

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 215

Tuesday, 19 June 2012

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

POSTPONED QUESTIONS

Notice Given **Tuesday, 1 May 2012**

5513. Hon Alison Xamon to the Minister for Finance representing the Minister for Housing
(SO107(2) response – 13 June 2012)

Notice Given **Wednesday, 2 May 2012**

5534. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
(SO107(2) response – 14 June 2012)

5538. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
(SO107(2) response – 14 June 2012)

5540. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
(SO107(2) response – 14 June 2012)

5545. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
(SO107(2) response – 14 June 2012)

Notice Given **Thursday, 3 May 2012**

5555. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

Notice Given **Tuesday, 15 May 2012**

5560. Hon Robin Chapple to the Minister for State Development

5561. Hon Robin Chapple to the Leader of the House representing the Premier

5562. Hon Robin Chapple to the Leader of the House representing the Premier

Notice Given **Wednesday, 16 May 2012**

5599. Hon Ken Travers to the Minister for Energy representing the Minister for Police

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Postponed Questions

5602. Hon Lynn MacLaren to the Minister for Finance representing the Minister for Transport

Notice Given Thursday, 17 May 2012

5605. Hon Robin Chapple to the Leader of the House representing the Minister for State Development

5608. Hon Matt Benson-Lidholm to the Minister for Finance representing the Treasurer

Notice Given Tuesday, 22 May 2012

5610. Hon Alison Xamon to the Minister for Finance representing the Treasurer

5611. Hon Alison Xamon to the Minister for Youth

5613. Hon Alison Xamon to the Minister for Disability Services

5615. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

5616. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

Notice Given Wednesday, 23 May 2012

5618. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

5619. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

5620. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

5621. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

Notice Given Tuesday, 12 June 2012

5622. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

5623. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

5624. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Health

5625. Hon Helen Bullock to the Minister for Mental Health representing the Minister for Health

5626. Hon Robin Chapple to the Minister for Mines and Petroleum

5627. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment

5628. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Lands

5629. Hon Giz Watson to the Minister for Mental Health representing the Minister for Health

5630. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

5631. Hon Sue Ellery to the Minister for Child Protection

5632. Hon Sue Ellery to the Minister for Child Protection

5633. Hon Sue Ellery to the Minister for Child Protection

5634. Hon Sue Ellery to the Minister for Child Protection

5635. Hon Sue Ellery to the Minister for Child Protection

5636. Hon Sue Ellery to the Minister for Child Protection

5637. Hon Sue Ellery to the Minister for Child Protection

5638. Hon Sue Ellery to the Minister for Child Protection

5639. Hon Sue Ellery to the Minister for Child Protection

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Postponed Questions

- 5640. Hon Sue Ellery to the Minister for Child Protection
- 5641. Hon Sue Ellery to the Minister for Child Protection
- 5642. Hon Sue Ellery to the Minister for Child Protection
- 5643. Hon Sue Ellery to the Minister for Child Protection
- 5644. Hon Sue Ellery to the Minister for Child Protection
- 5645. Hon Linda Savage to the Minister for Commerce
- 5646. Hon Linda Savage to the Minister for Energy representing the Minister for Education
- 5647. Hon Linda Savage to the Minister for Finance representing the Minister for Corrective Services
- 5648. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment
- 5649. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry
- 5650. Hon Giz Watson to the Minister for Energy representing the Minister for Police
- 5651. Hon Giz Watson to the Minister for Energy
- 5652. Hon Alison Xamon to the Minister for Finance representing the Minister for Transport
- 5653. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
- 5654. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
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- 5658. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
- 5659. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
- 5660. Hon Alison Xamon to the Leader of the House representing the Minister for State Development
- 5661. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
- 5662. Hon Alison Xamon to the Minister for Training and Workforce Development
- 5663. Hon Alison Xamon to the Minister for Training and Workforce Development
- 5664. Hon Alison Xamon to the Minister for Training and Workforce Development
- 5665. Hon Alison Xamon to the Minister for Training and Workforce Development
- 5666. Hon Alison Xamon to the Minister for Training and Workforce Development
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- 5670. Hon Alison Xamon to the Minister for Training and Workforce Development
- 5671. Hon Alison Xamon to the Minister for Training and Workforce Development
- 5672. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Health
- 5673. Hon Alison Xamon to the Minister for Finance representing the Minister for Corrective Services

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5674. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Health
5675. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Health
5676. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
5677. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
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5684. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
5685. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
5686. Hon Alison Xamon to the Minister for Community Services
5687. Hon Alison Xamon to the Minister for Energy representing the Minister for Police
5688. Hon Kate Doust to the Minister for Commerce
5689. Hon Kate Doust to the Minister for Commerce
5690. Hon Kate Doust to the Minister for Commerce
5691. Hon Kate Doust to the Minister for Mental Health representing the Minister for Science and Innovation
5692. Hon Kate Doust to the Minister for Mental Health representing the Minister for Science and Innovation
5693. Hon Kate Doust to the Minister for Mental Health representing the Minister for Science and Innovation
5694. Hon Kate Doust to the Minister for Mental Health representing the Minister for Science and Innovation
5695. Hon Sue Ellery to the Minister for Mental Health representing the Minister for Health
5696. Hon Sue Ellery to the Minister for Mental Health
5697. Hon Sue Ellery to the Minister for Energy representing the Minister for Education
5698. Hon Robin Chapple to the Minister for Indigenous Affairs
5699. Hon Robin Chapple to the Leader of the House representing the Minister for State Development
5700. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
5701. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
5702. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
5703. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
5704. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- Notice Given** **Wednesday, 13 June 2012**
5705. Hon Sue Ellery to the Minister for Finance representing the Minister for Housing

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5706. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry
5707. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment
5708. Hon Robin Chapple to the Minister for Indigenous Affairs
5709. Hon Robin Chapple to the Minister for Mines and Petroleum
5710. Hon Robin Chapple to the Minister for Indigenous Affairs
5711. Hon Alison Xamon to the Minister for Mines and Petroleum
5712. Hon Alison Xamon to the Minister for Mines and Petroleum
5713. Hon Alison Xamon to the Minister for Mines and Petroleum
5714. Hon Alison Xamon to the Minister for Mines and Petroleum
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5719. Hon Alison Xamon to the Minister for Mental Health
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5727. Hon Alison Xamon to the Minister for Mental Health
5728. Hon Alison Xamon to the Minister for Mental Health

Notice Given **Thursday, 14 June 2012**

5729. Hon Robin Chapple to the Minister for Mines and Petroleum
5730. Hon Robin Chapple to the Leader of the House representing the Premier

LEGISLATIVE COUNCIL

QUESTIONS ASKED TODAY

Notice Given *Tuesday, 19 June 2012*

5731. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment

In relation to the Cristal Global plant located on government land at Lot 4 Old Coast Road Australind, I ask —

- (1) Is this site monitored by the Department of Conservation and Environment (DEC)?
- (2) If no to (1), why not?
- (3) Has the Minister any evidence that the company has commenced rehabilitation of the contaminated areas on the site?
- (4) What steps has DEC taken to ensure that remediation and rehabilitation is taking place on this site?
- (5) Is the Government considering applying an environmental bond on Cristal Globe to safeguard against long term contamination?
- (6) If no to (5), why not?

5732. Hon Sally Talbot to the Parliamentary Secretary representing the Minister for Lands

In relation to the Cristal Global plant located on government land at Lot 4 Old Coast Road Australind, I ask —

- (1) Given the current level of contamination at the current site, has a Health Risk Assessment been carried out on the plant site and on land adjacent to this site?
- (2) If no to (1), why not?
- (3) If yes to (1), is this assessment available to the public?
- (4) If no to (3), why not?

5733. Hon Sally Talbot to the Parliamentary Secretary representing the Minister for Lands

In relation to the Cristal Global plant located on government land at Lot 4 Old Coast Road Australind, I ask —

- (1) Has the Department of Regional Development and Lands raised the concerns of the Harvey Shire and local residents over traffic management issues with Cristal Globe?
- (2) If yes to (1), has an alternative route between the Australind and the Kemerton plant been discussed?
- (3) If yes to (2), what was the outcome of these discussions?

5734. Hon Sally Talbot to the Parliamentary Secretary representing the Minister for Lands

In relation to the Cristal Global plant located on government land at Lot 4 Old Coast Road Australind, I ask —

- (1) Has the State Government provided any form of funding to this organisation, which has had a series of owners, over the past decade?
- (2) If yes to (1), how much and for what purpose was the funding given?

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Questions Asked Today

Notice Given *Tuesday, 19 June 2012*

5735. Hon Sally Talbot to the Minister for Mental Health representing the Minister for Environment

I refer to the Department for Environment and Conservation (DEC), and I ask —

- (1) How many former pastoral properties were purchased by DEC for conservation in —
 - (a) 2008-09;
 - (b) 2009-10;
 - (c) 2010-11; and
 - (d) 2011-12? (Please provide a list showing the names, locations, sizes and purchase price of each property).
- (2) What purchases are planned for —
 - (a) 2012-13;
 - (b) 2013-14; and
 - (c) 2014-15?
- (3) What is the total number of former pastoral properties now managed by DEC for conservation? Please provide a list showing the name and location and date of purchase.

5736. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Health

I refer to nuclear waste storage, and the recent passage of the *National Radioactive Waste Management Bill 2010* through the Commonwealth Senate, and answer to question on notice No. 273 asked of the Minister for Mines, and I ask —

- (1) Has the Minister sought legal advice about the impact of this legislation on the operation of the *Western Australian Nuclear Waste Storage and Transportation (Prohibition) Act 1999*?
- (2) Will the Minister table the advice or provide an explanation to the Council?
- (3) What, if anything, will the Minister do to uphold the intent of the *Western Australia Nuclear Waste Storage and Transportation (Prohibition) Act 1999*?
- (4) Will the Minister take immediate action to convey to the Commonwealth Government this State's clear and legislated opposition to the storage and transportation of nuclear waste in Western Australia?

5737. Hon Robin Chapple to the Minister for Indigenous Affairs

I refer to Aboriginal interim registered heritage site 23323, Burrup Peninsula, Murujuga and question on notice No. 5024, and I ask —

- (1) Why were the Aboriginal parties to the Burrup Maitland Industrial Estates Agreement not consulted with by staff of the Department of Indigenous Affairs (DIA) in respect of the Aboriginal Cultural Material Committee (ACMC) decision (question on notice No. 5024 (4)) when in answer to question on notice No. 5024 (10-12) the DIA initiated briefings with the Department of State Development, Dampier Port Authority and other industry?
- (2) Is it the role of the DIA or the Registrar to seek further input from Government and industry about a decision of the ACMC after a decision has been reached?

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- (3) If yes to (2), will the Minister identify which section of the *Aboriginal Heritage Act 1972* gives the powers to the DIA or the Registrar to not implement the ACMC's decision and await further input from Government and industry before formalising the ACMC's decision?
- (4) What was the basis for the DIA or the Registrar concluding that there was 'insufficient information' when the ACMC had concluded that there was sufficient information?
- (5) Does site 23323 still retain the status of 'insufficient information'?
- (6) If yes to (5), what is the nature of the 'insufficient information'?
- (7) If yes to (5), when does the Minister consider that the DIA or the Registrar will have sufficient information?
- (8) Was the ACMC advised by the DIA or Registrar that they had not actioned the decision of the ACMC in respect of their findings in respect of site 23323?
- (9) If yes to (8), on what date did this occur?
- (10) If no to (8), why not?
- (11) If no to (8), when will the ACMC be advised?
- (12) In respect of site 23323, was the ACMC required to consult with Government and industry landholders prior to making a decision in respect of that site?
- (13) If no to (12), why not?
- (14) If yes to (12), why?
- (15) Did the ACMC receive any information from government and industry landholders prior to making their decision in respect of site 23323?
- (16) If yes to (15), which Government or industry landholders provided that information?

5738. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment

I refer to the development of multiple water bores in the Exmouth region and town site. This is in spite of the North West Cape's World Heritage values due to its unique karst system, host to protected stygofauna.

I also draw your attention to the statement in Appendix 3: Guidance for water management to protect ecological values of the Cape Range Province of the *Environmental Protection of Cape Range Province, Position Statement No. 1*, December 1999 —

To manage water abstraction to ensure that karst formations and wetlands are protected, all bores in the area should be licensed and abstraction from all bores should be coordinated through a single provider with day to day management responsibility. As the major abstracter in the area, an on-site presence and good monitoring systems, the Water Corporation should be the current focus for this coordinated management.

and I ask —

- (1) Were there amendments in legislation or regulation in 2011 to allow for residential water bores without application or licence within the Exmouth town site or in the region?
- (2) If yes to (1), will the Minister provide a copy of the changes in legislation or regulation that allow for residential water bores without application or licence?
- (3) If no to (1), what is the current process that applies to the people who wish to construct water bores within the Exmouth town site or in the region?

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- (4) Given that there has been an influx of private residential water bores being drilled in Exmouth Township in recent months, does the Department of Environment and Conservation or the Minister have any concerns about the impact of water extraction on the regional-local aquifer and *stygofauna*?
- (5) What are the risks that over-extraction will lead to detrimental impacts on the protected subterranean *stygofauna*?
- (6) What are the risks that over-extraction will allow for the ingress of sea water into the aquifer?
- (7) What monitoring of the extraction rates, impacts and ingress of saline water is being carried out to ensure the objectives of the *Environmental Protection of Cape Range Province, Position Statement No. 1*, December 1999 are being met?

MALCOLM PEACOCK
Clerk of the Legislative Council