

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 170

Wednesday, 14 November 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 ***Wednesday, 19 September 2007***

5509. Hon Helen Morton to the Minister for Local Government representing the Minister for Education and Training (*SO 138(d) response - October 25 2007*)

Notice Given ***Tuesday, 25 September 2007***

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

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

5555. 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

Notice Given ***Wednesday, 17 October 2007***

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

5562. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment

5563. Hon Nigel Hallett to the Minister for Local Government representing the Minister for Education and Training

5567. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

5569. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

Notice Given ***Thursday, 18 October 2007***

5570. Hon Robyn McSweeney to the Minister for Child Protection representing the Attorney General

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

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5576. Hon Barbara Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
5577. Hon Giz Watson to the Minister for Local Government representing the Minister for Education and Training
5578. Hon Giz Watson to the Minister for Child Protection representing the Attorney General
5579. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment
5580. Hon Giz Watson to the Parliamentary Secretary representing the Minister for Consumer Protection
5581. Hon Norman Moore to the Leader of the House representing the Premier

Notice Given ***Tuesday, 23 October 2007***

5582. Hon Helen Morton to the Minister for Women's Interests
5583. Hon Ray Halligan to the Minister for Racing and Gaming
5584. Hon Ray Halligan to the Minister for Racing and Gaming
5585. Hon Ray Halligan to the Minister for Racing and Gaming
5586. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

Notice Given ***Wednesday, 24 October 2007***

5587. Hon Peter Collier to the Minister for Local Government representing the Minister for Education and Training
5588. Hon Helen Morton to the Minister for Child Protection representing the Attorney General
5589. Hon Donna Faragher to the Minister for Child Protection representing the Attorney General
5590. Hon Brian Ellis to the Minister for Local Government representing the Minister for Education and Training

Notice Given ***Thursday, 25 October 2007***

5591. Hon Norman Moore to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
5592. Hon Paul Llewellyn to the Minister for Forestry
5594. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

Notice Given ***Tuesday, 13 November 2007***

5595. Hon Norman Moore to the Leader of the House representing the Minister for Resources
5596. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
5597. Hon Helen Morton to the Minister for Child Protection representing the Attorney General
5598. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
5599. Hon Giz Watson to the Leader of the House representing the Minister for Resources

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Postponed Questions

- 5600. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment
- 5601. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 5602. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for State Development
- 5603. Hon Paul Llewellyn to the Minister for Forestry
- 5604. Hon Paul Llewellyn to the Leader of the House representing the Minister for Resources
- 5605. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment
- 5606. Hon Anthony Fels to the Minister for Child Protection representing the Minister for Health
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- 5608. Hon Anthony Fels to the Minister for Child Protection representing the Minister for Health

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QUESTIONS ASKED TODAY

*Notice given**Wednesday, 14 November 2007*

5609. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment
I refer to the Western Areas NL, Flying Fox Nickel Mine located south of Southern Cross; the Department of Environment and Conservation (DEC) Licence and Environmental Assessment Report dated 11 October 2007; and a paper titled 'Penny West Gold Deposit, Youanmi, WA' produced by Nigel Radford and Tim Boddington concerning the Youanmi gold mine located approximately 115km south, south west of Sandstone; and I ask -

- (1) Is it correct that an appeal was lodged in relation to the potential impact of the discharge of mine dewatering upon Lake Cronin to the north east of the mine and native vegetation surrounding the discharge points at the Flying Fox Nickel Mine?
- (2) If yes to (1), what were all the outcomes from the appeal?
- (3) If no to (1), what specifically happened with an appeal lodged for the Flying Fox Nickel Mine?
- (4) Can the Minister confirm that part of the Licence and Environmental Assessment Report dated 11 October 2007 referred to above states, 'These trigger levels are set to allow management of the discharge to prevent negative impact on the native vegetation and on the surface drainage. Investigation into rooting depths and potential impacts of raised saline water levels on the vegetation will be carried out and the trigger level may then require to be revised'?
- (5) If no to (4), will the Minister specifically quote what the Licence and Environmental Assessment Report states?
- (6) Is it correct that the paper titled 'Penny West Gold Deposit, Youanmi, WA', produced by Nigel Radford and Tim Boddington, in part states 'During mining, hairline rootlets were observed at least 30metres below surface; i.e. 20 metres into the residual regolith'?
- (7) If no to (6), can the Minister quote what specifically the paper states for the Penny West Gold Deposit?
- (8) Will the Minister table the paper titled 'Penny West Gold Deposit, Youanmi, WA' produced by Nigel Radford and Tim Boddington?
- (9) If no to (8), why not?

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5610. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

I refer to the Western Areas NL, Flying Fox Nickel Mine located south of Southern Cross along with the Department of Environment and Conservation (DEC) Licence and Environmental Assessment Report dated 11 October 2007; a media release from May 2005 by the Cooperative Research Centre for Landscape Environments and Mineral Exploration titled 'Gumtrees and Mulga: Signposts to Minerals'; and a 2006 paper titled, 'Advances in Regolith research with respect to locating mineralisation' produced by R.R Anand from CSIRO Exploration and Mining; and I ask -

- (1) Is it correct that the 2006 paper titled 'Advances in Regolith research with respect to locating mineralisation', produced by R.R Anand from CSIRO Exploration and Mining, in part states 'Plants have evolved to mitigate the stress caused by the dry climate and nutrient- poor soils that prevail over much of Australia. One adaptation is dimorphic roots systems with shallow lateral and deep tap (or sinker) roots. The latter may reach depths of 40metres or more and are able to access water and nutrients deep in the regolith, especially during dry periods. Uptake of trace elements by plants is facilitated by production of organic ligands by plant roots. Australian native plants produce cyanide, oxalate and citrate and it is likely that these and other compounds dissolve trace elements'?
- (2) If no to (1), can the Minister quote the specific text of the 2006 paper titled 'Advances in Regolith research with respect to locating mineralisation' produced by R.R Anand from CSIRO Exploration and Mining?
- (3) Will the Minister table a copy of the 2006 paper titled 'Advances in Regolith research with respect to locating mineralisation' produced by R.R Anand from CSIRO Exploration and Mining?
- (4) Are the DEC and the Minister aware of the media release from May 2005 by the Cooperative Research Centre for Landscape Environments and Mineral Exploration titled 'Gumtrees and Mulga: Signposts to Minerals', which in part states, 'Now CRC LEME teams led by Dr Ravi Anand of CSIRO and Dr Steve Hill of Adelaide University have found that native vegetation, which has very deep roots designed to reach water far underground, can do some of the prospecting for us . . . Dissolved metals enter the roots, rise through vascular tissues, enter the fruits, twigs, bark and leaves, and then build up in specific products in the tree. In several areas north of Kalgoorlie, Dr Anand has detected very high levels of zinc in products of the mulga tree'?
- (5) If yes to (4), how did the DEC and the Minister become aware of this media release from May 2005?
- (6) If no to (4), will the DEC and the Minister make themselves fully aware of the media release from May 2005 and all of the research that has been undertaken?
- (7) Can the Minister explain why the DEC referred to and set a trigger level of 10 metres below ground level to prevent hypersaline water impacts on root systems of native vegetation at the Flying Fox Nickel Mine given that there are many technical research papers which show that root systems for native vegetation extend below 20 metres ground level and up to 40 metres below the surface?
- (8) If no to (7), why not?

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- (9) Will the DEC urgently make an amendment to the Flying Fox Nickel Mine Licence and Environmental Assessment Report dated 11 October 2007 to set the trigger level of 20 metres below ground level to prevent hypersaline water impacts on root systems of the native vegetation in the area?
- (10) If no to (9), why not?

5611. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

I refer to the Western Areas NL, Flying Fox Nickel Mine located south of Southern Cross, the Department of Environment and Conservation (DEC) Licence and Environmental Assessment Report dated 11 October 2007; a paper titled 'Penny West Gold Deposit, Youanmi, WA' produced by Nigel Radford and Tim Boddington concerning the Youanmi gold mine located approximately 115km south, south west of Sandstone, a media release from May 2005 by the Cooperative Research Centre for Landscape Environments and Mineral Exploration titled 'Gumtrees and Mulga: Signposts to Minerals'; a 2006 paper titled, 'Advances in Regolith research with respect to locating mineralisation' produced by R.R Anand from CSIRO Exploration and Mining, and I ask -

- (1) Will the Minister both table and quote the specific text of any reports which identify that tree roots for native vegetation in the area of the Flying Fox Nickel Mine only extend to 10 metres below ground level in order to justify this level being set as the trigger level to prevent hypersaline water impacts on tree roots for native vegetation in the area?
- (2) If no to (1), why not?
- (3) Can the Minister explain why do the report(s) referred to in (1), which may indicate tree roots for native vegetation only extending to 10 metres below the surface, take precedence under the precautionary principle of the *Environmental Protection Act 1986* given there are many other technical reports and papers which clearly show that native vegetation has deep root systems which extend greater than 20 metres below ground level and up to 40 metres below the surface?
- (4) If no to (3), why not?
- (5) Can the Minister indicate the specific nature and how many breaches of the *Environmental Protection Act 1986*, Environmental Field Notices, enforcement letters and written directions have been issued to the Flying Fox Nickel Mine in the last five years?
- (6) If no to (5), why not?
- (7) Will the Minister table copies of all the alleged breaches of the *Environmental Protection Act 1986*, Environmental Field Notices, enforcement letters and written directions that have been issued to the Flying Fox Nickel Mine in the last five years?
- (8) If no to (7), why not?

5612. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

I refer to the newspaper article titled 'EPA boss gives OK to former employer' which appeared on page 2 of *The Australian* newspaper on Thursday 1 November 2007; the newspaper article titled 'Environment regulator approved mine for ex-client' which appeared on page 3 of the *Australian*

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Financial Review on Thursday 1 November 2007, WIN News footage which appeared on Tuesday 30 October 2007 concerning the Kalgoorlie Superpit operations operated by Kalgoorlie Consolidated Gold Mines (KCGM) for Barrick Gold and Newmont Australia, and letters from Mr Bartle, dated 4 November 2007 and Mr Duke dated, 7 November 2007 sent to the Minister's office, and I ask -

- (1) Did Mr Barry Carbon state on WIN News on the 30 October 2007 that he had 'no link whatsoever with the KCGM proposal at hand'?
- (2) If no to (1), what specifically did Mr Barry Carbon state to WIN News on 30 October 2007?
- (3) Can the Minister state in what year and how much Mr Barry Carbon was paid by KCGM to advise 'on issues with tectonic shifts'?
- (4) If no to (3), why not?
- (5) Can the Minister explain why he stepped in to remit the bulletins for the KCGM proposal back to the Environmental Protection Authority (EPA)?
- (6) If no to (5), why not?
- (7) Can the Minister explain why he was of the view that Mr Barry Carbon did not have a conflict of interest in the KCGM proposal?
- (8) If no to (7), why not?
- (9) Can the Minister explain why he was of the view that Mr Barry Carbon did have a perceived conflict of interest in the KCGM proposal?
- (10) In remitting the bulletins back to the EPA, will the Minister ensure that all of the points and issues raised by Mr Bartle in a letter dated 4 November 2007 and Mr Duke in a letter dated 7 November 2007 are clearly addressed by the EPA to ensure that the proponent is made to address all the points raised in their original submissions in writing through its 'response to public submissions' and that the EPA makes comment on these issues in the new bulletins when they are released?
- (11) If no to (10), why not?

5613. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
How many people who were patients receiving treatment in the public mental health system died in 2006-2007?

5614. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

- (1) By hospital, how many general hospital beds have been occupied by a patient with a diagnosis of mental illness in each of the past three years?
- (2) Under 'duty of care' protocols, on how many occasions in each of the past three years have mental health patients requiring involuntary care have been cared for in non-secure, -
 - (a) approved mental health beds; and
 - (b) general hospital beds?

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5615. Hon Helen Morton to the Leader of the House representing the Minister for Energy

What is Western Powers response to irrefutable evidence from a recent study by the University of Queensland and the Department of Natural Resources and Water, as reported in *The West Australian* on 29 October 2007, that the clearing of native vegetation contributes to the warming and drying of the climate and the hotter droughts?

5616. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
Will the Minister please indicate -

- (1) The amount of funding provided to non-Government organisation 2006-2007 and 2007-2008 (allocated) financial years for mental health programs, services or facilities, by, -
 - (a) agency;
 - (b) program; and
 - (c) amount?
- (2) The non-Government Agencies hat applied for mental health funding in the 2006-2007 and 2007-2008 budget and were unsuccessful by -
 - (a) agency;
 - (b) program; and
 - (c) amount sought?

5617. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

- (1) In each of the past three years, how many forensic mental health patients have been admitted to a forensic mental health facility?
- (2) In each of the past three years, how many forensic mental health patients have been admitted to a non-forensic mental health unit in, -
 - (a) a secure ward; and
 - (b) a non-secure ward?
- (3) In each of the past three years, how many forensic mental health patients have been discharged from (1) and (2)?
- (4) In each of the past three years, how many forensic mental health patients have been placed on community treatment orders?
- (5) In each of the past three years, what is the total number of forensic mental health patients being managed as an outpatient of a forensic mental health clinic?

5618. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

- (1) How many hostel places for people with a mental illness received a Government subsidy at 1 November 2007?

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- (2) How many hostel places for people with a mental illness has the State Government withdrawn a subsidy from since, 1 March 2007?
- (3) How many hostel places for people with a mental illness, which were operating without a subsidy, has the Government recommended funding for, since 1 March 2007?
- (4) How many hostel places for people with a mental illness continue to operate without a Government subsidy?
- (5) How many hostel places for people with a mental illness have closed since 1 March 2007?
- (6) How many new hostel places or community supported residential units for people with a mental illness have been established since 1 March 2007 and how many of those receive a Government subsidy?

5619. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

By hospital over the past 12 months, how many people with a mental health diagnosis have been patients in the emergency department, or the observation ward in the emergency department, for the following length of time -

- (a) one to two days;
- (b) two to three days;
- (c) three to four days;
- (d) four to five days;
- (e) five to six days;
- (f) six to seven days;
- (g) seven to eight days;
- (h) eight to nine days;
- (i) nine to ten days; and
- (j) more than ten days?

5620. Hon Helen Morton to the Leader of the House representing the Minister for Energy

- (1) Were any announcements of the Western Power Eastern Termination sub-station proposal published in the print media, other than in local newspapers?
- (2) What strategies were used to advise residents of the meetings to discuss Western Power's Eastern Terminal proposal?
- (3) Were affected residents advised of the meetings on an individual basis through personalised letters, or was a generic notice sent?
- (4) What were the reasons for the choices of strategy identified at (1), (2), and (3)?
- (5) What is Western Power's current view about using property it currently has in Hackett's Gully for the sub-station?

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- (6) What is Western Power's attitude to the objections raised by the local residents in Hackett's Gully and surrounds, about this?
- (7) Would objections raised by residents in other areas that are potential sites be viewed the same as outlined in (6)?
- (8) What is Western Power's position about the relationship between the location of power lines and private property?
- (9) What area will be serviced by the proposed sub-station?
- (10) What factors are taken into consideration when western Power develops proposals for the location of a sub-station?
- (11) What other areas are being considered for an Eastern Terminal sub-station?
- (12) Does Western Power have a preferred model for the development and establishment of such sub-stations?
- (13) If yes to (12), what does the preferred mode; consist of?

5621. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health

- (1) At each of the following hospitals, how many patients with a mental health diagnosis have returned to hospital within 28 days of discharge over each of the past three financial years, -
 - (a) Royal Perth Hospital;
 - (b) Sir Charles Gardiner Hospital;
 - (c) Armadale Health Service;
 - (d) Swan Health Service;
 - (e) Joondalup Health Campus;
 - (f) Fremantle Hospital;
 - (g) Kalgoorlie Regional hospital;
 - (h) Geraldton Regional Hospital;
 - (i) Derby Regional Hospital;
 - (j) Broome Regional Hospital;
 - (k) Bunbury Regional Hospital;
 - (l) Albany Regional Hospital;
 - (m) Port Hedland Regional Hospital;
 - (n) Northam Regional Hospital; and
 - (o) Graylands Hospital?
- (2) What percentage of discharges of people with a mental health diagnosis do these figures represent for each of these hospitals for each year, -

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- (a) Royal Perth Hospital;
- (b) Sir Charles Gardiner Hospital;
- (c) Armadale Health Service;
- (d) Swan Health Service;
- (e) Joondalup Health Campus;
- (f) Fremantle Hospital;
- (g) Kalgoorlie Regional hospital;
- (h) Geraldton Regional Hospital;
- (i) Derby Regional Hospital;
- (j) Broome Regional Hospital;
- (k) Bunbury Regional Hospital;
- (l) Albany Regional Hospital;
- (m) Port Hedland Regional Hospital;
- (n) Northam Regional Hospital; and
- (o) Graylands Hospital?

5622. Hon Nigel Hallett to the Leader of the House representing the Minister for South West

- (1) Page 62 of the Annual Report for 2006-2007 of the South West Development Commission shows a disposal of land valued by the Western Australian Land Information Authority (Valuation Services) at \$1 025 000, as at 1 July 2006. Page 59 shows the proceeds to be \$501 000, creating a loss in the accounts of \$524 000. Page 68 states that this loss is, 'associated with the sale of land to the Bunbury Port Authority'. Could the Minister please explain what happened between 1 July 2006 and the sale date to reduce the value of the land by more than half?
- (2) If the land was sold under value, why was this the case?

MALCOLM PEACOCK

Clerk of the Legislative Council