

WESTERN AUSTRALIA

## LEGISLATIVE COUNCIL

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### QUESTIONS

No. 33

Wednesday, 23 October 2013

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

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### POSTPONED QUESTIONS

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*Notice Given*                      *Thursday, 12 September 2013*

293. Hon Darren West to the Attorney General representing the Minister for Emergency Services

*Notice Given*                      *Tuesday, 17 September 2013*

294. Hon Ken Travers to the Leader of the House representing the Premier  
295. Hon Ken Travers to the Leader of the House representing the Premier  
296. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport  
297. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport  
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300. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport  
302. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport  
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323. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport  
324. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport

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**Postponed Questions**

- 325. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 326. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 327. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 328. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 329. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 330. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Fisheries

**Notice Given**                      **Wednesday, 18 September 2013**

- 331. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 332. Hon Robin Chapple to the Minister for Aboriginal Affairs

**Notice Given**                      **Tuesday, 15 October 2013**

- 334. Hon Robin Chapple to the Leader of the House representing the Minister for State Development
- 335. Hon Robin Chapple to the Leader of the House representing the Minister for Energy
- 336. Hon Robin Chapple to the Leader of the House representing the Minister for Energy
- 337. Hon Robin Chapple to the Minister for Mental Health representing the Treasurer
- 338. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Housing
- 339. Hon Robin Chapple to the Minister for Agriculture and Food
- 340. Hon Rick Mazza to the Minister for Mental Health representing the Minister for Environment
- 341. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 342. Hon Robin Chapple to the Minister for Child Protection
- 343. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 344. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 345. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 346. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 347. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 348. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
- 349. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 350. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 351. Hon Nick Goiran to the Minister for Mental Health representing the Treasurer
- 352. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 353. Hon Robin Chapple to the Minister for Aboriginal Affairs

## LEGISLATIVE COUNCIL

**Postponed Questions**

- 354. Hon Robin Chapple to the Minister for Aboriginal Affairs
- 355. Hon Robin Chapple to the Attorney General representing the Minister for Police
- 356. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Regional Development
- 357. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Regional Development
- 358. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health
- 359. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 360. Hon Kate Doust to the Minister for Commerce

**Notice Given**                      **Wednesday, 16 October 2013**

- 361. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 362. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum
- 363. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment
- 364. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 365. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 366. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 367. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 368. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 369. Hon Ljiljanna Ravlich to the Minister for Mental Health
- 370. Hon Stephen Dawson to the Minister for Mental Health
- 371. Hon Stephen Dawson to the Minister for Child Protection
- 372. Hon Stephen Dawson to the Minister for Child Protection
- 373. Hon Stephen Dawson to the Minister for Child Protection
- 374. Hon Stephen Dawson to the Minister for Child Protection
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- 381. Hon Stephen Dawson to the Minister for Child Protection
- 382. Hon Stephen Dawson to the Minister for Child Protection

LEGISLATIVE COUNCIL

**Postponed Questions**

*Notice Given*                      *Tuesday, 22 October 2013*

- 383. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 384. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport
- 385. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport

## LEGISLATIVE COUNCIL

## QUESTIONS ASKED TODAY

*Notice Given**Wednesday, 23 October 2013***386. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment:**

With regard to the 8 April 2013 decision by the Chairman of the Environmental Protection Authority (EPA) that the Shire of Broome Local Planning Scheme No. 6 not be assessed, the determination of Chief Justice Wayne Martin in *The Wilderness Society (WA) Inc. v Minister for the Environment* [2013] WASC 307, and the *Government Gazette* No. 29 / 28-Feb-2012 - EV402 in relation to *Environmental Protection Act 1986* Delegation No. 26; and given that, on 31 July 2008, the Chairman formally determined that the EPA would provide advice as to the selection of the site for the Browse Liquefied Natural Gas (LNG) Precinct; and given that, on 16 July 2012, the Chairman, acting alone after determining that EPA members Dr Whitaker, Dr Lukatelich and Mr Glennon were conflicted from participating further in the environmental assessment of the Browse LNG Precinct, issued Report 1444 recommending that the Browse LNG Precinct could be implemented; and given that the Chairman had relied on a process of assessment undertaken by the EPA with the benefit of contributions by Dr Whitaker, Dr Lukatelich and Mr Glennon in releasing the second report published on 16 July 2012; and given that, on 17 December 2012, the Chairman, together with the Deputy Chairman, issued a notice declaring Woodside Energy Limited's proposal to construct and operate an LNG processing and export facility as part of the Browse LNG Hub to be a derived proposal; and given that, on 18 December 2012, an application for judicial review of the foregoing decisions was lodged in the Supreme Court of Western Australia; and given that, by 8 April 2013, it was clear that the grounds upon which judicial review of the decisions were sought included conflict of interest on the part of Dr Whitaker, Dr Lukatelich and Mr Glennon, and perceived bias of the Chairman as a result of his long collaboration with the conflicted members during the environmental assessment of the Browse LNG Hub; and given that the Chairman knew or should have known that conflicts and the appearance of bias on the part of EPA members, including the Chairman, were live issues in the then-pending Supreme Court proceeding; and given that the Shire of Broome Local Planning Scheme No. 6 incorporates planning provisions and strategies throughout that are premised on development of the Browse LNG Precinct spurring future residential, commercial, industrial and other development, I ask:

- (a) can the Minister please explain why the Chairman did not declare a conflict and instead proceeded with his 8 April 2013 Shire of Broome Local Planning Scheme No. 6 decision;
- (b) can the Minister please explain why the Chairman did not stand aside from the 8 April 2013 Shire of Broome Local Planning Scheme No. 6 decision; and
- (c) in what capacity and using what decision-making process did the Chairman decide that the Shire of Broome Local Planning Scheme No. 6 not be assessed?

**387. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport:**

- (1) What was the cause of the shutdown that occurred on the Fremantle rail line on 11 July 2013?
- (2) How many times have similar events occurred in the last 12 months?
- (3) What plans does the Public Transport Authority have to address this issue?

## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given*                      *Wednesday, 23 October 2013*

**388. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport:**

What were the causes of the technical issues that occurred on Thursday, 12 September 2013 on the following rail lines:

- (a) Midland;
- (b) Fremantle;
- (c) Joondalup; and
- (d) Mandurah?

**389. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport:**

I refer to Legislative Council question on notice No. 565, regarding the widening of the Mitchell Freeway between Hepburn Avenue and Hodges Drive, and I ask:

- (a) when will the section from Ocean Reef Road to Hodges Drive be opened;
- (b) how many days were rain affected and stopped work during the 24 weeks allocated to complete the works; and
- (c) what penalties for project delays have been applied to the contractor?

**390. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry:**

(1) Further to question on notice No. 202, for the year 2012 only, regarding thinning of regrowth karri, what volume of extracted logs were:

- (a) karri; and
- (b) other (please specify)?

(2) How much of the volume was:

- (a) first and second grade karri sawlogs;
- (b) other grade karri sawlogs;
- (c) karri chiplogs;
- (d) first and second grade marri sawlogs;
- (e) other grade marri sawlogs; and
- (f) marri chiplogs?

(3) What was the volume estimated to be available of:

- (a) first and second grade karri sawlogs;
- (b) other grade karri sawlogs; and
- (c) karri chiplogs?

## LEGISLATIVE COUNCIL

**Questions Asked Today**

*Notice Given*                      *Wednesday, 23 October 2013*

**391. Hon Lynn MacLaren to the Minister for Agriculture and Food representing the Minister for Forestry:**

- (1) How many customers have accounts overdue beyond the Forest Products Commission's agreed trading terms:
  - (a) from one to 30 days past due;
  - (b) from 31 to 60 days past due; and
  - (c) greater than 60 days past due?
- (2) For each of the customers in (1), how much does each customer owe and for how long has each account been overdue?
- (3) What is the total amount overdue for each category in (1)?
- (4) Why have these debts been allowed to accrue for such lengthy periods?

**NIGEL LAKE**

Acting Clerk of the Legislative Council