

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

QUESTIONS

No. 128

Tuesday, 4 June 2019

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, 9 April 2019***

2071. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
2079. 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

Notice Given ***Wednesday, 10 April 2019***

2083. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for
Tourism
2085. Hon Alison Xamon to the Minister for Regional Development representing the Minister for
Racing and Gaming
2089. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for
Tourism

Notice Given ***Thursday, 11 April 2019***

2091. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health
2092. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health
2093. Hon Diane Evers to the Minister for Environment
2094. Hon Diane Evers to the Minister for Environment representing the Minister for Housing
2095. Hon Diane Evers to the Minister for Environment representing the Minister for Planning
2096. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer; Minister for
Finance; Aboriginal Affairs; Lands

Notice Given ***Tuesday, 7 May 2019***

2097. Hon Diane Evers to the Minister for Environment
2098. Hon Robin Chapple to the Minister for Environment; Disability Services; Electoral Affairs
2099. Hon Diane Evers to the Minister for Environment; Disability Services; Electoral Affairs

LEGISLATIVE COUNCIL

Postponed Questions

2100. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
2101. Hon Tjorn Sibma to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands
2102. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
2103. 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
2104. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
2105. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
2106. Hon Nick Goiran to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
2107. Hon Dr Steve Thomas to the Minister for Environment; Disability Services; Electoral Affairs
2108. Hon Robin Chapple to the Minister for Environment representing the Minister for Asian Engagement
2109. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
2110. Hon Nick Goiran to the Leader of the House representing the Attorney General
2111. Hon Nick Goiran to the Minister for Environment representing the Minister for Transport; Planning
2113. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry
2114. Hon Robin Chapple to the Minister for Environment
2115. Hon Robin Chapple to the Minister Assisting the Minister for State Development, Jobs and Trade
2116. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
2117. Hon Alison Xamon to the Leader of the House representing the Attorney General
2118. Hon Alison Xamon to the Minister for Education and Training
2119. Hon Alison Xamon to the Minister for Environment representing the Minister for Police
2120. Hon Alison Xamon to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
2121. Hon Alison Xamon to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
2122. 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
2123. 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

LEGISLATIVE COUNCIL

Postponed Questions**Notice Given** **Wednesday, 8 May 2019**

2124. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations

Notice Given **Thursday, 9 May 2019**

2125. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Industrial Relations

2126. Hon Aaron Stonehouse to the Minister for Environment representing the Minister for Police; Road Safety

2127. Hon Dr Steve Thomas to the Minister for Environment representing the Minister for Transport

2128. Hon Nick Goiran to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health

2129. Hon Nick Goiran to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health

Notice Given **Tuesday, 14 May 2019**

2130. Hon Martin Aldridge to the Leader of the House representing the Premier

2131. Hon Martin Aldridge to the Minister for Education and Training

2133. Hon Robin Chapple to the Minister for Environment; Disability Services; Electoral Affairs

2134. Hon Martin Aldridge to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations

2135. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade

2136. Hon Martin Aldridge to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health

2137. Hon Martin Aldridge to the Minister for Education and Training

2138. Hon Martin Aldridge to the Minister for Environment; Disability Services; Electoral Affairs

2139. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police; Road Safety

2140. Hon Martin Aldridge to the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade

2141. Hon Martin Aldridge to the Minister for Environment representing the Minister for Emergency Services; Corrective Services

2142. Hon Martin Aldridge to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts

2143. Hon Martin Aldridge to the Leader of the House representing the Attorney General

2144. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Commerce

2145. Hon Martin Aldridge to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation

LEGISLATIVE COUNCIL

Postponed Questions

2146. Hon Martin Aldridge to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands
2147. 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
2148. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
2149. Hon Martin Aldridge to the Minister for Environment representing the Minister for Energy
2150. Hon Martin Aldridge to the Minister for Environment representing the Minister for Transport; Planning
2151. Hon Martin Aldridge to the Minister for Environment representing the Minister for Housing; Veterans Issues; Youth; Asian Engagement
2152. 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
2153. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science
2154. Hon Martin Aldridge to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health

Notice Given **Wednesday, 15 May 2019**

2155. Hon Jacqui Boydell to the Minister for Environment; Disability Services; Electoral Affairs
2156. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
2157. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
2158. Hon Peter Collier to the Minister for Environment
2159. Hon Jacqui Boydell to the Leader of the House representing the Minister for Community Services

Notice Given **Thursday, 16 May 2019**

2160. Hon Jacqui Boydell to the Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
2161. Hon Jacqui Boydell to the Minister for Environment representing the Minister for Housing; Veterans Issues; Youth; Asian Engagement
2162. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry
2163. Hon Diane Evers to the Minister for Regional Development representing the Minister for Forestry
2164. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health
2165. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health
2166. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health

LEGISLATIVE COUNCIL

Postponed Questions

- 2167. Hon Nick Goiran to the Minister for Regional Development representing the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- 2168. Hon Diane Evers to the Parliamentary Secretary representing the Minister for Health
- 2169. Hon Diane Evers to the Minister for Agriculture and Food
- 2170. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water
- 2171. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water
- 2172. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water
- 2173. Hon Diane Evers to the Minister for Regional Development representing the Minister for Water
- 2174. Hon Colin Tincknell to the Parliamentary Secretary representing the Minister for Health
- 2175. Hon Michael Mischin to the Leader of the House representing the Premier

LEGISLATIVE COUNCIL

QUESTIONS ASKED TODAY

*Notice Given**Tuesday, 4 June 2019***2176. Hon Robin Scott to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade:**

- (1) I refer to a letter dated 9 April 2019 titled 'Removing Legal Barriers to Efficient Environmental Regulation' signed by Karen Caple Acting Executive Director, Resources and Environmental Compliance Division from the Department of Mines Industry Regulation and Safety (DMIRS). Can the Minister explain how 'low impact activities' can be managed by standard practices?
- (2) If no to (1), why not?
- (3) Can the Minister list what are the specific 'standard practices' which can be used to manage the programmes of work?
- (4) If no to (3), why not?
- (5) Can the Minister explain why DMIRS has not written by email and/or by hard copy to consult with all tenement holders in the State of Western Australia for those people whom are not members of Association of Mining and Exploration Companies, Chamber of Minerals and Energy or Amalgamated Prospectors and Leaseholders Association about these proposed changes to legislation?
- (6) Can the Minister explain and define what does DMIRS regards as the 'highest risks and monitoring compliance' in the mining sector?
- (7) If no to (6), why not?
- (8) Can the Minister explain why Small Mining Operations templates and definitions are specifically not being included in the low impact notification framework, to greatly assist full time prospectors and mining companies operating in the industry?
- (9) If no to (8), why not?
- (10) Can the Minister explain why the current *Mining Act 1978* and Regulations 1981 does not provide for transparency, procedural fairness in assessments and decision making?
- (11) If no to (10), why not?
- (12) Can the Minister explain why DMIRS maintains it needs a 'narrow' definition of the environment as opposed to a wider definition of the environment, to ensure the department does not duplicate the work of other regulators?
- (13) If no to (12), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 4 June 2019*

2177. Hon Robin Scott to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations:

- (1) I refer to a letter, dated 21 September 2018, titled 'Request for an Audit Statement on the Form 5 Report on operations for the year ending 10 October 2017 affecting M15/736' signed by Fenni Ramli, Compliance Coordinator, Titles Compliance Branch, Resource and Environmental Compliance Division from the Department of Mines Industry Regulation and Safety (DMIRS) and all these types of requests for the last 2 years. Can the Minister table and list all the tenement numbers within the State of Western Australia which have received a request for an Audit Statement of Form 5 Report on Operations in the last two years from the department?
- (2) If no to (1), why not?
- (3) Can the Minister explain the process and trigger mechanism as to how each tenement has been targeted/selected, for a request for an Audit Statement on the Form 5 Report on Operations?
- (4) If no to (3), why not?
- (5) What does DMIRS estimate it costs financially each tenement holder, whom receives a request for an Audit statement from DMIRS?
- (6) Can the Minister explain why DMIRS is targeting only particular and select tenement holders with requests for Audit Statements on Form 5 Report on Operations, as opposed to targeting all tenement holders within the State of Western Australia?
- (7) If no to (6), why not?
- (8) Can the Minister explain why DMIRS is instigating these requests for Audit Statements on Form 5 Report on Operations which cause a huge administrative burden and financial burden on the Mining Industry, rather than relying and allowing any person in the mining industry whom monitors physical on ground activity and believes expenditure has not been incurred on any mining tenement to lodge an application for forfeiture and use the Wardens Court as the appropriate mechanism?
- (9) If no to (8), why not?
- (10) Can the Minister explain and define whom the Minister would regard and accept as 'another suitable qualified' person approved by the Minister other than registered as a company auditor or taken to be an auditor under part 9.2 of the *Corporations Act* to undertake the task of completing an Audit Statement for Form 5 on Operations?
- (11) If no to (10), why not?
- (12) Can the Minister table and list the names of all persons whom have been approved by the Minister within the last 2 years to conduct Audit Statements as fitting into the category of another suitably qualified person, approved by the Minister for the purposes of section 115B(3) of the *Mining Act 1978*?
- (13) If no to (12), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 4 June 2019*

2178. Hon Martin Aldridge to the Minister for Education and Training:

I refer to the *Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019*, which amends the *School Education Act 1999*, which is an Act under the control of the Minister for Education, and I ask:

- (a) will the passage of the Bill burden the Department of Education or any other agency under the Minister's control arising from any provision of the Bill; and
- (b) if yes to (a), will the added burden be funded within the approved appropriation of the affected department or agency or will it require further resourcing to be provided?

2179. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health:

I refer to the *Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019*, which amends the *Public Health Act 2016*, which is an Act under the control of the Minister for Health, and I ask:

- (a) will the passage of the Bill burden the Department of Health or any other agency under the Minister's control arising from any provision of the Bill; and
- (b) if yes to (a), will the added burden be funded within the approved appropriation of the affected department or agency, or will it require further resourcing to be provided?

2180. Hon Michael Mischin to the Minister for Environment representing the Minister for Police:

I refer to a report of the theft of cabling which has disabled lighting at a northern suburbs playing field, and ask, what is the total value of brass and copper stolen from building and other sites for each of the past two years?

2181. Hon Tjorn Sibma to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations:

- (1) Has the Minister or the Minister's office ever been advised of any WorkSafe Western Australia-issued verbal direction, improvement notice and/or prohibition notice concerning workplace hazards regarding the Forrestfield Airport Link Project?
- (2) If yes to (1), what specific matters were brought to the attention of the Minister and/or his office, and when and how was this advice transmitted?

2182. Hon Tim Clifford to the Minister for Environment representing the Minister for Transport; Planning:

- (1) In regards to the road reserve that remains on the Metropolitan Region Scheme after the cessation of the Roe 8 project, will the Minister please advise:
 - (a) has there been any plans/proposals put forward to Government for the road reserve west of North Lake Road and east of Stock Road and, if so, by whom;
 - (b) has the Minister met with Cockburn Council, Landcorp or Main Roads regarding this issue;
 - (c) if yes to (b), when and what was discussed; and
 - (d) when will community consultation commence regarding this road reserve bushland and who will be conducting this?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 4 June 2019*

- (2) Community groups have expressed a desire for this land to be left as bushland and be able to be included in a Wildlife Corridor. Given State Government and local government funding has been invested for this purpose, what assurances can the Minister provide to community regarding the future purpose of this land?
- (3) For the Roe 9 road reserve, have any other entities expressed an interest in using his land and, if so, who and for what purpose?
- (4) Should any development, such as housing be put on this area, will the Minister assure the community that bush corridors will remain?
- (5) Is it the Minister's intention that an east-west bushland corridor/link should be included in plans for the development of the Roe 9 road reserve?

2183. Hon Tjorn Sibma to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts:

How much has the Department of Local Government, Sport and Cultural Industries spent in 2018-19, and how much is it likely to spend in 2019-20, investigating allegations relating to behaviour by senior staff?

2184. Hon Diane Evers to the Minister for Environment; Disability Services; Electoral Affairs:

- (1) Does the Government support the implementation of the Wetlands Conservation Policy for Western Australia that was published in 1997:
 - (a) if no to (1), why not?
- (2) Is the Minister aware that the Wetlands Coordinating Committee was established under the auspices of this policy to "coordinate the implementation of the policy and the activities of relevant government agencies with respect to wetlands", and that the committee is to "report directly to the Minister for the Environment":
 - (a) if no to (2), why not?
- (3) Is the Minister aware that the Wetlands Coordinating Committee has only met three times (24 September 2014, 24 July 2017 and 10 December 2018) since the current Chair, now in the Department of Biodiversity Conservation and Attractions, assumed responsibility for the committee in late 2013:
 - (a) if no to (3), why not?
- (4) Is the Minister aware that prior to the current Chair assuming control, the Wetlands Coordinating Committee used to meet four times a year:
 - (a) if no to (4), why not?
- (5) Why has the Wetlands Coordinating Committee met so infrequently since the current Chair assumed responsibility of the committee in 2013?
- (6) Is the Minister aware that at the Assembly Estimates meeting on 26 May 2016, Labor, while in opposition, raised the matter of the current Chair continually obstructing members of the Wetlands Coordinating Committee from meeting:
 - (a) if no to (6), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 4 June 2019*

- (7) Has the Minister received minutes of meetings, reports, advice or audits on progress from the Chair of the Wetlands Coordinating Committee:
- (a) if yes to (7), will the Minister table these reports and advice; and
 - (b) if no to (7), why not?
- (8) Is the Minister aware that the Wetlands Coordinating Committee prepared a set of draft wetlands buffer guidelines and an updated Western Australia wetlands conservation policy in 2007:
- (a) if no to (8), why not?
- (9) Will the Minister allow the draft wetland buffer guidelines and updated wetlands conservation policy to be released for public consultation:
- (a) if yes to (9), when will the guidelines and policy be made available for public consultation; and
 - (b) if no to (9), why not?
- (10) Is the Minister aware that at the last Wetlands Coordinating Committee meeting on 10 December 2018, the Department of Biodiversity Conservation and Attractions Chair refused to accept agenda items from committee members:
- (a) if yes to (10), what action will the Minister take in response to this refusal; and
 - (b) if no to (10), why not?
- (11) Is the Minister aware that community members of the Wetlands Coordinating Committee have requested the Chair on at least three occasions over the past few years to hold more frequent meetings of the Wetlands Coordinating Committee to allow it to function and undertake its business, and that the Chair has either ignored or declined most of these requests:
- (a) if yes to (11), what action will the Minister take to ensure that committee members requests are acted on; and
 - (b) if no to (11), why not?
- (12) Is the Minister aware that several committee members wrote to the former Minister for Environment in March 2016 about the current Chair obstructing the Wetlands Coordinating Committee from meeting and requested that the Minister direct the Chair to convene a meeting:
- (a) if yes to (12), will the Minister direct the Chair to convene meetings more frequently, in response to committee members requests; and
 - (b) if no to (12), why not?
- (13) Is the Minister aware that while the Wetlands Coordinating Committee is unable to meet and conduct business and that this is affecting the conservation, restoration and enhancement of wetlands across the State:
- (a) if yes to (13), how will the Minister act to ensure the Committee is able to meet and conduct business effectively; and
 - (b) if no to (13), why not?
- (14) Will the Minister replace the current Chair of the Wetlands Coordinating Committee with a competent and qualified person from either the Department of Biodiversity Conservation and Attractions or one of his other agencies involved in wetland conservation or management:
- (a) if no to (14), why not?

LEGISLATIVE COUNCIL

Questions Asked Today

Notice Given *Tuesday, 4 June 2019*

2185. Hon Colin Holt to the Minister for Environment; Disability Services; Electoral Affairs:

Food packaging supplier, iKonPack, have created a recyclable meat tray that is available nationally. Recyclability of meat trays or soft food trays differ across councils and the makers of these meat trays have been told that their product is no longer accepted in recycling bins in City of Cockburn, so I ask:

- (a) given that iKonPack meat trays are widely accepted in many recycling facilities here and interstate, please explain why the City of Cockburn find them unacceptable for recycling;
- (b) will the Minister please provide some clarification on whether the issue is bio-contamination or if it is the PE sealant layer of the PET trays that is unacceptable; and
- (c) how is the State Government working with recycling facilities to enable the recycling of these meat trays?

2186. Hon Colin Holt to the Minister for Regional Development representing the Minister for Water:

I refer to drainage maintenance on Lots 130 and 132 Seventh Street, Harvey, and I ask:

- (a) does the Minister agree that section 112(1) of the *Water Services Act 2012* applies in this situation;
- (b) if no to (a), will the Minister please explain why section 112(1) of the *Water Services Act 2012* does not apply in this situation;
- (c) if the Minister does agree, will a notice be issued to the owner(s) of the property to maintain the drain as required; and
- (d) if no to (c), why not?

2187. Hon Martin Aldridge to the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade:

- (1) Will the Minister please table the “Study on Improvements in WA Agriculture Digital Connectivity Infrastructure” commissioned by Department of Primary Industries and Regional Development at a cost of \$70,159?
- (2) If no to (1), why not?

2188. Hon Martin Aldridge to the Minister for Education and Training:

- (1) Will the Minister please table a copy of the “Review of the Government Building Training Policy” commissioned by the Department of Education at a cost of \$16,072?
- (2) If no to (1), why not?

NIGEL PRATT

Clerk of the Legislative Council