rather than connecting to the Horizon Power network?
- (2) If yes to (1), is there any requirement for competitive tendering for stand-alone power solutions?
- (3) If yes to (2), what is the size of electrical generation or financial level of investment that requires a tender?

1279. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Local Government:

- (1) Can commercial electricity users in Horizon Power supply areas choose to use stand-alone supply solutions rather than connecting to the Horizon Power network?
- (2) Are local governments required to tender for stand-alone power options, including those provided by Horizon Power?
- (3) If no to (2), why not?
- (4) If yes to (2), what public information should be made available to ensure that competitive tendering occurs?
- (5) Is the Minister aware that local governments are required under the *Local Government Act 1995* to pursue the lowest cost option for power supply?

1280. Hon Robin Chapple to the Leader of the House representing the Minister for Energy:

I refer to the 18 megawatt Mungullah Power Station in Carnarvon, which began construction in March 2011, and I ask:

- (a) what was the initial cost estimate for the completion of the project; and
- (b) what was the actual cost to complete the project?

1281. Hon Robin Chapple to the Minister for Aboriginal Affairs:

With regard to the amount paid to recipients of the Stolen Wages Reparation Scheme Western Australia, I ask:

- (a) on what basis did the Minister determine that \$2,000 should be the total sum of an *ex gratia* payment made to an eligible applicant;
- (b) were there any other sums of money considered or discussed as suitable *ex gratia* payments:
 - (i) if yes to (b), what were they; and
- (c) did the Stolen Wages Taskforce recommend the amount to be paid:
 - (i) if yes to (c), where was this recommendation recorded;
 - (ii) will the Minister table the relevant documents;
 - (iii) if no to (c)(ii), why not; and
 - (iv) if no to (c), who did make the recommendation and on whose authority?

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1282. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

With regard to the Environmental Protection Authority's new assessment, by three independent delegates, of the proposed Liquefied Natural Gas (LNG) hub near Broome to service the Browse Basin gas fields that was announced on 16 May 2014, I ask:

- (a) are there currently any indications by private businesses or companies that they might be interested in using an on-shore LNG processing facility near Broome, whether at James Price Point or elsewhere in the Kimberley:
 - (i) if yes to (a), which companies have expressed an interest and for which area of land; and
 - (ii) if no to (a), to what end is the new assessment being carried out and for whom;
- (b) what will be the cost to West Australian taxpayers of the new assessment; and
- (c) what are the terms of reference that will apply to the delegates' assessment and when will they report to the Minister for Environment?

1283. Hon Robin Chapple to the Attorney General:

In relation to the driver's licence program in Halls Creek and Kununurra, I ask:

- (a) how long has the program been running;
- (b) how has the success or otherwise of the program been measured:
 - (i) has the program been successful according to these criteria;
- (c) what have been the overall benefits of the program;
- (d) what have been the negative consequences of the program, if any;
- (e) has the program helped to reduce the number of people fined for driver's licence related offences:
 - (i) if yes to (e), what are the figures;
- (f) how many driver's licences have been issued as a direct result of the program;
- (g) how many people have been kept out of prison as a result of the program; and
- (h) will the driver's licence program continue:
 - (i) if no to (h), why not?

1284. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

Regarding an email from my office to the Ministerial Liaison Officer for the Minister for Mines and Petroleum on 15 May 2014, seeking a briefing about the seismic survey planned for the West Kimberley from Port Hedland to just east of Derby, I ask why did the Minister refuse to provide the briefing I sought?

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1285. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

Regarding page 519 of the *2014-15 Budget Paper 2, Volume 2*, I ask would the Minister please provide a comparison, across the 2013-14 estimated actual, 2014-15 budget estimates and forward estimates periods, of the Mining Rehabilitation Fund income versus the expected interest income, if in the latter case Western Australia was still using the old bond system?

1286. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

Regarding page 515 of the *2014-15 Budget Papers 2, Volume 2*, I ask:

- (a) would the Minister please explain why the department's 2013-14 accommodation costs are estimated to be 14 per cent over the amount budgeted for 2013-14;
- (b) would the Minister please explain why the department's 2014-15 accommodation costs are budgeted to be a further 20 per cent above the 2013-14 estimated actuals; and
- (c) would the Minister please explain why the department's 2015-16, 2016-17 and 2017-18 accommodation costs are budgeted to be a further 44 per cent, 46 per cent and 48 per cent respectively above the 2013-14 estimated actuals?

1287. Hon Robin Chapple to the Leader of the House representing the Minister for Training and Workforce Development:

Regarding page 158 of the *2014-15 Budget Papers 2, Volume 1*, specifically the paragraph on "Increasing and retaining the participation of Aboriginal people in the workforce...", I ask would the Minister to please explain why there are no meaningful incentives for employers to take on trainees or apprentices who are Aboriginal people, and in particular young Aboriginal people?

1288. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Housing:

Regarding pages 522 and 523 of the *2014-15 Budget Papers 2, Volume 2*, specifically the paragraphs relating to Aboriginal people, I ask would the Minister to please explain why there are no funds directed at housing the homeless, which is a particularly critical matter for Aboriginal people, and especially Aboriginal people in the Pilbara?

1289. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

I refer to the Ministerial press release of Sunday, 8 June 2014 "Stricter rules for new mine rehabilitation fund", and I ask:

- (a) what are the criteria that determine mining tenement holders as deemed at high risk of failing their obligations, is this statutory or discretionary;
- (b) what are the obligations and how are they established;
- (c) are these original obligations different from the obligations under the State Government's new Mining Rehabilitation Fund (MRF);
- (d) how many abandoned mines, shafts and un-rehabilitated exploration tenements are there in Western Australia;
- (e) what will be the criteria of assessment of the sites identified in answer to (d) that will determine that they need priority rehabilitation;

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- (f) what is the total amount of bonds that have already been returned to mining companies since the passage of the *Mining Rehabilitation Fund Bill 2012*;
- (g) which operating mining companies have had their bonds returned in relation to their operating mining tenements;
- (h) what is the total amount of bonds that have already been returned to each mining company identified in (g);
- (i) which operating mining companies have so far contributed to the MRF, and when did each start contributing;
- (j) what has been the amount levy contributed by each of those companies identified in (i);
- (k) what will happen to companies who do not join the new levy system which will be mandatory from 1 July 2014;
- (l) if the companies pay the \$4,000 fine and still do not contribute to the MRF, how long is it before they are fined again;
- (m) in what year will the MRF start on ground rehabilitation; and
- (n) what is the estimated cost of rehabilitating sites identified in (d)?

1290. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

Regarding vehicles supplied to officers in the Department of Mines and Petroleum, I ask:

- (a) will the Minister please provide the following information:
 - (i) make and model of all vehicles supplied; and
 - (ii) to whom they are supplied;
- (b) if no to (a), why not;
- (c) what are the costs to the department for maintaining and providing the vehicles;
- (d) are there policy guidelines in relation to the type and model of vehicles that may be supplied to officers in the department;
- (e) if yes to (d), will the Minister table the policy guidelines;
- (f) if no to (d), why not;
- (g) if yes to (d), do the vehicles supplied and listed in (a) meet the policy guidelines; and
- (h) if no to (g), why not?

1291. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

I refer to Mineral House, situated at 100 Plain Street, East Perth, and I ask:

- (a) is Mineral House leased to the Government;
- (b) if yes to (a), how much does it cost per annum;
- (c) if no to (a), did the Government purchase Mineral House;
- (d) if yes to (c), in what year and at what cost;
- (e) what are the ongoing maintenance costs for Mineral House on average per annum;

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- (f) has Mineral House undergone a refurbishment and/or renovation; and
- (g) if yes to (f):
 - (i) in what year(s);
 - (ii) what was the type of refurbishment and/or renovation; and
 - (iii) what was the cost for each type of refurbishment and/or renovation?

1292. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

I refer to the Mining Registrar, and not the mining registrars regional offices, and I ask:

- (a) what qualifications are required for the position of Mining Registrar;
- (b) what is the role of the Mining Registrar;
- (c) what are the duties of the Mining Registrar;
- (d) how much does the position of Mining Registrar cost the Government; and
- (e) will the Minister please provide a breakdown of the cost in (d)?

1293. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

Will the Minister please provide a list of all the onshore Petroleum Exploration Permits currently in Western Australia under the *Petroleum and Geothermal Resources Act 1967*, including:

- (a) the lease number;
- (b) the date when the permit was granted; and
- (c) the name of the company holding the permit?

1294. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

With reference to Petroleum lease EP 439, I ask:

- (a) who is the ultimate holding entity in EP 439;
- (b) does the Department for Mines and Petroleum have any knowledge of the intentions of Falcore Pty Ltd or Charles Morgan in respect of this tenement;
- (c) are Seaspin Pty Ltd, the Aphrodite Trust, Nido Petroleum Limited, Colossal Petroleum, Transerv Energy or Latent Petroleum in anyway related to the EP 439 tenement;
- (d) if yes to (c), how are they related to EP 439;
- (e) has the department had any dealings with the companies listed in (c) or any other party in respect of EP 439;
- (f) if yes to (e), which companies; and
- (g) if yes to (e), what were the nature of those dealings?

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1295. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

I refer to question without notice No. 561 asked on 17 September 2013, regarding the old Tims Thicket mine site on Tims Thicket Road (West) in Dawesville, and I ask:

- (a) will the Minister please provide an update on the status of the possibility of establishing a waste transfer station at the site; and
- (b) will the Minister please include details of the preliminary scoping meeting held in November 2012 between Transpacific Cleanaway and the Department of Environment Regulation officers, if an application was submitted, and all relevant aspects of the proposal to be assessed against relevant standards and statutory requirements for the approvals process?

1296. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

I refer to question on notice No. 2792 asked by Hon Jon Ford, and answered on 9 November 2010, and ask:

- (a) how many operational mines are there in Western Australia;
- (b) how many operational mines have environmental bonds, or similar attached to them;
- (c) how many operational mines that have environmental bonds, or similar attached to them have had their bonds returned;
- (d) which are the companies that have had their environmental bonds returned;
- (e) what is the value of the bonds not returned to companies;
- (f) how many open cut mines are there in Western Australia;
- (g) how many open cut mines have been abandoned in Western Australia;
- (h) how many open cut mines that are shorter than 20 metres long and 10 metres wide have been abandoned;
- (i) does the figure answered in (h) include old underground uncovered shafts; and
- (j) if no to (i), how many abandoned and unsealed shafts are there in Western Australia?

1297. Hon Robin Chapple to the Leader of the House representing the Minister for Energy:

- (1) Will the Minister provide information on how many power outages there have been in Kununurra for the past two years, by date of outage, including the duration for each?
- (2) If no to (1), why not?
- (3) If yes to (1), does the Minister believe these power outages to be acceptable?
- (4) What measures are the Office of Energy and Horizon Power undertaking to rectify the situation?

1298. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Water:

- (1) Will the Minister please provide information/data on the levels of calcium in the water in Kununurra for the past two years?
- (2) If no to (1), why not?
- (3) If yes to (1), does the Minister believe these to be acceptable levels?

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- (4) If yes to (3), why?
- (5) If no to (3), why not?
- (6) If no to (3), what action does the Minister intend to take?

1299. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:

I refer to the Australasian Land and Groundwater Association (ALGA) Forum, held on 3 June 2014, on the Environmental Approvals Process for Landfill Development and a question that I posed at that meeting, and I ask:

- (a) does the Department of Environment Regulation (DER) require proponents of landfill sites to identify the nature of material proposed to go into closed cells during the licence assessment stage for landfill sites;
- (b) does DER require proponents of landfill sites to the predicted landfill gas emissions from closed cells during the licence assessment stage for landfill sites;
- (c) does DER assess sites to predicted landfill gas emissions from closed cells during the licence assessment stage for landfill sites;
- (d) if no to (a), (b) and/or (c), why not; and
- (e) if yes to (a), (b) and/or (c), how is this done and are these evaluations available to the public?

1300. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health:

I refer to dialysis machines in Western Australia, and I ask:

- (a) how many are there in Western Australia (please list amount by location);
- (b) are all machines in full operating order;
- (c) if no to (b), which ones are not in full operating order (please list by location);
- (d) are all machines being utilised to their fullest extent;
- (e) if no to (d), which ones are not being utilised to their fullest extent; and
- (f) if no to (d), why are they are not being utilised to their fullest extent?

1301. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

I refer to question on notice No. 198 asked on 6 August 2013 by Hon Robin Chapple regarding the Harlequin mine and the new Sir Major decline, and ask:

- (a) was the deceased body removed from the mine prior to the attendance of Department of Mines and Petroleum (DMP) officers;
- (b) if yes to (a), is this normal practice;
- (c) at what time is it estimated that the deceased suffered the fatality on 15 February 2014;
- (d) at what time and date did DMP officers arrive at the Harlequin mine site; and
- (e) at what time and date did DMP officers enter the Sir Major decline?

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1302. Hon Lynn MacLaren to the Parliamentary Secretary representing the Minister for Health:

- (1) I refer to the Midland St John of God Hospital, and ask if the Catholic healthcare provider at the new Midland St John of God Hospital will carry out the wishes of advanced health directives pursuant to the *Guardianship and Administration Act 1990* for local residents who will be serviced by the new Midland hospital?
- (2) If no to (1), why not?
- (3) If no to (1), what procedure will the Government put in place to ensure the wishes of patients are adhered to in respect of their advanced health directives pursuant to the *Guardianship and Administration Act 1990*?

1303. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment:

- (1) With reference to question on notice No. 6007 of 16 October 2012, has there been an assessment to determine whether any enforcement action is to be taken?
- (2) If no to (1), why not?
- (3) If yes to (1):
 - (a) what was the result of the assessment; and
 - (b) what action has been taken?
- (4) Is the matter in (1) still with the Department of Environmental Regulation?
- (5) If yes to (4), why has it not progressed further?

1304. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Planning:

- (1) Will the Minister please table the Groundwater Report that concerns the tailing ponds for the BHP Billiton Nickel West Refinery?
- (2) Has an analysis of arsenic in groundwater been conducted at:
 - (a) Baldivis; and
 - (b) the refinery?
- (3) For each in (2), if no, why not?
- (4) Can the Minister confirm that the refinery was pumping out processed liquor solution?
- (5) How long did it take for the refinery to notice the 2008 leak?
- (6) Why was the leak not noticed immediately?

NIGEL PRATT

Clerk of the Legislative Council