

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 165

Thursday, 18 October 2007

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, 6 December 2006**

4443. Hon Simon O'Brien to the Parliamentary Secretary representing the Minister for Planning and Infrastructure (*SO 138(d) response - May 2 2007*)

Notice Given **Tuesday, 20 March 2007**

4476. Hon Peter Collier to the Minister for Multicultural Interests and Citizenship (*SO 138(d) response - May 2 2007*)

4519. Hon Peter Collier to the Minister for Regional Development representing the Minister for Corrective Services (*SO 138(d) response - May 2 2007*)

4520. Hon Peter Collier to the Leader of the House representing the Minister for Small Business (*SO 138(d) response - May 2 2007*)

4521. Hon Peter Collier to the Leader of the House representing the Minister Assisting the Minister for Federal-State Relations (*SO 138(d) response - May 2 2007*)

4574. Hon Ray Halligan to the Minister for Regional Development representing the Minister for Corrective Services (*SO 138(d) response - May 2 2007*)

4575. Hon Ray Halligan to the Leader of the House representing the Minister for Small Business (*SO 138(d) response - May 2 2007*)

4576. Hon Ray Halligan to the Leader of the House representing the Minister Assisting the Minister for Federal-State Relations (*SO 138(d) response - May 2 2007*)

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4665. Hon Ray Halligan to the Leader of the House representing the Minister for Sport and Recreation (*SO 138(d) response - May 2 2007*)

Notice Given **Thursday, 3 May 2007**

4776. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment

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Notice Given **Wednesday, 15 August 2007**

5014. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Planning and Infrastructure (*SO 138(d) response - September 16 2007*)

Notice Given **Tuesday, 28 August 2007**

5138. Hon Ray Halligan to the Minister for Local Government representing the Minister for Education and Training (*SO 138(d) response - September 26 2007*)

Notice Given **Wednesday, 5 September 2007**

5436. Hon Barry House to the Leader of the House representing the Minister for South West

Notice Given **Tuesday, 18 September 2007**

5451. Hon Robyn McSweeney to the Minister for Child Protection

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5458. Hon Robyn McSweeney to the Minister for Child Protection

5461. Hon Donna Faragher to the Minister for Regional Development representing the Minister for Corrective Services

Notice Given **Wednesday, 19 September 2007**

5469. Hon Helen Morton to the Minister for Local Government

5472. Hon Helen Morton to the Minister for Government Enterprises

5473. Hon Helen Morton to the Minister Assisting the Minister for Planning and Infrastructure

5474. Hon Helen Morton to the Minister for Goldfields-Esperance

5475. Hon Helen Morton to the Minister for Youth

5476. Hon Helen Morton to the Minister for Regional Development

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- 5477. Hon Helen Morton to the Minister for Fisheries
- 5478. Hon Helen Morton to the Minister for the Kimberley, Pilbara and Gascoyne
- 5479. Hon Helen Morton to the Minister for Child Protection
- 5480. Hon Helen Morton to the Minister for Communities
- 5481. Hon Helen Morton to the Minister for Women's Interests
- 5482. Hon Helen Morton to the Minister for Seniors and Volunteering
- 5489. Hon Helen Morton to the Parliamentary Secretary representing the Deputy Premier
- 5490. Hon Helen Morton to the Parliamentary Secretary representing the Treasurer
- 5491. Hon Helen Morton to the Parliamentary Secretary representing the Minister for State Development
- 5492. Hon Helen Morton to the Minister for Regional Development representing the Minister for Police and Emergency Services
- 5493. Hon Helen Morton to the Minister for Regional Development representing the Minister for Community Safety
- 5494. Hon Helen Morton to the Leader of the House representing the Minister for Water Resources
- 5495. Hon Helen Morton to the Leader of the House representing the Minister for Sport and Recreation
- 5497. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 5499. Hon Helen Morton to the Minister for Child Protection representing the Minister for Employment Protection
- 5500. Hon Helen Morton to the Minister for Local Government representing the Minister for Housing and Works
- 5501. Hon Helen Morton to the Minister for Local Government representing the Minister for Indigenous Affairs
- 5502. Hon Helen Morton to the Minister for Local Government representing the Minister for Heritage
- 5503. Hon Helen Morton to the Minister for Local Government representing the Minister for Land Information
- 5504. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 5506. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Tourism
- 5507. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Culture and the Arts
- 5508. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Consumer Protection

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- 5509. Hon Helen Morton to the Minister for Local Government representing the Minister for Education and Training
- 5511. Hon Helen Morton to the Leader of the House representing the Minister for Energy
- 5512. Hon Helen Morton to the Leader of the House representing the Minister for Resources
- 5513. Hon Helen Morton to the Leader of the House representing the Minister for Industry and Enterprise
- 5514. Hon Helen Morton to the Minister for Regional Development representing the Minister for Corrective Services
- 5515. Hon Helen Morton to the Leader of the House representing the Minister for Small Business
- 5516. Hon Helen Morton to the Leader of the House representing the Minister Assisting the Minister for Federal-State Relations
- 5517. Hon Helen Morton to the Parliamentary Secretary representing the Minister for the Environment
- 5518. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Climate Change

Notice Given Thursday, 20 September 2007

- 5520. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 5521. Hon Brian Ellis to the Minister for Fisheries
- 5522. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment
- 5523. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs
- 5527. Hon Donna Faragher to the Parliamentary Secretary representing the Treasurer
- 5529. Hon Brian Ellis to the Leader of the House representing the Minister for Public Sector Management

Notice Given Tuesday, 25 September 2007

- 5530. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 5531. Hon Ray Halligan to the Minister for Local Government representing the Minister for Education and Training
- 5532. Hon Peter Collier to the Minister for Local Government representing the Minister for Education and Training
- 5533. Hon Nigel Hallett to the Parliamentary Secretary representing the Minister for the Environment
- 5534. Hon Nigel Hallett to the Parliamentary Secretary representing the Minister for the Environment

Notice Given Wednesday, 26 September 2007

- 5535. Hon Donna Faragher to the Leader of the House representing the Minister for Energy

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5536. Hon Murray Criddle to the Leader of the House representing the Minister for Energy
5539. Hon Norman Moore to the Leader of the House representing the Minister for Energy
5541. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment
5543. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment
5545. Hon Anthony Fels to the Minister for Child Protection representing the Minister for Health

Notice Given *Thursday, 27 September 2007*

5547. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment
5548. Hon Barry House to the Leader of the House representing the Minister for Energy

Notice Given *Tuesday, 16 October 2007*

5549. Hon Helen Morton to the Minister for Regional Development representing the Minister for Corrective Services
5550. Hon Peter Collier to the Minister for Local Government representing the Minister for Education and Training
5551. Hon Robyn McSweeney to the Leader of the House representing the Minister for Energy
5552. Hon Paul Llewellyn to the Minister for Local Government
5553. Hon Giz Watson to the Minister for Fisheries
5554. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs
5555. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs
5556. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs
5557. Hon Giz Watson to the Parliamentary Secretary representing the Minister for State Development

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5558. Hon Paul Llewellyn to the Minister for Child Protection representing the Minister for Health
5559. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment
5560. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for State Development
5561. Hon Paul Llewellyn to the Leader of the House representing the Minister for Energy
5562. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment

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- 5563. Hon Nigel Hallett to the Minister for Local Government representing the Minister for Education and Training
- 5564. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 5565. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 5566. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 5567. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 5568. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
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5570. Hon Robyn McSweeney to the Minister for Child Protection representing the Attorney General

I refer to the State Administrative Tribunal (SAT), and ask -

- (1) Will the Minister provide the list of issues that the Tribunal has dealt with in the past year to the current date?
- (2) Can the Minister provide the number of complaints received by SAT in the same time frame?
- (3) How many of these issues are to do with State Planning?
- (4) How many of these issues are to do with Local Government Planning?
- (5) How many decisions that SAT has made are overturned on appeal in the same time frame as listed above?
- (6) How many decisions are currently on appeal and what are the issues?

5571. Hon Robyn McSweeney to the Leader of the House representing the Minister for Energy

I refer to the proposed 220kv transmission line between Kojonup to Wellstead, and ask -

- (1) What does Western Power believe to be a safe distance for any transmission tower to be from a residential dwelling?
- (2) How close can these towers be constructed to a residential dwelling?
- (3) What kind of towers is proposed for the Kojonup to Wellstead line?

5572. Hon Robyn McSweeney to the Leader of the House representing the Minister for Energy

I refer to the proposed 220kv transmission line from Kojonup to Wellstead, and ask -

- (1) What consultation has taken place with landholders in the affected areas?
- (2) What is the intended further consultation going to consist of?
- (3) Will landholders on small farmlets have any say in where the power line will be located on their properties?

5573. Hon Ray Halligan to the Minister for Regional Development representing the Minister for Police and Emergency Services

I refer to Western Australia's 'anti-hoon laws', and ask -

- (1) Is it possible for 17 year old P-plate drivers to appear before a juvenile justice team and escape with a caution and no conviction being recorded?

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- (2) Is it possible for 17 year old P-plate drivers to commit the same offence more than once and still escape without licence suspension or vehicle confiscation?

5574. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

- (1) Is Mr Neville Van Haeften currently a voluntary resident of Jacaranda House and was he a voluntary resident of Whitby Falls Hostel prior to being transferred to Jacaranda House?
- (2) Are three members of Neville Van Haeften's family his joint legal guardians with Ms Debbie Van Haeften as their spokesperson?
- (3) Other than in emergencies, do one or all of these three legal guardians need to provide consent for Department of Health staff to transfer Neville from either the Hostel or Jacaranda House, to the Fremantle Seniors Mental Health Service?
- (4) Was Mr Neville Van Haeften a voluntary or involuntary patient at the Fremantle Seniors Mental Health Service when he was admitted there in October 2005?
- (5) Other than in emergencies, do one or all of Neville's three legal guardians need to provide consent for Department of Health staff to undertake a thorough physical and psychiatric assessment of Neville in the Fremantle Seniors Mental Health Service?
- (6) Other than in an emergency, can the Chief Psychiatrist overrule the wishes of a legal guardian of a voluntary mental health patient and give consent to Department of Health staff to transfer a patient from a hostel and admit the patient to a hospital?
- (7) Other than in an emergency, can the Chief Psychiatrist overrule the wishes of a legal guardian of a voluntary mental health patient and consent for a thorough physical and psychiatric assessment to take place?

5575. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

The Health Department's WA Sentinel Event Report 2006-2007, was released on 3 October 2007, although it appears to be unavailable online at this time. As pertains to this report -

- (1) How many of the sentinel events reported in 2006-2007 involve a person with a mental illness?
- (2) How many of the sentinel events reported in 2006-2007 involving a person with a mental illness involve the death of the mentally ill person?
- (3) How many of the sentinel events reported in 2006-2007 involved patients in an authorised mental health bed?
- (4) How many of the sentinel events reported in 2006-2007 involved patients presenting with a mental health complaint placed in a general hospital bed?
- (5) How many of the sentinel events reported in 2006-2007 involved patients with a mental illness in the community?
- (6) How many of the sentinel events reported in 2006-2007 involving a person with a mental illness fell into the event category of 'other'?

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- (7) Of these, how many of those sentinel events were further broken down as a hospital process issue, such as failure to access timely and appropriate care, poor planning of discharge, or failure to follow up?
- (8) Contributing factors, as outlined in the Health Department's WA Sentinel Event Report 2005-2006, have been categorised by a system developed by the Department of Human Services, Victoria. Of the sentinel events reported in 2006-2007, involving a person with a mental illness, how many of those involved contributing factors of communication, health information, human resources, inter-hospital issues, physical environment, policy, procedures and guidelines?
- (9) Is the Minister willing to table the Health Department's WA Sentinel Event Report 2006-2007?

5576. Hon Barbara Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

The 2006 ING and Fremantle Ports proposal for a six to eight storey commercial project on Victoria Quay was overwhelmingly rejected by the Fremantle community. At the time, the Minister for Planning and Infrastructure was quoted in the *Fremantle Gazette* as saying that, 'I too have concerns about the scale of the Victoria Quay redevelopment and I have made it clear to Fremantle Ports that no agreement will be signed until extensive talks with the Council, the community and the planners are finished'. Given that the current development application from ING and Fremantle Ports has eight levels of office development, five levels of parking and 1100 bays -

- (1) Would the Minister confirm that she now considers the current proposal 'is good use of the Quay and would boost Fremantle business,' *Fremantle Herald* 16 June 2007, despite local concern and opposition?
- (2) Will the Minister name the groups in Fremantle that agreed with the current proposal?

5577. Hon Giz Watson to the Minister for Local Government representing the Minister for Education and Training

Regarding the current development of the K-10 Syllabus due for publication by the end of this year, I ask -

- (1) How many full and half day consultation workshops with early childhood and middle childhood teachers and administrators were delivered between 1 January 2007 and 30 June 2007?
- (2) How many early childhood teachers were amongst the teachers consulted?
- (3) How many of the teachers referred to in (2), were working as teachers of children in kindergarten and pre-primary at the time of the workshop?
- (4) How many full and half day consultation workshops have been delivered with metropolitan and regional early childhood and middle childhood teachers and administrators since 1 July 2007?
- (5) How many early childhood teachers were amongst those consulted during that period?

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- (6) How many of the teachers referred to in (5), were working as teachers of children in kindergarten and pre-primary at the time of the workshop?
- (7) How many schools have been involved in the Pilot Schools Project working directly with the K-10 Syllabuses since July 2007?
- (8) How many teachers were involved in the pilot project in these schools?
- (9) How many of these teachers are early childhood teachers?
- (10) How many of the teachers referred to in (9), are actually working with children in kindergarten and pre-primary?
- (11) What is the role of the Syllabus Advisory Committee (Early Childhood) in the development of the K-10 Syllabus?
- (12) Is the Minister aware of the concerns of the Syllabus Advisory Committee (Early Childhood) about the proposed early childhood phase of the syllabus?
- (13) How many individuals and groups have raised concerns about the early childhood phase of the K-10 Syllabus with the Minister and the Department?
- (14) How is the Minister addressing these concerns?
- (15) Will the Minister consider withholding the early childhood phase of the syllabus from publication at the end of this year in response to the serious concerns that have been raised by the Syllabus Advisory Committee (Early Childhood), the Early Childhood Reference Group, Early Childhood academics and Early Childhood professional associations in Western Australia, until these concerns have been addressed?

5578. Hon Giz Watson to the Minister for Child Protection representing the Attorney General

Referring to question on notice No. 5007 of 14 August 2007, in relation to the Court Recording Contract, I ask -

- (1) Relating to question five, for any of the jurisdictions were there changes to the manner in which statistics were recorded for the number of transcripts prepared for each month which would effect a comparative analysis between the two periods in 2006 and 2007?
- (2) If yes to (1) -
 - (a) what were these changes; and
 - (b) when did these changes come into effect?
- (3) On how many occasions since the beginning of the current Court Recording Contract has the second or overflow contractor been engaged to handle workload when levels of work for the primary contractor have reached levels that will result in non-compliance with specified delivery times and disruption to service delivery?
- (4) Which jurisdictions have audits outstanding from the second quarter?
- (5) As a consequence of receiving the audits from the various jurisdictions that are subject to the audits, has the performance of the Court Recording Contractors remained the same, improved or worsened?

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- (6) Are there delays in receiving the quarterly audits from all or some of the jurisdictions?
- (7) If yes to (6), what is causing these delays?
- (8) Notwithstanding the use of the overflow or second contractor, what are the numbers and percentages of total transcripts per month which have not met service delivery requirements for each jurisdiction covered by the court recording contract? (Please provide figures by contractor and month for the period 1 January to 30 June 2007).

5579. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

- (1) Will the Minister provide the results of the ambient air monitoring conducted as a condition of licence by Midland Brick and Australbrick Caversham during the dates of 26, 27 and 28 July 2007, when strong inversion layers caused highly visible pollution impacts in the Midland area?
- (2) If no to (1), why not?
- (3) Did the DEC receive any complaints at or around these dates?
- (4) Is the Department aware whether the brickworks received any complaints at or around these dates?
- (5) If yes to (3) or (4), please provide details of the complaints received.
- (6) In relation to the operations of Australbricks Malaga, has the DEC taken action to address the interference that the Continuous Emissions Monitoring System was and is having on the ability to obtain reliable stack emissions monitoring data as required under their licence and as referred to in past quarterly monitoring reports from this plant to the DEC?
- (7) If no to (6), why not?

5580. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Consumer Protection

Referring to the Minister's media release of 18 February 2007, advising of \$30 million compensation package to victims of the Finance Broker Scandal, I ask -

- (1) What is the total amount that has been paid out to the victims of the Finance Brokers Scandal, as of 15 October 2007?
- (2) What amount was paid as legal fees to the facilitating consulting firm IMF and any other legal consultant in the matter?
- (3) What is the average percentage of the investment of a victim that was covered by the pay out?
- (4) How many complaints has IMF received about the compensation payment?
- (5) Did the Minister monitor how IMF dealt with any complaints received?
- (6) If yes to (5), how?
- (7) If no to (5), why not?

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- (8) How many complaints has the Department for Consumer Protection received about the payments?
- (9) How many of the complaints at (8), are yet to be resolved?
- (10) Has IMF requested any additional money related to the handling of the Finance Broker Scandal?
- (11) If yes to (10), how much?
- (12) Did the Department pay any additional money to IMF after the initially agreed fees of \$3.4 million, for example, the handling of complaints or related services?
- (13) If yes to (12), how much was paid?
- (14) Is the Minister satisfied with the outcome of this process?

5581. Hon Norman Moore to the Leader of the House representing the Premier

Which Acts of Parliament passed by both Houses since February 2001 covering all portfolios, have not been -

- (a) proclaimed at all; or
 - (b) proclaimed in part?
- (2) In each case referred to in (1a) and (1b), what is the reason for non-proclamation?

MALCOLM PEACOCK

Clerk of the Legislative Council