

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 106

Tuesday, 7 September 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 **Wednesday, 19 May 2010**

2423. Hon Alison Xamon to the Minister for Environment (*SO 138(d) response - June 29 2010*)
2424. Hon Alison Xamon to the Minister for Environment (*SO 138(d) response - June 29 2010*)

Notice Given **Tuesday, 29 June 2010**

2524. Hon Giz Watson to the Minister for Environment
2531. Hon Robin Chapple to the Leader of the House representing the Minister for State Development
2532. Hon Robin Chapple to the Minister for Environment
2533. Hon Robin Chapple to the Minister for Environment
2534. Hon Robin Chapple to the Minister for Environment
2535. Hon Robin Chapple to the Minister for Environment
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2537. Hon Robin Chapple to the Minister for Environment

Notice Given **Wednesday, 30 June 2010**

2569. Hon Alison Xamon to the Minister for Environment
2571. Hon Ljiljana Ravlich to the Minister for Environment representing the Minister for Tourism

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Postponed Questions

- 2572. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
- 2573. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
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- 2582. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
- 2586. Hon Robin Chapple to the Minister for Environment
- 2587. Hon Robin Chapple to the Minister for Environment
- 2596. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Regional Development
- 2597. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Regional Development
- 2598. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Regional Development
- 2599. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Regional Development
- 2600. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Regional Development
- 2601. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Regional Development
- 2602. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Regional Development

Notice Given ***Thursday, 1 July 2010***

- 2610. Hon Alison Xamon to the Minister for Environment
- 2611. Hon Alison Xamon to the Minister for Environment
- 2612. Hon Alison Xamon to the Minister for Environment
- 2613. Hon Alison Xamon to the Minister for Environment
- 2615. Hon Alison Xamon to the Minister for Environment
- 2616. Hon Alison Xamon to the Minister for Environment

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- 2617. Hon Alison Xamon to the Minister for Environment
- 2618. Hon Alison Xamon to the Minister for Environment
- 2619. Hon Alison Xamon to the Minister for Environment
- 2620. Hon Alison Xamon to the Minister for Environment
- 2622. Hon Alison Xamon to the Leader of the House representing the Minister for Commerce
- 2632. Hon Linda Savage to the Minister for Energy representing the Minister for Education
- 2634. Hon Alison Xamon to the Minister for Environment

Notice Given Tuesday, 10 August 2010

- 2645. Hon Giz Watson to the Minister for Environment
- 2648. Hon Nigel Hallett to the Minister for Environment
- 2649. Hon Giz Watson to the Leader of the House representing the Premier
- 2650. Hon Giz Watson to the Minister for Child Protection representing the Minister for Agriculture and Food
- 2651. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2652. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2654. Hon Alison Xamon to the Minister for Transport representing the Minister for Indigenous Affairs
- 2655. Hon Alison Xamon to the Minister for Transport representing the Health
- 2656. Hon Alison Xamon to the Minister for Transport representing the Minister for Health
- 2657. Hon Alison Xamon to the Minister for Transport representing the Minister for Health
- 2658. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2659. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development
- 2660. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
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Notice Given Wednesday, 11 August 2010

- 2662. Hon Matt Benson-Lidholm to the Minister for Energy representing the Minister for Education
- 2663. Hon Giz Watson to the Parliamentary Secretary representing the Attorney General

Notice Given Thursday, 12 August 2010

- 2665. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
- 2667. Hon Helen Bullock to the Minister for Transport representing the Minister for Health
- 2668. Hon Helen Bullock to the Minister for Environment representing the Minister for Tourism

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Notice Given Tuesday, 17 August 2010

- 2669. Hon Linda Savage to the Minister for Transport
- 2673. Hon Robin Chapple to the Minister for Mines and Petroleum
- 2674. Hon Robin Chapple to the Minister for Mines and Petroleum
- 2675. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Lands
- 2676. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Housing
- 2677. Hon Robin Chapple to the Minister for Transport representing the Minister for Health
- 2678. Hon Giz Watson to the Minister for Energy representing the Minister for Police
- 2679. Hon Alison Xamon to the Minister for Transport
- 2680. Hon Alison Xamon to the Minister for Transport representing the Minister for Health
- 2681. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water
- 2682. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Water

Notice Given Wednesday, 18 August 2010

- 2683. Hon Ken Travers to the Minister for Transport
- 2685. Hon Robin Chapple to the Minister for Environment

Notice Given Thursday, 19 August 2010

- 2686. Hon Giz Watson to the Leader of the House representing the Premier

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2687. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the Ministerial Council for Tertiary Education and Employment (MCTEE) meeting in Perth on 9 June 2010, where Ministers agreed to stronger standards for Registered Training providers, delivering training qualifications under the Australian Quality Training Framework, and I ask -

- (1) What are the stronger standards?
- (2) Why was it decided that stronger standards are needed?
- (3) What are the transitional arrangements that will apply to Registered Training providers, who have not previously had to comply with requirements under the Australian Qualifications Framework Council?

2688. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the Department Of Training and Workforce Development Reform Agenda January to July 2010, and in particular Training Reform Priority 2, and I ask -

- (1) Has the Training needs analysis for the Western Australian workforce, that was to have been developed by June 2010, been completed?
- (2) If no to (1), -
 - (a) why not; and
 - (b) when will it be completed?

2689. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the Department Of Training and Workforce Development Reform Agenda January to July 2010, and in particular Training Reform Priority 2, and I ask -

- (1) Have the key performance indicators that were to better reflect priorities in training, and were to be implemented by June 2010, been completed?
- (2) If no to (1), -
 - (a) why not and
 - (b) when will they be completed?

2690. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the Department Of Training and Workforce Development Reform Agenda January to July 2010, and in particular Training Reform Priority 2, and I ask -

- (1) Was endorsement sought from the Department of Treasury and Finance by June 2010 for the future approach to business planning?

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- (2) If no to (1), why not?
- (3) Will any endorsement be sought?
- (4) If yes to (3), when?

2691. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the Department Of Training and Workforce Development Reform Agenda January to July 2010, and in particular Business Environment Reform Priority 4, and I ask -

- (1) Was the accountability framework complete by July 2010?
- (2) If no to (1), why not?
- (3) When will it be completed?

2692. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the Department Of Training and Workforce Development Reform Agenda January to July 2010, and in particular Business Environment Reform Priority 4, which states that operational plans were to be in place by June 2010, and I ask -

- (1) Were these operational plans in place by June?
- (2) If no to (1), -
 - (a) why not; and
 - (b) when will they be in place?

2693. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the Department Of Training and Workforce Development Reform Agenda January to July 2010, and in particular Business Environment Reform Priority 4 which states that, a new business model was to be implemented by July 2010, and I ask -

- (1) Was the new business model implemented by July 2010?
- (2) If no to (1), -
 - (a) why not; and
 - (b) when will it be implemented?

2694. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer your interview with Bob Maumill on *6PR radio* on 27 July 2010, in relation to the Productivity Places Program funding, where you stated, 'there has been a call for variations in the last few weeks and they'll be allocated shortly', and I ask -

- (1) As the current tender now closed, stated that there will be no variations in this round of funding, what is the call for variations that you are referring to?

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- (2) If Registered Training Organisations can now apply for variations, what procedures have you put in place in order for them to do that?

2695. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to your interview with Bob Maumill on *6PR radio* on 27 July 2010, in relation to the Productivity Places Program, where in response to the question of keeping Registered Training Organisations (RTOs) informed of funding, you acknowledged that, 'there is sufficient disquiet there to warrant a further look at it', and I ask -

- (1) What action have you taken to ensure that RTOs are informed about the timing of calls for funding under this program, so that they are not financially disadvantaged?
- (2) Will this action ensure that those seeking training, can be given some indication of when that training is likely to commence?

2696. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to your interview with Bob Maumill on *6PR radio* on 27 July 2010, in relation to the Productivity Places Program (PPP), and information flowing from your Department to the private providers, and I ask -

What specific action has been taken to ensure that Registered Training Organisations are fully advised in time, for them to ensure courses are developed and available, by the deadline?

2697. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the recent tender calling for applications for funding under the Productivity Placement Program, and I ask -

- (1) Was the delay in the call for applications a result of the delay in forming the State Priority Occupations List?
- (2) If no to (1), why was there such a delay, and why were Registered Training Organisations informed of a number of different dates, by which applications would be called?

2698. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the recent tender calling for applications for funding under the Productivity Placement Program, and the reference to a large number of lower priority qualifications that are unlikely to be funded, and I ask -

- (1) What are the lower priority qualifications that will not be funded in each of the priority categories of, -
 - (a) automotive;
 - (b) building and construction;
 - (c) engineering and drafting;

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- (d) metal and mining;
 - (e) transport trades, storage and associated;
 - (f) electrical and electronic engineering; and
 - (g) electrical trades?
- (2) On what basis was it decided that these lower priority qualifications would not be funded?

2699. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to your announcements on 8 July 2010 and 11 March 2009, of the State Priority Occupations List (SPOL), and the ten independent advisory councils respectively, and ask -

- (1) When were the ten advisory councils established?
- (2) Did these ten councils develop the State Priority Occupations List (SPOL)?
- (3) If no to (2), who did?
- (4) If the advisory groups did not develop the SPOL, did they provide advice regarding the list and if not, what is their purpose?
- (5) Why was there such a long delay between announcing the formation of the ten advisory groups and releasing the SPOL?

2700. Hon Ljiljanna Ravlich to the Minister for Training and Workforce Development

I refer to the delays in releasing Productivity Places funding, the State Priority Occupations List, the Skilled Migration Strategy, and the first iteration of the Workforce Development Plan (WDP), and I ask -

- (1) Will the completed WDP that is due in October, be released on time?
- (2) If no to (1), why not?

2701. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Barrick Kanowna operations, owned and operated by Barrick Gold, the Raleigh Mine and the Kanowna Belle Mine, and ask -

- (1) Can the Minister state the specific types and actual amounts of the following, -
 - (a) toxic substances;
 - (b) poisonous substances;
 - (c) chemicals;
 - (d) hazardous substances;
 - (e) toxic gases;
 - (f) asphyxiant gases;

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- (g) poisonous gases; and
 - (h) any other substance or gas, that poses a risk or a hazard to the occupational health of employees in the mine that are contained in the ore body, and/or produced by mining operations of the ore body that is being mined in the both Raleigh Mine, and the Kanowna Belle Mine?
- (2) If no to (1), why not?
 - (3) With regards to (1)(a), (b), (c), (d), (e), (f), (g) and (h) ,can the Minister state the maximum allowable limits that apply, stating and quoting from the relevant sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995*?
 - (4) If no to (3), why not?
 - (5) With regards to (1) and (3), can the Minister state and quote from the relevant sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* what policies and procedures are in place to ensure the occupational health of all employees working in underground mines in Western Australia concerning to (a), (b), (c), (d), (e), (f), (g) and (h) being monitored and controlled during mining operations when they are contained in the ore body of a mine?
 - (6) If no to (5), why not?
 - (7) With regards to questions (1) and (3) above, can the Minister state and quote from the relevant policies and procedures put in place by the resident manager, the manager of mining, the occupational health and safety manager of the above referred operations to ensure compliance with the *Mines Safety and Inspection Act 1994 and Regulations 1995* the occupational health of all employees working in underground mines in Western Australia concerning to (a), (b), (c), (d), (e), (f), (g) and (h) being monitored and controlled during mining operations when they are contained in the ore body of a mine?
 - (8) If no to (7), why not?
 - (9) Can the Minister state how many physical thorough inspections have taken place by the Department of Mines and Petroleum (DMP) inspectorate at the Raleigh mine, and the Kanowna Belle mine in the last five years?
 - (10) If no to (9), why not?
 - (11) Were any complaints/concerns recorded, both on the internal reporting system including in the Safety Toolbox Meeting Minutes Book and/or with the Department of Mines and Petroleum (DMP), concerning to (a), (b), (c), (d), (e), (f), (g) and (h) in the last five years concerning either the Raleigh mine or the Kanowna Belle mine?
 - (12) If yes to (11), -
 - (a) how many complaints/concerns were received by management of the company;
 - (b) on what date was each complaint/concern received;
 - (c) what specifically was each complaint/concern;
 - (d) what was done by the management of the company to resolve each issue; and
 - (e) how long did each issue take to resolve?

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- (13) In relation to (11), -
- (a) how many complaints/concerns were received by DMP inspectorate;
 - (b) on what date was each complaint/concern received;
 - (c) what specifically was done by the DMP inspectorate to address each issue that was raised; and
 - (d) on what date was each issue resolved?
- (14) With regards to (1), (3), (5) and (7), how many physical audits have been conducted in the last five years by the Department of Mines and Petroleum (DMP) inspectorate to ensure compliance of, -
- (a) the maximum allowable limits of (a), (b), (c), (d), (e), (f), (g) and (h) in (3);
 - (b) the relevant policies and procedures referred to in (5) and (7) in both the Raleigh and Kanowna Belle Mines, on what specific date each audit was conducted and what were the results for each audit?
- (15) With regards to (1), (3), (5) and (7), can the Minister state the maximum penalty for breaches of each specific section of the *Mines Safety and Inspection Act 1994 and Regulations 1995* referred to?
- (16) If no to (15), why not?
- (17) With regards to question (15) above, during these audits or at any other time have any breaches of the *Mines Safety and Inspection Act 1994 and Regulations 1995* been identified in regards to (1), (3), (5) and (7)?
- (18) If yes to (17), what specifically were those breaches, and will the resident manager, or any other responsible person at Barrick Kanowna, be prosecuted for these breaches?
- (19) If no to (18), why not?

2702. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Barrick Kanowna operations, owned and operated by Barrick Gold and the Kanowna Belle mill, and ask -

- (1) Can the Minister state the specific types and actual amounts of the all hazardous substances for the last five years including, -
- (a) toxins;
 - (b) poisons;
 - (c) chemicals;
 - (d) toxic gases;
 - (e) asphyxiant gases;
 - (f) poisonous gases; and

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- (g) any other substance or gas that poses a risk or a hazard to the occupational health of employees in the mill that are used, produced, stored or disposed of (either as a gas, a substance or as a by-product) in the milling, roasting, smelting and the refining that takes place at the Kanowna Belle Mill of the ore from both the Raleigh Mine and the Kanowna Belle Mine?
- (2) If no to (1), why not?
- (3) With regards to (1), can the Minister state the maximum allowable limits that apply, stating and quoting from the relevant sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* referred to in (1)?
- (4) If no to (3), why not?
- (5) With regards to (1) and (3), can the Minister state and quote from the relevant sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995*, what policies and procedures are in place to ensure the occupational health of all employees working in mills in Western Australia, concerning all substances and gases being monitored and controlled during transport, storage, disposal and milling, smelting, roasting and refining operations?
- (6) If no to (5), why not?
- (7) With regards to (1) and (3), can the Minister state and quote from the relevant policies and procedures put in place by the resident manager, the manager of mining, the occupational health and safety manager of the above referred operations to ensure compliance with the *Mines Safety and Inspection Act 1994 and Regulations 1995*, the occupational health of all employees working in underground mines in Western Australia concerning (a), (b), (c), (d), (e), (f), (g) and (h), being monitored and controlled during mining operations when they are contained in the ore body of a mine?
- (8) If no to (7), why not?
- (9) Can the Minister state how many physical thorough inspections have taken place by the Department of Mines and Petroleum (DMP) inspectorate at the Kanowna Belle Mill in the last five years?
- (10) If no to (9), why not?
- (11) Were any complaints/concerns recorded, both on the internal reporting system including in the Safety Toolbox Meeting Minutes Book and/or with the Department of Mines and Petroleum (DMP), concerning (a), (b), (c), (d), (e), (f), (g) and (h) referred to in (1), in the last five years?
- (12) If yes to (11), -
 - (a) how many complaints/concerns were received by management of the company;
 - (b) on what date was each complaint/concern received;
 - (c) what specifically was each complaint/concern;
 - (d) what was done by the management of the company to resolve each issue; and
 - (e) how long did each issue take to resolve?
- (13) In relation to (11), -

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- (a) how many complaints/concerns were received by DMP inspectorate;
 - (b) on what date was each complaint/concern received;
 - (c) what specifically was done by the DMP inspectorate to address each issue that was raised; and
 - (d) on what date was each issue resolved?
- (14) With regards to (1), (3), (5) and (7), how many physical thorough audits have been conducted in the last five years, by the Department of Mines and Petroleum (DMP) inspectorate to ensure compliance of, -
- (a) the maximum allowable limits of (a), (b), (c), (d), (e), (f), (g) and (h) referred to in (1) and (3); and
 - (b) the relevant policies and procedures referred to in questions (5) and (7) above at the Kanowna Belle Mill, on what specific date each audit was conducted and what were the results for each audit?
- (15) With regards to (1), (3), (5) and (7), can the Minister state the maximum penalty for breaches of each specific section of the *Mines Safety and Inspection Act 1994 and Regulations 1995* referred to?
- (16) If no to (15), why not?
- (17) With regards to (14), during these audits or at any other time have any breaches of the *Mines Safety and Inspection Act 1994 and Regulations 1995* been identified in regards to questions (1), (3), (5) and (7)?
- (18) If yes to (17), what specifically were those breaches and will the resident manager, or any other responsible person at Barrick Kanowna, be prosecuted for these breaches?
- (19) If no to (18), why not?

2703. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Company and the Harlequin, the Bullen and the Okay Mines and the emails sent to Mr David (Jock) Watson of the Department of Mines and Petroleum (DMP) inspectorate on 27 June 2009, containing a substantial amount of photographic evidence, and an email on 11 August 2009 containing a substantial amount of written material in the form of a diary, and ask -

- (1) With respect to the email sent to Mr David (Jock) Watson, Employee Inspector of Mines, making complaint concerning multiple issues in all of the abovementioned mines on 27 June 2009, containing a substantial amount of photographic evidence, can the Minister state exactly how photographs concerning alleged breaches of the *Mines Safety and Inspection Act 1994 and Regulations 1995* were attached?
- (2) If no to (1), why not?
- (3) With respect to the email sent to Mr David (Jock) Watson, Employee Inspector of Mines, making complaint concerning multiple issues in all of the abovementioned mines on 11 August 2009 containing a substantial amount of written material in the form of a diary concerning alleged breaches of the *Mines Safety and Inspection Act 1994 and*

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Regulations 1995, can the Minister state exactly how many pages were in the diary that was attached, and what period of time specifically that the diary covered?

- (4) If no to (3), why not?
- (5) Can the Minister state specifically the type of machinery depicted in the photographs referred to in (1), the condition of that machinery in relation to the *Mines Safety and Inspection Act 1994 and Regulations 1995*, and the function of that machinery and all persons involved in, -
 - (a) charging operations;
 - (b) service crew operations including ventilation and secondary ventilation fans, services, pumps, manual scaling, HV cable and communications; and
 - (c) all other general operations including fuel pods, oil pods, refuge chambers, underground toilets and taking bundles of, large sheets of mesh underground?
- (6) If no to (5), why not?
- (7) In respect to the photographic evidence, can the Minister state why the Komatsu WAPT 250 integrated tool carrier had no horn facility as depicted in the photographs referred to in (1), how long the horn facility had been missing, the importance of having a horn on all vehicles in relation to the *Mines Safety and Inspection Act 1994 and Regulations 1995*, and what is the maximum penalty for this breach?
- (8) If no to (7), why not?
- (9) In relation to (7), and in light of (5), was the resident manager or any other responsible persons at Norseman Gold prosecuted for breaching any sections or regulations of the legislation, given that this machine was used in all three mines?
- (10) If no to (9), why not?
- (11) In reference to the photographic evidence, can the Minister state why the charge kettle that was in use at that mine was clearly depicted as laying down on the back of a ute in the photographs referred to in (1), and the reasons why a charge kettle should not be transported laying down?
- (12) If no to (11), why not?
- (13) Can the Minister state specifically how the charge kettle referred to in (11), was secured, including the earth strap, during charging operations, and how this would be regarded as a safe method of securing the charge kettle, and earthing it during charging operations given that the kettle was in fact laid down for transportation between charging operations?
- (14) If no to (13), why not?
- (15) Were any sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* breached in regards to (13), and if so, can the Minister state the sections that were breached, and the maximum penalty for each breach?
- (16) If no to (15), why not?

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- (17) In relation to (15), was the resident manager or any other responsible person at Norseman Gold prosecuted for these breaches?
- (18) If no to (17) why not?

2704. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Company and the Bullen, Okay and Harlequin Operations, with senior management from Barry Cahill and Corey Doust, and ask -

- (1) Can the Minister state how many inspections, including a physical audit of all records to support the ventilation log bog entries, and non entries, have been undertaken of the Bullen Mine, Okay Mine and Harlequin Mine, in the last 36 months to check compliance with Regulation 9.8 of the *Mines Regulations 1995*?
- (2) If no to (1), why not?
- (3) Is it correct that for the last 24 months, the figures supplied by Complete Envirotech relating to the testing of diesel particulate emission and dispersion clearly indicate that the Bullen and Harlequin mines have been in non compliance of the maximum allowable limit of diesel particulate emission and dispersion?
- (4) If no to (3), what specifically is correct?
- (5) Can the Minister state when was the last time that a record of the readings concerning diesel particulate emission and dispersion was requested, received and analysed for compliance with the *Mines Safety and Inspection Act 1994 and Regulations 1995* concerning diesel particulate emission and dispersion?
- (6) If no to (5), why not?
- (7) Can the Minister state and quote the results of testing for diesel particulate emission and dispersion , including dates of readings/ testing for the last 36 months with a comparison for each with respect to compliance under the *Mines Safety and Inspection Act 1994 and Regulations 1995*?
- (8) If no (7), why not?
- (9) Can the Minister state how many times a DMP inspector has personally conducted testing of diesel particulate emission and dispersion with a view to verifying compliance with the *Mines Safety and Inspection Act 1994 and Regulations 1995* concerning diesel particulate emission and dispersion for the last 36 months?
- (10) If no to (9), why not?
- (11) Is it correct that on or around 2003, the DMP inspectorate stopped the requirement for mining companies with underground operations for regularly and consistently providing the test results, concerning diesel particulate emission and dispersion?
- (12) If no to (11), what is specifically correct?
- (13) Is it correct that the onus and obligation for testing for compliance with the *Mines Safety and Inspection Act 1994 and Regulations 1995* in relation to diesel particulate emission and

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dispersion to ensure occupational health and safety of employees in all underground mines throughout Western Australia lies solely with the DMP inspectorate?

- (14) If no to (13), what specifically is correct?
- (15) Can the Minister state specifically, when was the last independent testing of all diesel vehicles and machines in the above referred to mines for diesel particulate emission and dispersion, and of the ventilation for diesel particulate emission and dispersion to verify compliance or non compliance with the *Mines Safety and Inspection Act 1994 and Regulations 1995*?
- (16) If no to (15), why not?
- (17) In relation to (1), can the minister state and quote what was the outcome of all inspections, physical audits of all records concerning ventilation log book entries and non entries in the last 36 months?
- (18) If no to (17), why not?

2705. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold company and the Harlequin, Bullen and Okay Operations, and ask -

- (1) Will the Minister state how many inspections have taken place by Department of Mines and Petroleum (DMP) inspectors, at the abovementioned operations in the past three years, and on what date each inspection took place?
- (2) If no to (1), why not?
- (3) Is it correct that for quite some time, the escape ways, and the return airways have not been kept up with both the development headings, and the production headings as is required in the *Mines Safety and Inspection Act 1994 and Regulations 1995*, in the Harlequin mine?
- (4) If no to (3), what then is correct concerning this matter?
- (5) If yes to (3), what enforcement action has been taken by the DMP inspectorate to ensure that the escape ways, and the return airways, have been kept up with both the development and the production as is required in the *Mines Safety And Inspection Act 1994 And Regulations 1995* in the Bullen mine to eradicate the problem and to ensure the occupational safety of the employees in that mine?
- (6) How many inspections and on what particular dates, have taken place in the last three years by a DMP inspector physically traversing all escape ways and return airways in the Bullen Mine, to establish that the escapeways and the return airways have been kept up with both the development, and the production, as is required in the *Mines Safety and Inspection Act 1994 and Regulations 1995*, in the Harlequin mine?
- (7) Is it correct that the DMP inspectorate has known for quite some time that the escape ways and the return airways, have not been kept up with both the development and the production as is required, in the *Mines Safety and Inspection Act 1994 and Regulations 1995*, in the Bullen mine, but has not taken the enforcement action necessary to see that this problem is eradicated, to ensure the occupational safety of the employees in that mine?
- (8) If no to (7), what is correct concerning this matter?

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- (9) Have any sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* been breached in relation to (3)?
- (10) If yes to (9), -
 - (a) which sections have been breached; and
 - (b) what is the maximum penalty for each breach?
- (11) Will the resident manager or any other responsible person at Norseman Gold Bullen Mine be prosecuted for any of these breaches referred to in (9)?
- (12) If no to (11), why not?
- (13) Can the Minister state how many active levels of the above mentioned mine are operating presently without escape ways and return airways?
- (14) If no to (13), why not?
- (15) Does the Minister regard any mine operating without escape ways and return airways on each active level, as being a serious breach of the legislation?
- (16) If no to (15), why not?
- (17) If yes to (15), why?
- (18) Can the Minister state which specific provisions of the legislation are applicable to escape ways and return airways at this mine?
- (19) If no to (18), why not?

2706. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Operations, and the Harlequin Mine, and ask -

- (1) Will the Minister state how many inspections have taken place by Department of Mines and Petroleum (DMP) inspectors at the abovementioned operations in the past three years, and on what date each inspection took place?
- (2) If no to (1), why not?
- (3) Is it correct that the for quite some time that the escape ways and the return airways, have not been kept up with both the development headings, and the production headings as is required in the *Mines Safety and Inspection Act 1994 and Regulations 1995* in the Harlequin Mine?
- (4) If no to (3), what then is correct concerning this matter?
- (5) If yes to (3), what enforcement action has been taken by the DMP inspectorate to ensure that the escape ways and the return airways have been kept up with both the development and the production as is required in the *Mines Safety and Inspection Act 1994 and Regulations 1995*, in the Harlequin Mine to eradicate the problem, and to ensure the occupational safety of the employees in that mine?
- (6) How many inspections have taken place in the last three years by a DMP inspector, of all escape ways and return airways in the Harlequin Mine to establish that the escape ways and the return airways, have been kept up with both the development and the production as is

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required in the *Mines Safety and Inspection Act 1994 and Regulations 1995* in the Harlequin Mine?

- (7) Is it correct that the DMP inspectorate has known for quite some time that the escape ways and the return airways, have not been kept up with both the development and the production as is required in the *Mines Safety and Inspection Act 1994 and Regulations 1995* in the Harlequin Mine, but has not taken the enforcement action necessary to see that this problem is eradicated to ensure the occupational safety of the employees in that mine?
- (8) If no to (7), what is correct concerning this matter?
- (9) Have any sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* been breached in relation to (3)?
- (10) If yes to (9), -
 - (a) which sections have been breached; and
 - (b) what is the maximum penalty for each breach?
- (11) Will the resident manager or any other responsible person at Norseman Gold Harlequin Mine be prosecuted for any of these breaches referred to in (9) and (10)?
- (12) If no to (11), why not?
- (13) Can the Minister state how many active levels of the above mentioned mine are operating presently without escape ways and return airways?
- (14) If no to (13), why not?
- (15) Does the Minister regard any mine operating without escape ways and return airways on each active level as being a serious breach of the legislation?
- (16) If no to (15), why not?
- (17) If yes to (15), why?
- (18) Can the minister state which specific provisions of the legislation are applicable to escape ways and return airways at this mine?
- (19) If no to (18), why not?

2707. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Operations and the Harlequin Mine, and ask -

- (1) How many complaints have been received, either on the company's internal reporting system or to the Department of Mines and Petroleum (DMP), concerning the primary ventilation system and the secondary ventilation system at the Harlequin Mine in the last five years?
- (2) In relation to (1), -
 - (a) on what dates were the complaints recorded;
 - (b) what was the specific nature of the complaint;
 - (c) how long did it take to rectify each complaint; and

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- (d) what enforcement action was taken by the DMP inspectors involved to ensure that the problems were eradicated, to ensure the occupational health of the employees in that mine?
- (3) How many inspections by DMP inspectors concerning the primary ventilation system, and the secondary ventilation system at the Harlequin Mine, have been conducted in the last five years?
- (4) In relation to (3), -
 - (a) what were the dates for each inspection;
 - (b) the outcome of each inspection; and
 - (c) the specific process undertaken for each inspection including any enforcement action, that was taken by the DMP inspectors involved to ensure that the problems were eradicated, to ensure the occupational health of the employees in that mine?
- (5) Has the DMP inspectorate been made aware, at any time and in any way, that there has been any form of non compliance of the primary ventilation system, and the secondary ventilation system at the Harlequin Mine?
- (6) In relation to (5), -
 - (a) how were the DMP inspectors made aware of the non compliance;
 - (b) on what dates were they made aware of the non compliance;
 - (c) exactly how was the investigation conducted; and
 - (d) what enforcement action was taken by the DMP inspectors involved to ensure that the problems were eradicated to ensure the occupational health of the employees in that mine?
- (7) Is it correct that, within the last 12 months, restrictions were imposed on a section of the HV1 area of the Harlequin Mine, by a DMP inspector because one of the primary ventilation fans was not working, and therefore the ventilation in that area of the mine could not support all usual operations?
- (8) If yes to (7), -
 - (a) what specifically were the restrictions imposed;
 - (b) for how long was this section of the mine allowed to operate in this manner;
 - (c) what measures were put in place to monitor that the requirements of these restrictions were met; and
 - (d) on what date was it established by a DMP inspector; and
 - (e) specifically how was it established that this problem had been rectified, and that all primary ventilation fans were operating to the standards required in the *Mines Safety and Inspection Act 1994 and Regulations 1995*?

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- (9) Is it correct that, within the last 30 months, a complaint was made to the DMP inspectorate about the ventilation in the HV6-5F area of the mine, and that a DMP inspector attended to investigate the problem?
- (10) If no to (9), what is correct concerning this matter?
- (11) If yes to (9), -
 - (a) what specifically was the complaint;
 - (b) what was the outcome of the investigation; and
 - (c) what enforcement action was taken the DMP inspectors involved to ensure that the problem was eradicated to ensure the occupational health of the employees in that mine?
- (12) Is it correct that the DMP inspectorate has known for quite some time that there has been a problem with the ventilation in the Harlequin Mine, but has not taken the enforcement action necessary to see that this problem is resolved and not ongoing?
- (13) If no to (12), what then is correct concerning this matter?
- (14) Within the last three years, can the Minister state how many ventilation defects, deficiencies, non compliances, including an explanation for each entry, have been recorded in the ventilation log book as is required under regulation 9.8 of the regulations?
- (15) If no to (14), why not?
- (16) Have any sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* been breached in relation to (2), (4), (6), (7) and (9)?
- (17) If yes to (16), -
 - (a) which sections have been breached; and
 - (b) what is the maximum penalty for each breach?
- (18) Will the resident manager, or any other responsible person at Norseman Gold Harlequin Mine, be prosecuted for any of these breaches referred to in (16)?
- (19) If no to (18), why not?

2708. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Company and the Harlequin, the Bullen and the Okay Mines, and the emails sent to Mr David (Jock) Watson of the Department of Mines and Petroleum (DMP) inspectorate on 27 June 2009 and on 11 August 2009, and ask -

- (1) With respect to the emails referred to above, and the verbal complaint made to the DMP inspectorate, can the Minister explain why the management of the Norseman Gold Operations continue to conduct their operations in virtually the same/similar manner, to the extent whereas these operations have been the subject of numerous questions to the Minister one of which resulted in the closure of the Okay Mine on or around 12 May 2010?
- (2) If no to (1), what is correct concerning this matter?

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- (3) With respect to the emails above including all the photographic evidence, can the Minister state and quote the specific text of any record book entries, improvement, provisional improvement, and prohibition notices, that were issued as a result of this information and any investigations?
- (4) If no to (3), why not?
- (5) With respect to the emails referred to above including photographic evidence, is it correct that much of the same equipment is still being used, despite the Caterpillar IT 62G being involved in a serious collision into the wall within the last 12 months?
- (6) If no to (5), what is correct?
- (7) Can the Minister state on what date, the last diligent and thorough inspection, of all the equipment depicted in the photographs referred to above, and all the equipment in these three mines referred to above?
- (8) If no to (7), why not?
- (9) Will the Minister state how many complaints /concerns have been received by the DMP inspectorate in the last three years, how these were investigated and rectified, to ensure that poorly maintained equipment does not pose any unnecessary risk to the occupational health and safety of all employees, within those three mines mentioned above?
- (10) If no to (9), why not?
- (11) Does the DMP inspectorate regard all the equipment depicted in the photographs referred to above as being suitable and compliant with the *Mines Safety and Inspection Act 1994 and Regulations 1995*?
- (12) If no to (11), why?
- (13) Can the Minister explain why large amounts of equipment at all three mines referred to above are still operating in a condition that does not meet the requirements of the *Mines Safety and Inspection Act 1994 and Regulations 1995*?
- (14) If no to (13), why not?

2709. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold operations and the Bullen Mine, and ask -

- (1) How many complaints/concerns have been received, both on the company's internal reporting system and by the Department of Mines and Petroleum (DMP), concerning the primary ventilation system and the secondary ventilation system at the Bullen Mine in the last five years?
- (2) In relation to (1), -
 - (a) on what dates were the complaints/concerns recorded;
 - (b) what was the specific nature of each;
 - (c) how long did it take to rectify each complaint/concern; and

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- (d) what action was imposed by the DMP inspectors, involved to eradicate the problem, and to ensure the occupational health of the employees in that mine?
- (3) How many inspections by DMP inspectors concerning the primary ventilation system and the secondary ventilation system at the Bullen Mine have been conducted in the last five years?
- (4) In relation to (3), -
 - (a) on what dates were the inspections completed;
 - (b) exactly how were the investigations performed; and
 - (c) what action was imposed by the DMP inspectors involved to eradicate the problem, and to ensure the occupational health of the employees in that mine?
- (5) Has the DMP inspectorate been made aware, at any time and in any way, that there has been any form of non compliance of the primary ventilation system and the secondary ventilation system at the Harlequin Mine?
- (6) In relation to (5), -
 - (a) how were the DMP inspectors made aware of the non compliance;
 - (b) on what dates were they made aware of the non-compliance; and
 - (c) what action did they take to eradicate/eliminate the problem and to ensure the occupational health of the employees in that mine?
- (7) Is it correct that the DMP inspectorate has known for quite some time, that there has been a problem with the ventilation in the Bullen Mine, but has not taken the enforcement action necessary involved to eradicate the problem, and to ensure the occupational health of the employees in that mine?
- (8) If no to (7), what then is specifically correct concerning this matter?
- (9) Have any sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995* been breached in relation to (2), (4) and (6)?
- (10) If yes to (9), -
 - (a) which sections have been breached; and
 - (b) what is the maximum penalty for each breach?
- (11) Will the resident manager, or any other responsible person at Norseman Gold Bullen Mine, be prosecuted for any of these breaches referred to in (9)?
- (12) If no to (11), why not?
- (13) Within the last three years, can the minister state how many ventilation defects, deficiencies, non-compliances, including an explanation for each entry, have been recorded in the ventilation log book, as is required under regulation 9.8 of the regulations?
- (14) If no to (13), why not?

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2710. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold company and the Harlequin, Bullen and Okay Mines, and the emails sent to Mr David (Jock) Watson of the Department of Mines and Petroleum (DMP) inspectorate on 27 June 2009 and on 11 August 2009, and ask -

- (1) With respect to the emails referred to above, and the verbal complaint made to the DMP inspectorate, is it correct that the complaint that was raised, concerned -
 - (a) bullying and victimization of the workforce by persons in management, and especially over occupational health and safety issues;
 - (b) insufficient numbers of safety representatives on the crews in the mines;
 - (c) safety representatives who did not receive the required training though they had asked specifically for this training for 5 months and in some cases much longer;
 - (d) a safety representative who was expected to represent two separate crews at one mine, and who was removed by management from that mine and that crew and placed in a position that saw him working a different roster and often in another mine to the crews that he was supposed to represent, and unable to attend a safety meeting for seven weeks to represent any crew;
 - (e) a safety representative who was discriminated against, disadvantaged, bullied, harassed, demoted and with his job description and roster changed, intimidated and even threatened by management as a safety representative
 - (f) a safety representative who was discriminated against, disadvantaged, bullied, harassed, intimidated and even threatened with prosecution by company management for raising issues of bullying and victimization of the workforce over occupational health and safety issues at a monthly safety meeting;
 - (g) a safety committee that was not functioning for the safety and health of the workforce because of interference from management;
 - (h) management driving a workforce who were inexperienced and undermanned, to achieve production targets at all costs, which resulted in very low morale and very high fatigue;
 - (i) unsafe explosive vessel practices;
 - (j) unsafe machinery;
 - (k) unsafe work practices that were instigated and encouraged by management persons;
 - (l) bullying ,victimization and physical threats by senior contract operators;
 - (m) workers often not being allowed to have breaks and working up to one and a half hours overtime regularly, which was in breach of fatigue management let alone unpaid work;
 - (n) late charging and firing of both single boom and twin boom headings - often an hour outside of firing times and as late as an hour and a half;
 - (o) midshift firing of production headings consistently;

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- (p) insufficient ventilation;
 - (q) insufficient training and assessing;
 - (r) not enough members on the Emergency Response team, insufficient training of some members of the emergency response team, and members of the emergency response team refused by management to attend training days because there were not enough operators to meet production requirements; and
 - (s) the safety representative who made the complaint concerning these matters was bullied to the point where he had to leave his employment of the Norseman Gold operations under his doctor's instructions?
- (2) If no to (1)(a)-(s), what specifically is correct concerning all of these matters?
- (3) In relation to (1), can the Minister state the, -
- (a) specific dates that the DMP inspectors attended;
 - (b) the number of inspectors in attendance for each date; and
 - (c) amount of time spent on each day doing the investigation?
- (4) If no to (3), why not?
- (5) In relation to (1)(a)-(s), can the Minister state, -
- (a) what specifically was done to investigate each part of the question;
 - (b) the amount of time spent investigating each part of the question;
 - (c) the outcome of each investigation and any enforcement action taken by the DMP inspectorate to eradicate these concerns; and
 - (d) to ensure the occupational health and safety of all employees at these mines?
- (6) If no to (5), why not?
- (7) In relation to (1), can the Minister state, -
- (a) how many breaches of the Mines Safety and Inspection Act 1994 and Regulations 1995 were identified;
 - (b) what is the maximum penalty for each breach; and
 - (c) what action was taken by the DMP inspectorate for each breach?
- (8) If no to (7), why not?
- (9) In relation to (7), was the resident manager or any other responsible persons at Norseman Gold prosecuted for any of these breaches?
- (10) If no to (9), why not?
- (11) In relation to (1), will any persons from the DMP inspectorate write to the complainant and advise him of the outcome of the investigations conducted?
- (12) If no to (11), why not?

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2711. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the Norseman Gold Company and the Bullen, Okay and Harlequin Operations, with senior management from Barry Cahill and Corey Doust, and ask -

- (1) Is it correct that, for quite some time, the raise bore and the primary ventilation fans that service the St Pats decline and the Norseman incline in the Bullen Mine, have not been able to support the required air flow within that section of the mine, to meet the requirements of the *Mines Safety and Inspection Act 1994 and Regulations 1995*, in relation to both primary and secondary ventilation flow, and that as a result employees health in that mine has been suffering substantially?
- (2) If no to (1), what specifically is correct concerning this matter?
- (3) Is it correct that the raise bore in the St Pats decline and the Norseman incline of the Bullen mine, quickly builds up with salt inside the raise bore itself, effectively further reducing ventilation flow within the mine?
- (4) If no to (3), what then is correct concerning this matter?
- (5) Is it correct that to combat the problem referred to in (3), that the raise bore in the St Pats decline and the Norseman incline of the Bullen Mine, needs to be regularly evacuated whilst the primary ventilation fans are turned off, and the salt build up that restricts the ventilation flow is removed?
- (6) If no to (5), what then is correct concerning this matter?
- (7) If yes to (5), can the Minister state when was the last time a Department of Mines and Petroleum (DMP) inspector, physically inspected the raise bore in the St Pats decline and the Norseman incline of the Bullen Mine, to ensure that this salt build up is being regularly checked upon and removed where necessary by the management of the Bullen Mine, to ensure the occupational health of all employees working in that mine?
- (8) If no to (7), why not?
- (9) In relation to (5) and (7), have any sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995*, -
 - (a) been breached;
 - (b) which sections were breached; and
 - (c) what is the maximum penalty for each breach?
- (10) Will the resident manager, or any other responsible person at Norseman Gold, be prosecuted for any of these breaches referred to in (9)?
- (11) If no to (10), why not?

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2712. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to May 2010 edition of, 'Mine Safe Western Australia', and the article titled, 'Is your workplace up to scratch?', by Mr Simon Ridge, State Mining Engineer from the Department of Mines and Petroleum (DMP), and ask -

- (1) With regards to the statement made in the article referred to above which says, 'Over the next few months, inspectors will be scrutinizing the crib, sanitation and ablution facilities provided by employers in mining workplaces', can the Minister state, -
 - (a) how many inspections of this nature have taken place since the release of this publication;
 - (b) on what date and in which mine did each inspection take place;
 - (c) how long did each inspection take;
 - (d) how many breaches of the *Mines Safety and Inspection Act 1994 and Regulations 1995* were identified on each inspection;
 - (e) exactly what each breach was that was identified, the regulation that was breached, and what the maximum penalty is for each breach that was identified;
 - (f) specifically what corrective action was taken by the inspector in regards to each breach identified;
 - (g) on what date a follow up inspection took place for each corrective action that required a follow up investigation;
 - (h) whether or not the follow up inspection was done within the required time;
 - (i) whether or not any responsible persons will be prosecuted for any breaches identified; and
 - (j) what was the position of each person prosecuted?
- (2) If no to (1), why not?
- (3) Can the Minister state for what reason, that is any specific mitigating factors contributing to the fact that Mr Simon Ridge chose to address the condition of crib rooms, toilet facilities and change rooms in relation to the Mine Safe magazine article that was released in May 2010 referred to above?
- (4) If no to (3), why not?
- (5) Can the Minister state specifically how long it has been, that is in months and years, since the DMP chose to physically scrutinize the crib, sanitation and ablution facilities provided by employers in mining workplaces?
- (6) If no to (5), why not?
- (7) For the last five years, can the Minister state the following, -
 - (a) how many times the DMP has chosen to scrutinize the crib, sanitation and ablution facilities provided by employers in mining workplaces;
 - (b) on what date and in which mine did each inspection take place;

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- (c) how long did each inspection take;
 - (d) how many breaches of the *Mines Safety and Inspection Act 1994 and Regulations 1995* were identified on each inspection;
 - (e) exactly what each breach was that was identified, the regulation that was breached, and what the maximum penalty is for each breach that was identified;
 - (f) specifically what corrective action was taken by the inspector in regards to each breach identified;
 - (g) on what date a follow up inspection took place for each corrective action that required a follow up investigation;
 - (h) whether or not the follow up inspection was done within the required time;
 - (i) whether or not any responsible persons will be prosecuted for any breaches identified; and
 - (j) what was the position of each person prosecuted?
- (8) If no to (7), why not?
- (9) Can the Minister explain why DMP safety inspectors will be seeking assurance that mine operators are regularly checking that crib rooms are clean and tidy free from accumulated waste, given that the mines regulations already clearly specify this, as a minimum standard prescribed by legislation to ensure the occupational health and safety of all employees at the mine?
- (10) If no to (9), why not?

2713. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the articles in the *Kalgoorlie Miner*, dated Friday 16 April 2010, 'Levy to Boost Mines Safety', which in part states, 'I am here to say very clearly that it is not good enough', and, 'the universal priority of workers in mining and resources companies must be the safety and health of the workers', and also an article dated Saturday 5 June 2010, 'Battlefield claims baffle Moore', which states, 'The safety of mine workers remains a priority', and 'the Department of Mines and Petroleum would begin recruiting eight new officers for the Kalgoorlie regional office, and it was anticipated the positions would be filled in the next six months', and, 'most of the positions would service the Pilbara and Kimberly area', and ask -

- (1) Can the Minister state how many inspectors are presently employed in the Department of Mines and Petroleum (DMP) Kalgoorlie region, in the following spheres and what is each specific job description, including salary for, -
- (a) employees inspectors of mines;
 - (b) inspectors of mines;
 - (c) special inspectors of mines; and
 - (d) any other category of mines inspectors?

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- (2) Can the Minister state how many inspectors will be employed in the Department of Mines and Petroleum (DMP) Kalgoorlie region, in the following spheres and what is each specific job description for, -
 - (a) employees inspectors of mines;
 - (b) inspectors of mines;
 - (c) special inspectors of mines; and
 - (d) any other category of mines inspectors?
- (3) In regards to the article in the *Kalgoorlie Miner*, dated Saturday June 5 June 2010, as referred to above, can the Minister state why there is a priority to increase the number of new officers for the Kalgoorlie regional office and anticipated the positions would be filled in the next six months when most of the positions would service the Pilbara and Kimberly area and it is obvious that they are needed there also?
- (4) In regards to (1), (2), and (3), is it correct that this action taken indicates that there is a serious issue in regards to an occupational health and safety matter, in the mining industry in the Goldfields District?
- (5) If yes to (4), why?
- (6) If no to (4), why not?
- (7) Can the Minister state when was the last time that he personally met with a group of employees, who were working in the underground and above ground mining industry, in the Goldfields District, and based in Kalgoorlie to listen to their concerns regarding occupational health and safety in their workplaces?
- (8) If no to (7), why not?

2714. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the article in the *Kalgoorlie Miner* dated Saturday 5 June 2010, 'Battlefield claims baffle Moore', which in part states, 'The safety of mine workers remains a priority', and ask -

- (1) Can the Minister state and quote the specific text from the *Mines Safety and Inspection Act 1994 and Regulations 1995*, which relate to the following areas of Occupational Health in both above ground and underground mining operations, -
 - (a) unclean and unhygienic toilet facilities, both underground and on the surface;
 - (b) insufficient numbers of toilets within a reasonable distance of the active working headings in an underground mine;
 - (c) unclean and unhygienic crib room facilities, both underground and on the surface;
 - (d) unclean and unhygienic change room facilities;
 - (e) hazardous and toxic substances and chemicals whether in the ore body, used in the mining process, used in processing ore or stored and/or disposed of as a by-product of processing ore;

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- (f) heat stress whether from the sun on the surface or demanding conditions and lack of adequate ventilation underground;
 - (g) fatigue and low morale, whether as a result of demanding rosters and workloads or from unlawful work practises by management, including but not limited to bullying, victimisation, intimidation, discrimination, and harassment;
 - (h) toxic, asphyxiant and explosive gases in both underground and surface mines, whether produced by blasting or from any other source;
 - (i) dust, diesel particulates, asbestos, and other such hazardous substances in both underground and surface mines;
 - (j) excessive noise; and
 - (k) bullying, victimisation, intimidation, discrimination and harassment?
- (2) If no to (1), why not?
 - (3) If yes to (1), will the Minister state the maximum penalty for all breaches of each section referred to?
 - (4) In relation to (1), does the Minister consider the occupational health, of which these areas are a small sample, of mine workers to be a priority as well as the occupational safety as referred to in the newspaper article referred to above?
 - (5) If yes to (4), why?
 - (6) If no to (4), why not?

2715. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to a kit, that in order not to offend, I will call a defecation kit, and the completed purpose of that kit, which I will call a football, as both the aforementioned are common underground terminology in Western Australia, and ask -

- (1) Is it correct that, with regards to the terminology referred to above, a defecation kit, is used widely throughout underground mines in Western Australia, and carried by employees on a daily basis in these mines, consisting of the following, -
 - (a) two plastic bags (green sample bags are the best as the more common Ammonium Nitrate Fuel Oil (ANFO) bag can cause a little bit of discomfort as they contain particles of ANFO and when applied to a wet surface it tends to hurt);
 - (b) six medium sized rags (three rags for a clean dry surface to accommodate the deposit, two rags to be used to clean yourself up after you are relieved, and one rag for a spare in case something goes wrong); and
 - (c) one roll of electrical tape?
- (2) If no to (1), what specifically is correct concerning this matter?
- (3) Is it correct that, with regards to the terminology referred to above, that a football is used widely throughout underground mines in Western Australia, and is the completed product and contains plastic bags rags electrical tape and excrement?

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- (4) If no to (3), what is correct concerning this matter?
- (5) Is it correct that, with regards to the defecation kit referred to in (1), the procedure widely used by employees throughout underground mines in Western Australia is as follows, -
 - (a) to spread three pieces of rag evenly on the ground;
 - (b) to remove the overalls and defecate onto the rags;
 - (c) to clean up any remaining mess with two more rags, and then place those rags in the pile with the excrement;
 - (d) to roll the excrement and rags up together carefully;
 - (e) once the rags are carefully rolled, to secure them with electrical tape;
 - (f) once the rags are secured with electrical tape, to place them in a plastic bag;
 - (g) to then place the first plastic bag into a second plastic bag; and
 - (h) at the end of each shift to remove the full plastic bag known as a football from the mine to the surface for disposal?
- (6) If no to (5), what specifically is correct concerning this matter?
- (7) Is it correct that the practice referred to in (5), has been in use widely throughout underground mines in Western Australia since for at least 21 years?
- (8) If no to (7), what specifically is correct concerning this matter?
- (9) Is it correct that, within the last two years at Jundee Mine, a shift supervisor prepared a PowerPoint presentation with photographs clearly depicting the steps for proper use of the defecation kit, and disposal of the football as referred to in (5), because he was concerned that most employees did not understand how to use the defecation kit, in a hygienic and correct manner?
- (10) If no to (9), what is correct concerning this matter?
- (11) Is it correct that in mines throughout Western Australia, the practices described in (5) and (7), have come about because of, -
 - (a) the lack of toilets available underground;
 - (b) the absence of cleanliness, hygiene and sanitation in the toilets that are available underground;
 - (c) because of (a) and (b), employees had resorted to at times under specific instruction from the mine manager, defecating in a bogger bucket, so that the faeces would eventually be transported out of the underground mine, in the back of a truck to the surface either to the waste dump or to the ROM pad, and then through the mill?
- (12) If no to (11), what is correct concerning this matter?
- (13) Is it correct that the practice described in (5), has been reported as being adopted by employees at the following operations, -
 - (a) Tindalls - Coolgardie;

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- (b) Goldfields - Argo;
 - (c) Barrick - Raleigh;
 - (d) Barrick - Kanowna Belle;
 - (e) Lightening Nickel;
 - (f) other operations in the Mt Magnet district; and
 - (g) other operations in the Kambalda district?
- (14) If no to (13), what is correct concerning this matter?
- (15) Does the Minister, or any staff at the Department of Mines and Petroleum (DMP) support and encourage any of the practices referred to in (5) and (11), in any mine in Western Australia?
- (16) If yes to (15), why?
- (17) If no to (15), why not?
- (18) With regards to (11), can the Minister state and quote the relevant sections of the *Mines Safety and Inspection Act 1994 and Regulations 1995*, that apply and the maximum penalty for a breach of each section?
- (19) If no to (18), why not?

2716. Hon Robin Chapple to the Minister for Environment

I refer to the Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM) operations, owned by Barrick Gold of Australia and Newmont Mining including the Gidgi Roaster, and I ask -

- (1) Is it correct that the KCGM Gidgi roaster produces approximately seven tonnes of mercury per year from its operations?
- (2) If no to (1), what specifically is correct in terms of the tonnage emitted per year?
- (3) Can the Minister state where all the mercury originates from, that is emitted from the Gidgi roaster and Fimiston operations?
- (4) If no to (3), why not?
- (5) Can the Minister state how many tonnes of mercury have been produced by the Gidgi roaster and Fimiston operations, since the KCGM operations commenced since 1990?
- (6) If no (5), why not?
- (7) Can the Minister explain how the mercury is dispersed/emitted from the Fimiston and Gidgi roaster operations?
- (8) If no to (7), why not?
- (9) Can the Minister explain how is the mercury produced at the Gidgi Roaster Operations and Fimiston Operations?
- (10) If no to (9), why not?

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- (11) Can the Minister state how the Gidgi Roaster and Fimiston Operations rank in terms of the top five producers, on a world scale of mercury emissions/ dispersion of this toxic waste?
- (12) If no to (11), why not?
- (13) Can the Minister explain, what happens when precipitation occurs and falls upon mercury emissions that are being carried through the air over the nearby city of Kalgoorlie- Boulder, or when it is breathed in and exposed to moisture from innocent bystanders or employees?
- (14) If no to (13), why not?
- (15) Can the Minister state what quantities if any are in the ore body of the Fimiston Super Pit Operations, which contribute to approximately seven tonnes of mercury being dispersed by the Gidgi roaster per year
- (16) If no to (15), why not?
- (17) Can the Minister explain what happens to the mercury that may exist in the Fimiston ore body during and after each and every blast conducted at the operations?
- (18) If no to (17), why not?
- (19) Can the Minister state whether or not the mercury located within the Fimiston Super Pit ore body, is limited to certain sections within the Fimiston open pit operations, or generally through most of the ore body?
- (20) If no to (19), why not?
- (21) Can the Minister table a Department of Environment and Conservation (DEC) or KCGM map, indicating the approximate location/concentration level and depth below the surface in metres of the mercury throughout the entirety of the Fimiston ore body that is being mined, and proposed to be mined at the KCGM Super Pit operations?
- (22) If no to (21), why not?

2717. Hon Robin Chapple to the Minister for Environment

I refer to the Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM) Operations owned by Barrick Gold of Australia and Newmont Mining, including but not limited to the Fimiston 1 tailings dam, Fimiston 2 tailings dam, Gidgi Roaster tailings dam and plant area, Mt Percy Tailings dam, Fimiston Mill, and all mining tenure/land affected/controlled by KCGM, and ask -

- (1) Can the Minister state on what specific dates KCGM, Barrick Newmont made reports including locations under the *Contaminated Sites Act 2003* for the above referred to operations for all sites including underlying mining tenure?
- (2) If no to (1), why not?
- (3) Can the minister indicate the depth in metres below ground level that has been contaminated with soils, groundwater, around the Fimiston 1 Tailings dam?
- (4) If no to (3), why not?
- (5) Can the minister indicate the depth in metres below ground level that has been contaminated with soils, groundwater, around the Fimiston Mill area?

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- (6) If no to (5), why not?
- (7) Can the minister indicate the depth in metres below ground level that has been contaminated with soils, groundwater, around the Mount Percy Tailings dam?
- (8) If no to (7), why not?
- (9) Can the minister indicate the depth in metres below ground level that has been contaminated with soils, groundwater, around the Fimiston 2 Tailings dam?
- (10) If no to (9), why not?
- (11) Can the minister indicate the depth in metres below ground level that has been contaminated with soils, groundwater, around the Gidgi Roaster tailings dam, and plant area?
- (12) If no to (11), why not?
- (13) Can the Minister indicate why the Department of Environment and Conservation, considers each of the sites referred to in (1), (3), (5), (7), (9) and (11), to be a contaminated site?
- (14) If no to (13), why not?
- (15) Can the Minister identify with a scaled map all of the specific areas at the above referred to operations, showing tenement areas with tenement numbers of all the areas suspected known or contaminated areas reported under the *Contaminated sites Act 2003*?
- (16) If no to (15), why not?
- (17) Can the Minister state, what is the maximum penalty for the failure of any person to report a contaminated site under the *Contaminated Sites Act 2003* under the legislation?
- (18) If no to (17), why not?
- (19) Can the Minister state, what is the importance under the legislation of any person reporting a contaminated site?
- (20) If no to (19), why not?

2718. Hon Robin Chapple to the Minister for Environment

I refer to the Norseman Gold Operations, including but not limited to the Okay Mine, Harlequin Mine, Bullen Mine, North Royal Mine, Norseman Gold Mill, the old tailings dam in the vicinity of the accommodation provided onsite, and all tenements/land affected/controlled by Norseman Gold in the area, and ask -

- (1) Can the Minister state on what specific dates Norseman Gold made reports including locations under the *Contaminated Sites Act 2003* for the above referred to operations?
- (2) If no to (1), why not?
- (3) Can the minister indicate the depth in metres below ground level that has been contaminated with soils, groundwater around the above referred to operations?
- (4) If no to (3), why not?

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- (5) Can the Minister indicate for each of the sites referred to in (1) and (3), why the Department of Environment and Conservation considers each to be to a contaminated site?
- (6) If no to (5), why not?
- (7) Can the Minister identify with a scaled map all of the specific areas for the above referred to operations, showing tenement areas with tenement numbers of all the areas suspected known or contaminated areas reported under the *Contaminated sites Act 2003*?
- (8) If no to (7), why not?

2719. Hon Robin Chapple to the Minister for Environment

I refer to the Barrick Kanowna Operations, owned and operated by Barrick Gold and the Kanowna Belle Mill, underground mine, tailings dam and all tenements/land affected/controlled by Barrick in the area, and ask -

- (1) Can the Minister state on what specific dates Barrick made reports including locations under the *Contaminated Sites Act 2003* for the Kanowna Belle Operations?
- (2) If no to (1), why not?
- (3) Can the Minister indicate the depth in metres below ground level, that has been contaminated with soils, groundwater, including arsenic and arsenic trioxide around the Kanowna Belle Mill, underground mine area and tailings dam?
- (4) If no to (3), why not?
- (5) Can the Minister indicate for each of the sites referred to in (1) and (3), why the Department of Environment and Conservation considers each to be to a contaminated site?
- (6) If no to (5), why not?
- (7) Can the Minister identify with a scaled map all of the specific areas for the above referred to operations, showing tenement areas with tenement numbers of all the areas suspected known or contaminated areas reported under the *Contaminated sites Act 2003*?
- (8) If no to (7), why not?

2720. Hon Robin Chapple to the Minister for Environment

I refer to the Barrick Gold Operations, the Raleigh Gold Mine, and old infrastructure previously located on mining tenure and land in the area, and ask -

- (1) Can the Minister state on what specific dates Barrick made reports including locations under the *Contaminated Sites Act 2003* for the above referred to operations?
- (2) If no to (1), why not?
- (3) Can the minister indicate the depth in metres below ground level that has been contaminated with soils, groundwater around the above referred to operations?
- (4) If no to (3), why not?

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- (5) Can the Minister indicate for each of the sites referred to in (1) and (3), why the Department of Environment and Conservation considers each to be to a contaminated site?
- (6) If no to (5), why not?
- (7) Can the Minister identify with a scaled map all of the specific areas for the above referred to operations, showing tenement areas with tenement numbers of all the areas suspected known or contaminated areas reported under the *Contaminated sites Act 2003*?
- (8) If no to (7), why not?

2721. Hon Giz Watson to the Parliamentary Secretary representing the Attorney General

I refer to (a), the answer given to my question on notice No. 1438, on 20 April 2010, (b), to the article regarding a judicial commission published at page 10 of *The West Australian*, on Friday 27 August 2010 and (c), the article published in *Perth Now* on 20 August 2010, regarding the coronial inquiry into suicide of a young lawyer, that may be connected to conduct of a Western Australian magistrate, and I ask -

- (1) Is the process of the Working Group of the Standing Committee of the Attorneys General (SCAG), that is considering Judicial Complaints Handling, taking into consideration, -
 - (a) the views of the Western Australian Law Society;
 - (b) the views of the Western Australian Criminal Lawyers Association; and
 - (c) the coronial inquiry into the suicide?
- (2) If no to (1), why not?
- (3) When does the Attorney expect the SCAG deliberations and decisions, regarding a judicial commission, to be completed?

2722. Hon Giz Watson to the Minister for Environment

With reference to the article in the *Countryman* of 26 August 2010, 'Sandalwood offers little relief', and the sustainability of native sandalwood extraction, I ask -

- (1) How many licences for harvesting of native sandalwood (*santalum spicatum*) are there currently?
- (2) Can the Minister please provide the number of licences, issued each year over the past 10 years?
- (3) What total tonnage of native sandalwood, can be extracted under these licences?
- (4) What tonnage was extracted in the past financial year?
- (5) What tonnage was extracted each year over the past 10 years?
- (6) What percentage was extracted as deadwood in the past financial year?
- (7) What percentage was extracted as green wood in the past financial year?
- (8) What has been the impact of ongoing drought conditions on, -

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- (a) the rate of loss of mature native sandalwood trees; and
 - (b) the failure of native sandalwood trees to regenerate?
 - (9) How is this impact assessed?
 - (10) Can the Minister please provide any data that supports this assessment?
 - (11) Has an inventory of native sandalwood distribution, population densities, maturity, health and regeneration success been conducted since the inventory that was carried out between 1995 and 1999?
 - (12) If yes to (11), when and please provide the results?
 - (13) If no to (11), when will a fresh inventory be made?
 - (14) What proportion of the total area of distribution of native sandalwood, is protected from any form of extraction?
 - (15) Can the Minister please provide a map of the area/s protected?
 - (16) How is the prohibition on extraction in these protected areas policed?
 - (17) Has there been any successful enforcement action?
 - (18) If yes to (17), can the Minister please provide details?
 - (19) How many FTEs in the Department of Environment and Conservation (DEC), are employed to monitor native sandalwood extraction and enforce licence conditions?
 - (20) How is the origin of extracted native sandalwood verified?
 - (21) Do goats impact on the regeneration of sandalwood?
 - (22) How is goat damage monitored and controlled on Crown land, where goat numbers are actively encouraged by pastoralists?
 - (23) Are goats considered to be feral animals?
 - (24) If yes to (23), -
 - (a) is the DEC working to eradicate goats; and
 - (b) can the Minister please provide details?
 - (25) If no to (23), does this hamper the DEC's efforts to prevent land degradation by goats?
 - (26) Do you regard the extraction of native sandalwood in Western Australia as sustainable?
 - (27) If yes to (26), on what evidence?
2723. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Culture and the Arts
- (1) Can you provide a list of Western Australian based literary publications that Western Australian writers can submit their work to?
 - (2) How are these publications funded?

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2724. Hon Lynn MacLaren to the Minister for Environment

- (1) Where is the Construction Environmental Management Plan for the development at Jandakot Airport, so the public can be aware of their commitments and conditions?
- (2) How was the independent chair chosen and did it follow the guidelines?
- (3) Why are there no representatives from local environmental groups on the Community Aviation Consultation Group?

2725. Hon Robin Chapple to the Minister for Environment

I refer to the Chevron Gorgon development on Barrow Island, and ask -

- (1) Are the proponents filling in porous cast systems under their proposed industrial footprint with concrete?
- (2) If yes to (1), -
 - (a) to what depth are they operating;
 - (b) how many tonnes of concrete have and will be used in the substrate to form a solid base;
 - (c) what companies are supplying the aggregate;
 - (d) from what location is the material coming from to fulfil this process; and
 - (e) is any other material, waste or waste water being used as fill or as a component of the concrete?
- (3) If yes to (1)(e), -
 - (a) why; and
 - (b) with who's permission?
- (4) How many tonnes of concrete have been produced so far for the Gorgon development on Barrow Island?
- (5) How many tonnes of concrete are to be produced in total for the Gorgon development on Barrow Island?
- (6) What is the current maximum population numbers at any one time for Barrow Island by industry?
- (7) What is the current number of accommodation units available for worker occupation on Barrow Island by industry?
- (8) What is the future maximum population numbers projected at any one time on Barrow Island by industry?
- (9) What is the projected maximum number of accommodation units projected for worker occupation on Barrow Island by industry?
- (10) How much water is available daily for dust suppression?

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- (11) Where is the dust suppression water coming from and is the supply sustainable?
- (12) What is the PH and saline levels of water being used for dust suppression?
- (13) How much potable water is being consumed daily?
- (14) Where is potable water coming from and is that source sustainable?
- (15) How much water is being used in the ablutions daily?
- (16) Where is the ablution water coming from, and is that source sustainable?
- (17) What is the PH and saline levels of water being used for ablutions?
- (18) How is grey and sewerage water disposed of and at what location?
- (19) How much grey and sewerage water by type is disposed of daily?
- (20) Are the disposal methods currently and in the future sustainable?

2726. Hon Robin Chapple to the Leader of the House representing the Minister for Racing and Gaming

With reference to the City of Kalgoorlie-Boulder's application to the Liquor Licensing Commission, for the amalgamation of three liquor licenses into one for the purposes of licensing on the Kalgoorlie-Boulder Golf Course, I ask -

- (1) Is it correct that the City of Kalgoorlie-Boulder is seeking to amalgamate three liquor licenses into one?
- (2) If yes to (1), -
 - (a) will this result in a net reduction of liquor licenses held by the City of Kalgoorlie-Boulder; and
 - (b) how long did it take for this application to be dealt with?
- (3) Is it normal for license amalgamation and approval to take the amount of time identified in the Minister's answer to (2)(b)?
- (4) On what date was the application finalised?
- (5) What is the expected legal cost associated with clubs or bars applying for licensing or seeking to amalgamate licenses?
- (6) Does the Minister consider it acceptable that clubs and bars need to expend large sums of money in the course of applying for a liquor license or license amalgamation?
- (7) If yes to (6), why is this acceptable?
- (8) If no to (6), why not?

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2727. Hon Robin Chapple to the Minister for Environment

With reference to question without notice No. 191, asked in the Legislative Council on 4 May 2010, and the location of Point Torment in the Kimberley, I ask -

- (1) Can the Minister explain how the Minister for Mines representing the Premier can say, 'a supply base will be constructed', when no environmental process has taken place?
- (2) Does the EPA accept that statements such as, 'a supply base will be constructed', identifies the proposed supply base is therefore an accomplished fact?
- (3) Has any communication taken place between proponents, Agencies of other parties, in respect of any developments at Point Torment?
- (4) If yes to (3), -
 - (a) when;
 - (b) with whom; and
 - (c) relating to what projects?

2728. Hon Robin Chapple to the Minister for Environment

I refer to the Standing Committee on Estimates and Financial Operations, annual budget estimates hearings 2010-2011, transcript of evidence taken at Perth on Wednesday, 16 June 2010 - Session Four, and ask -

- (1) What are the proposed aspects of the amendments to the *Conservation and Land Management Act 1984*, in respect of joint management of the conservation lands, on the Burrup and Dampier locations, associated with the Burrup and Maitland Industrial Estates Agreement Implementation Deeds?
- (2) Are these amendments to fix the generic problems to all joint management lands, associated with the application of the *Conservation and Land Management Act 1984*?
- (3) When does the Minister believe these amendments will be concluded and introduced into the House?

2729. Hon Robin Chapple to the Leader of the House representing the Minister for Housing

With reference to joint venture land developments between the State Government and private companies, I ask -

- (1) Is a proportion of each development reserved for buyers on lower incomes?
- (2) If no to (1), why not?
- (3) If yes to (1), -
 - (a) how is the proportion and price of that land calculated; and
 - (b) does the state government effectively pay the private developer in the contract to make this lower priced land available?

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- (4) If yes to (3)(b), -
 - (a) where; and
 - (b) how are these subsidies accounted for?

2730. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the recent fatality that occurred at the Norseman Gold OK Mine, and ask -

- (1) Had the deceased individual undergone a full safety induction with Norseman Gold?
- (2) If yes to (1), on what date was this induction completed, and certification given?
- (3) If no to (1), why not?
- (4) Did the deceased individual have the appropriate training to undertake the work of repairing escape shaft ladders?
- (5) If no to (4), why was the deceased individual undertaking this work?

2731. Hon Robin Chapple to the Minister for Mines and Petroleum

With reference to regulation 4.5(1) of the *Mines Safety and Inspection Regulations (1995)* and Mines Safety Significant Incident Report No's. 158 and 164, I ask -

- (1) Were these reports sent to all mines in Western Australia?
- (2) If yes to (1), how?
- (3) If no to (1), why not?
- (4) Are Mines Safety Significant Incident Reports sent to all Mines in Western Australia?
- (5) If yes to (4), how?
- (6) If no (4), why not?
- (7) What methods are in place to ensure that Mining Companies review and correct procedures to ensure safety standards comply with the *Mines Safety and Inspection Regulations (1995)* and the Mines Safety Significant Incident Reports?
- (8) Was the Mines Safety Significant Incident Report No's. 158 and 164 sent or provided to the Management of the Norseman OK Mine?
- (9) If yes to (8), on what dates?

2732. Hon Robin Chapple to the Minister for Environment

With reference to the Ningaloo Marine Park, Coral Bay, Bills Bay and Maud Sanctuary Zone areas, I ask -

- (1) What is the function and purpose of the Maud Sanctuary Zone?
- (2) What area of Bills Bay is within or part of the Maud Sanctuary Zone?

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- (3) Are any areas of Bills Bay not within or part of the Maud Sanctuary Zone?
- (4) If yes to (3), -
 - (a) what areas are not in the Maud Sanctuary Zone; and
 - (b) will the Minister define them?
- (5) Is all of Bills Bay and the Maud Sanctuary Zone within the Ningaloo Marine Park?
- (6) Is the Ningaloo Marine Park, and thus the Maud Sanctuary Zone and Bills Bay under the management of Department of Environment and Conservation (DEC)?
- (7) If no to (6), who are the responsible Agency/ies?
- (8) Is the DEC responsible for day to day management of the Ningaloo Marine Park?
- (9) If yes to (6), does the DEC's responsibility include ensuring that targets, objectives and strategies of the Ningaloo Marine Park Management Plan are implemented?
- (10) Is it the DEC's public and legal responsibility, to ensure that unsustainable activities in immediate area of the Maud Sanctuary Zone and Bills Bay, within the Ningaloo Marine Park are stopped?
- (11) Does the DEC have a marine presence (vessel) in the immediate area of the Maud Sanctuary Zone and Bills Bay within the Ningaloo Marine Park?
- (12) If yes to (11), will the Minister provide a log of the activities of this vessel for the last year?
- (13) Does the Fisheries Department accompany the DEC in its Marine presence at any time?
- (14) If yes to (13), how many times did this occur during the past year?
- (15) If no to (13), why not?
- (16) What is the purpose of E-class licences in reference to the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone?
- (17) What is the purpose of T-class licences in reference to the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone?
- (18) How many E and T-class licences exist in the Ningaloo Marine Park within the areas of the Bills Bay and the Maud Sanctuary Zone?
- (19) Are there provisions to increase the number of E and T-class licences in the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone?
- (20) If yes to (19), by how many?
- (21) Is there a purpose in limiting either the E or T-class licences in the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone and what are they?
- (22) How many licences are granted for marine tourism, fishing charter and commercial fishing activities in the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone?
- (23) How many moorings are available for marine tourism, fishing charter and commercial fishing activities in the Maud Sanctuary Zone and immediate surrounds?

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- (24) With reference to (23), where are these moorings located by type and activity/operation?
- (25) Is there any purpose in limiting the numbers of these moorings, and if so, what is it?
- (26) In question without notice No. 14 of Wednesday 11 September 2002, the Minister for the Environment and Heritage estimated six or seven moorings would be placed in the waters of the Maud Sanctuary Zone, how many currently exist and why has it exceeded the six or seven originally identified?
- (27) Are any other authorities, Agencies and or Departments able to allow marine tourism, fishing charter and commercial fishing activities to occur within the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone without using the current available mooring facilities?
- (28) If yes to (27), -
 - (a) who are they; and
 - (b) how many operators of marine tourism, fishing charter and commercial fishing activities can impact the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone without using the current available mooring facilities?
- (29) Does the DEC have to licence these operators within the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone?
- (30) If no to (29), why not?
- (31) If yes to (29), does the DEC approve of the licencing of these operators prior to the other authorities, Agencies and or Departments allow them to operate within the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone?
- (32) If no to (31), why not?
- (33) How many operators have been granted permission by other authorities, Agencies and or Departments to access and to operate within the Ningaloo Marine Park and/or the areas of the Bills Bay and the Maud Sanctuary Zone?
- (34) If yes to (33), was this permission granted with prior knowledge of the DEC?
- (35) If no to (34), why not?

2733. Hon Robin Chapple to the Minister for Environment

I refer to the, 'Coral Bay Boating in Ningaloo Marine Park', created by the Department of Conservation and Land Management on 23/06/2008, and ask -

- (1) Is it correct in the Restricted Area the following rule that all vessels launching and operating in this restricted area must have a draught that is less than 1.2 m?
- (2) Are any vessels that have a greater draught permitted to access the Restricted Area with the DEC approval?
- (3) If yes to (2),
 - (a) how many;

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- (b) why;
- (c) what are the boats concerned; and
- (d) what are their activities?
- (4) If no to (2), what are the boats concerned and what are their activities?
- (5) Will the Minister provide a map of the Restricted Area?
- (6) Has DEC reviewed the Coral Bay Boating in Ningaloo Marine Park since the boat launching facility commenced operation?
- (7) If no to (8), why not?
- (8) If yes to (8), will the Minister table that review?
- (9) Has the Department found any negative environmental impacts on the coral communities surrounding the boat launching facility since it was built, and will the Minister table the results?

2734. Hon Robin Chapple to the Minister for Environment

With reference to the Manta Rays in the Ningaloo Marine Park (NMP), I ask -

- (1) Was a draft management plan created for interaction with Manta Rays in the region of NMP, Coral Bay, Bills Bay, Mauds Landing and Maud Sanctuary Zone?
- (2) If yes to (1), when was this drafted?
- (3) Has this plan been implemented?
- (4) If yes to (3),
 - (a) when was it implemented; and
 - (b) will the Minister table a copy of this management plan?
- (5) If no to (3), -
 - (a) why not; and
 - (b) will the Minister table a copy of the draft management plan?
- (6) Are Manta Rays a protected species?
- (7) If no to (6), are they protected in the NMP?
- (8) What number of observing swimmers is appropriate to be on or around a Manta Ray?
- (9) Is this the same number as the draft management plan proposed?
- (10) How many operators currently interact with Manta Rays?
- (11) What is the current number of observing swimmers currently being dropped on or around Manta Rays?
- (12) Have there been any negative interactions between Manta Rays and the public in the NMP?

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- (13) If yes to (12), -
- (a) what were they;
 - (b) when were they; and
 - (c) does the Department have concerns because of 'visitor risk management'?

2735. Hon Robin Chapple to the Minister for Transport

I refer to the Coral Bay Maritime Facility, and ask -

- (1) How many commercial boats have the department permitted to access the areas of the region of Ningaloo Marine Park in the vicinity of Bills Bay, including the Mauds Sanctuary Zone, Mauds Landing, and surrounding areas of the marine park?
- (2) Given the limited number of boats allowed to access the Mauds Sanctuary Zone was the Department of Conservation and Land Management contacted prior to access being granted?
- (3) If no to (2), why not?
- (4) Did the DEC subsequently provide permission for such boats to have a licence after the department had provided launching permits?
- (5) Do any of these commercial boats have a draught that is more than 1.2 m?
- (6) Can the Department of Transport issue commercial launching permits to boats operating in the Ningaloo Marine Park, Coral Bay, Bills Bay, Mauds Landing and Maud Sanctuary Zone without approval or consultation with the DEC?
- (7) Is there any limit to the number of commercial launching permits that can be granted to boats operating in each of the following, -
 - (a) Ningaloo Marine Park;
 - (b) Coral Bay;
 - (c) Bills Bay;
 - (d) Mauds Landing; and
 - (e) Maud Sanctuary Zone?
- (8) If no to (7), why not?
- (9) If yes to (7), -
 - (a) what is the limit; and
 - (b) how is it determined?

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2736. Hon Robin Chapple to the Minister for Mines and Petroleum

With reference to the Lake Way uranium site, E53/1132 and M53/1090 leases, held by Nova Energy and photographs and data contained on, <http://robinchapple.org.au/node/460>, and entitled '2010-07-10 Lake Way Site.pdf', I ask -

- (1) Since October 2002, have inspections been undertaken by the DME, DIR or DMP of these or preceding leases held over this area?
- (2) If yes to (1), -
 - (a) how many inspections; and
 - (b) on what dates?
- (3) If no to (1), why not?
- (4) If yes to (1), were any directives given at the time of these inspections, for remedial action to be taken in respect of the exposed uranium ore at the site?
- (5) If yes to (4), -
 - (a) what were those directives; and
 - (b) to whom were they given?
- (6) If any directives were given, was the site visited to confirm compliance, who undertook the visits and on what dates?
- (7) Since the advent of this Government have any independent radiation safety experts or members of the Radiological Council visited the site to ensure compliance with radiation safety guidelines or to assess existing hazards?
- (8) If yes to (7), -
 - (a) who made the visits;
 - (b) on what dates; and
 - (c) what were their findings and recommendations?
- (9) If no to (7), why not?
- (10) How many tonnes of uranium ore are left exposed on the Nova Energy leases associated with previous Lake Way uranium mining activities?
- (11) What action will the minister take to, -
 - (a) ensure worker health and safety at these sites;
 - (b) ensure public access to the area is restricted;
 - (c) ensure the sites are remediated; and
 - (d) ensure that proper safety signage is installed at the hazardous areas?
- (12) Given there is evidence of Indigenous people accessing the area, what action will be taken to ensure adequate screening is carried out on the regional population for ingested or inhaled Alpha emitting radioactive material in the form of dust?

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2737. Hon Robin Chapple to the Minister for Energy representing the Minister for Heritage

I refer to the The Jaburara Heritage Trail in Karratha, and ask -

- (1) Is the Minister aware that the The Jaburara Heritage Walking Trail is being accessed by vehicles at its eastern end?
- (2) Given the The Jaburara Heritage Trail is surrounded by and contains Indigenous heritage material in site 11575, will the Minister immediately stop motor vehicles accessing, and destroying this site?
- (3) Will the Minister ensure that the relevant authorities, including his own, take action to immediately cease these anti social activities, that are putting trail walkers at risk?

2738. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Regional Development

I refer to the Gap Ridge Industrial Estate located on the corner of Dampier Road and Seven Mile Road, approximately 8.4 km from the Karratha Town Centre, and ask -

- (1) Is the Minister aware that the area of the Gap Ridge Industrial Estate was covered by a priority ecological community listing?
- (2) Did Landcorp carry out a physical survey of the area prior to designing or commencing development of the area?
- (3) If yes to (2), on what date or dates was this carried out?
- (4) Did Landcorp only carry out a desktop evaluation of the area prior to designing or commencing development of the area?
- (5) If yes to (4), why?
- (6) As a result of either physical or desktop survey was the issue of the priority ecological community referred to the EPA?
- (7) If yes to (6), on what date?
- (8) As a result of either physical or desktop survey was the issue of the priority ecological community referred to the DEC?
- (9) If yes to (8), on what date?
- (10) How much by percentage does the Gap Ridge Industrial Estate impact on the priority ecological community?
- (11) How much by percentage is the priority ecological community impacted by the Gap Ridge Industrial Estate?
- (12) Will the Minister ensure that the relevant authorities including his own take action to cease any further harm to this priority ecological community?

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2739. Hon Ken Travers to the Minister for Transport

In relation to public transport services to King Edward Memorial Hospital (KEMH), I ask -

- (1) What bus services and the frequency of those services are provided from Perth CBD to KEMH?
- (2) Have concerns been raised about the lack of public transport access, especially for seniors and those with a disability?
- (3) Does the Government have plans to change routes or frequency of bus services to improve access to KEMH?
- (4) If no to (3), why not?

2740. Hon Ken Travers to the Minister for Transport

- (1) Can the Minister advise the number of car parking bays located at each train station on the following rail way lines, -
 - (a) Joondalup;
 - (b) Midland;
 - (c) Fremantle;
 - (d) Mandurah; and
 - (e) Thornlie/Armadale?
- (2) At each station, how many parking bays are in each category, such as, lock 'n' ride and free?
- (3) Can the Minister advise at what time each day, the capacity status of each car park is full?
- (4) When car parks become full, can the Minister advise how many cars park in the surrounding streets?
- (5) Can the Minister provide a date to when the last train station car park survey was done for each train station?

2741. Hon Ken Travers to the Minister for Transport

- (1) At each train station, how many and what category parking bays has the State Government constructed since 23 September 2008?
- (2) How much did this cost?
- (3) When did they open?
- (4) How many are currently under construction, and what is the expected date for completion?

2742. Hon Alison Xamon to the Minister for Child Protection representing the Minister for Forestry
I refer to the base stumpages schedule for native and plantation forests, and ask -

- (1) Will the Minister please table the current schedule of, -

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- (a) base native forests stumpages; and
- (b) base plantations stumpages?
- (2) Were stumpages increased on 1 July 2010?
- (3) If yes to (2), -
 - (a) which ones; and
 - (b) by how much?
- (4) Were any stumpages reduced on 1 July 2010?
- (5) If yes to (4), -
 - (a) which ones; and
 - (b) by how much?

2743. Hon Alison Xamon to the Minister for Transport representing the Minister for Health

I refer to the Budget Estimates hearings, and ask -

- (1) Have the 2010-11 Budget allocations for the Office of the Chief Psychiatrist and the Council of Official Visitors been finalised?
- (2) If yes to (1), how much money has been allocated to, -
 - (a) The Office of the Chief Psychiatrist; and
 - (b) The Council of Official Visitors?
- (3) How much money was allocated under the 2009-2010 Budget to, -
 - (a) The Office of the Chief Psychiatrist; and
 - (b) The Council of Official Visitors?
- (4) If no to (1), -
 - (a) why not; and
 - (b) when will these allocations be finalised?

2744. Hon Alison Xamon to the Minister for Child Protection representing the Minister for Planning

I refer to staffing at the Department of Planning, and ask -

- (1) How many trained ecologists are on staff working as ecologists?
- (2) What training have non-ecologist staff members received about writing briefs for environmental/ecological consultants?

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2745. Hon Alison Xamon to the Minister for Transport

I refer to the Western Australia Government's Agreement with WestNet Rail Pty Ltd, and ask -

- (1) Will the Minister please table the, 'Rail Freight Corridor Land Use Agreement (Narrow Gauge) and Railway Infrastructure Lease'?

2746. Hon Alison Xamon to the Minister for Child Protection

I refer to Budget Estimates Hearings for the Minister for Mental Health, Supplementary Information No A1, page three, and ask -

- (1) How much of the Commonwealth funding for the Homelessness initiative, does the Department for Child Protection provide to the Mental Health Commission, in the 2010-2011 Budget?

2747. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget estimates hearings in June in which it was stated that, forward estimates for ESL Support for Children of 457 Visa holders, were dependent upon a business case being made to Treasury, and that this would be resolved within two to three months of the hearing. I ask -

- (1) Has this issue now been resolved?
- (2) Will the Minister please table the Forward Estimates for ESL support for children of 457 visa holders?

2748. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 356, eighth line item regarding, Increased Transition Support for Secondary Students, and ask, what does this increased support entail?

2749. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the budget papers page 357 second dot point regarding National Partnership agreements, and ask -

- (1) Will there be any expansion of the number of schools receiving assistance through National Partnership agreements?

2750. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 357 third dot point regarding Independent Public Schools (IPS), and ask -

- (1) What costs are associated with establishing ISPs?
- (2) How much of the cost will be ongoing?
- (3) How much funding has been allocated to provide training for School Councils/Boards given the increased responsibilities of these volunteer groups in Independent Public Schools?

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- (4) What evaluation is planned for the initiative, and what are the cost implications of this (do you plan to formally evaluate whether the shift to ISPs will actually result in improved education delivery)?

2751. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 357 fourth dot point regarding, the extension of kindergarten hours, and ask -

- (1) Will the Education Department be funding any new programs for children younger than kindergarten age (under 3 years) in 2011, given the recognised importance of early childhood years in building a successful foundation for schooling, and later life?
- (2) Is there any allocation for early childhood programs specifically for zero to three year old Aboriginal children?
- (3) How much funding is being allocated to the Office of Early Childhood Learning and Development?
- (4) Of those mentioned in (3), -
 - (a) how many are FTE; and
 - (b) how does this compare to this year?

2752. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 357 sixth dot point, and ask -

- (1) I refer to the efforts to tackle the, 'complex issues which impact on student educational outcomes', what support is the Department of Education giving to students, who are young parents, particularly mothers?
- (2) Regarding the increased need to improve school attendance, The Auditor General recommended the Department of Education, 'publicise and promote the importance of regular school attendance to parents, students and the community', how much money has been allocated to a campaign to promote the importance of regular school attendance?
- (3) What other money is going to improving attendance?
- (4) Which schools are getting extra resources?
- (5) Are specific year groups being targeted?
- (6) If yes to (5), which ones?
- (7) What investigation has gone into determining the causes of poor attendance to better target improvement strategies?
- (8) One of the issues identified in the Auditor General's report was that the Department did not have adequate strategies for collecting and monitoring attendance figures across the State, has this been improved?

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2753. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the review of School Plus funding that was expected to be complete in July 2010, and ask -

- (1) Has this review been completed?
- (2) If yes to (1), what was the outcome?
- (3) If no to (1), when is it currently expected that the review will be complete?

2754. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 357 eighth dot point regarding flexible pathways for high school students, and ask -

- (1) Are there any plans to increase the number of participation coordinators as part of increasing the proportion of students attaining year 12 or equivalent?
- (2) If yes to (1), are the participation coordinator positions permanent or contract positions?

2755. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 358 regarding year nine students achieving national minimum standards, and ask, why is the target for Year nine writing (81 percent) so much lower than the other areas?

2756. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 359 Primary Education Efficiency Indicators, and ask -

- (1) How do you propose to reduce the Cost per Student FTE from this year's Estimated Actual to next year's Budget Target?

2757. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 363 and 364, regarding Transportable Classrooms, and ask -

- (1) Why has very little been spent this year, with \$4 048 000 budgeted for next year, and then in New Works is that another \$4.5 million next year, and \$4.5 million each year in the forward estimates?
- (2) Does this mean \$8.5 million will be spent on transportables next year?
- (3) How many transportables will the Government acquire next financial year?
- (4) Why have transportable, rather than permanent classrooms, been chosen?

2758. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 367 regarding expenses for school support services, and ask -

- (1) Please explain the difference between the 2009-10 Budget and estimated actual?

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- (2) How much money is being allocated to support services to help school to implement the National Curriculum?

2759. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

I refer to the Budget papers page 359 regarding FTE provided under both service outputs (Primary and Secondary Schooling), and ask -

- (1) Has any funding been allocated to ensure backfilling of positions temporarily vacated by staff on paid leave (for example participation staff, school psychs, and other staff at District Offices?)
- (2) How many of the total FTE are school psychologists?
- (3) Has there been any additional FTE provided for school psychologist positions?

MALCOLM PEACOCK

Clerk of the Legislative Council