

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**  
**QUESTIONS**  
**No. 215**  
**Thursday, 10 September 2020**

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

---

**QUESTIONS AWAITING ANSWERS**

---

*Notice Given*                      *Tuesday, 11 August 2020*

- 3018. Hon Colin Holt to the Minister for Environment representing the Minister for Transport
- 3019. Hon Colin Holt to the Minister for Environment representing the Minister for Transport
- 3020. Hon Colin Holt to the Minister for Environment representing the Minister for Transport
- 3021. Hon Colin Holt to the Minister for Environment representing the Minister for Transport
- 3022. Hon Colin Holt to the Minister for Environment representing the Minister for Transport
- 3023. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 3024. Hon Alison Xamon to the Minister for Environment representing the Minister for Housing
- 3025. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 3026. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 3027. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health
- 3028. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 3029. Hon Donna Faragher to the Minister for Education and Training
- 3030. Hon Donna Faragher to the Minister for Education and Training
- 3031. Hon Nick Goiran to the Leader of the House representing the Premier
- 3032. Hon Nick Goiran to the Minister for Education and Training
- 3033. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
- 3034. Hon Rick Mazza to the Minister for Regional Development representing the Minister for Water

## LEGISLATIVE COUNCIL

**Questions Awaiting Answers**

- 3035. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water
- 3036. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water
- 3037. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water
- 3038. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water
- 3039. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water
- 3041. Hon Robin Chapple to the Minister for Environment
- 3042. Hon Robin Chapple to the Minister for Environment
- 3043. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health
- 3044. Hon Colin Tincknell to the Minister for Environment representing the Minister for Transport
- 3045. Hon Colin Tincknell to the Minister for Environment representing the Minister for Housing
- 3046. Hon Tjorn Sibma to the Minister for Education and Training
- 3047. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water
- 3048. Hon Robin Chapple to the Minister for Environment
- 3049. Hon Colin Tincknell to the Minister for Environment representing the Minister for Police
- 3050. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 3051. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 3052. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 3053. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 3054. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection
- 3055. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection
- 3056. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection
- 3057. Hon Jacqui Boydell to the Minister for Environment representing the Minister for Housing
- 3058. Hon Alison Xamon to the Leader of the House representing the Minister for Prevention of Family and Domestic Violence
- 3059. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection
- 3060. Hon Michael Mischin to the Leader of the House representing the Premier
- 3061. Hon Diane Evers to the Minister for Environment
- 3062. Hon Diane Evers to the Minister for Environment
- 3063. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry

## LEGISLATIVE COUNCIL

**Questions Awaiting Answers**

- 3064. Hon Nick Goiran to the Leader of the House representing the Premier
- 3065. Hon Nick Goiran to the Leader of the House representing the Premier
- 3066. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 3067. Hon Colin Holt to the Minister for Environment representing the Minister for Transport
- 3068. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Health
- 3069. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Health
- 3070. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 3071. Hon Alison Xamon to the Leader of the House representing the Minister for Community Services
- 3072. Hon Alison Xamon to the Minister for Environment
- 3073. Hon Alison Xamon to the Minister for Environment
- 3074. Hon Alison Xamon to the Minister for Environment representing the Minister for Lands
- 3075. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 3076. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning

***Notice Given***                      ***Wednesday, 12 August 2020***

- 3077. Hon Alison Xamon to the Minister for Agriculture and Food
- 3078. Hon Alison Xamon to the Leader of the House representing the Minister for Community Services
- 3079. Hon Alison Xamon to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations
- 3080. Hon Alison Xamon to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
- 3081. Hon Alison Xamon to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 3082. Hon Alison Xamon to the Minister for Education and Training
- 3083. Hon Alison Xamon to the Minister for Environment; Disability Services; Electoral Affairs
- 3084. Hon Alison Xamon to the Minister for Environment representing the Minister for Police; Road Safety
- 3085. Hon Alison Xamon to the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade
- 3086. Hon Alison Xamon to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 3087. Hon Alison Xamon to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts
- 3088. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 3089. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce

## LEGISLATIVE COUNCIL

**Questions Awaiting Answers**

3090. Hon Alison Xamon to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation
3091. Hon Alison Xamon to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands
3092. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
3093. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
3094. Hon Alison Xamon to the Minister for Environment representing the Minister for Energy
3095. Hon Alison Xamon to the Minister for Environment representing the Minister for Transport; Planning
3096. Hon Alison Xamon to the Minister for Environment representing the Minister for Housing; Fisheries; Veterans Issues; Asian Engagement
3097. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
3098. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Water; Forestry; Innovation and ICT; Science; Youth

**Notice Given**                      **Thursday, 13 August 2020**

3099. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health
3100. Hon Colin Holt to the Minister for Regional Development
3101. Hon Martin Aldridge to the Minister for Environment representing the Minister for Transport
3102. Hon Martin Aldridge to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations
3103. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
3104. Hon Martin Aldridge to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
3105. Hon Martin Aldridge to the Minister for Education and Training
3106. Hon Martin Aldridge to the Minister for Environment; Disability Services; Electoral Affairs
3107. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police; Road Safety
3108. Hon Martin Aldridge to the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade
3109. Hon Martin Aldridge to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
3110. Hon Martin Aldridge to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts
3111. Hon Martin Aldridge to the Leader of the House representing the Attorney General
3112. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Commerce

## LEGISLATIVE COUNCIL

**Questions Awaiting Answers**

3113. Hon Martin Aldridge to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation
3114. Hon Martin Aldridge to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands
3115. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
3116. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
3117. Hon Martin Aldridge to the Minister for Environment representing the Minister for Energy
3118. Hon Martin Aldridge to the Minister for Environment representing the Minister for Transport; Planning
3119. Hon Martin Aldridge to the Minister for Environment representing the Minister for Housing; Fisheries; Veterans Issues; Asian Engagement
3120. Hon Martin Aldridge to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
3121. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Water; Forestry; Innovation and ICT; Science; Youth
3122. Hon Martin Aldridge to the Minister for Ports

**Notice Given**                      **Tuesday, 18 August 2020**

3123. Hon Jacqui Boydell to the Minister for Environment representing the Minister for Police
3124. Hon Jacqui Boydell to the Minister for Environment representing the Minister for Housing
3125. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
3126. Hon Robin Chapple to the Minister for Ports
3127. Hon Robin Chapple to the Minister for Ports
3128. Hon Jacqui Boydell to the Leader of the House representing the Minister for Prevention of Family and Domestic Violence
3129. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
3130. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
3131. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection
3132. Hon Alison Xamon to the Leader of the House representing the Minister for Community Services
3133. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Mental Health
3134. Hon Alison Xamon to the Minister for Environment representing the Minister for Police
3135. Hon Alison Xamon to the Leader of the House representing the Minister for Child Protection
3136. Hon Alison Xamon to the Minister for Environment representing the Minister for Police
3137. Hon Alison Xamon to the Parliamentary Secretary representing the Minister for Health
3138. Hon Alison Xamon to the Minister for Education and Training

## LEGISLATIVE COUNCIL

**Questions Awaiting Answers**

3139. Hon Nick Goiran to the Leader of the House representing the Attorney General  
 3140. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services

**Notice Given** *Wednesday, 19 August 2020*

3141. Hon Robin Chapple to the Minister for Environment  
 3142. Hon Peter Collier to the Minister for Environment representing the Minister for Housing

**Notice Given** *Thursday, 20 August 2020*

3143. Hon Robin Chapple to the Leader of the House representing the Premier  
 3144. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health  
 3145. Hon Colin Holt to the Leader of the House representing the Minister for Sport and Recreation

**Notice Given** *Tuesday, 8 September 2020*

3146. Hon Jacqui Boydell to the Minister for Environment  
 3147. Hon Colin Tincknell to the Minister for Environment representing the Minister for Police  
 3148. Hon Colin Tincknell to the Minister for Environment representing the Minister for Police  
 3149. Hon Colin Tincknell to the Leader of the House representing the Premier  
 3150. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water  
 3151. Hon Alison Xamon to the Minister for Environment representing the Minister for Transport  
 3152. Hon Alison Xamon to the Minister for Education and Training  
 3153. Hon Alison Xamon to the Minister for Education and Training  
 3154. Hon Alison Xamon to the Minister for Education and Training  
 3155. Hon Alison Xamon to the Minister for Education and Training  
 3156. Hon Alison Xamon to the Minister for Environment representing the Minister for Housing  
 3157. Hon Alison Xamon to the Leader of the House representing the Attorney General  
 3158. Hon Alison Xamon to the Leader of the House representing the Attorney General  
 3159. Hon Alison Xamon to the Minister for Environment representing the Minister for Police  
 3160. Hon Alison Xamon to the Leader of the House representing the Attorney General  
 3161. Hon Alison Xamon to the Minister for Environment representing the Minister for Housing  
 3162. Hon Alison Xamon to the Leader of the House representing the Minister for Community Services  
 3163. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection  
 3164. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations

**Notice Given** *Wednesday, 9 September 2020*

3166. Hon Jacqui Boydell to the Parliamentary Secretary representing the Minister for Mental Health

## LEGISLATIVE COUNCIL

**Questions Awaiting Answers**

- 3167. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water
- 3168. Hon Dr Steve Thomas to the Minister for Agriculture and Food
- 3169. Hon Tim Clifford to the Minister for Environment
- 3170. Hon Tim Clifford to the Minister for Environment
- 3171. Hon Tim Clifford to the Minister for Environment representing the Minister for Emergency Services

## LEGISLATIVE COUNCIL

---

**QUESTIONS ASKED TODAY**


---

*Notice Given*                      *Thursday, 10 September 2020*

**3172. Hon Martin Aldridge to the Minister for Regional Development:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask:

- (a) please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to each occasion:
  - (i) Mid-West Development Commission for:
    - (A) \$7,525 on advertising agencies; and
    - (B) \$4,213 on market research organisations;
  - (ii) Peel Development Commission \$3,465 on market research organisations;
  - (iii) Wheatbelt Development Commission \$3,049 on market research organisations;
  - (iv) South West Development Commission \$4,911 on market research organisations; and
  - (v) Department of Primary Industries and Regional Development for:
    - (A) \$25,558 on advertising agencies;
    - (B) \$94,462 on market research organisations;
    - (C) \$459,193 on direct mail; and
    - (D) \$212,803 on media advertising organisations?

**3173. Hon Martin Aldridge to the Minister for Ports:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to each occasion:

- (a) Pilbara Ports Authority \$71,000 on market research organisations; and
- (b) Southern Ports \$74,800 on market research organisations?

**3174. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Racing and Gaming:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to Racing and Wagering Western Australia \$206,000 on market research organisations?

**3175. Hon Martin Aldridge to the Leader of the House representing the Premier:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Premier to please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to:

- (a) Lotterywest for \$430,540 on market research organisations; and



## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given*                      *Thursday, 10 September 2020*

- (b) Public Sector Commission of \$44,000 for market research organisations?

**3176. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Small Business:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to the Small Business Development Corporation \$77,397 for market research organisations?

**3177. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend by Western Australia Police Force, including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to \$321,380 on market research organisations?

**3178. Hon Martin Aldridge to the Minister for Environment representing the Minister for Energy:**

I refer to the *Political Finance Annual Report* from the Western Australian Electoral Commission, and I ask the Minister to please provide a breakdown of spend by Western Power including the person or organisation who received funding, the purpose of the funding and the amount of funding relating to \$564,183 for market research organisations?

**3179. Hon Martin Aldridge to the Minister for Education and Training:**

I refer to the Ministers visit to the Agricultural region on 6 August 2020, and I ask:

- (a) please provide an unredacted copy of the Ministers itinerary and travel arrangements;
- (b) please provide all briefing notes and advice provided to the Minister in relation to meetings, functions and other commitments undertaken by the Minister;
- (c) who accompanied the Minister during the visit and at each meeting, function or other commitments undertaken by the Minister; and
- (d) on what date, at what time and by what means were the following local members of Parliament notified of the Minister's visit:
  - (i) Hon Martin Aldridge MLC;
  - (ii) Hon Colin de Grussa MLC;
  - (iii) Hon Laurie Graham MLC;
  - (iv) Hon Rick Mazza MLC;
  - (v) Hon Jim Chown MLC;
  - (vi) Hon Jim Chown MLC;
  - (vii) Hon Darren West MLC; and
  - (viii) Hon Mia Davies MLA?

**3180. Hon Martin Aldridge to the Minister for Regional Development:**

I refer to the Ministers visit to the Agricultural region on 16 July 2020, and I ask:

- (a) please provide an unredacted copy of the Ministers itinerary and travel arrangements;

## LEGISLATIVE COUNCIL

**Questions Asked Today**

*Notice Given*                      *Thursday, 10 September 2020*

- (b) please provide all briefing notes and advice provided to the Minister in relation to meetings, functions and other commitments undertaken by the Minister;
- (c) who accompanied the Minister during the visit and at each meeting, function or other commitments undertaken by the Minister; and
- (d) on what date, at what time and by what means were the following local members of Parliament notified of the Minister's visit:
  - (i) Hon Martin Aldridge MLC;
  - (ii) Hon Colin de Grussa MLC;
  - (iii) Hon Laurie Graham MLC;
  - (iv) Hon Rick Mazza MLC;
  - (v) Hon Jim Chown MLC;
  - (vi) Hon Jim Chown MLC;
  - (vii) Hon Darren West MLC; and
  - (viii) Mr Ian Blayney MLA?

**3181. Hon Martin Aldridge to the Minister for Regional Development:**

I refer to the Ministers visit to the Agricultural region on 6 August 2020, and I ask:

- (a) please provide an unredacted copy of the Ministers itinerary and travel arrangements;
- (b) please provide all briefing notes and advice provided to the Minister in relation to meetings, functions and other commitments undertaken by the Minister;
- (c) who accompanied the Minister during the visit and at each meeting, function or other commitments undertaken by the Minister; and
- (d) on what date, at what time and by what means were the following local members of Parliament notified of the Minister's visit:
  - (i) Hon Martin Aldridge MLC;
  - (ii) Hon Colin de Grussa MLC;
  - (iii) Hon Laurie Graham MLC;
  - (iv) Hon Rick Mazza MLC;
  - (v) Hon Jim Chown MLC;
  - (vi) Hon Jim Chown MLC;
  - (vii) Hon Darren West MLC; and
  - (viii) Hon Mia Davies MLA?

**3182. Hon Martin Aldridge to the Minister for Environment representing the Minister for Housing; Fisheries; Veterans Issues; Asian Engagement:**

I refer to the Ministers visit to the Agricultural region on 14 August 2020, and I ask:

- (a) please provide an unredacted copy of the Ministers itinerary and travel arrangements;
- (b) please provide all briefing notes and advice provided to the Minister in relation to meetings, functions and other commitments undertaken by the Minister;

## LEGISLATIVE COUNCIL

**Questions Asked Today**

*Notice Given*                      *Thursday, 10 September 2020*

- (c) who accompanied the Minister during the visit and at each meeting, function or other commitments undertaken by the Minister; and
- (d) on what date, at what time and by what means were the following local members of Parliament notified of the Minister's visit:
  - (i) Hon Martin Aldridge MLC;
  - (ii) Hon Colin de Grussa MLC;
  - (iii) Hon Laurie Graham MLC;
  - (iv) Hon Rick Mazza MLC;
  - (v) Hon Jim Chown MLC;
  - (vi) Hon Jim Chown MLC;
  - (vii) Hon Darren West MLC; and
  - (viii) Mr Ian Blayney MLA?

**3183. Hon Tim Clifford to the Minister for Environment:**

- (1) According to the Department of Water and Environmental Regulation, contaminated solid waste is considered Class IV landfill waste. Would the Minister please explain why Cleanaway's Dardanup Facility, which is only licensed to Class III, received approximately 1500 to 2000 tonnes of burnt and damaged waste from the ruins of Cleanaway's recycling facility in South Guildford that burnt down last November?
- (2) Was the fire debris material from Cleanaway's South Guildford Material Recovery Facility tested to ascertain the levels of contamination for classification prior to disposing at Cleanaway's Dardanup facility?
- (3) If the landfill waste that Cleanaway's Dardanup facility received was not considered Class IV, would the Minister please table the documents clarifying that?
- (4) I note the series of fires at Cleanaway's Dardanup facility in the weeks following the South Guildford facility fire and subsequent disposal of the fire waste at the Dardanup facility, and I ask, what investigations were undertaken to ascertain that the fires at Cleanaway's Dardanup facility were not due to the disposal of the fire debris from the South Guildford facility?

**3184. Hon Robin Chapple to the Minister for Environment:**

I refer to the issue of the dust pollution at the West End of Port Hedland, the Port Hedland Industries Council (PHIC), local industrial projects, and specifically to the data that the Department of Water and Environmental Regulations (DWER; the Department) holds, and that which has been received from PHIC from 2018 to the present, and to the Port Hedland air monitoring network as an instrument of DWER, and I ask:

- (a) does the Minister agree that under BHP's Environmental Licence for Port Hedland (BHP's Environmental Licence; Licence), if there is any fugitive dust emission escaping the licensed premises resulting in pollution or material environmental harm or serious environmental harm, these will constitute offences by BHP under the *Environmental Protection Act 1986* (EP Act), unless all BHP's Licence conditions 2 to 25 are complied with;
- (b) does the Minister agree that under BHP's Environmental Licence for Port Hedland, BHP must, under its Licence conditions 23 (monitoring and management response) and 24 (ambient air quality monitoring):

## LEGISLATIVE COUNCIL

**Questions Asked Today****Notice Given****Thursday, 10 September 2020**

- (i) obtain monitoring data at the Taplin Street monitoring station;
- (ii) identify any exceedance in PM10 dust over  $100\mu\text{g}/\text{m}^3$  (as a one hour rolling average when wind direction is between  $110^\circ$  and  $320^\circ$ );
- (iii) immediately on being notified of the exceedance, commence and continue all management actions as specified in the Licence for the duration of the exceedance:
  - (A) including undertaking a boundary monitoring trigger investigation to identify the source of the exceedance; and
  - (B) if identified to be caused from activities at the premises, implement immediate dust abatement measures which may include, but are not limited to, ceasing or changing iron ore handling activities;
- (iv) detect against the reportable parameter any exceedance in PM10 dust of  $70\mu\text{g}/\text{m}^3$  (as a 24 hour average); and
- (v) conduct measurements in accordance with Australian Standard AS25800.9.1;
- (c) does the Minister agree that an exceedance in PM10 dust of  $70\mu\text{g}/\text{m}^3$  (as a 24 hour average), measured at the Taplin St monitor, would be a "Reportable Event" under BHP's Environmental Licence:
  - (i) if yes to (c), does the Minister agree that if there is a "Reportable Event", then BHP must, under its licence condition 25, investigate and undertake the actions, and report in accordance with BHP's Licence Schedule 4 (i.e. the report must be submitted by the proponent to DWER's CEO);
- (d) does the Minister agree that under BHP's Environmental Licence for Port Hedland, BHP must under its Licence condition 28 (record keeping), maintain accurate and auditable books, including in respect of:
  - (i) the incidence of exceedances, triggering the requirement for management action, and the management actions taken in response under Licence condition 23; and
  - (ii) events reported in accordance with Licence condition 25 (reportable events) which includes events where the Taplin St monitor exceeds in PM10 dust of  $70\mu\text{g}/\text{m}^3$  (as a 24 hour average);
- (e) is the Minister aware that under BHP's Environmental Licence for Port Hedland, BHP must, under its Licence condition 30 (record keeping) - submit to the CEO of DWER no later than 30 September each year:
  - (i) an annual compliance report identifying any noncompliance with the Licence conditions; and
  - (ii) a monitoring report providing the results of monitoring and any supporting records, information, reports and data as required Licence condition 24 for the ambient air quality monitoring at Taplin St including a comparison of monitoring results against:
    - (A)  $70\mu\text{g}/\text{m}^3$  (as a 24 hour average); and
    - (B)  $30\mu\text{g}/\text{m}^3$  (as an annual average);

## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given*                      *Thursday, 10 September 2020*

- (f) noting it has since been retracted and the PM10 data for Taplin St has been expunged, is the Minister aware that by BHP's *Ambient Air Quality Monitoring Program Report* for the Taplin St monitor readings (issued via PHIC) for 2018-19 (dated October 2019) stated and claimed for Taplin St:
- (i) the Taplin Street monitoring data capture requirements for the full 2018-19 year had been successfully met;
  - (ii) "The Taplin monitoring station did not record any days above the 24-hour average interim guideline for PM10 of 70 µg/m<sup>3</sup>. Consequently, the interim guideline was met at Taplin. This is the first instance of zero days above the interim guideline for a reporting period since implementation of the interim guideline";
  - (iii) "As there were no days in 2018-19 when the Taplin monitoring station recorded 24-hour average concentrations of PM10 above the interim guideline of 70 µg/m<sup>3</sup> (Section 4.1.2), no further analyses were required";
  - (iv) asserted that the measure of 70 µg/m<sup>3</sup> for a 24-hour average "applies to residential areas east of Taplin Street" (per Table note B of Table 2-4); and
  - (v) asserted that the measure of 8 µg/m<sup>3</sup> for PM2.5 in an annual average was "met" (per Table 5-1);
- (g) regarding BHP's *Ambient Air Quality Monitoring Program Report for 2018-19*, is the Minister aware that all Taplin Street data and related reporting has been replaced by a substituted report dated April 2020, so that there is now no information reported on PM10 with respect to the Taplin Street monitor for the entire 2018-19 year;
- (h) regarding the failures of the Taplin street monitor (the physical equipment), will the Minister please advise on the nature and extent of the failures, their timings and their causes;
- (i) in respect of the investigation, understood to have been undertaken by GHD into the Taplin St monitor failures, can the Minister please advise:
- (i) whether DWER considers that GHD qualifies as both expert and independent, for the purpose of conducting an investigation in connection with the Taplin St monitor failures;
  - (ii) what information was obtained and what assessment was made by DWER on the current or past relationships between GHD and PHIC, the latter understood as both the Council body itself and individual Members thereof; and
  - (iii) will DWER make this investigation publically available:
    - (A) if no to (i)(iii), why not;
- (j) regarding the error(s) in the data of the Taplin street monitor ('Taplin Data Set'), will the Minister please:
- (i) define, or identify the errors present in the data set; and
  - (ii) explain the cause of the error in the data;
- (k) in light of the negative (readings where  $x < 0$ ) for PM10 and PM2.5 dust on the Taplin St monitor, can the Minister explain the potential that each of the data readings taken between 1 July 2018 and 7 September 2018, are in each and every case understated by (or in the order of) around 5.0 µg/m<sup>3</sup> for each reading taken:

## LEGISLATIVE COUNCIL

## Questions Asked Today

## Notice Given

Thursday, 10 September 2020

- (i) how were these negative values accounted for in BHP's Ambient Air Quality Monitoring Program report for the Taplin St monitor readings (issued via PHIC) for 2018-19 and dated October 2019;
- (l) is DWER considering interpolating the Taplin St data for 2018-19, given the availability of modelling, satellites, and raw data from nearby air-quality monitors:
  - (i) if no to (l), for what reason; and
  - (ii) if yes to (l), how will this be verified or reviewed;
- (m) in the light of the Taplin St failures, will the Minister make available the following:
  - (i) BHP's report as to any reportable events under Licence condition 25, relating to compliance with Licence condition 24, for the period from 1 July 2018 to present;
  - (ii) BHP's books and information, kept under Licence condition 28, relating to compliance with Licence condition 23, for the period from 1 July 2018 to present;
  - (iii) BHP's records and reports required to be submitted to DWER under Licence condition 30 (record keeping), for the periods 2018-19 and 2019-2020;
  - (iv) all PHIC underlying data from the PHIC monitoring network; and
  - (v) if no to (m)(i)-(m)(iv), why not;
- (n) will the Minister advise what steps have been undertaken to investigate whether offences have been committed under the BHP Environmental Licence conditions, the *Environmental Protection Act 1986* or any regulations in connection with the multiple failings of the Taplin St monitor, and the reporting of the Taplin St monitor data:
  - (i) if none to (n), why not; and
  - (ii) if none to (n), will the Minister consider such an investigation;
- (o) will the Minister provide details on any exceedances of DWER's and Department of Health's (DoH) adopted HRA PM10 70 level for residential areas, and other exceedances of the Western Australian legislated National Environmental Protection Measures for PM10 or PM2.5, within PHIC's 2018, 2019 and 2020 monitoring data, across all monitors in Port Hedland:
  - (i) if no to (o), does the Minister intend to keep this information withheld from the Port Hedland public;
- (p) does the Minister agree that in order to achieve the interim air quality guideline in all residential areas of Port Hedland, there must be an urgent net reduction in dust emissions from port related industries:
  - (i) can the Minister please provide a rationale to the answer given at (p);
- (q) is the Minister aware that the DoH's Health Risk Assessment (2016) (available at: <https://ww2.health.wa.gov.au/-/media/Files/Corporate/general-documents/Environmental-health/Port-Hedland-Health-Assessment.pdf> ) proposed a five year time period to achieve the 24-hour PM10 of 70 µg/m3 (+10 exceedances to accommodate natural events) in residential areas of Port Hedland:
  - (i) is the Minister aware that the five years given by DoH is due to expire in January 2021; and

## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given**Thursday, 10 September 2020*

- (ii) is the Minister aware that the five year target at (q) is referenced in the Dust Management Taskforce Report (available at: [https://www.jtsi.wa.gov.au/docs/default-source/default-document-library/port-hedland-dust-taskforce---2016-report-to-government---for-public-comment.pdf?sfvrsn=dc8c6d1c\\_0](https://www.jtsi.wa.gov.au/docs/default-source/default-document-library/port-hedland-dust-taskforce---2016-report-to-government---for-public-comment.pdf?sfvrsn=dc8c6d1c_0));
- (r) in relation to issues concerning Pilbara pollution or dust, what is the nature of the relationship between Katestone Environmental Pty Ltd and DWER;
- (s) will the Minister advise whether any consultant for PHIC, as a Council and in respect to individual Members, having worked in this role within the last two years, is now employed by DWER;
- (t) is the Minister aware that, in the PHIC 2018-19 Report, the increasing trend in the number of 24-hour average concentrations above the AAQ NEPM standard at the Richardson Street monitor, was explained as being “in part due to urban development changes that have occurred near Richardson in the past few years”:
- (i) what urban development changes have occurred near the Richardson Street monitor in the years 2016-17, 2017-18 and 2018-19, to support the statement at (t);
- (ii) with reference to this Richardson Street monitor, what are the locations of the urban development changes, referred to at (t)(i); and
- (iii) of those given at (t)(i), will the Minister please explain their impact in comparison to BHP’s, using the same criteria for assessing both “urban development changes” and BHP’s continuous activity at the site;
- (u) is the Minister aware that the Taplin Street monitor had recorded breaches of the PM2.5 NEPM measure for five consecutive (financial) years:
- (i) 2014-15 Taplin (12.0 µg/m<sup>3</sup>; +50% exceedance);
- (ii) 2015-16 Taplin (11.8 µg/m<sup>3</sup>; +47% exceedance);
- (iii) 2016-17 Taplin (10.7 µg/m<sup>3</sup>; +33% exceedance);
- (iv) 2017-18 Taplin (11.3 µg/m<sup>3</sup>; +41% exceedance); and
- (v) 2018-19 Taplin (9.6 µg/m<sup>3</sup>; +20% exceedance);
- (v) is the Minister aware that the Richardson Street monitor had recorded breaches of the PM2.5 NEPM measure for two consecutive (financial) years:
- (i) 2017-18 Richardson (10.1 µg/m<sup>3</sup>; +26% exceedance); and
- (ii) 2018-19 Richardson (12.3 µg/m<sup>3</sup>; +53% exceedance);
- (w) is DWER aware of the study undertaken for BHP by the University of Western Australia founded CEED foundation (Co-operative Education for Enterprise Development) entitled “Additives to Marra Mamba Iron Ore to Reduce Dust Emissions” (available at: [http://ceed.wa.edu.au/wp-content/uploads/2018/09/14.Huynh\\_.BHP\\_.MarraMambaDustReduction.pdf](http://ceed.wa.edu.au/wp-content/uploads/2018/09/14.Huynh_.BHP_.MarraMambaDustReduction.pdf)):
- (i) and, that it states “Iron ore from the Marra Mamba Iron Formation of the northwest Pilbara region (Klein and Gole 1981) is mined by BHP. Marra Mamba iron ore is known for its ochreous or yellowbrown colour due to a high goethite content, and possesses a higher friability (ability to crumble)

## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given**Thursday, 10 September 2020*

compared to other iron ore types (Lascelles 2000). This generates a greater proportion of fines <125 µm in size compared to other ore types (Okazaki and Higuchi 2005), resulting in a greater tendency to form dust. Dust particles, those with diameters <150 µm (Standards Australia 2013), are created during iron ore processing and remain suspended in the air. Fugitive dust at the PM10 fraction (<10 µm in diameter) can be responsible for health issues (Topić and Žitnik 2012). Occupational inhalation of high iron oxide dust concentrations over the long term can lead to benign pneumoconiosis, termed siderosis (BHP Iron Ore, 2007). The crystalline silica present is believed to be carcinogenic towards humans (IARC 1997)";

- (x) does DWER hold a copy of the "2007 BHP Iron Ore Material Safety Data" which is cited at (w)(i):
  - (i) if no to (x), is this available to the Department; and
  - (ii) if yes to (x), will the Minister please table a copy; and
- (y) can the Minister please table any studies held by the Department, regarding the processing of Marra Mamba iron ore type as compared to other ore types, that establishes a clear understanding of:
  - (i) the propensity for the generation of the PM2.5 dust fraction within the PM10 dust fraction generated from the processing;
  - (ii) the proportion of the PM2.5 dust fraction within the PM10 dust fraction; and
  - (iii) the correlation of the PM2.5 dust fraction with PM10 dust fraction?

**3185. Hon Donna Faragher to the Parliamentary Secretary representing the Minister for Health:**

I refer to the Sir Charles Gairdner Hospital Outpatient Transport Service, and I ask:

- (a) what suburbs fall within the Patient Transport Service catchment area;
- (b) how is the catchment referred to in (a) determined; and
- (c) is the catchment area reviewed at any time:
  - (i) if yes to (c), will the Minister provide more detail on the review process?

**3186. Hon Robin Chapple to the Minister for Environment:**

I refer to the issue of the dust pollution at the West End of Port Hedland, the Port Hedland Industries Council (PHIC), local Industrial projects, and specifically to the data that the Department of Water and Environmental Regulations (DWER; the Department) holds, and that which has been received from PHIC from 2018 to the present, and to the Port Hedland air monitoring network as an instrument of DWER, and I ask:

- (a) when did the Minister first become aware that the Department of Jobs Tourism Science and Innovation (DJTSI), via its "Frequently Asked Questions, Government Response" (available at: [https://jtsi.wa.gov.au/docs/default-source/default-document-library/185481\\_port-hedland-dust-management-q-ascad110a57ba2628e86e4ff0000981137.pdf?sfvrsn=4d73721c\\_4](https://jtsi.wa.gov.au/docs/default-source/default-document-library/185481_port-hedland-dust-management-q-ascad110a57ba2628e86e4ff0000981137.pdf?sfvrsn=4d73721c_4))>[https://jtsi.wa.gov.au/docs/default-source/default-document-library/185481\\_port-hedland-dust-management-q-ascad110a57ba2628e86e4ff0000981137.pdf?sfvrsn=4d73721c\\_4](https://jtsi.wa.gov.au/docs/default-source/default-document-library/185481_port-hedland-dust-management-q-ascad110a57ba2628e86e4ff0000981137.pdf?sfvrsn=4d73721c_4)), was stating that "No change is proposed to the NEPM guideline for PM2.5 and



## LEGISLATIVE COUNCIL

**Questions Asked Today**

*Notice Given*                      *Thursday, 10 September 2020*

Government expects this guideline will continue to be met in Port Hedland as it is currently”;

- (b) will the Minister please table copies of all Government documents, previously or currently made public by or on behalf of the Government, to the effect that “[the] Government expects [PM2.5 dust pollution NEPM measures in Port Hedland] will continue to be met”, as exemplified at (a):
  - (i) of those documents at (b), which were withdrawn, and when;
  - (ii) of those documents at (b), which are still in circulation and do not represent the Government’s current views; and
  - (iii) of those documents at (b), which are still in circulation and represent the Government’s current views;
- (c) does the Minister consider it misleading to the public for the Government to state “...Government expects this guideline [for PM2.5] will continue to be met in Port Hedland as it is currently” when at the PM2.5 has in fact exceeded the NEPM guideline, including the latest exceedances of 53% and 20% measured at the Richardson Street and Taplin Street monitors respectively in the last reported year 2018-2019:
  - (i) if no to (c), why not;
- (d) is the Minister aware that PM2.5 and PM10 dust monitoring at the Taplin Street and the Richardson Street Port Hedland monitors are essential monitoring that is required to help protect public health safety in Port Hedland;
- (e) can the Minister confirm that the PM2.5 and PM10 monitors at Taplin Street and Richardson Street are operational and providing accurate readings, as of 9 September 2020:
  - (i) if no to (e), can the Minister explain why not;
- (f) will the Minister assure the Port Hedland community that there are no plans to cease the operation of the existing Taplin Street and Richardson Street PM2.5 monitors, in their current locations:
  - (i) if no to (f), can the Minister please explain the changes to either the operation or location of the monitor(s);
- (g) is the Minister aware that the Taplin Street PM10 and PM2.5 monitors are located as close as approximately 200 metres from the local kindergarten and primary school and their playing fields;
- (h) can the Minister please advise as to when DWER was informed that PHIC had launched an internal investigation into data discrepancy with its PM10 dust monitor at Taplin Street Port Hedland;
- (i) can the Minister please advise when DWER first became aware of any PM10 or PM2.5 PHIC dust monitor readings, being taken in Port Hedland since 1 July 2014, at levels recorded at below zero:
  - (i) what action was undertaken by DWER in response to these nonsensical readings (i.e. dust levels in the Pilbara at less than zero); and
- (j) can the Minister advise, what investigation, steps, and methods of analysis were, and are, being undertaken by the Government to ensure:

## LEGISLATIVE COUNCIL

**Questions Asked Today***Notice Given**Thursday, 10 September 2020*

- (i) monitoring equipment is functional and correctly calibrated;
- (ii) data-values cannot be less than zero for real-world applications;
- (iii) vexatious data values are not used in any capacity to inform licensing or legal requirements, as in annual reports;
- (iv) nonsensical data is identified by the appropriate authority as being nonsensical or vexatious;
- (v) nonsensical data collated by the Department is not used to inform policy within other departments (e.g. Department of Health);
- (vi) the reputation of the Department, or its instruments, as qualified to collect data; and
- (vii) the health of the residents in Port Hedland, as a result of extended fictitious reporting?

**3187. Hon Colin Holt to the Parliamentary Secretary representing the Minister for Health:**

I refer to question on notice 2872, regarding code blacks in regional hospitals, and I ask:

- (a) what is the reason for the significant increase of 89 code blacks at Albany hospital since September 2019 to March 2020, compared to zero in the six month prior;
- (b) what allocation of the “increased funding to stop hospital violence and aggression” was allocated to Albany hospital for security FTE and capital investment; and
- (c) what is the current security FTE at Albany hospital?

**NIGEL PRATT**

Clerk of the Legislative Council