

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## QUESTIONS

**No. 56**

**Thursday, 15 October 2009**

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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, 10 September 2009***

1192. Hon Kate Doust to the Minister for Energy

***Notice Given***                      ***Tuesday, 15 September 2009***

1193. Hon Kate Doust to the Minister for Energy

1194. Hon Kate Doust to the Minister for Energy

1195. Hon Kate Doust to the Minister for Energy

1196. Hon Kate Doust to the Minister for Energy

1197. Hon Kate Doust to the Minister for Energy

1198. Hon Kate Doust to the Minister for Energy

1199. Hon Robin Chapple to the Minister for Energy representing the Minister for Police

1200. Hon Ken Travers to the Minister for Transport

1201. Hon Ken Travers to the Minister for Transport

***Notice Given***                      ***Wednesday, 16 September 2009***

1202. Hon Alison Xamon to the Minister for Transport

1203. Hon Alison Xamon to the Minister for Transport

1204. Hon Helen Bullock to the Parliamentary Secretary representing the Minister for Housing and Works

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**Postponed Questions**

1211. Hon Sue Ellery to the Minister for Transport representing the Minister for Health

1212. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Mental Health

***Notice Given***                      ***Tuesday, 22 September 2009***

1213. Hon Nigel Hallett to the Minister for Environment

1216. Hon Giz Watson to the Parliamentary Secretary representing the Attorney General

1217. Hon Giz Watson to the Minister for Fisheries

1220. Hon Sue Ellery to the Minister for Energy representing the Minister for Education

1221. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Corrective Services

***Notice Given***                      ***Wednesday, 23 September 2009***

1222. Hon Jock Ferguson to the Parliamentary Secretary representing the Minister for Corrective Services

1223. Hon Alison Xamon to the Minister for Environment

1224. Hon Kate Doust to the Minister for Energy

1225. Hon Kate Doust to the Minister for Energy

1226. Hon Kate Doust to the Minister for Energy

1228. Hon Kate Doust to the Parliamentary Secretary representing the Minister for Corrective Services

***Notice Given***                      ***Thursday, 24 September 2009***

1229. Hon Ljiljanna Ravlich to the Minister for Training

1230. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Minister for Regional Development

1231. Hon Jock Ferguson to the Parliamentary Secretary representing the Minister for Housing and Works

1232. Hon Sally Talbot to the Minister for Environment

1233. Hon Matt Benson-Lidholm to the Minister for Transport representing the Minister for Health

1235. Hon Alison Xamon to the Minister for Transport

1236. Hon Giz Watson to the Minister for Child Protection representing the Minister for Agriculture and Food

***Notice Given***                      ***Tuesday, 13 October 2009***

1237. Hon Ken Travers to the Minister for Transport

1238. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation

1239. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier

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**Postponed Questions**

- 1240. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1241. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1242. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1243. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1244. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1245. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1246. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1247. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1248. Hon Ljiljanna Ravlich to the Leader of the House representing the Premier
- 1249. Hon Ljiljanna Ravlich to the Parliamentary Secretary representing the Treasurer
- 1250. Hon Jon Ford to the Minister for Fisheries
- 1251. Hon Ljiljanna Ravlich to the Minister for Training
- 1252. Hon Ljiljanna Ravlich to the Minister for Training
- 1253. Hon Ljiljanna Ravlich to the Minister for Training
- 1254. Hon Giz Watson to the Minister for Energy representing the Minister for Police
- 1255. Hon Giz Watson to the Minister for Energy representing the Minister for Education
- 1256. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Corrective Services
- 1257. Hon Giz Watson to the Parliamentary Secretary representing the Attorney General
- 1258. Hon Giz Watson to the Minister for Transport representing the Minister for Health
- 1259. Hon Giz Watson to the Minister for Environment
- 1260. Hon Giz Watson to the Minister for Child Protection representing the Minister for Agriculture and Food
- 1261. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

***Notice Given                      Wednesday, 14 October 2009***

- 1262. Hon Nigel Hallett to the Minister for Environment
- 1263. Hon Nigel Hallett to the Minister for Energy representing the Minister for Emergency Services
- 1264. Hon Nigel Hallett to the Minister for Transport representing the Minister for Health
- 1265. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health
- 1266. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Planning
- 1267. Hon Lynn MacLaren to the Minister for Transport

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- 1268. Hon Lynn MacLaren to the Minister for Environment
- 1269. Hon Sue Ellery to the Minister for Disability Services
- 1270. Hon Sue Ellery to the Minister for Community Services
- 1271. Hon Sue Ellery to the Minister for Community Services
- 1272. Hon Sue Ellery to the Minister for Community Services
- 1273. Hon Sue Ellery to the Minister for Transport representing the Minister for Health
- 1274. Hon Sue Ellery to the Minister for Child Protection
- 1275. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Housing and Works
- 1276. Hon Robin Chapple to the Leader of the House representing the Minister for State Development
- 1277. Hon Giz Watson to the Minister for Child Protection representing the Minister for Agriculture and Food

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**QUESTIONS ASKED TODAY**

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*Notice given**Thursday, 15 October 2009*

1278. Hon Sue Ellery to the Parliamentary Secretary representing the Treasurer

I refer to each Department and Agency under the Treasurer's control, including his office, and I ask -

- (1) What is the total number of employees engaged in media, communications, marketing or speechwriting (including public, corporate and media relations)?
- (2) What is the salary band for each of these employees?
- (3) What is the job title for each of these employees?

1279. Hon Alison Xamon to the Parliamentary Secretary representing the Attorney General

I refer to the *Restraining Orders Act 1997*, and the response to question on notice No. 1180, and ask -

- (1) How many Violence Restraining Order (VRO) applications were made while police orders were in effect in each of the years, -
  - (a) 2005;
  - (b) 2006;
  - (c) 2007; and
  - (d) 2008?
- (2) How many VRO applications were made by Western Australian police on behalf of victims of domestic violence pursuant to section 62(G) in, -
  - (a) 2005;
  - (b) 2006;
  - (c) 2007; and
  - (d) 2008?
- (3) How many VRO applications were made by individuals in circumstances of domestic violence in, -
  - (a) 2005;
  - (b) 2006;
  - (c) 2007; and
  - (d) 2008?
- (4) How many VRO's have been granted on police request, pursuant to section 63, following conviction for a domestic violence offence in, -
  - (a) 2005;
  - (b) 2006;

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- (c) 2007; and
- (d) 2008?

1280. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Regional Development

I refer to the Ribbons of Blue environmental education program, and ask -

- (1) Will any Royalties for Regions funding be made available to the Ribbons of Blue program for this financial year?
- (2) If yes to (1), how much?
- (3) If no to (1), why not?

1281. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health  
In relation to the proposed cuts to the mental health budget, I ask the Minister the following, -

- (1) What process is being followed in determining where cuts to mental health staff/services will be made?
- (2) Please provide full-time equivalent staffing numbers and locations of services for (1)?
- (3) Will any mental health programs be cut?
- (4) If yes to (3), which ones and where are these located?
- (5) Will any inpatient beds be cut?
- (6) If yes to (5), which ones and where are these located?

1282. Hon Giz Watson to the Minister for Environment

With regards to the likely impacts of the dredging of Fremantle Harbour and channel deepening, I ask -

- (1) Is existing stockpiled material at Rous Head to be mixed with the material from the Fremantle Harbour in the reclamation operation at Rous Head?
- (2) If yes to (1), -
  - (a) what is the nature of this material;
  - (b) does it contain toxins; and
  - (c) if yes to (2) (b), what are these toxins?
- (3) Will the Minister table the Preliminary Site Investigation (PSI) report for lot 1 on Plan 23900, produced in January 2008?
- (4) If no to (1), what will be done with this stockpiled material?
- (5) What is the estimated length of time that the geotextile material lining the containment wall for the reclamation area at Rous Head will remain impervious?

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- (6) The surface sediment samples from the Entrance Chanel shows toxin levels well above National Ocean Disposal Guidelines for Dredged Material (NODGDM), how can the Minister be sure that none of that material will enter the environment in the future?
- (7) In the assessment of the suitability of Rous Head as a dumping ground, has any consideration been given to rising sea levels and or increased storm damage as a result of climate change?
- (8) What volume and concentration of toxic material is likely to reach Leighton, Cottesloe or Swanbourne beaches from the reclamation operations?
- (9) What volume and concentration of toxic material is likely to reach Leighton, Cottesloe or Swanbourne beaches from the off-shore dumping of dredging spoil?
- (10) What are the potential health risks on local beach/water users, for both adults and children, for each of the following contaminants, -
  - (a) TBTs (Tributyl tin);
  - (b) Arsenic;
  - (c) Mercury;
  - (d) Copper;
  - (e) Zinc;
  - (f) nickel;
  - (g) lead;
  - (h) chromium;
  - (i) cadmium;
  - (j) PAH (Polycyclic aromatic hydrocarbons );
  - (k) pesticides;
  - (l) organochlorides; and
  - (m) asbestos?
- (11) What are the World Health Organisation's (WHO) safe limits for each of the above?
- (12) What are the modeled worst case pollution scenario's for Leighton Beach and Cottesloe Beach from the Inner Harbour channel deepening dredging operations?
- (13) What beach/beaches are at risk of closure this summer along the west coast if pollutant levels exceed World Health Organisation standards and/or if sediment concentration reaches unacceptable levels?
- (14) How will the Minister ensure that the beaches are monitored and implement any beach closures?
- (15) What risk assessment has been made of the likely elevated risk to swimmers and other beach users of shark attacks in the circumstance of a visible plume?
- (16) Who made this assessment?

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- (17) Who was consulted in the assessment process?
- (18) What strategies will the Minister implement to address any increased risk of shark attacks?
- (19) What contingency plan is in place if aerial shark patrols are ineffective in spotting sharks due to poor water visibility?
- (20) A report was produced by URS in 2007 entitled, 'Detailed Site Investigation Rous Head Reclamation Area'. This report was not made available by the Fremantle Port Authority during the EPA's PER assessment process, -
  - (a) will the Minister table the report; and
  - (b) if no to (20) (a) why not?
- (21) The statutory public consultation process carried out by the Fremantle Port Authority as part of the PER only involved a small number of stakeholders, what agencies were consulted during the preparation of the PER?
- (22) Were the following agencies or organisations consulted, -
  - (a) Town of Mosman Park;
  - (b) City of Nedlands;
  - (c) Shire of Peppermint Grove;
  - (d) Multiplex Living 'The Leighton' beachside apartment developer;
  - (e) Save Freo Beaches;
  - (f) Leighton Coastal Coalition; and
  - (g) Cottesloe Coastcare Swanbourne Coastal Alliance?
- (23) If yes to (22), please summarise their response?
- (24) If no to any agency mentioned in (22), why not?
- (25) In the PER, the proponent does not specify key aspects of the project such a detailed operational plan for the reclamation of the Rous Head site, -
  - (a) what is the material to be used in the construction of the seawall;
  - (b) will the stockpiled waste materials be dumped into the water after the completion of the seawall;
  - (c) what measures will be taken to stop toxic pollutants leaching out from under the geotextile barrier placed inside the seawall and through the bottom of the reclamation area into the ocean; and
  - (d) what contingency plan is in place in case any material used in the seawall is dislodged or damaged by waves and/or currents?
- (26) Did the Fremantle Port Authority provide a detailed plan on how these operations will take place including a time schedule?
- (27) Will the Minister table this plan?



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- (28) Has the EPA in its assessment taken into consideration cumulative effects of other projects that will or likely to be taking place in Cockburn Sound, such dredging operations for the new James Point private port which is likely to add another sediment plume to the already heavy plume from the FPA operations?
- (29) What is potential effect of the sediment plume on the following species of sea mammals, -
  - (a) bottlenose dolphins in the Swan River; and
  - (b) Australian sea lion at Carnac Island?
- (30) Why does the extent of the plume obtained from the modelling in the PER prepared by SKM appears to skirt around Carnac Island?
- (31) Has the 173 000 cu m of contaminated waste at Rous Head that is to be used in the reclamation operations been listed as a contaminated site under the *Contaminated Sites Act*?
- (32) If no to (31), why not?
- (33) If yes to (31), has the FPA legal authority to move and dump into the ocean a large amount of contaminated material?

1283. Hon Giz Watson to the Minister for Transport

With regards to the likely impacts of the dredging of Fremantle Harbour and channel deepening, I ask -

- (1) Is existing stockpiled material at Rous Head to be mixed with the material from the Fremantle Harbour in the reclamation operation at Rous Head?
- (2) If yes to (1), -
  - (a) what is the nature of this material;
  - (b) does it contain toxins; and
  - (c) if yes to (2) (b), what are these toxins?
- (3) Will the Minister table the Preliminary Site Investigation (PSI) report for lot 1 on Plan 23900, produced in January 2008?
- (4) If no to (1), what will be done with this stockpiled material?
- (5) What is the estimated length of time that the geotextile material lining the containment wall for the reclamation area at Rous Head will remain impervious?
- (6) The surface sediment samples from the Entrance Chanel shows toxin levels well above National Ocean Disposal Guidelines for Dredged Material (NODGDM), how can the Minister be sure that none of that material will enter the environment in the future?
- (7) In the assessment of the suitability of Rous Head as a dumping ground, has any consideration been given to rising sea levels and or increased storm damage as a result of climate change?
- (8) What volume and concentration of toxic material is likely to reach Leighton, Cottesloe or Swanbourne beaches from the reclamation operations?

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- (9) What volume and concentration of toxic material is likely to reach Leighton, Cottesloe or Swanbourne beaches from the off-shore dumping of dredging spoil?
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**MALCOLM PEACOCK**

Clerk of the Legislative Council