

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**

**QUESTIONS**

**No. 74**

**Tuesday, 28 August 2018**

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, 12 June 2018*

1384. Hon Alison Xamon to the Minister for Environment (*SO108(2) response – 23 August 2018*)

*Notice Given*                      *Tuesday, 26 June 2018*

1417. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum

*Notice Given*                      *Wednesday, 27 June 2018*

1435. Hon Robin Chapple to the Minister for Environment

*Notice Given*                      *Thursday, 28 June 2018*

1436. Hon Robin Scott to the Minister for Regional Development representing the Minister for Mines and Petroleum

1438. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health

1439. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health

1440. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police

1442. Hon Martin Aldridge to the Minister for Environment representing the Minister for Lands

1443. Hon Alison Xamon to the Leader of the House representing the Attorney General

*Notice Given*                      *Tuesday, 14 August 2018*

1445. Hon Robin Chapple to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade

1446. Hon Robin Chapple to the Minister for Environment

1447. Hon Robin Chapple to the Minister for Environment representing the Treasurer; Minister for Finance; Energy; Aboriginal Affairs

1448. Hon Robin Chapple to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health

1449. Hon Robin Chapple to the Leader of the House representing the Premier

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**Postponed Questions**

- 1450. Hon Robin Chapple to the Minister for Environment; Disability Services
- 1451. Hon Robin Chapple to the Minister for Environment representing the Treasurer; Minister for Finance; Energy; Aboriginal Affairs
- 1452. Hon Robin Chapple to the Minister for Environment representing the Minister for Transport
- 1453. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal Affairs
- 1454. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 1455. Hon Robin Chapple to the Minister for Environment
- 1456. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 1457. Hon Robin Chapple to the Minister for Agriculture and Food
- 1458. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 1459. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health
- 1460. Hon Alison Xamon to the Minister for Education and Training
- 1461. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 1462. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal Affairs
- 1463. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 1464. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 1465. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 1466. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 1467. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 1468. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 1469. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 1470. Hon Alison Xamon to the Minister for Education and Training
- 1471. Hon Alison Xamon to the Minister for Education and Training
- 1472. Hon Alison Xamon to the Minister for Education and Training
- 1473. Hon Alison Xamon to the Minister for Education and Training
- 1474. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services

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**Postponed Questions**

- 1475. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health
- 1476. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health
- 1477. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health
- 1478. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health
- 1479. Hon Alison Xamon to the Minister for Environment representing the Minister for Police; Road Safety
- 1480. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations
- 1481. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Health
- 1482. Hon Alison Xamon to the Minister for Environment representing the Minister for Police
- 1483. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations
- 1484. Hon Alison Xamon to the Minister for Environment
- 1485. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 1486. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 1487. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 1488. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 1489. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 1490. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 1491. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 1492. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 1493. Hon Alison Xamon to the Minister for Education and Training
- 1494. Hon Alison Xamon to the Minister for Education and Training
- 1495. Hon Alison Xamon to the Minister for Education and Training
- 1496. Hon Alison Xamon to the Minister for Environment representing the Minister for Transport; Planning; Lands
- 1497. Hon Alison Xamon to the Minister for Environment representing the Minister for Transport; Planning; Lands
- 1498. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
- 1499. Hon Robin Chapple to the Minister for Environment
- 1500. Hon Robin Chapple to the Minister for Environment
- 1501. Hon Robin Chapple to the Minister for Environment
- 1502. Hon Robin Chapple to the Minister for Regional Development
- 1503. Hon Robin Chapple to the Minister for Environment
- 1504. Hon Robin Chapple to the Minister for Environment

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- 1505. Hon Robin Chapple to the Minister for Environment
- 1506. Hon Robin Chapple to the Leader of the House representing the Minister for Local Government
- 1507. Hon Tjorn Sibma to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 1508. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Housing; Veterans Issues; Youth
- 1509. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Transport; Planning; Lands
- 1510. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Commerce and Industrial Relations; Electoral Affairs; Asian Engagement
- 1511. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- 1512. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer; Minister for Finance; Energy; Aboriginal Affairs
- 1513. Hon Tjorn Sibma to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation
- 1514. Hon Tjorn Sibma to the Leader of the House representing the Attorney General
- 1515. Hon Tjorn Sibma to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts
- 1516. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 1517. Hon Tjorn Sibma to the Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade
- 1518. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Police; Road Safety
- 1519. Hon Tjorn Sibma to the Minister for Environment; Disability Services
- 1520. Hon Tjorn Sibma to the Minister for Education and Training
- 1521. Hon Tjorn Sibma to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 1522. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
- 1523. Hon Tjorn Sibma to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations
- 1524. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science
- 1525. Hon Tjorn Sibma to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 1526. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Housing; Veterans Issues; Youth

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- 1527. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Transport; Planning; Lands
- 1528. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Commerce and Industrial Relations; Electoral Affairs; Asian Engagement
- 1529. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- 1530. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer; Minister for Finance; Energy; Aboriginal Affairs
- 1531. Hon Tjorn Sibma to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation
- 1532. Hon Tjorn Sibma to the Leader of the House representing the Attorney General
- 1533. Hon Tjorn Sibma to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts
- 1534. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 1535. Hon Tjorn Sibma to the Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade
- 1536. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Police; Road Safety
- 1537. Hon Tjorn Sibma to the Minister for Environment; Disability Services
- 1538. Hon Tjorn Sibma to the Minister for Education and Training
- 1539. Hon Tjorn Sibma to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 1540. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
- 1541. Hon Tjorn Sibma to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations
- 1542. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science
- 1543. Hon Tjorn Sibma to the Leader of the House representing the Premier
- 1544. Hon Tjorn Sibma to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts
- 1545. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 1546. Hon Tjorn Sibma to the Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade
- 1547. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Police; Road Safety
- 1548. Hon Tjorn Sibma to the Minister for Environment; Disability Services

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- 1549. Hon Tjorn Sibma to the Minister for Education and Training
- 1550. Hon Tjorn Sibma to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 1551. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
- 1552. Hon Tjorn Sibma to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations
- 1553. Hon Tjorn Sibma to the Leader of the House representing the Attorney General
- 1554. Hon Tjorn Sibma to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation
- 1555. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer; Minister for Finance; Energy; Aboriginal Affairs
- 1556. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- 1557. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Commerce and Industrial Relations; Electoral Affairs; Asian Engagement
- 1558. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Transport; Planning; Lands
- 1559. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Housing; Veterans Issues; Youth
- 1560. Hon Tjorn Sibma to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- 1561. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science
- 1562. Hon Tjorn Sibma to the Leader of the House representing the Premier
- 1563. Hon Tjorn Sibma to the Leader of the House representing the Premier
- 1564. Hon Robin Scott to the Leader of the House representing the Minister for Federal-State Relations
- 1565. Hon Tjorn Sibma to the Leader of the House representing the Minister for Public Sector Management
- 1566. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 1567. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 1568. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 1569. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 1570. Hon Colin Holt to the Minister for Regional Development representing the Minister for Racing and Gaming

**Notice Given**                      **Wednesday, 15 August 2018**

- 1571. Hon Nick Goiran to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health

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**Postponed Questions**

1572. Hon Robin Chapple to the Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade
1573. Hon Robin Chapple to the Minister for Environment representing the Minister for Transport; Planning; Lands
1574. Hon Dr Steve Thomas to the Minister for Environment; Disability Services

**Notice Given** *Thursday, 16 August 2018*

1575. Hon Martin Aldridge to the Minister for Environment representing the Minister for Transport
1576. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal Affairs
1577. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal Affairs

**Notice Given** *Tuesday, 21 August 2018*

1578. Hon Michael Mischin to the Minister for Education and Training
1579. Hon Michael Mischin to the Leader of the House representing the Attorney General
1580. Hon Martin Aldridge to the Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade
1581. Hon Martin Aldridge to the Minister for Education and Training

**Notice Given** *Wednesday, 22 August 2018*

1582. Hon Peter Collier to the Minister for Environment representing the Minister for Transport

**Notice Given** *Thursday, 23 August 2018*

1583. Hon Peter Collier to the Leader of the House representing the Premier
1584. Hon Martin Aldridge to the Minister for Environment representing the Minister for Transport; Planning; Lands
1585. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
1586. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
1587. Hon Colin de Grussa to the Minister for Regional Development representing the Minister for Fisheries
1588. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
1589. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
1590. Hon Martin Aldridge to the Leader of the House representing the Premier
1591. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum
1592. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police

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 QUESTIONS ASKED TODAY
 

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*Notice Given**Tuesday, 28 August 2018***1593. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal Affairs:**

In 1994, the Rottnest Island Deaths Group Aboriginal Corporation (RIDGAC) held a Statewide Meeting of Aboriginal Lore/Law People on Wadjemup/Rottnest Island who made culturally appropriate decisions regarding the future protection and preservation of the Island's Aboriginal Sacred issues. From this Statewide Meeting RIDGAC was appointed to be the only recognized Custodians who were to handle all Aboriginal issues on Wadjemup. RIDGAC initiated an initial investigation by Ground Penetrating Radar (GPR) with Rottnest Island Authority (RIA), which discovered the first Sacred Men's Burial Ground. RIDGAC then requested the removal of the Allison Cabins and more GPR to take place, which resulted in the discovery of more Ancestors' Burials. RIDGAC has since then been requesting for more GPR to be carried out into the Rottnest Resort/Golf Course. Since RIA and its agents continually publicise that they will consult with Stakeholders and that they want reconciliation, I ask:

- (a) why has further GPR been denied in that area;
- (b) as there is evidence of another burial ground on the southern side of the Quod in the Settlement Area, will more GPR be undertaken at both the southern end of the Quod and into the golf course and other areas before anything is done as recognition of Burial Sites;
- (c) if no to (b), why not;
- (d) RIDGAC Director, Iva Hayward-Jackson objected to the pathway around the known burial ground and has been allegedly threatened by the officer in charge, Graham Bond, and ordered to report to Mr Bond every time he goes to Rottnest Island with the consent of the current CEO, Michelle Reynolds. Why has progress by RIDGAC been hampered by the police and RIA;
- (e) why was the introduction of the Rottnest Reference Group, founded by former RIA CEO, Paolo Amarati, used for the cultural duties regarding the Sacred Burial Grounds instead of RIDGAC;
- (f) all attempts by RIDGAC to be primary consultants on Aboriginal issues on Wadjemup have been ignored by the RIA. Instead, two culturally inappropriate groups have been installed by RIA, which have given only a (sometime) cursory nod to RIDGAC, treating the organisation as an outsider. Is this a direct contravention of the directions given by the statewide representatives of their Ancestors who suffered and died on Wadjemup;
- (g) if no to (f), why not;
- (h) initially, RIDGAC was advised by the newly appointed CEO, Michelle Reynolds, that she agreed to a full and proper consultation process with RIDGAC grass roots Law Men and others from communities throughout Western Australia. Has RIDGAC been adequately supported, notified and funded to be able to attend the meetings;
- (i) if yes to (h), how;
- (j) if no to (h), why not;



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- (k) when is RIA planning to fully and properly consult with RIDGAC and the grassroots initiated Law Men and their families according to Aboriginal law and culture;
- (l) is RIA planning to include all statewide Elders/Law Men in this consultation;
- (m) what funds have been put aside by RIA and/or its agencies for full and proper consultations with RIDGAC and their grass roots communities and Law Men throughout Western Australia;
- (n) is the Government aware that the consultative process, as outlined by RIA for the September meeting, is highly culturally inappropriate and in direct conflict with the directions given by Senior Law Men and their families in 1994, and is also in direct conflict with the Law People and their families today who are the direct descendants of the Ancestors who suffered and died;
- (o) if no to (n), why not;
- (p) in terms of the answer to (n), is the Government willing to rectify this situation;
- (q) when will RIDGAC be funded in order to return to the Law Men and Elders and their communities throughout the State of Western Australia (and beyond), to again arrange consultation process and accommodation that was guaranteed by the CEO of RIA for meetings on Wadjemup with RIA in good faith;
- (r) when will the Minister for Aboriginal Affairs meet with RIDGAC Board of Directors in order to provide further funding and facilities so that full and proper consultation in good faith can take place with the Cultural Law People who have Ancestors who suffered and died on Wadjemup;
- (s) is the Minister aware that the processes being employed by RIA and/or its agents regarding Aboriginal heritage is in breach of Aboriginal Lore/Law, Customs and Traditions regarding Sacred Burial Grounds;
- (t) in terms of the answer to (s), what does the Minister plan to do to rectify the problem;
- (u) early in 2017, a meeting was arranged with the Minister of Tourism where nothing came of RIDGAC's culturally appropriate plans. All attempts since the election of the McGowan Government to meet with the Minister for Aboriginal Affairs so that an appropriate meeting could take place regarding proper treatment of Wadjemup Sacred Sites, have been denied. I ask:
  - (i) why was RIDGAC asked to meet with the Minister for Tourism instead of Minister for Aboriginal Affairs;
  - (ii) why have all attempts to meet with the Minister for Aboriginal Affairs been denied;
  - (iii) will the Minister for Aboriginal Affairs meet with RIDGAC;
  - (iv) if yes to (u)(iii), when; and
  - (v) if no to (u)(iii), why not;
- (v) is the Minister aware that it is culturally inappropriate for this burial ground to be developed as a tourist attraction;
- (w) will the Minister be willing to fully and properly consult with the recognised Custodians in good faith so that any decisions will be culturally appropriate;
- (x) if yes to (w), who does the Minister recognise as the Custodians of Wadjemup;

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- (y) is the Minister aware that real reconciliation cannot take place until Wadjemup is properly developed as a place of suffering and death of the Ancestors, and sites designated by the Ancestors' descendants are treated with dignity, respect and understanding;
- (z) is the Government going to address the fact that the RIA, by now holding their structured meeting in September 2018, have interfered with the cultural process that was set up for RIDGAC Law Men and grass roots communities to be there in September and have their voices heard, and that the RIA and its agencies have embarrassed the First Nations Peoples by disrupting a culturally appropriate process that was going to plan;
- (aa) if no to (z), why not;
- (bb) if yes to (z), how;
- (cc) will the Government address the problem that the first trips to organise stakeholders to attend a culturally appropriate meeting on Wadjemup in September was funded by RIDGAC and donations, and acknowledge that without funding or power to revisit, the culturally inappropriate process outlined by RIA Board cannot be corrected;
- (dd) if no to (cc), why not;
- (ee) if yes to (cc), how;
- (ff) regarding the cultural services by companies appointed by the Department of Premier and Cabinet, the CEO of RIA and their appointed Reference Group, to advise on plans for the Ancestor's remains:
  - (i) was approval for their services sought from RIDGAC;
  - (ii) is it appropriate that these companies are able to advise on plans for the Ancestral remains, which overrides the grass roots Cultural People throughout the State who have a direct connection to the Ancestors;
  - (iii) is the Minister aware that according to Law Men and Elders, the existing burial site works by Indigenous Economic Solutions may have desecrated the site;
  - (iv) regarding (ff)(iii), will the Minister investigate if this is true or not;
  - (v) is the Minister aware that RIDGAC has been policed by the RIA and Rottnest police so as to not interfere with RIA's plans for the Ancestors' Remains; and
  - (vi) regarding (ff)(v), is this an appropriate course of action given RIDGAC was appointed to be the only recognised Custodians who were to handle all Aboriginal issues on Wadjemup;
- (gg) is it appropriate for the Minister for Tourism and his department to be in charge of the extremely important and sensitive Aboriginal Sacred Burial Sites and other issues to do with Wadjemup/Rottnest Island; and
- (hh) how is the Minister for Aboriginal Affairs ensuring RIA and the Department for Tourism are not mismanaging and/or misinterpreting Aboriginal Sacred Burial Sites and other issues to do with Wadjemup/Rottnest Island?

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*Notice Given**Tuesday, 28 August 2018***1594. Hon Robin Chapple to the Leader of the House representing the Attorney General:**

I refer to Section 57 (2) of the *Births, Deaths and Marriages Registration Act 1998* that states, 'If, in the Registrar's opinion, a word or expression appearing on an entry in the Register is, or may be regarded as, offensive, the Registrar may issue a certificate under subsection (1)(a) without including the word or expression', and I ask:

- (a) will the Minister please provide a list of all words and expressions deemed offensive and redacted from certificates issued by the Registrar;
- (b) if no to (a), why not;
- (c) the term 'Aboriginal' has been removed from certificates issued by the Registrar exercising this power, is the term Aboriginal offensive;
- (d) if no to (c), why was the term 'Aboriginal' then removed;
- (e) if yes to (c), why was this decision made, who made the decision and when;
- (f) were any stakeholder groups consulted about whether the use of the term 'Aboriginal' on certificates was offensive and whether they thought it should be redacted;
- (g) if no to (f), why not; and
- (h) if yes to (f), please list who was consulted and when?

**1595. Hon Martin Aldridge to the Minister for Environment representing the Minister for Planning:**

I refer to Legislative Council question on notice No. 1412, in relation to Araluen Botanic Park Foundation, and I ask:

- (a) will the Minister please table the funding proposal mentioned in part (f) of the above mentioned question;
- (b) has the draft ten year lease agreement mentioned in part (g) of the above mentioned question been executed; and
- (c) if yes to (b), on what date was it executed and will the Minister please table a copy?

**1596. Hon Martin Aldridge to the Leader of the House representing the Premier:**

I refer to Legislative Council questions on notice Nos 1044 and 1409, and noting that I am not seeking specific details of the Premier's vehicle movement in and out of the stadium, I ask again:

- (a) given the Government's ban on ride sharing services and private vehicles accessing the Perth Stadium and the Premier's encouragement for the utilisation of public transport, how does the Premier access the stadium by car when others cannot enjoy such a privilege; and
- (b) do the Premier and Ministers set a double standard by using ministerial and private vehicles to access the stadium for events such as music concerts?

**1597. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal Affairs:**

- (1) Has the Shire of Broome, the Kimberley Land Council, the Kimberley Institute, a Registered Native Title Body Corporate or associated organisation, or any Academic institution or informant made a request to the Registrar of Aboriginal Sites for Restricted Heritage Place Information from within any heritage places located in the Shire of Broome Local Government Authority (LGA) between 2010 to present?

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- (2) If yes to any of the above, for each circumstance please provide details for the following:
- (a) the name of the group, body, institution, organisation or informant that requested the information;
  - (b) why the information was requested;
  - (c) were the registered knowledge holders informed of the request;
  - (d) did the registered knowledge holders give consent for the provision of the information being requested; and
  - (e) if no to (c) and or (d), why not?
- (3) Since 2010 to the present, has the Registrar of Aboriginal Sites or government heritage staff provided Restricted Heritage Place Information about heritage places located in the Shire of Broome LGA to any of the groups, bodies, institutions or organisations listed in (1)?
- (4) If yes to the above, for each circumstance, please provide details for the following:
- (a) the name of the group, body, institution, organisation or informant that the information was provided to;
  - (b) the nature of the information provided;
  - (c) the basis on which the information was provided; and
  - (d) the heritage place or places that the information relates to?

**1598. Hon Nick Goiran to the Leader of the House representing the Attorney General:**

I refer to the *Limitation Act 2005*, that has been amended to provide for child sexual abuse actions, and I ask:

- (a) will the Attorney General carry out a review of the current limitation period that sees other actions for a minor under the age of 15 expire within 6 years;
- (b) will the Attorney General carry out a review of section 39 of the Act which currently provides for an extension, but not if the reason a minor's action has not been commenced is because of a recalcitrant parent or guardian;
- (c) if no to (a) or (b), why not; and
- (d) if yes to (a) or (b), when will a review commence?

**1599. Hon Robin Chapple to the Minister for Environment representing the Treasurer; Minister for Finance; Energy; Aboriginal Affairs:**

As the Treasurer and Minister for Finance, please clarify the following information regarding the Government's charges for motor vehicle personal injury scheme premiums:

- (a) in the last two to three years has the Insurance Commission of WA (ICWA) paid the Government over a billion dollars in dividends;
- (b) if no to (a), how much has been paid;
- (c) is ICWA now headed by the former Joe Hockey chief of staff Rod Whithear, and was he appointed to ICWA by Christian Porter;
- (d) soon after appointment, did Rod Whithear change the ICWA legislation to enable the Government to be paid dividends from the motor vehicle personal injury scheme funds;
- (e) if yes to (d), how was this done;

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- (f) does ICWA have over 150 percent financial solvency;
- (g) regarding the answer to (f), is this with substantial prudential margins which a State Government insurer is not required to have;
- (h) unlike private insurers, does ICWA need to be a part of Australian Securities and Investments Commission (ASIC) and Australian Prudential Regulation Authority (APRA);
- (i) does the Government or public policy holders hold the risk for ICWA or the motor vehicle personal injury scheme, and who is entitled to the dividends;
- (j) does the Government only administer the scheme;
- (k) how does the pricing for the scheme in Western Australia compare to other States, that is, is it more or less affordable;
- (l) how does Western Australia's motor vehicle personal injury schemes compare with other States in terms of being up to date with current social needs;
- (m) should the Western Australian scheme, that dates back to the 1940s and is a fault based common law litigious scheme, be updated to better serve the needs of the Western Australian people;
- (n) does ICWA have a risky investment portfolio which would not be approved by APRA for private insurers;
- (o) are substantial government monies in the hands of overseas investment managers, and is this cause for serious concern;
- (p) does section 8 within the functions and powers of the *Insurance Commission of Western Australia Act 1986* restrict ICWA to only having sufficient funds to meet liabilities;
- (q) as ICWA is a compulsory government monopoly and as section 8 of the *Insurance Commission of Western Australia Act 1986* is a control to stop ICWA from collecting excessive premiums from motorists, is ICWA acting unlawfully and outside of its legislative powers by collecting excessive premiums from the public;
- (r) if no to (q), please clarify why;
- (s) is ICWA acting unlawfully and outside of its legislative powers by giving investment income to the Government instead of benefiting public policy holders; and
- (t) if no to (s), please clarify why?

**1600. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations:**

- (1) Is the Minister aware that there have been witnesses of incidences of workers at the IGA in Fitzroy Crossing being racially vilified by management on a daily basis?
- (2) If no to (1), will the Minister investigate given that those on work visas may be unaware of their rights and ability to lodge complaints?
- (3) If no to (2), why not?

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## Questions Asked Today

*Notice Given*                      *Tuesday, 28 August 2018*

**1601. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health:**

- (1) Do regional and country ambulance sub-centres use disposable linen?
- (2) If yes to (1):
  - (a) when did this change and what is the reason for the change;
  - (b) what are the various forms of disposable linen made from; and
  - (c) who pays for the cost of the disposable linen?

**1602. Hon Robin Chapple to the Minister for Regional Development:**

Regarding consultation on the termination of the *Natural Gas (Canning Basin Joint Venture) Agreement (Termination) Bill 2017*, I ask:

- (a) will the Minister clarify if the Nyikina Mangala, Yungngora, Karajarri Yanja or Yawuru people have been consulted;
- (b) if no to (a), why not; and
- (c) if yes to (a), how, when and where were they consulted?

**1603. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal Affairs:**

Section 16 of the *Aboriginal Heritage Act 1972* that enables an application seeking the written authority of the Registrar to remove cultural material from Aboriginal sites and to carry out excavations and laboratory testing of cultural material. The Registrar may only issue a section 16 permit on the advice of the Aboriginal Cultural Material Committee (ACMC). I ask:

- (a) will the Minister confirm the long-standing convention of the ACMC is that section 16 applications are considered only when the relevant Aboriginal people are supportive of the application;
- (b) on how many occasions has the Registrar issued a written authority under section 16 of the *Aboriginal Heritage Act 1972* to remove cultural material from a site for scientific research where the owners of the heritage, the Aboriginal people themselves, have not provided their consent to it;
- (c) does the Minister agree that the section 16 authority should only be granted to a mining company where the Aboriginal owners of the heritage agree to cultural material being removed from their sites for scientific research; and
- (d) will the Minister confirm that the advisory body, the ACMC, will advise the Registrar not to issue section 16 authority to remove cultural objects and material from Aboriginal sites in instances where the native title holders do not consent to their heritage sites being excavated or having any cultural material being removed from them?

**1604. Hon Alison Xamon to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health:**

I refer to your previous response to question without notice number No. 776, and I ask:

- (a) has progress been made by WA Health towards implementing an evidence-based approach to lyme-like disease and tick-borne illnesses in the Western Australian health system;
- (b) if yes to (1), please detail what actions have been taken;

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- (c) if no to (1), why not; and
- (d) is consideration being given to the establishment of a state-wide specialist support service for people with lyme-like illness or tick-borne disease?

**1605. Hon Donna Faragher to the Minister for Education and Training:**

I refer to school psychologists working in Western Australian public schools, and I ask, for each Education Region, will the Minister provide a breakdown of school psychologists by FTE and headcount as at:

- (a) 30 June 2014;
- (b) 30 June 2015;
- (c) 30 June 2016;
- (d) 30 June 2017; and
- (e) 30 June 2018?

**NIGEL PRATT**

Clerk of the Legislative Council