

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 35

Tuesday, 16 June 2009

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, 19 May 2009*

- 740. Hon Sally Talbot to the Minister for Environment
- 742. Hon Giz Watson to the Minister for Environment
- 743. Hon Carolyn Burton to the Minister for Environment

Notice Given *Wednesday, 20 May 2009*

- 746. Hon Ken Travers to the Minister for Education
- 747. Hon Ken Travers to the Minister for Education
- 748. Hon Ken Travers to the Minister for Transport
- 749. Hon Ken Travers to the Minister for Transport
- 750. Hon Ken Travers to the Minister for Transport
- 751. Hon Ken Travers to the Minister for Transport
- 752. Hon Ken Travers to the Minister for Transport
- 753. Hon Ken Travers to the Minister for Transport
- 754. Hon Ken Travers to the Minister for Transport
- 755. Hon Ken Travers to the Minister for Transport
- 756. Hon Ken Travers to the Minister for Transport

LEGISLATIVE COUNCIL

Postponed Questions

758. Hon Carolyn Burton to the Parliamentary Secretary representing the Treasurer

759. Hon Sally Talbot to the Parliamentary Secretary representing the Treasurer

760. Hon Ed Dermer to the Parliamentary Secretary representing the Treasurer

Notice Given **Thursday, 21 May 2009**

761. Hon Anthony Fels to the Leader of the House representing the Premier

763. Hon Anthony Fels to the Leader of the House representing the Premier

764. Hon Anthony Fels to the Parliamentary Secretary representing the Treasurer

765. Hon Anthony Fels to the Minister for Transport representing the Minister for Health

766. Hon Anthony Fels to the Parliamentary Secretary representing the Treasurer

768. Hon Anthony Fels to the Parliamentary Secretary representing the Minister for Mental Health

771. Hon Anthony Fels to the Minister for Transport

773. Hon Anthony Fels to the Parliamentary Secretary representing the Minister for Mental Health

774. Hon Adele Farina to the Minister for Environment

776. Hon Giz Watson to the Minister for Energy representing the Minister for Education

778. Hon Anthony Fels to the Minister for Energy representing the Minister for Police

Notice Given **Friday, 22 May 2009**

779. Hon Carolyn Burton to the Minister for Transport

780. Hon Ed Dermer to the Parliamentary Secretary representing the Treasurer

Notice Given **Wednesday, 3 June 2009**

781. Hon Nigel Hallett to the Minister for Transport

782. Hon Ken Travers to the Minister for Transport

783. Hon Ken Travers to the Minister for Transport

784. Hon Ken Travers to the Minister for Transport

785. Hon Ken Travers to the Minister for Transport

786. Hon Alison Xamon to the Minister for Transport representing the Minister for Indigenous Affairs

Notice Given **Thursday, 4 June 2009**

787. Hon Alison Xamon to the Minister for Transport

LEGISLATIVE COUNCIL

QUESTIONS ASKED TODAY

*Notice given**Tuesday, 16 June 2009*

788. Hon Jon Ford to the Minister for Fisheries

- (1) How many managed fisheries are there in Western Australian waters?
- (2) How many commercially licensed boats are there per managed fishery?
- (3) How many Western Australian commercial licenses are there operating in the Australian economic zone?
- (4) How many of these operate in Western Australian/Commonwealth joint managed fisheries?

789. Hon Giz Watson to the Minister for Energy representing the Minister for Police

I refer to the protest, currently being conducted at Chester Forest Rescue Camp, and ask -

- (1) Is the Minister aware of reports made to police concerning, -
 - (a) an incident where a gun was fired by a person driving by Chester Forest Rescue Camp;
 - (b) an incident where a fire was lit near the camp;
 - (c) incidents of bottles being hurled into the camp;
 - (d) incidents of signs at the camp being run down; and
 - (e) incidents of tyre slashing of cars in Manjimup that display stickers with Greens or environmental messages?
- (2) Regarding the reports described in (1), -
 - (a) has an investigation into each of these reports taken place; and
 - (b) have any of these incidents resulted in charges being laid?
- (3) What if any steps are being taken by police to protect the Chester Forest Rescue Camp and local environmentalists from vigilantism?

790. Hon Robin Chapple to the Minister for Environment

Given that the Minister stated in this house, 'The Marine Parks and Reserves Authority and the Conservation Commission of Western Australia will also play a key role in the development of the Kimberley science and conservation Strategy. To this end, I have asked the Marine Parks and Reserves Authority to have a particular focus on marine areas in the Kimberley', (Source: pp 1971-1972 Hansard, Wednesday 18 March 2009), I ask -

- (1) Is the Minister aware that the Chairperson of the Western Australian Marine Parks and Reserves Authority (MPRA), Mr Eric Streitberg, is also Chairperson of the Australian Petroleum Production and Exploration Association (APPEA), the peak lobby group for the oil and gas exploration and production industry?

LEGISLATIVE COUNCIL

Questions Asked Today

*Notice given**Tuesday, 16 June 2009*

- (2) Is the Minister able to confirm that the MPRA webpage incorrectly lists Mr. Streitberg as the vice chair of APPEA, and also fails to mention that he is Managing Director, Buru Energy Ltd (as stated on the APPEA website) and Managing Director of Arc Energy Limited (as stated on the Australian Institute of Company Directors website) and that despite these high level petroleum industry positions, according to MPRA annual reports, Mr Streitberg has never registered a conflict of interest in any of the MPRA meetings he has chaired?
- (3) Given that the oil and gas industry has commercial interests along virtually the entire length of the Western Australian coast, including the Kimberley, is the Minister concerned about Mr Streitberg's perceived or actual near-permanent conflict of interest?
- (4) Would the Minister agree that this perceived conflict of interest, and the failure to acknowledge it, can only undermine the credibility and effectiveness of Western Australia's only dedicated statutory marine conservation authority?
- (5) Did the MPRA advise the Minister in relation to the recently produced consultation map identifying five small potential marine conservation 'areas of interest' in the Kimberley?
- (6) If yes to (5), what was the nature of that advice?
- (7) Despite one of the MPRA's statutory responsibilities being the preparation of policies on marine conservation in Western Australia, there is no record on their webpage or annual reports of any actual finalised policy developed by the MPRA on any marine conservation issues in Western Australia. Has the MPRA developed any policies on marine conservation issues in Western Australia in the 12 years of its existence?
- (8) Currently the Kimberley marine environment, acknowledged in a recently released DEC report as likely to, 'contain a coral reef province of global significance', has zero percent of its coastal waters protected in any form of marine park. Can the Minister please provide, -
 - (a) a commitment to establish a comprehensive marine protected areas (MPA's) network in the Kimberley based on international best practice for MPA design and implementation to protect all areas of high conservation value and the broad scale ecological health of the Kimberley marine environment as well as protecting the rights and culture of its traditional owners;
 - (b) a timeline for the implementation of a system of Marine Parks in the Kimberley; and
 - (c) a commitment to engage and involve the Kimberley Indigenous community in the declaration and management of Marine Parks in the Kimberley, including the development of statutory mechanisms to facilitate this?

791. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014 (RIMP), and in particular the compliance of the RIMP with the *Rottnest Island Authority Act 1987*, and I ask -

- (1) Will the Minister explain how this draft RIMP meets the requirements of the *Rottnest Island Authority Act 1987* section 20(1)(b)?
- (2) Will the Minister provide to the public, details of its forward budget estimates for the five years of this plan, for all of its proposed operations?

LEGISLATIVE COUNCIL

Questions Asked Today*Notice given**Tuesday, 16 June 2009*

792. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
Will the Minister provide details of proposed funding for the care of the natural environment, marine and terrestrial, for the life of Rottnest Island Management Plan 2009-2014?

793. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
Will the Minister explain how she reconciles the thrust of the Rottnest Island Management Plan 2009-2014, towards ecotourism, increasing commercialisation and private business interests, with the requirements of the Act under section 11(1)(a) or indeed under section 12(1)(a)?

794. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
I refer to the Rottnest Island Management Plan 2009-2014 and in particular, Initiative One 'Review of the Rottnest Island Authority Act 1987', and I ask -

- (1) Will the Minister undertake to ensure there is a wide community consultation for any Review of the Act?
- (2) What does the proposed review of the Act mean for the future of the Rottnest Island Authority Act Amendment Bill currently before Parliament?

795. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
I refer to the Rottnest Island Management Plan 2009-2014 where it is stated that the Rottnest Island Authority's intention is to move to a different management structure, when the Rottnest Island Taskforce's recommendation was that the current governance structure be retained, and I ask -

- (1) Why is the Minister proposing to move away from the Rottnest Island Taskforce's recommendation?
- (2) Will the Minister undertake to canvas this proposal widely via a public consultation process, whether or not it is associated with the proposed review of the Act?

796. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative six 'Development Planning Controls', and I ask -
What constitutes an, 'independent development assessment system'?

797. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism
I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 10, 'Provide a Range of Visitor Accommodation - Camping Ground', and I ask -

- (1) Will the Minister guarantee the public that there will be a public camping ground on the island?
- (2) Will a concept model be put out for public comment?
- (3) What locations are being considered for a camping ground?
- (4) Will the Minister undertake to fund the provision of a camping ground from the Department's budget?

LEGISLATIVE COUNCIL

Questions Asked Today*Notice given**Tuesday, 16 June 2009*

798. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 10, 'Provide a Range of Visitor Accommodation - Eco-style accommodation', and I ask -

- (1) What location is being considered for this development?
- (2) What scale of development is being considered?
- (3) Will the Minister undertake to put the concept plan for this development out for public comment?

799. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014 and in particular, initiative 10, 'Provide a Range of Visitor Accommodation - expansion of guest accommodation adjacent to the Hotel Rottnest', and I ask -

- (1) What kind of accommodation is being considered for this site?
- (2) Is it possible that this land could be taken up by Hotel Rottnest?
- (3) Will concept plans for any proposal be made available for public comment?

800. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 10, 'Provide a Range of Visitor Accommodation - Mt Herschel Hotel', and I ask -

- (1) Were changes made to the original Broadwater design?
- (2) If yes to (1), what changes were made to the original design?
- (3) What criteria will govern any new design?
- (4) Will the Minister make the concept plans for any new hotel on this site available for public comment?

801. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 12, 'Review Visitor Accommodation Management Options', and I ask, will the Minister guarantee that she will not undertake any plans which would give preference to certain members of the public over others, in relation to any of the Minister operated accommodation in accordance with the Act?

802. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 15, 'Marine Facilities - Boating Management Strategy - Large Marina Model', and I ask -

- (1) Is this model being seriously considered within the Rottnest Island Authority, within the life of this plan?
- (2) If yes to (1), -
 - (a) how many pens and what other facilities are being considered; and

LEGISLATIVE COUNCIL

Questions Asked Today*Notice given**Tuesday, 16 June 2009*

- (b) will the Minister assure the public that any decision will involve wide community consultation?

803. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 15, 'Marine Facilities - Boating Management Strategy - Smaller Marina', and I ask -

- (1) How many pens is a marina attached to or associated with the Army Jetty redevelopment likely to cater for, and for what size vessels?
- (2) Is such a marina likely to require a sea wall to protect the pens?
- (3) Which side of the Army Jetty, and if not that location, which location is being considered for such a marina?
- (4) Does the Minister intend that ferries use the Army Jetty?
- (5) If yes to (4), which ferries and why?
- (6) Would any proposal for any marina development be available for public comment?
- (7) How does the Minister propose to handle the extra heavy traffic between the Army Jetty, and the settlement villages?

804. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 17, 'Terrestrial Management Strategy' (TMS). There is a disparity of the funding budgeted for the Terrestrial Management Strategy with that for 'Cultural Heritage Conservation and Tourism', which is seemingly not in keeping with sections 11(2)(b) and 11(2)(c), and I ask -

- (1) Will the Minister explain this disparity?
- (2) Will the TMS be developed in consultation with the public, in a manner similar to the process which led to the development of the Marine Management Strategy?
- (3) Will the TMS provide base line assessments against which specific key performance indicators can be measured at regular points over the life of the Rottnest Island Management Plan?
- (4) Why is there no costing for the development and implementation of the TMS?
- (5) Will the Minister provide to the public, details of proposed funding for the care of the natural environment, marine and terrestrial, for the life of the Rottnest Island Management Plan?

805. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 23, 'Build 'Team Rottnest' to provide a great visitor experience', and I ask, will the Minister please give details of how she proposes to do this?

806. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 25, 'Support Volunteers'. The Rottnest Society has made enquiries which have led them to the conclusion that, 'the

LEGISLATIVE COUNCIL

Questions Asked Today*Notice given**Tuesday, 16 June 2009*

Rottnest Island Authority (RIA) pays lip service only to the notion of support for volunteers but that it is not necessarily forthcoming in their day-to-day activities. We are noticing some disenchantment in other volunteer organisations, apparently to do with the lack of support they receive from the RIA - there is a sense that some of the goodwill is 'withering on the vine'. It is our belief that this disenchantment is growing and that it is with all levels of the RIA', and I ask -

- (1) Have these concerns been conveyed to management at the highest levels?
- (2) Does management care about it?
- (3) What kind of support is covered under the \$30 000 per year allocated for 'volunteer support' in this draft?
- (4) Will the Minister undertake to attempt to reverse this 'withering'?

807. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular, initiative 25, 'Support for Staff'. The Rottnest Society has a sense of, 'staff not being sufficiently supported through the many changes that they have undergone over the last four or five years. Together with what appears to have been a relatively high staff turnover in some areas combined with ever higher expectations, and presumably, higher work load being placed on them it appears to us to have made their work lives very difficult for at least a number of them.' Will the Minister take note of this concern and seek ways of listening to and supporting staff and volunteers through the years ahead?

808. Hon Ljiljanna Ravlich to the Minister for Environment representing the Minister for Tourism

I refer to the Rottnest Island Management Plan 2009-2014, and in particular initiative 25, 'Staff Accommodation', and I ask -

- (1) What accommodation does the tender currently being evaluated cater for, is it for singles or families?
- (2) Is it short term or long term or a mix of both?
- (3) Is it houses or hostel accommodation?
- (4) Has the Minister taken a formal decision to have more staff living on the island?
- (5) If yes to (4), -
 - (a) how many Rottnest Island Authority staff, contractors and business staff will live on the island; and
 - (b) will this be made clear in the final Rottnest Island Management Plan?
- (6) What are the criteria that determine who lives on the island and who commutes?

809. Hon Alison Xamon to the Minister for Environment

I refer to the Hanson Red Hill quarry, and ask -

- (1) Is the Minister satisfied that all environmental guidelines and conditions applicable to quarrying operations at Red Hill quarry are currently defined in a way that is consistent with ready monitoring, and if appropriate, enforcement?

LEGISLATIVE COUNCIL

Questions Asked Today*Notice given**Tuesday, 16 June 2009*

- (2) How frequently does the Department of Environment and Conservation (DEC) assess the quarry operator's level of compliance with environmental guidelines, licence conditions and other legal requirements relating to the DEC's responsibility?
- (3) By what means does the DEC assess the quarry operator's level of compliance with environmental guidelines, licence conditions and further or other legal requirements applicable to its operations?
- (4) On how many occasions since December 2006, has the DEC found the quarry operator of Red Hill quarry to be in breach of any environmental guideline, licence condition or further/other legal requirement applicable to its operations?
- (5) Regarding each breach (if any) described in (4), please describe -
 - (a) the environmental guideline, licence condition or other legal requirement that was breached;
 - (b) the nature of the breach;
 - (c) any action taken by DEC against the quarry operator as a result of the breach;
 - (d) any rectification implemented by the quarry operator as a result of the breach; and
 - (e) the time taken between the original allegation of the breach and DEC's finalisation of the complaint?
- (6) Was Hanson required to pay a bond as part of the approval conditions for the Red Hill quarry?
- (7) If yes to (6), -
 - (a) what was the value of the bond; and
 - (b) who holds the bond?
- (8) If no to (6), why not?
- (9) How many complaints about the Hanson Red Hill quarry have been made to the DEC by members of the public since 2006?
- (10) For each complaint (if any) described in (9), please advise when the complaint was made and the complainant's specific concerns?
- (11) Is Hanson required to advise the DEC of complaints made directly to Hanson?
- (12) If yes to (11), how many complaints about the quarry have been made to Hanson by members of the public since 2006?
- (13) For each complaint (if any) described in (12), please advise when the complaint was made and the complainant's specific concerns?
- (14) What follow-up action did the DEC take in regards to the complaints referred to (please provide details for each complaint) in questions (9) to (13)?
- (15) Were the members of the public advised of the outcomes of their complaints?

LEGISLATIVE COUNCIL

Questions Asked Today*Notice given**Tuesday, 16 June 2009*

- (16) Can the Minister advise what requirements currently apply in relation to the rehabilitation of the Herne Hill quarry (formally known as Pioneer Quarry 1), which we understand has not been actively mined for over nine years?
- (17) Does the Minister consider that Hanson's rehabilitation of the Herne Hill quarry currently meets all applicable environmental guidelines and conditions?
- (18) Has the DEC performed an on-site visual inspection of the Herne Hill quarry rehabilitation?
- (19) If yes to (18), when?
- (20) Does the DEC liaise at any level with the Department of Minerals and Petroleum over any matter associated with the Herne Hill quarry?
- (21) If yes to (20), what are those matters?

810. Hon Ken Travers to the Minister for Transport

- (1) Is the Minister aware of the concerns of the Member for Pearce, Judi Moylan regarding aircraft noise issues over the eastern hills of Perth?
- (2) Does the Minister share these concerns and if so, what action will the Minister take on this matter?
- (3) Is the Minister aware of the Members threat to mount a campaign to move the Airport from its current location?
- (4) If yes to (3), are there any suitable alternative locations to service the Perth region?

811. Hon Ken Travers to the Minister for Transport

In each month from June 2008 to May 2009, -

- (1) How often and on how many occasions has the Australind, Avonlink, Prospector and Merredin regional train services failed to run on time?
- (2) What were the reasons for a delay on each occasion?

812. Hon Ken Travers to the Minister for Transport

- (1) How many times has the Bus Tender Evaluation Committee met?
- (2) Can the Minister advise if minutes were taken at the meetings?
- (3) If yes to (2), can the Minister table those minutes?
- (4) If no to (3), why not?

813. Hon Ken Travers to the Minister for Transport

In the 2006-07, 2007-08, 2008-09 financial years, -

- (1) How much funding was allocated to fix Blackspots in Western Australia?
- (2) Of this funding, how much was State money?
- (3) Of the State money, -

LEGISLATIVE COUNCIL

Questions Asked Today*Notice given**Tuesday, 16 June 2009*

- (a) how much was from general appropriations for delivery of services;
 - (b) how much was from general capital appropriations;
 - (c) how much was from appropriations for delivery of services authorised by the *Road Traffic Act 1974*;
 - (d) how much was from capital appropriations authorised by the *Road Traffic Act 1974*; and
 - (e) how much was from sources other than those listed above?
- (4) Can the Minister provide a complete list of all road works that received Blackspot funding?
814. Hon Ken Travers to the Minister for Transport
- (1) Has the North West Corridor Strategic Transport Study been completed?
 - (2) If no to (1), when will it be completed?
 - (3) Will the Minister provide a copy of the final report to me once it is completed?
 - (4) Does the Minister intend to table a copy of the final report?
 - (5) If no to (3) or (4), why not?
815. Hon Ken Travers to the Minister for Energy representing the Minister for Education
- I refer to question 687, and ask -
- (1) Will the Minister table the 2008-2009 priority list for primary schools as prepared by the Department for Education and Training?
 - (2) Will the Minister table the 2008-09 priority list for the North Metropolitan area?
816. Hon Ken Travers to the Leader of the House representing the Minister for Sport and Recreation
- (1) When will the review of the condition of structures at Subiaco Oval be finalised?
 - (2) Does the Minister intend to table the report when it is completed?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice given

Tuesday, 16 June 2009

817. Hon Ken Travers to the Minister for Transport representing the Attorney General

I refer to question 359 regarding extraordinary licenses, and ask -

- (3) How many people issued an extraordinary license in 2008 had previously been granted an extraordinary license?
- (4) What standard conditions are imposed for extraordinary licenses?
- (5) Will the Minister table a copy of the back of a court order form referred to in Legislative Council question on notice No. 359?

MALCOLM PEACOCK

Clerk of the Legislative Council