

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 89

Tuesday, 25 May 2010

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, 20 April 2010***

- 2237. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Regional Development
- 2238. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Lands
- 2239. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister Assisting the Minister for State Development
- 2240. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister Assisting the Minister for Transport
- 2269. Hon Alison Xamon to the Minister for Energy

Notice Given ***Tuesday, 4 May 2010***

- 2300. Hon Ken Travers to the Minister for Transport
- 2301. Hon Ken Travers to the Minister for Energy representing the Minister for Police
- 2302. Hon Ken Travers to the Minister for Transport
- 2303. Hon Ken Travers to the Minister for Transport
- 2304. Hon Robin Chapple to the Minister for Environment
- 2305. Hon Robin Chapple to the Minister for Transport representing the Minister for Indigenous Affairs
- 2306. Hon Robin Chapple to the Minister for Energy

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Postponed Questions

- 2307. Hon Robin Chapple to the Minister for Energy
- 2308. Hon Robin Chapple to the Minister for Energy
- 2309. Hon Robin Chapple to the Minister for Energy
- 2310. Hon Robin Chapple to the Minister for Energy
- 2311. Hon Robin Chapple to the Minister for Mines and Petroleum
- 2312. Hon Robin Chapple to the Minister for Mines and Petroleum
- 2313. Hon Robin Chapple to the Minister for Mines and Petroleum
- 2314. Hon Robin Chapple to the Minister for Environment
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- 2316. Hon Robin Chapple to the Minister for Mines and Petroleum
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- 2324. Hon Robin Chapple to the Minister for Mines and Petroleum
- 2325. Hon Robin Chapple to the Minister for Transport representing the Minister for Indigenous Affairs
- 2326. Hon Robin Chapple to the Minister for Environment
- 2327. Hon Alison Xamon to the Minister for Environment
- 2328. Hon Alison Xamon to the Minister for Child Protection representing the Minister for Planning
- 2329. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
- 2330. Hon Alison Xamon to the Minister for Environment
- 2331. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2332. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
- 2333. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Regional Development
- 2334. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Regional Development
- 2335. Hon Alison Xamon to the Minister for Environment
- 2337. Hon Alison Xamon to the Minister for Environment

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- 2338. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2339. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2340. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2341. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2342. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
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- 2344. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2345. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2346. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2347. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2348. Hon Alison Xamon to the Minister for Environment
- 2349. Hon Alison Xamon to the Minister for Environment
- 2350. Hon Alison Xamon to the Minister for Environment
- 2351. Hon Alison Xamon to the Minister for Environment
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- 2355. Hon Alison Xamon to the Minister for Environment
- 2356. Hon Alison Xamon to the Minister for Environment
- 2357. Hon Alison Xamon to the Minister for Environment
- 2358. Hon Alison Xamon to the Minister for Environment
- 2359. Hon Alison Xamon to the Minister for Environment
- 2360. Hon Alison Xamon to the Minister for Environment

Notice Given***Wednesday, 5 May 2010***

- 2361. Hon Sally Talbot to the Parliamentary Secretary representing the Minister for Water
- 2362. Hon Jon Ford to the Minister for Mines and Petroleum
- 2363. Hon Jon Ford to the Minister for Mines and Petroleum
- 2364. Hon Jon Ford to the Minister for Mines and Petroleum
- 2365. Hon Jon Ford to the Minister for Mines and Petroleum
- 2366. Hon Jon Ford to the Minister for Mines and Petroleum
- 2367. Hon Jon Ford to the Minister for Mines and Petroleum
- 2368. Hon Jon Ford to the Minister for Mines and Petroleum

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Postponed Questions

2369. Hon Jon Ford to the Minister for Mines and Petroleum

2370. Hon Jon Ford to the Minister for Mines and Petroleum

2371. Hon Jon Ford to the Minister for Mines and Petroleum

Notice Given Thursday, 6 May 2010

2372. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2373. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2374. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2375. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2376. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2377. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2378. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2379. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2380. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2381. Hon Robin Chapple to the Minister for Mines and Petroleum

2382. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

2383. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

2385. Hon Alison Xamon to the Minister for Transport

2386. Hon Giz Watson to the Minister for Environment

2387. Hon Giz Watson to the Minister for Child Protection representing the Minister for Planning

2388. Hon Giz Watson to the Parliamentary Secretary representing the Attorney General

2389. Hon Robin Chapple to the Minister for Mines and Petroleum

2390. Hon Robin Chapple to the Minister for Mines and Petroleum

2391. Hon Robin Chapple to the Minister for Mines and Petroleum

2392. Hon Robin Chapple to the Minister for Mines and Petroleum

2393. Hon Robin Chapple to the Minister for Environment

2394. Hon Robin Chapple to the Minister for Transport representing the Minister for Indigenous Affairs

2395. Hon Robin Chapple to the Minister for Environment

2396. Hon Lynn MacLaren to the Minister for Transport

2397. Hon Lynn MacLaren to the Minister for Energy representing the Minister for Local Government

2398. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Agriculture and Food

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2399. Hon Lynn MacLaren to the Minister for Energy representing the Minister for Local Government

2400. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Agriculture and Food

Notice Given **Tuesday, 18 May 2010**

2401. Hon Ed Dermer to the Minister for Transport

2402. Hon Giz Watson to the Minister for Fisheries

2403. Hon Giz Watson to the Minister for Mines and Petroleum

2404. Hon Robin Chapple to the Leader of the House representing the Minister for State Development

2405. Hon Robin Chapple to the Minister for Environment

2406. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Regional Development

2407. Hon Robin Chapple to the Minister for Environment

2408. Hon Giz Watson to the Minister for Fisheries

2409. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water

2410. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water

2411. Hon Alison Xamon to the Minister representing the Minister for Health

Notice Given **Wednesday, 19 May 2010**

2412. Hon Ken Travers to the Minister for Transport

2413. Hon Ken Travers to the Minister for Transport

2414. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2415. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2416. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2417. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2418. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2419. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2420. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

2421. Hon Alison Xamon to the Minister for Environment

2422. Hon Alison Xamon to the Minister for Child Protection representing the Minister for Planning

2423. Hon Alison Xamon to the Minister for Environment

2424. Hon Alison Xamon to the Minister for Environment

2425. Hon Jon Ford to the Minister for Mines and Petroleum

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Postponed Questions

2426. Hon Jon Ford to the Minister for Mines and Petroleum
2427. Hon Jon Ford to the Minister for Mines and Petroleum
2428. Hon Jon Ford to the Parliamentary Secretary representing the Minister for Water
2429. Hon Robin Chapple to the Minister for Mines and Petroleum

Notice Given Thursday, 20 May 2010

2430. Hon Giz Watson to the Minister for Environment
2431. Hon Helen Bullock to the Parliamentary Secretary representing the Minister for Regional Development
2432. Hon Robin Chapple to the Minister for Mines and Petroleum
2433. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation
2434. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Water
2435. Hon Ken Travers to the Minister for Transport representing the Minister for Health
2436. Hon Ken Travers to the Minister for Transport representing the Minister for Health
2437. Hon Ken Travers to the Minister for Transport representing the Minister for Health
2438. Hon Ken Travers to the Minister for Transport representing the Minister for Health
2439. Hon Ken Travers to the Minister for Transport representing the Minister for Health
2440. Hon Lynn MacLaren to the Leader of the House representing the Minister for Housing
2441. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

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QUESTIONS ASKED TODAY

*Notice given**Tuesday, 25 May 2010*

2442. Hon Jon Ford to the Minister for Mines and Petroleum

I refer to the KCGM operations owned by Barrick Gold and Newmont Australia, known as the Superpit in the Kalgoorlie region, and I ask -

- (1) Is the Department of Mines and Petroleum (DMP) aware and was it reported, both on the company's internal reporting system or to the DMP, that on or around 19 May 2010 truck number 257, had smoke coming from the engine bay, filling the cab indicating that the truck was on fire?
- (2) If yes to (1), was this incident investigated?
- (3) If yes to (2), what was the outcome of the investigation?
- (4) If no to (1), will the Minister urgently require an investigation into this matter?
- (5) In relation to the incident referred to in (1), was it reported that neither the fire suppression system or the fire extinguisher was used to put out the fire?
- (6) How many incidents have been reported, both on the company's internal reporting system or to the DMP, concerning trucks or other machinery catching fire in the last 36 months?

2443. Hon Jon Ford to the Minister for Mines and Petroleum

I refer to the KCGM operations owned by Barrick Gold and Newmont Australia, commonly known as the Superpit in the Kalgoorlie region, and I ask -

- (1) Is it correct that on or around 19 May 2010 truck number 274, whilst under load, was clearly observed to have a large section of a tyre on that truck, that was down to the wire?
- (2) If no to (1), what is correct?
- (3) Will the Minister urgently require an investigation into the matter referred to in (1)?
- (4) If yes to (3), what was the outcome of the investigation?
- (5) Is it correct that the management of KCGM prefer to run a tyre until it blows out to maximise efficiency and therefore it is common for a truck to have a tyre on it that is down to the wire?
- (6) If no to (5), what is correct?
- (7) If yes to (5), does the Department of Mines and Petroleum(DMP) support this practice?
- (8) Will the Minister state when an inspector from the DMP last conducted a check, or an investigation, of all light vehicles and heavy vehicles at KCGM, to ensure that all tyres were in a safe operating condition?
- (9) If no to (8), why not?

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- (10) Will the Minister state how many times, with dates in the last 24 months, that an inspector from the DMP has conducted a check or an investigation of all light vehicles and heavy vehicles at KCGM to ensure that all tyres were in a safe operating condition?
- (11) If no to (10), why not?

2444. Hon Jon Ford to the Minister for Mines and Petroleum

I refer to the KCGM operations owned by Barrick Gold and Newmont Australia, commonly known as the Superpit in the Kalgoorlie region, and I ask -

- (1) Was it reported both on the company's internal reporting system or to the Department of Mines and Petroleum (DMP), that in the last 14 days a PC 8000 digger/shovel was operating inside a red and white zone, loading a truck when the void that the shovel was working on top of collapsed, causing the shovel to fall forwards and the claw of the shovel to pin the truck as the shovel was hanging over a void?
- (2) If yes to (1), was this incident investigated?
- (3) If yes to (2), what was the outcome of the investigation?
- (4) If no to (1), will the Minister urgently require an investigation into this matter?
- (5) Will the Minister state the purpose and function of the red and white zone in the abovementioned operations and their importance, if any?
- (6) Will the Minister state whether the PC 8000 digger/shovel referred to in (1), was meant to be operating in the red and white zone in the abovementioned operations?
- (7) What has the DMP done to eliminate a serious accident or fatality for the circumstances referred to in (1)?
- (8) How many incidents with the specific dates that each occurred have been reported, both on the company's internal reporting system or to the DMP, concerning heavy vehicles or light vehicles, including drill rigs, falling into a void in the last 60 months?
- (9) Have any persons at KCGM ever been prosecuted for heavy vehicles or light vehicles falling into a void at these operations?
- (10) Within the last 15 years have KCGM ever lost any heavy equipment, vehicles falling into voids at these operations?
- (11) If yes to (9), on each occasion, what was lost or damaged?
- (12) Within the last 15 years at the KCGM operations has anyone ever been killed or injured falling into underground voids at these operations?

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2445. Hon Jon Ford to the Minister for Mines and Petroleum

I refer to the A1 Minerals Limited mine and mining tenure including the Brightstar gold project in the Laverton area and I ask -

- (1) Can the Minister state how many mines record book entries, improvement, provisional improvement and prohibition notices have been issued by Department of Mines and Petroleum (DMP) inspectors for the last three years at the above operation?
- (2) If no to (1), why not?
- (3) If yes to (1), can the Minister give the detail of each notice?
- (4) Has a DMP inspector checked as of the date of this question to see whether in fact all the issues raised in question (1), have been adhered and complied with by the company at the above referred to mine?
- (5) If no to (4), why not?
- (6) If yes to (4), on what specific date was each issue identified then rectified by the company for compliance?
- (7) Within the last three years can the Minister state how many works directions, stop work orders, or any issues have been identified by DMP staff concerning matters within the jurisdiction of the *Mining Act 1978 and Regulations 1981* at the above referred to mine?
- (8) If no to (7), why not?
- (9) Within the last three years can the Minister state how many times, and on what specific dates has the above referred to operation, been visited by mines safety inspectors?
- (10) If no to (9), why not?

2446. Hon Jon Ford to the Minister for Mines and Petroleum

I refer to the Barrick Gold Granny Smith and Lawlers Mines and AngloGold Sunrise Dam operations, and I ask -

- (1) Can the Minister state how many mines record book entries, improvement, provisional improvement and prohibition notices have been issued by Department of Mines and Petroleum (DMP) inspectors for the last three years at the above referred to operations?
- (2) If no to (1), why not?
- (3) If yes to (1), can the Minister give the details of each notice?
- (4) Within the last three years can the Minister state how many works directions, stop work orders, or any issues have been identified by DMP staff concerning matters within the jurisdiction of the *Mining Act 1978 and Regulations 1981* at the above referred to mines?
- (5) Within the last three years can the Minister state how many times, and on what specific dates has the above referred to operations, been visited by mines safety inspectors?
- (6) If no to (5), why not?

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- (7) Within the last three years can the Minister state how many times and on what specific dates has the above referred to operations been visited by DMP inspectors?
- (8) If no to (7), why not?

2447. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Lands

I refer to the Irishtown Crown Reserves Numbers 21583, 2720 (5804) 2720 (5805), in particular the sandstone quarry situated on Irishtown Road near Donnybrook, and I ask -

- (1) Is the Minister aware that the commercial quarrying company Cosmic Resources Pty Ltd (formerly known as Irishtown Sandstone Pty Ltd), leased the five hectares of Crown Land for the total sum of \$72.60 in 2009?
- (2) If no to (1), why not?
- (3) If yes to (1), who was responsible for the decision and how was the decision made?
- (4) Can the Minister confirm that only 12 stones of 1.5m x 1m x 1m in size or a total of 12.5 cubic metres has been set aside to cover the maintenance for all the heritage buildings, including Parliament House in Western Australia?
- (5) If yes to (4), can the Minister outline, -
 - (a) how the decision was made and by whom;
 - (b) who benefited from this decision;
 - (c) how many of the 12 stones are left;
 - (d) how many have been used for commercial purposes; and
 - (e) what royalties have been paid to the State Government for the stone used?

2448. Hon Giz Watson to the Minister for Environment

I refer to the Irishtown Crown Reserves Numbers 21583, 2720 (5804) 2720 (5805), in particular the sandstone quarry situated on Irishtown Road near Donnybrook, and I ask -

- (1) Is the Minister aware of any regulations contravened by the commercial quarrying company Cosmic Resources Pty Ltd (formerly known as Irishtown Sandstone Pty Ltd), in relation to, -
 - (a) noise pollution;
 - (b) dust pollution; and/or
 - (c) water degradation?
- (2) If yes to (1), can the Minister outline what form of redress has occurred?
- (3) Has the Environmental Protection Authority performed an environmental assessment on the area and if so, when and what were the findings?
- (4) Can the Minister outline which department is responsible for overseeing the quarrying activities on this Crown Land and ensuring regulations are followed?

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2449. Hon Giz Watson to the Minister for Energy representing the Minister for Heritage

I refer to the Irishtown Crown Reserves Numbers 21583, 2720 (5804) 2720 (5805), in particular the sandstone quarry situated on Irishtown Road near Donnybrook, and I ask -

- (1) Can the Minister confirm that only 12 stones of 1.5m x 1m x 1m in size or a total of 12.5 cubic metres has been set aside to cover the maintenance for all the heritage buildings, including Parliament House in Western Australia?
- (2) If yes to (1), can the Minister outline, -
 - (a) how the decision was made and by whom;
 - (b) who benefitted from this decision;
 - (c) how many of the 12 stones are left;
 - (d) how many have been used for commercial purposes; and
 - (e) what royalties have been paid to the State Government for the stone used?

2450. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Department of Mines and Petroleum (DMP) Kalgoorlie Inspectorate, and ask -

- (1) Is it correct that, within the last eight months, an employee from KCGM made an official complaint to the DMP inspectorate, concerning bullying, harassment and intimidation over raising safety matters in the workplace at KCGM?
- (2) Is it correct that the DMP then referred that employee back to the management of KCGM to deal with the situation?
- (3) Is it correct that the DMP could not find the records of that complaint referred to in (1)?
- (4) If yes to (3), can the Minister state why the DMP could not find the records of that complaint?
- (5) If no to (4), why not?
- (6) Can the Minister state why the employee who registered the complaint was referred back to the management of KCGM by the DMP given the nature and seriousness of the complaint referred to in (1)?
- (7) If no to (6), why not?
- (8) Can the Minister state whether or not the employee who registered the complaint was contacted by either KCGM or the DMP, concerning the outcome of the investigation, and whether or not that employee and/or the DMP were satisfied with the outcome of the investigation carried out by KCGM?
- (9) If no to (8), why not?
- (10) Is it correct that, within the last eight months, an employee from KCGM made an official complaint to both David Watson (Employees Inspector of Mines) and Alan Holmes (District Inspector of Mines), concerning bullying and harassment and intimidation over raising safety matters in the workplace at KCGM?

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- (11) If no to (10), what specifically is correct?
- (12) Is it correct that there was a mutual agreement between these inspectors referred to in (10), that bullying, harassment and victimisation had taken place and that they would negotiate an outcome with management from KCGM on behalf of that employee?
- (13) If no to (12), what specifically is correct?
- (14) Can the Minister state why those DMP inspectors referred to in (10), have not yet contacted that employee with a negotiated outcome?

2451. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Kalgoorlie Nickel Smelter (KNS) owned and operated by BHP Billiton, and ask -

- (1) Within the previous 18 months, have any complaints been received by the Department of Mines and Petroleum (DMP) concerning bullying, intimidation, victimisation and harassment at the abovementioned operations?
- (2) If yes to (1), have these complaints been investigated by the DMP, and if so, will the Minister state the specifics of these complaints and the outcome of the investigations?
- (3) If no to (2), will the Minister request an investigation in relation to (1)?
- (4) Have any sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* been breached in relation to the complaints referred to in (1), and will the Minister quote the sections of the act which apply?
- (5) Will the Minister state what is the relevant section /regulation and maximum penalty under the *Mines Safety and Inspection Act 1994 and Regulations 1995* for any breaches concerning bullying, intimidation, victimisation and harassment?
- (6) Will the resident manager, or any other person at the Kalgoorlie Nickel Smelter be prosecuted for any breaches for this incident referred to in (1)?
- (7) If no to (6), why not?
- (8) Has any person within management of the above referred to operation acknowledged or conceded to Mr Marius Hanekom or any other DMP inspector that bullying and victimisation had taken place within the workplace in relation to the matter referred to in (1)?
- (9) If yes to (8), what specific enforcement action was taken?
- (10) Is it correct that Mr Marius Hanekom a District Inspector with the DMP conceded to a complainant in relation to the matter referred to in (1), that bullying and victimisation had taken place, but he could take no further action as the perpetrator/offender had supposedly been disciplined by the company?
- (11) If no (10), what did Mr Marius Hanekom concede or state to the complainant?
- (12) Can the Minister state what section of the *Mines Safety and Inspection Act 1994 and Regulations 1995*, prohibits the DMP inspectorate taking any further enforcement action in relation to bullying and victimisation, when the offender has been disciplined by the company?

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(13) If no (12), why not?

2452. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Kalgoorlie Nickel Smelter owned and operated by BHP Billiton, and ask -

- (1) Does the Minister, or any staff from the Department of Mines and Petroleum (DMP), endorse bullying, intimidation, victimisation and harassment within the abovementioned operation?
- (2) If no to (1), why not?
- (3) Can the Minister state what specifically has the DMP inspectorate done within the last 24 months to eliminate bullying, intimidation, victimisation and harassment at the above referred to operation?
- (4) Can the Minister state how many complaints have been recorded, both on the internal reporting system and to the DMP, in the previous 36 months concerning occupational health and safety matters including bullying, intimidation, victimisation and harassment?
- (5) If yes to (4), have all these complaints been investigated by the DMP?
- (6) If yes to (5), will the Minister state the specifics of these complaints and the outcome of the investigations?
- (7) Can the Minister state, what was the outcome of all the complaints referred to (4)?
- (8) If no to (7), why not?
- (9) Have any sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* been breached, in relation to any concerns referred to in (4), and will the Minister quote the sections of the Act which apply?
- (10) Will the Minister state, what is the maximum penalty for any breaches in relation to all the complaints referred to in (4)?
- (11) If no to (10), why not?
- (12) Will the resident Manager, or any other person at the Kalgoorlie Nickel Smelter be prosecuted for any breaches or for any complaints referred to in (4)?
- (13) If no to (12), why not?

2453. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Kanowna Belle Operations owned and operated by Barrick Kanowna, and ask -

- (1) Is it correct that on or around 24 April 2010 a Caterpillar AD 55 dump truck that had been parked underground at the above mentioned operations at the end of shift was found, by the operator on the next shift during the prestart, to have a rag in the engine near the exhaust that was smouldering and ready to burst into flames?
- (2) If no to (1), what is correct?
- (3) Is it correct that fitters often leave rags in the engine bays of machines when working on them and creates a hazard on the machinery at this mining operation referred to above?

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- (4) If no to (3), what is correct?
- (5) Is it correct that the management of these operations referred to above were upset when the operator of this truck referred to in (1), wanted to fill in an incident report?
- (6) If no to (5), what is correct?
- (7) Is it correct that the management of this mining operation referred to above often omit reporting, on their internal reporting system and to the Department of Mines and Petroleum (DMP), incidents, in which trucks catch on fire?
- (8) If no to (7), what is correct?
- (9) Was this incident referred to in (1), reported to the DMP?
- (10) If no to (9), -
 - (a) why not; and
 - (b) will the Minister urgently require an investigation into this matter?
- (11) If no to (10)(b), why not?
- (12) Have any sections of the *Mines Safety and Inspection Act 1995 and Regulations 1994* been breached in this incident referred to in (1)?
- (13) If no to (12), why not?
- (14) Will the Minister state, what is the maximum penalty for these breaches?
- (15) Will the resident manager or any other person at Kanowna Belle be prosecuted for any breaches for this incident referred to in (1)?
- (16) If no to (15), why not?
- (17) Will the Minister state how many incident reports have been received by the DMP in regards to trucks catching fire at the above mentioned operations in the past 36 months?
- (18) If no to (17), why not?

2454. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the KCGM operations owned by Barrick Gold and Newmont Mining also referred to as the Superpit in the Kalgoorlie Boulder region and its management team, and ask -

- (1) Has the Department of Mines and Petroleum received any complaints from employees at KCGM concerning bullying and intimidating and victimising in the previous 36 months?
- (2) If yes to (1), will the Minister state the specifics of these complaints?
- (3) With respect to the complaints referred to in (1), have these complaints been investigated and has an appropriate outcome been achieved in which that person has been notified of, and satisfied with, that outcome?
- (4) If no to (3), why not?

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2455. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the KCGM operations owned by Barrick Gold and Newmont Mining also known as the Superpit in Kalgoorlie and the senior management, and ask -

- (1) Within the last 36 months has a complaint been recorded, either on the company's internal reporting system or with the Department of Mines and Petroleum (DMP), concerning bullying and victimisation and intimidation by line management in the dispatch operations hut?
- (2) If yes to (1), what was the nature of the complaint and what was the outcome of the investigation?
- (3) If no to (1), will the Minister urgently require an investigation into this matter?
- (4) Within the last 36 months has a complaint been recorded, either on the company's internal reporting system or with the Department of Mines and Petroleum (DMP), concerning bullying, victimisation and intimidation by line management in the crusher operations?
- (5) If yes to (4), what was the nature of the complaint and what was the outcome of the investigation?
- (6) If no to (4), will the Minister urgently require an investigation into this matter?
- (7) Has anybody in the DMP Inspectorate been made aware that management of human resources at KCGM were made aware of allegations of bullying, victimisation and intimidation and overlooked these allegations?
- (8) If yes to (7), what was the nature of the complaint and what was the outcome of the investigation?
- (9) If no to (7), will the Minister urgently require an investigation into this matter?

2456. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the KCGM operations owned by Barrick Gold and Newmont Australia known as the Superpit in the Kalgoorlie region and question on notice No. 2193, 1 April 2010, and ask -

- (1) Within the last 36 months is it correct that Mr Dale Oram and/or others within the senior management of KCGM conceded and acknowledged to a workman's inspector Mr Green or inspectors within the Department of Mines and Petroleum (DMP) that KCGM had serious problems with victimisation, intimidation, bullying of workers from members of line management and that Mr Oram would take action to positively eliminate these matters from reoccurring?
- (2) If yes to (1), why has the Minister been provided with incorrect and misleading advice for parts 12-14 for question on notice No. 2193 referred to above?
- (3) If no to (1), what is specifically correct in relation to these matters?
- (4) Can the Minister explain why critical important departmental DMP records which help establish that KCGM staff have acknowledged and conceded that they have a problem with victimisation, intimidation and bullying of workers from particular employees operating with unacceptable behaviour are not locatable?

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- (5) If no to (4), why not?
- (6) Were all departmental records thoroughly checked for the answers provided for parts 12-14 for question on notice No. 2193 referred to above?
- (7) If no to (6), why not?
- (8) Within the last 36 months has it been reported on departmental files by any inspector or verbally spoken of, that the General Manager of KCGM when confronted with allegations of victimisation, intimidation, bullying from a DMP inspector that he indicated with words to the effect of 'you realise what happened to that inspector over east who raised concerns like this don't you'?
- (9) If no to (8), what specifically has been recorded in relation to this matter including any verbal statements made by the General Manager of KCGM?
- (10) If yes to (8), what does the Minister intend to do about this type of behaviour and attitude?

2457. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Operations in Norseman and its management, and ask -

- (1) Can the Minister state what is the importance under the *Mines Safety and Inspection Act 1994 and Regulations 1995* of having all escape routes within the above referred to mine clearly capable of enabling a emergency response team with open circuit breathing apparatus or closed circuit breathing apparatus or any apparatus necessary for emergency rescue to be physically capable of fitting through all escape routes with equipment functioning from the surface down to the present working area?
- (2) If no to (1), why not?
- (3) Can the Minister state and quote which sections or regulations of the *Mines Safety and Inspection Act 1994 and Regulations 1995*, are applicable to ensure that a emergency response team with open circuit breathing apparatus, or closed circuit breathing apparatus or any apparatus necessary for emergency rescue, is physically capable of fitting through all escape routes with equipment functioning from the surface down to the present working area?
- (4) If no to (3), why not?
- (5) Can the Minister state what is the maximum penalty that can be imposed under the *Mines Safety and Inspection Act 1994 and Regulations 1995*, for non compliance concerning when a emergency response team with open circuit breathing apparatus, or closed circuit breathing apparatus or any apparatus necessary for emergency rescue, is physically not capable of fitting through all escape routes with equipment functioning from the surface down to the present working area?
- (6) If no to (5), why not?
- (7) Is it correct that as of 11 May 2010, there were no ladders in the new escape way rise between the seven level, and the five level enabling the employees to evacuate the mine in the case of an emergency?
- (8) If yes to (7), does the Minister or the DMP inspectorate regard this as a serious issue?

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- (9) If no to (7), why not?
- (10) Is it correct that as of 11 May 2010, a pile of approximately 120 kilograms of explosives along with detonators and detonating cord, was located in a ore drive on the corner of a travel way approximately 20 metres down the travel way, between the top of the ladder way on the five level, and bottom of the shaft on the five level and reportedly been there for at least 12 months and this had been previously raised verbally with an employee's inspector of mines?
- (11) If no to (10), what is specifically correct?
- (12) Can the Minister specifically state and quote, what are the sections and regulations, including penalties for having explosives not secured in accordance with the act and regulations?
- (13) If no to (12), why not?

2458. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Operations in Norseman and its management, and ask -

- (1) Within the last 36 months has a complaint been recorded, either on the company's internal reporting system or with the Department of Mines and Petroleum (DMP), concerning bullying, victimisation and intimidation by management of the Harlequin, Bullen or Okay mine?
- (2) If yes to (1), what was the nature of each complaint and what was the outcome of each investigation?
- (3) With respect to the complaints referred to in (1), what type of evidence, and how much evidence, was collected and presented by DMP inspectors?
- (4) With respect to the complaints referred to in (1), how many inspectors from the DMP were involved in each investigation, and how long in hours and days, did they spend on each investigation?
- (5) Within the last 36 months has a complaint been recorded, either on the company's internal reporting system or with the Department of Mines and Petroleum (DMP), concerning any breaches of the *Mines Safety and Inspection Act 1995 and Regulations 1994* including but not limited to unsafe work practices, machinery, explosives, escapeways, fatigue management and ventilation?
- (6) If yes to (5), what was the nature of each complaint and what was the outcome of each investigation?
- (7) With respect to the complaints referred to in (5), what type of evidence, and how much evidence, was collected, presented by DMP inspectors?
- (8) With respect to the complaints referred to in (5), how many inspectors were involved in each investigation and how long in hours and days did they spend on each investigation?
- (9) Can the Minister state when was the last inspection of the above referred to operation by an inspector, to physically check and traverse all the escape ways including ladders, to see if an emergency response team fully equipped with open circuit breathing apparatus, or closed

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circuit breathing apparatus or any apparatus necessary for emergency rescue would be capable of fitting through all escape routes from the surface down to the present working area?

- (10) If no (9), why not?
- (11) Can an emergency response team fully equipped with open circuit breathing apparatus or closed circuit breathing apparatus or any apparatus necessary for emergency rescue, be physically capable of fitting through all escape routes with equipment functioning from the surface down to the present working area, in the above referred to mine?
- (12) If no to (11), why not?

2459. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to Mining tenement conditions on Mining lease 26/83, 26/383, M26/353, General Purpose Leases 26/53, G26/46, G26/44, G26/45, and others for tenements owned by Barrick Gold of Australia Limited and Newmont Mining covering the Fimiston Super Pit Operations, the Consultative Environmental Review Mine and Waste Dumps, dated August 1990, questions on notice No. 2004, 23 March 2010 and No. 6227, 10 April 2008 and a newspaper article which appeared in *The West Australian* newspaper, dated Saturday 15 May 1999, on page 15 titled, 'Mine Chief Blames Moore for Mid-West shutdowns', and ask -

- (1) Can the Minister explain why KCGM is being given preferential treatment by the DMP, and Minister by not having to comply with tenement conditions given that many other smaller sized companies within Western Australia, including but not limited to those referred to above in the newspaper article dated 15 May 1999 in the past, have had the Department rigidly and robustly insist on compliance with tenement conditions and rehabilitation requirements and in fact had their bonds significantly increased to meet those requirements?
- (2) If no to (2), why not?
- (3) In relation to the newspaper article dated Saturday 15 May 1999 referred to above, can the Minister state what he did as a Minister at the time in question, and whether in fact the bonds were reduced for rehabilitation requirements for St Barbara mines as a result of concerns expressed by Mr Robert Atkins?
- (4) If no to (3), why not?
- (5) In relation to the answer for part (7) question on notice No. 6227 referred to above, will the Minister ensure that KCGM's rehabilitation and closure management plan to be completed by KCGM is fully costed with costs for completion of activities?
- (6) If no to (5), why not?
- (7) Will the Minister ensure that KCGM's rehabilitation and closure management plan factors in inflation and progressive rises of fuel in order to meet rehabilitation requirements for each of the total rehabilitation and mine costs for each tenement?
- (8) If no to (7), why not?
- (9) In relation to the newspaper article dated Saturday 15 May 1999 referred to above, is it correct that the Minister or the DMP commissioned a independent consultant to look at the bonds

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issue for St Barbara mines and that in fact the bonds required were significantly higher than those currently held by the DMP?

- (10) If no to (9), what specifically is correct in relation to this matter?

2460. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to Mining tenement conditions on Mining lease 26/83, 26/383, M26/353, General Purpose Leases 26/53, G26,46, G26,44, G26,45, and others for tenements owned by Barrick Gold of Australia Limited and Newmont Mining covering the Fimiston Super Pit Operations, the Consultative Environmental Review Mine and Waste Dumps, dated August 1990, question on notice numbers 2004, 23 March 2010 and 6227, 10 April 2008 and a newspaper article which appeared in *The West Australian* newspaper dated Saturday 15 May 1999, on page 15 titled 'Mine Chief Blames Moore for Mid-West shutdowns', and ask -

- (1) In relation to the answer for part (1), of question on notice No. 2004 referred to above can the Minister explain quoting the text of the rehabilitation cost estimate and rehabilitation management plan including the methodology and rationale as to why each part of the plan was 'considered deficient' by the Department of Minerals and Petroleum(DMP)?
- (2) If no to (1), why not?
- (3) Have the owners of these tenements submitted a closure and rehabilitation cost estimate and a rehabilitation management plan by 30 April 2010, in accordance with tenement conditions with auditable timelines of progressive rehabilitation, detailing landform design, waste characterisation and vegetation/rehabilitation outcomes?
- (4) If no to (3), why not?
- (5) Can the Minister explain why the DMP is not insisting that KCGM provide technical data (not simply just statements made by the company) that sufficient topsoil is not available on all of their tenements to enable rehabilitation methods in accordance with legally enforceable tenement conditions?
- (6) If no to (5), why not?
- (7) Will the DMP increase the total amount of bonds held for the Superpit operations given that KCGM has made it clear, that they don't have enough topsoil available to cover all the disturbed areas in order that KCGM is able to comply with existing tenement conditions, which require that topsoil be placed on the waste dumps and the Fimiston one and Fimiston two tailings dams?
- (8) If no to (7), why not?
- (9) In relation to the answer for part (7) for question on notice No. 6227 referred to above can the Minister state the rationale and methodology for each tenement as to how the DMP was able to calculate the total rehabilitation and mine closure cost of between \$200 and \$240 million?
- (10) If no to (9), why not?

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2461. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Barrick Kanowna Operations in Kalgoorlie and its senior management, and ask -

- (1) Within the last 36 months has a complaint been recorded, either on the company's internal reporting system or with the Department of Mines and Petroleum (DMP), concerning bullying, victimisation and intimidation by management of the Raleigh mine and/or the Kanowna Belle mine?
- (2) If yes to (1), what was the nature of the complaint and what was the outcome of the investigation?
- (3) With respect to the complaints referred to in (1), have those complaints been thoroughly investigated and has an appropriate outcome been achieved in which that person has been notified of, and satisfied with, that outcome?
- (4) If yes to (3), who were those complaints made against?
- (5) If no to (3), why not?

2462. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Department of Mines and Petroleum (DMP) Kalgoorlie Inspectorate and the KCGM operations owned by Barrick Gold and Newmont Mining in Kalgoorlie, and ask -

- (1) Can the Minister state why is it important that, in relation to the *Mines Safety and Inspection Act 1994 and Regulations 1995*, employees are not bullied and harassed and intimidated for raising safety matters concerning the workplace?
- (2) If no to (1), why not?
- (3) Can the Minister state what is the maximum penalty that can be imposed under the *Mines Safety and Inspection Act 1994 and Regulations 1995* for bullying, harassment and intimidation of employees over employees raising safety matters in the workplace?
- (4) If no to (3), why not?
- (5) Is it correct that, within the last 12 months, David Watson of the DMP was contacted by an employee from KCGM who was representing a group of seven workers who were making a complaint about being bullied, harassed and intimidated by a person in management at KCGM operations?
- (6) If no to (5), what specifically is correct?
- (7) Is it correct that Mr Watson did not represent these workers referred to in (5), when he was asked to do so?
- (8) If yes to (7), will the Minister state why Mr Watson did not represent these workers?
- (9) If no to (7), what specifically is correct?
- (10) Will the Minister state what is the specific role of an Employee Inspector of Mines, representing employees in a case where they had been bullied, harassed and intimidated by a person in management?

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(11) If no to (10), why not?

2463. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Operations in Norseman and its management, and ask -

- (1) Can the Minister state, what are the known consequences and the potential of having a percussion blast with approximately 120 kilograms of explosives stored unsecured, for at least 12 months along with detonators and detonating cord which was located in a drive on the corner of a travel way approximately 20 metres down the travel way between the top of the ladder way on the five level, and bottom of the shaft on the five level and reportedly on a escape route within the mine?
- (2) If no to (2), why not?
- (3) Can the Minister state, what are the known consequences of having unsecured explosives within an operating mine referred to in (1), for activities being undertaken immediately above their location?
- (4) If no to (3), why not?
- (5) Does a percussion blast with approximately 120 kilograms of explosives referred to in (1), stored unsecured for at least 12 months along with detonators and detonating cord which was located in a drive on the corner of a travel way between the top of the ladder way on the five level and bottom of the shaft on the five level and reportedly on a escape route within the mine have the potential to create rockfalls in other active working areas and levels of the mine?
- (6) If yes to (5), why?
- (7) If no to (5), why not?

2464. Hon Ken Travers to the Minister for Transport

I refer to the 2010/11 State Budget, and ask -

- (1) Can the Minister please provide a list of all fees and charges in his portfolio that have increased by more than the inflation rate detailed in today's Budget?
- (2) For each fee or charge listed in (1), what is the percentage of the increase?

2465. Hon Linda Savage to the Minister for Energy representing the Minister for Heritage

- (1) What internal Heritage Council Reports have been done on the Guildford Hotel?
- (2) When was each report completed?
- (3) When was each report presented to the Heritage Council?
- (4) What action has the Heritage Council taken as a result of each of the reports?

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2466. Hon Linda Savage to the Minister for Energy representing the Minister for Heritage

- (1) Have any reports been done by external consultants for the heritage council with regard to the Guildford Hotel?
- (2) What is the title of each report and who was each report done by?
- (3) On what date was each report commissioned?
- (4) What was the cost of each report?
- (5) On what date was each report completed and presented to the Heritage Council?
- (6) Will the Minister table each of the reports?
- (7) If no to (6), why not?
- (8) What action has the Heritage Council taken as a result of each report?

2467. Hon Linda Savage to the Minister for Energy representing the Minister for Heritage

- (1) On what date did the Minister last visit the Guildford Hotel?
- (2) Who was in attendance at the meeting and in what capacity were they attending?
- (3) Were City of Swan representatives invited to the meeting?
- (4) If no to (3), why not?
- (5) What outcomes, were there as a result of your meeting?

MALCOLM PEACOCK

Clerk of the Legislative Council