

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

---

---

## QUESTIONS

**No. 212**

**Thursday, 19 June 2008**

---

---

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, 8 April 2008***

6146. Hon Donna Faragher to the Parliamentary Secretary representing the Minister for Planning and Infrastructure (*SO 138(d) response - May 29 2008*)

***Notice Given***                      ***Tuesday, 6 May 2008***

6264. Hon Ray Halligan to the Parliamentary Secretary representing the Minister for State Development (*SO 138(d) response - June 5 2008*)

6283. Hon Ray Halligan to the Leader of the House representing the Minister for Energy (*SO 138(d) response - June 5 2008*)

6284. Hon Ray Halligan to the Leader of the House representing the Minister for Resources (*SO 138(d) response - June 5 2008*)

6285. Hon Ray Halligan to the Leader of the House representing the Minister for Industry and Enterprise (*SO 138(d) response - June 5 2008*)

---

***Notice Given***                      ***Thursday, 15 May 2008***

6319. Hon Giz Watson to the Minister for Employment Protection

6320. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment

6322. Hon Helen Morton to the Leader of the House representing the Minister for Energy

## LEGISLATIVE COUNCIL

**Postponed Questions**

*Notice Given*                      *Tuesday, 27 May 2008*

- 6332. Hon Ray Halligan to the Parliamentary Secretary representing the Treasurer
- 6333. Hon Ray Halligan to the Minister for Youth
- 6334. Hon Ray Halligan to the Minister for Government Enterprises
- 6336. Hon Giz Watson to the Leader of the House representing the Minister for Energy
- 6339. Hon Barry House to the Parliamentary Secretary representing the Minister for Consumer Protection
- 6341. Hon Ray Halligan to the Minister for Child Protection
- 6342. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment
- 6343. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6344. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6345. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6346. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6347. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6348. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6349. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6350. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6351. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6352. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6353. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6354. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6355. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training

## LEGISLATIVE COUNCIL

**Postponed Questions**

- 6356. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6357. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6358. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training

***Notice Given                      Thursday, 29 May 2008***

- 6361. Hon Helen Morton to the Minister for Agriculture and Food
- 6362. Hon Helen Morton to the Minister for Forestry
- 6363. Hon Helen Morton to the Minister for the Mid West and Wheatbelt
- 6364. Hon Helen Morton to the Minister for Great Southern
- 6365. Hon Helen Morton to the Minister for Local Government
- 6366. Hon Helen Morton to the Minister for Racing and Gaming
- 6367. Hon Helen Morton to the Minister for Multicultural Interests and Citizenship
- 6368. Hon Helen Morton to the Minister for Government Enterprises
- 6369. Hon Helen Morton to the Minister Assisting the Minister for Planning and Infrastructure
- 6370. Hon Helen Morton to the Minister for Goldfields-Esperance
- 6371. Hon Helen Morton to the Minister for Youth
- 6372. Hon Helen Morton to the Minister for Regional Development
- 6373. Hon Helen Morton to the Minister for Employment Protection
- 6374. Hon Helen Morton to the Minister for Fisheries
- 6375. Hon Helen Morton to the Minister for the Kimberley, Pilbara and Gascoyne
- 6377. Hon Helen Morton to the Minister for Communities
- 6378. Hon Helen Morton to the Minister for Women's Interests
- 6379. Hon Helen Morton to the Minister for Seniors and Volunteering
- 6380. Hon Helen Morton to the Leader of the House representing the Premier
- 6381. Hon Helen Morton to the Leader of the House representing the Minister for Federal-State Relations
- 6382. Hon Helen Morton to the Leader of the House representing the Minister for Trade
- 6383. Hon Helen Morton to the Leader of the House representing the Minister for Innovation
- 6384. Hon Helen Morton to the Leader of the House representing the Minister for Science
- 6385. Hon Helen Morton to the Leader of the House representing the Minister for Public Sector Management
- 6386. Hon Helen Morton to the Parliamentary Secretary representing the Deputy Premier

## LEGISLATIVE COUNCIL

**Postponed Questions**

- 6387. Hon Helen Morton to the Parliamentary Secretary representing the Treasurer
- 6388. Hon Helen Morton to the Parliamentary Secretary representing the Minister for State Development
- 6389. Hon Helen Morton to the Minister for Employment Protection representing the Minister for Police and Emergency Services
- 6390. Hon Helen Morton to the Minister for Employment Protection representing the Minister for Community Safety
- 6391. Hon Helen Morton to the Leader of the House representing the Minister for Water Resources
- 6393. Hon Helen Morton to the Minister for Child Protection representing the Attorney General
- 6394. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 6395. Hon Helen Morton to the Minister for Child Protection representing the Minister for Electoral Affairs
- 6396. Hon Helen Morton to the Minister for Local Government representing the Minister for Housing and Works
- 6397. Hon Helen Morton to the Minister for Local Government representing the Minister for Indigenous Affairs
- 6398. Hon Helen Morton to the Minister for Local Government representing the Minister for Heritage
- 6399. Hon Helen Morton to the Minister for Local Government representing the Minister for Land Information
- 6402. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Tourism
- 6403. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Culture and the Arts
- 6404. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Consumer Protection
- 6405. Hon Helen Morton to the Minister for Local Government representing the Minister for Education and Training
- 6406. Hon Helen Morton to the Leader of the House representing the Minister for South West
- 6407. Hon Helen Morton to the Leader of the House representing the Minister for Energy
- 6408. Hon Helen Morton to the Leader of the House representing the Minister for Resources
- 6409. Hon Helen Morton to the Leader of the House representing the Minister for Industry and Enterprise
- 6412. Hon Helen Morton to the Parliamentary Secretary representing the Minister for the Environment
- 6413. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Climate Change
- 6414. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Peel

## LEGISLATIVE COUNCIL

**Postponed Questions**

6415. Hon Brian Ellis to the Minister for Local Government representing the Minister for Education and Training

***Notice Given***                      ***Tuesday, 3 June 2008***

6417. Hon Helen Morton to the Leader of the House representing the Premier  
 6418. Hon Anthony Fels to the Leader of the House representing the Minister for Energy  
 6419. Hon Anthony Fels to the Leader of the House representing the Premier  
 6420. Hon Anthony Fels to the Parliamentary Secretary representing the Treasurer  
 6422. Hon Paul Llewellyn to the Leader of the House representing the Minister for Energy  
 6423. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment

***Notice Given***                      ***Wednesday, 4 June 2008***

6424. Hon Peter Collier to the Minister for Local Government representing the Minister for Education and Training  
 6426. Hon Simon O'Brien to the Parliamentary Secretary representing the Treasurer

***Notice Given***                      ***Thursday, 5 June 2008***

6430. Hon Norman Moore to the Leader of the House representing the Minister for Resources

***Notice Given***                      ***Tuesday, 17 June 2008***

6431. Hon George Cash to the Parliamentary Secretary representing the Minister for Planning and Infrastructure  
 6432. Hon Giz Watson to the Minister for Child Protection representing the Minister for Health  
 6433. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs  
 6434. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment  
 6434. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment  
 6435. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment  
 6436. Hon Giz Watson to the Parliamentary Secretary representing the Minister for State Development  
 6437. Hon Barry House to the Leader of the House representing the Minister for Energy  
 6438. Hon Giz Watson to the Minister for Local Government

***Notice Given***                      ***Wednesday, 18 June 2008***

6439. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs  
 6440. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment  
 6441. Hon Giz Watson to the Leader of the House representing the Minister for Resources

LEGISLATIVE COUNCIL

**Postponed Questions**

6442. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment
6443. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

## LEGISLATIVE COUNCIL

---

QUESTIONS ASKED TODAY

---

*Notice given**Thursday, 19 June 2008*

6444. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs

With regard to questions without notice Nos' 415 and 455 in relation to the Apache Energy Devil Creek Development and question on notice No. 5913, asked of the Minister for Environment, and I ask -

- (1) Is it correct as stated by the Minister that as the Environmental Protection Authority (EPA) had not completed an environmental impact assessment under the provisions of the *Environmental Protection Act 1986* the Minister was not authorised by law to make such a s18 decision, after the Aboriginal Cultural Material Committee (ACMC) had met and made a recommendation to the Minister?
- (2) Is it correct in part (9), (10) and (11) of question on notice No. 5913, asked of the Minister for Environment, that the EPA cannot make a decision in respect of projects until advice has been received whether a proposal can be assessed?
- (3) If yes to (2), at what level, once the (ACMC) has provided advice on the application?
- (4) Will the Minister outline the correct chronology of decision making in respect of her department on these issues?

6445. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs

With regard to Department of Indigenous Affairs (DIA) Aboriginal Sites Register and answer to part four of question on notice No. 6095, I ask -

- (1) Have officers of the DIA advised any proponents that Aboriginal Site Number 23323 is not relevant to their project on the Burrup Peninsula and that an application pursuant to section 18 of the *Aboriginal Heritage Act 1972* in regard to this site was therefore not required?
- (2) If yes to (1), on how many occasions and why was this done in light of the Minister's answer to part four of question on notice No. 6095?
- (3) Did officers of the DIA advise proponents incorrectly?
- (4) If the DIA advised proponents incorrectly, what action will be taken to remedy the situation?

**MALCOLM PEACOCK**

Clerk of the Legislative Council