

WESTERN AUSTRALIA

## LEGISLATIVE COUNCIL

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### QUESTIONS

No. 179

Tuesday, 18 October 2011

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

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### POSTPONED QUESTIONS

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*Notice Given*                      *Tuesday, 30 August 2011*

4568. Hon Ljiljanna Ravlich to the Minister for Mental Health (*SO 138(d) response - September 28 2011*)

*Notice Given*                      *Wednesday, 31 August 2011*

4578. Hon Ljiljanna Ravlich to the Minister for Mental Health (*SO 138(d) response - September 29 2011*)

4579. Hon Ljiljanna Ravlich to the Minister for Mental Health (*SO 138(d) response - September 29 2011*)

4593. Hon Ljiljanna Ravlich to the Minister for Mental Health (*SO 138(d) response - September 29 2011*)

4594. Hon Ljiljanna Ravlich to the Minister for Mental Health (*SO 138(d) response - September 29 2011*)

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*Notice Given*                      *Tuesday, 6 September 2011*

4616. Hon Alison Xamon to the Minister for Finance representing the Minister for Housing

4617. Hon Alison Xamon to the Minister for Finance representing the Minister for Housing

*Notice Given*                      *Wednesday, 7 September 2011*

4619. Hon Ljiljanna Ravlich to the Minister for Mental Health

4620. Hon Ljiljanna Ravlich to the Minister for Mental Health

cqb381.179.18Oct2011 (A312999)

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**Postponed Questions**

*Notice Given*                      *Thursday, 8 September 2011*

4622. Hon Robin Chapple to the Minister for Finance representing the Minister for Housing

*Notice Given*                      *Tuesday, 20 September 2011*

4625. Hon Robin Chapple to the Leader of the House representing the Premier

4626. Hon Robin Chapple to the Leader of the House representing the Premier

4628. Hon Robin Chapple to the Minister for Indigenous Affairs

4629. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Planning

4630. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

4631. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Environment

4632. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

4633. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Environment

4634. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Health

4635. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Environment

4636. Hon Alison Xamon to the Minister for Energy

4637. Hon Alison Xamon to the Parliamentary Secretary representing the Attorney General

4638. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Environment

4639. Hon Alison Xamon to the Minister for Mental Health

4640. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Health

4641. Hon Alison Xamon to the Minister for Disability Services

4642. Hon Alison Xamon to the Minister for Disability Services

4643. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

4644. Hon Alison Xamon to the Minister for Mental Health

4645. Hon Giz Watson to the Minister for Mental Health representing the Minister for Health

4646. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

4648. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

4649. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

4650. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

4651. Hon Linda Savage to the Minister for Child Protection

4652. Hon Kate Doust to the Minister for Commerce

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**Postponed Questions**

- 4653. Hon Kate Doust to the Minister for Energy
- 4654. Hon Kate Doust to the Minister for Energy
- 4655. Hon Kate Doust to the Minister for Energy
- 4656. Hon Kate Doust to the Minister for Energy
- 4657. Hon Kate Doust to the Minister for Energy
- 4658. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4659. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4660. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4661. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4662. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4663. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
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- 4680. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4681. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4682. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4683. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
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4685. Hon Ken Travers to the Minister for Finance representing the Minister for Transport  
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4688. Hon Ken Travers to the Minister for Finance representing the Minister for Transport  
4689. Hon Ken Travers to the Minister for Finance representing the Minister for Transport  
4690. Hon Ken Travers to the Minister for Finance representing the Minister for Transport  
4691. Hon Ken Travers to the Minister for Finance representing the Treasurer

**Notice Given**                      **Wednesday, 21 September 2011**

4692. Hon Alison Xamon to the Minister for Energy representing the Minister for Education  
4693. Hon Alison Xamon to the Minister for Child Protection  
4694. Hon Alison Xamon to the Minister for Child Protection

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4696. Hon Giz Watson to the Minister for Child Protection representing the Minister for Forestry  
4697. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment  
4698. Hon Lynn MacLaren to the Minister for Mental Health  
4699. Hon Sue Ellery to the Minister for Finance representing the Minister for Housing  
4700. Hon Jon Ford to the Minister for Mines and Petroleum  
4701. Hon Jon Ford to the Parliamentary Secretary representing the Premier  
4702. Hon Ljiljanna Ravlich to the Minister for Finance representing the Minister for Corrective Services  
4703. Hon Ljiljanna Ravlich to the Minister for Mental Health  
4704. Hon Ljiljanna Ravlich to the Minister for Mental Health  
4705. Hon Ljiljanna Ravlich to the Minister for Mental Health  
4706. Hon Ljiljanna Ravlich to the Minister for Mental Health representing the Minister for Planning  
4707. Hon Ljiljanna Ravlich to the Minister for Finance representing the Minister for Transport  
4708. Hon Ken Travers to the Minister for Finance representing the Treasurer  
4709. Hon Ken Travers to the Minister for Finance representing the Minister for Transport  
4710. Hon Ken Travers to the Minister for Finance representing the Minister for Transport  
4711. Hon Ken Travers to the Leader of the House representing the Minister for State Development  
4712. Hon Ken Travers to the Minister for Finance representing the Minister for Transport  
4713. Hon Ken Travers to the Minister for Finance representing the Minister for Transport  
4714. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
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- 4715. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4716. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4717. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4718. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4719. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4720. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

***Notice Given                      Tuesday, 27 September 2011***

- 4721. Hon Robin Chapple to the Minister for Child Protection representing the Minister for Local Government
- 4722. Hon Robin Chapple to the Minister for Energy representing the Minister for Police
- 4723. Hon Ed Dermer to the Minister for Finance representing the Minister for Corrective Services
- 4724. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4725. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
- 4726. Hon Ken Travers to the Leader of the House representing the Premier
- 4727. Hon Ken Travers to the Minister for Energy representing the Minister for Education
- 4728. Hon Ken Travers to the Minister for Energy representing the Minister for Education
- 4729. Hon Ken Travers to the Minister for Energy representing the Minister for Education
- 4730. Hon Ken Travers to the Minister for Mental Health representing the Minister for Health
- 4731. Hon Ken Travers to the Minister for Mental Health representing the Minister for Health
- 4732. Hon Ken Travers to the Minister for Mental Health representing the Minister for Health
- 4733. Hon Ken Travers to the Minister for Child Protection representing the Minister for Tourism
- 4734. Hon Ken Travers to the Minister for Child Protection representing the Minister for Tourism
- 4735. Hon Ken Travers to the Minister for Child Protection representing the Minister for Tourism
- 4736. Hon Ken Travers to the Minister for Training and Workforce Development
- 4737. Hon Ken Travers to the Minister for Training and Workforce Development
- 4738. Hon Ken Travers to the Minister for Training and Workforce Development
- 4739. Hon Ken Travers to the Minister for Mental Health representing the Minister for Planning
- 4740. Hon Ken Travers to the Minister for Mental Health representing the Minister for Planning
- 4741. Hon Ken Travers to the Minister for Mental Health representing the Minister for Planning
- 4742. Hon Ken Travers to the Minister for Mental Health representing the Minister for Culture and the Arts
- 4743. Hon Ken Travers to the Minister for Mental Health representing the Minister for Culture and the Arts

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4744. Hon Ken Travers to the Minister for Mental Health representing the Minister for Culture and the Arts
4745. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Lands
4746. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Lands
4747. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Lands
4748. Hon Ken Travers to the Parliamentary Secretary representing the Attorney General
4749. Hon Ken Travers to the Parliamentary Secretary representing the Attorney General
4750. Hon Ken Travers to the Parliamentary Secretary representing the Attorney General
4754. Hon Ken Travers to the Minister for Mental Health representing the Minister for Environment
4755. Hon Ken Travers to the Minister for Mental Health representing the Minister for Environment
4756. Hon Ken Travers to the Minister for Mental Health representing the Minister for Environment
4757. Hon Ken Travers to the Minister for Commerce
4758. Hon Ken Travers to the Minister for Commerce
4759. Hon Ken Travers to the Minister for Commerce
4760. Hon Ken Travers to the Minister for Fisheries
4761. Hon Ken Travers to the Minister for Fisheries
4762. Hon Ken Travers to the Minister for Fisheries
4763. Hon Ken Travers to the Minister for Energy representing the Minister for Police
4764. Hon Ken Travers to the Minister for Energy representing the Minister for Police
4765. Hon Ken Travers to the Minister for Energy representing the Minister for Police
4766. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4767. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4768. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4769. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4770. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4771. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4772. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4773. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4774. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4775. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4776. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water
4777. Hon Alison Xamon to the Minister for Child Protection
4778. Hon Alison Xamon to the Leader of the House representing the Premier

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4779. Hon Alison Xamon to the Minister for Mental Health
4780. Hon Alison Xamon to the Minister for Finance representing the Minister for Transport
4781. Hon Giz Watson to the Minister for Finance representing the Minister for Corrective Services
4783. Hon Sue Ellery to the Minister for Energy representing the Minister for Police
4785. Hon Sue Ellery to the Minister for Disability Services
4786. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
4787. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
4788. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
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4790. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
4791. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
4792. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
4793. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

**Notice Given**                      **Wednesday, 28 September 2011**

4794. Hon Robin Chapple to the Leader of the House representing the Premier
4797. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Regional Development
4798. Hon Alison Xamon to the Minister for Mental Health
4799. Hon Alison Xamon to the Minister for Disability Services
4800. Hon Alison Xamon to the Minister for Commerce
4801. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Environment
4803. Hon Ljiljana Ravlich to the Minister for Training and Workforce Development

**Notice Given**                      **Thursday, 29 September 2011**

4804. Hon Kate Doust to the Minister for Energy
4805. Hon Kate Doust to the Minister for Energy
4806. Hon Kate Doust to the Minister for Energy
4807. Hon Kate Doust to the Minister for Energy
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4810. Hon Kate Doust to the Minister for Energy
4811. Hon Ken Travers to the Minister for Finance representing the Minister for Transport
4812. Hon Alison Xamon to the Minister for Energy representing the Minister for Education

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- 4813. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
- 4814. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
- 4815. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
- 4816. Hon Alison Xamon to the Minister for Energy representing the Minister for Education
- 4817. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Environment



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*Notice given*                      *Tuesday, 18 October 2011*

4818. Hon Sue Ellery to the Minister for Finance

- (1) Have any complaints been received from non-government service providers related to whether the provider meets the scoping criteria to qualify for the first component of the 15 percent price adjustment?
- (2) If yes to (1), how many?
- (3) How many of those complaints related to disputes as to whether a contract was rolled over or was designated a new contract, despite minimal change in service delivery conditions?

4819. Hon Robin Chapple to the Minister for Mines and Petroleum

I refer to the old Black Prince gold mine-site in Exploration Lease 77/1966 in the shire of Kondinin, and ask -

- (1) What was the date that the operator of this mine ceased operation?
- (2) Who was the operator of this mine-site that left it in this condition?
- (3) Is the site to be rehabilitated?
- (4) If yes to (3), when?
- (5) If yes to (3), by whom?
- (6) If yes to (3), with what funds?
- (7) Who is the lessee of Exploration Lease 77/1966 and what roll, if any, will they play in the rehabilitation of the old Black Prince gold mine-site?
- (8) Was a bond held by the Department of Mines and Petroleum (DMP) over the old Black Prince gold mine-site?
- (9) If no to (8), why not?
- (10) If yes to (8), what was the extent of the bond?
- (11) If yes to (8), will the bond cover the rehabilitation of the site?
- (12) Were regular checks carried out by the DMP on this mine during its life?
- (13) Why did the department allow this site to deteriorate to this condition during the life of the mine?

4820. Hon Robin Chapple to the Minister for Finance representing the Minister for Transport

With reference to Exmouth Gulf Port Rezoning, I ask -

- (1) Is the Department of Transport seeking to rezone all, or any part of, Exmouth Gulf as a port?
- (2) If yes to (1), will the Minister please provide the boundaries, notional or otherwise, of the rezoning proposed?

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- (3) If yes to (1), what is the rationale for seeking any such rezoning of Exmouth Gulf?
- (4) What controls are planned for any zoned port in Exmouth Gulf?
- (5) Will rezoning, or any implemented controls, change the nature of vessel movement, or use, within Exmouth Gulf?
- (6) If yes to (5), will the Minister please describe any such changes?
- (7) Has the Department of Transport provided the opportunity for public consultation on the planned Exmouth Gulf port?
- (8) If no to (7), why not?
- (9) Has the Department of Transport consulted with experts regarding potential impact on environmental biota protected under Western Australia legislation?
- (10) If no to (9), why not?
- (11) If yes to (9), will the Minister please provide details of such opinions?
- (12) Has the Department of Transport consulted with the Environmental Protection Agency (EPA) regarding the planned port?
- (13) Has the Department of Transport referred planned port rezoning or controls to the EPA?
- (14) If no to (13), why not?

4821. Hon Robin Chapple to the Minister for Finance representing the Minister for Transport  
With reference to the Exmouth Marina Expansion Stage 1, I ask -

- (1) Will Stage 1 Expansion of Exmouth Marina allow increased vessel use and movement?
- (2) If yes to (1), what level of increased vessel traffic is -
  - (a) expected; and
  - (b) made possible by these expansions?
- (3) Is the Minister aware of other projects within Exmouth Gulf, actual or planned, which could increase vessel traffic within Exmouth Gulf?
- (4) If yes to (3), will the Minister please provide a list of these projects within Exmouth Gulf?
- (5) Has there been opportunity for public consultation regarding Exmouth Marina Stage 1 Expansion?
- (6) If no to (5), why not?
- (7) If yes to (5), will the Minister please provide details?
- (8) Has the Department of Transport consulted with any cetacean experts to ascertain possible impacts of increased traffic on resting humpback whales utilizing Exmouth Gulf?
- (9) If no to (8), why not?
- (10) If yes to (8), will the Minister please provide details?

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(11) Has the Department of Transport consulted with the Western Australian Environmental Protection Agency (EPA) to ascertain if increased vessel movements will impact on the Exmouth Gulf marine biota?

(12) If no to (11), why not?

(13) Has the Department of Transport referred Exmouth Marina Expansion Stage 1 to the EPA?

(14) If no to (13), why not?

4822. Hon Nick Goiran to the Minister for Mental Health representing the Minister for Health

In relation to the answer to question on notice No. 3975 given by the Minister for Health on 9 August 2011 regarding the average cost of each Palliative Care day bed, I ask -

Given that a specialist care level three bed requires a more specialised service, in what circumstances is it appropriate for a level two bed to be given greater funding than a level three bed?

4823. Hon Nick Goiran to the Minister for Mental Health representing the Minister for Health

In relation to the answer to question on notice No. 4469 given by the Minister for Health on 7 September 2011 regarding the Liverpool Care Pathway for the Dying (LCP), I ask -

When do you expect the concurrent evaluation on the implementation of LCP, that is to have commenced at Fremantle Hospital in September 2011, to be complete?

4824. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

(1) Is the State Government preparing a Metropolitan Freight Intermodal Network Plan?

(2) Will a steering committee be established to oversee the network plan?

(3) If yes to (2), who will be appointed to the steering committee, and will members be remunerated?

(4) If yes to (3), how much will they be paid?

4825. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

(1) Is the Department of Transport still issuing vehicle registration renewal notices to motorists?

(2) If no to (1), why not?

(3) If yes to (1), does the Department of Transport have any plans to cease issuing vehicle registration renewal notices to motorists?

(4) If yes to (3), why?

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4826. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

I refer to question on notice No. 4669 in the Legislative Assembly and your answer to (b)(ii) -

Could you please advise which review, tabled by the former Minister for Transport, Hon Simon O'Brien MLC, you are referring to?

4827. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

I refer to the answer to my question on notice No. 3686 regarding the Department's *Strategic Policy 5.03 – Metering the Taking of Water*, in which it was identified that of the 1,786 licences entitled to draw more than 50ML/annum, only 801 were required to meter and report their usage, and of that 801, only 259 were doing so, and I ask -

- (1) What, if any, compliance actions will or has the Department of Water taken to ensure metering and monitoring of the 542 licensees that are not meeting their obligation to meter and monitor their water usage?
- (2) What are the reasons, if any, that 985 licensees that are entitled to extract more than 50ML/annum do not have a condition to meter and monitor their water usage?

4828. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

I refer to the answer to my question on notice No. 3887 in which compliance actions from the 2009-10 season were about to be undertaken, and I ask -

- (1) How many of the 78 licensees who exceeded their allocated limits in this season will be subject to some sort of compliance action?
- (2) How many of these licensees will, or have, received warning letters?
- (3) What other types of compliance action will be taken regarding these licensees?

4829. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Water

I refer to 8 cases regarding water licences that went before the State Administrative Tribunal between January 2005 and 31 August 2011 where the Department of Water reached a negotiated outcome with the applicant, and I ask for each licence, can the Minister please identify -

- (a) the volume of water that was originally requested by the applicant;
- (b) the volume of water that the Department was originally willing to grant to the applicant; and
- (c) the volume of water to which the parties eventually agreed?

4830. Hon Alison Xamon to the Minister for Mental Health representing the Minister for Planning

I refer to the replies to question on notice No. 4565, and I ask -

- (1) When is the independent audit expected to be completed?
- (2) Which regulatory authorities will the results be referred to?
- (3) Will these results be made public once they have been referred?
- (4) If the answer to (3) is no, why not?

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- (5) Do you intend to announce what Government land sites will be nominated to receive the excess fill?
- (6) If the answer to (5) is no, why not?
- (7) If the answer to (5) is yes, when do you expect to announce those sites?

4831. Hon Alison Xamon to the Minister for Mental Health

I refer to the answer to question on notice No. 4508 asked on 16 August 2011 about mental health inpatient beds in public and private hospitals, and I ask -

- (1) Of the adult mental health inpatient beds that are authorised to hold involuntary patients under the *Mental Health Act 1911* ('authorised beds'), how many are in locked wards?
- (2) Of the available authorised beds, how many, on average on any given day, are occupied by -
  - (a) voluntary patients; and
  - (b) involuntary patients?
- (3) When voluntary patients occupy authorised beds, are the wards locked, or are the patients detained or in some other way restrained from leaving the ward without permission?
- (4) When voluntary patients occupy adult mental health inpatient beds designated for voluntary patients only ('designated beds'), are the wards locked, or are the patients detained or in some other way restrained from leaving the ward without permission?
- (5) What is the average length of stay for adult mental health inpatients that are -
  - (a) voluntary; and
  - (b) involuntary?
- (6) What fees are charged to -
  - (a) voluntary patients occupying designated beds in public hospitals;
  - (b) voluntary patients occupying authorised beds in public hospitals;
  - (c) involuntary patients occupying authorised beds in public hospitals;
  - (d) voluntary patients occupying designated beds in private hospitals;
  - (e) voluntary patients occupying authorised beds in private hospitals; and
  - (f) involuntary patients occupying authorised beds in private hospitals?

4832. Hon Alison Xamon to the Minister for Commerce

I refer to the answer to question on notice No. 4255 asked on 21 June 2011 in relation to complaints about the handling of crysolite asbestos removal from 8a Carbon Court in Osborne Park by Len Fode Roofing and Action Asbestos, and ask -

- (1) What circumstances led the Worksafe Inspector to form the opinion that the regulations in the *Occupational Safety and Health Regulations 1996* referencing the *Code of Practice for the Safe Removal of Asbestos* 2nd edition [NOHSC: 2002 (2005)] were not applicable to this matter?

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- (2) In particular, please explain why the following regulations were not considered applicable -
- (a) regulation 5.45 - Asbestos removal work; and
  - (b) regulation 3.126 - Demolition work involving asbestos (which references regulation 5.45).
- (3) In relation to the Worksafe Inspector's findings regarding regulation 5.43 of the *Occupational Safety and Health Regulations 1996* -
- (a) please specify the breaches of the *Code of Practice for the Management and Control of Asbestos in Workplaces* [NOHSC: 2018 (2005)] found by the Worksafe Inspector; and
  - (b) please specify what actions Worksafe undertook in relation to each of these breaches.

4833. Hon Alison Xamon to the Minister for Mines and Petroleum

I refer to the casing corrosion in the Hovea-8 well, and I ask -

- (1) How old was the casing around this well?
- (2) Is this level of corrosion common in casings of this age?
- (3) Was this well and casing correctly constructed in accordance with best practice?
- (4) Had this well and casing been subject to any of the stresses that accompany the practice of fracking?
- (5) Had acid been pumped down this well?
- (6) Had this well and casing been subject to high-pressure similar to those used in hydraulic fracturing?
- (7) What, if any, differences in well and casing construction are required for wells that will be subject to fracking?

4834. Hon Giz Watson to the Parliamentary Secretary representing the Attorney General

I refer to the June 2002 'Thirtieth Anniversary Reform Implementation Report' of the Law Reform Commission of Western Australia ('the Commission') which identified, in order of priority, recommendations contained in final reports of the Commission that had not been implemented and that the Commission believed would substantially enhance the quality of the legal system in our State, and I ask which of those recommendations will be implemented this term (for each recommendation identified, please include the priority level attributed to that recommendation at page 258 of the Commission's report)?

4835. Hon Giz Watson to the Minister for Fisheries

- (1) Since 2005, what *ex gratia* payments or compensation payments were made per year by the Department for Fisheries or the Minister to licensed fishermen for changes to their license or changes to the allocated fishing area?
- (2) If the Minister is unable to provide details about some payments due to confidentiality agreements, for these payments just provide the number of payments made per year.

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(3) Which payments since 2005 were made in connection with procedures before the State Administrative Tribunal?

4836. Hon Giz Watson to the Minister for Finance representing the Minister for Transport

Further to my question on notice No. 3772 asked on 24 March 2011 and referring to the desire of Mr Neil Winzer to return to work, I ask -

(1) Has redeployment under the *Public Sector Management (Redeployment and Redundancy) Regulations 1994* been considered for Mr Neil Winzer?

(2) If yes to (1), what was the outcome of the consideration?

(3) If no to (1), why not?

4837. Hon Giz Watson to the Minister for Energy representing the Minister for Police

I refer to the Strategic Crime Prevention Division and its leadership and coordination role regarding crime prevention in Western Australia, and I ask -

(1) Apart from Western Australia Police, will you please list all government and non-government agencies that are currently involved in, or support, Strategic Crime Prevention in Western Australia?

(2) How often do these agencies meet?

(3) Will you please list all projects and programs currently provided by these agencies that relate to Strategic Crime Prevention?

(4) Regarding each project or program referred to at (3) -

(a) will you please briefly describe the project or program;

(b) how much funding has been allocated to the project or program; and

(c) what is the expected duration of the project or program?

4838. Hon Giz Watson to the Minister for Mental Health representing the Minister for Environment

I refer to Prescribed Burn F110, and I ask -

(1) How does the Department of Environment and Conservation ensure that local residents in the area maintain power and telephone connection during a prescribed burn?

(2) How many power poles were burnt in the prescribed burn?

(3) What agency paid or pays for the replacement poles and related labour?

(4) Page 7 of the burn plan requires two species to be excluded from the prescribed burn. How is the Department ensuring that these species are not affected by the past and upcoming prescribed burn F110?

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- (5) The protection of rare or endangered fauna communities (page 7 of burn plan) targets a mild mosaic burn as an outcome of the prescribed burn, and I ask -
- (a) what strategies does the Department implement to create a mild mosaic burn;
  - (b) how do these strategies differ to the usual mosaic burn outcome;
  - (c) how does the Department assess whether the target has been reached; and
  - (d) what percentage of fully crown scorched trees is compliant with a mild mosaic burn?
- (6) When does the Department assess the status of the known rare or endangered flora or fauna communities?
- (7) Who makes this assessment and using what strategies?
- (8) How is the outcome of the assessment made public?

4839. Hon Giz Watson to the Minister for Mental Health representing the Minister for Health

I refer to my question on notice No. 4516 asked in the Legislative Council on 16 August 2011, and I ask -

- (1) What are the contracted outcomes for the core funding from the Department of Health provided to each of the women's health centres?
- (2) Does the Minister believe that an Agreement established in 1999 to provide funding to women's health centres remains adequate to meet the needs of those centres and the changing demographics of their catchment areas in 2011?
- (3) If yes to (2), on what basis?
- (4) If no to (2), why not?
- (5) Will the Minister review the 1999 agreement?
- (6) In relation to the one off grant of \$95,000 provided to Ishar Multicultural Women's Health Centre (Ishar) for a basic health service and assessment of women's ongoing needs in Merriwa, Clarkson and Butler areas, I seek clarification on the following -
  - (a) at the time of giving the grant, was the funding from the Department of Health's budget for Women's Health Centres fully allocated;
  - (b) if yes to (6)(a), where is the funding for the grant coming from;
  - (c) on what basis was the funding provided to Ishar rather than to other service providers operating in the northern corridor;
  - (d) what are the consequences of funding the one off grant to other programs and budgets in the Department of Health;
  - (e) did the Minister receive, or seek, advice from the Women's Unit in the Department of Health with regard to what other services are delivered through Women's Health Centres in the outer northern suburbs of the northern corridor;
  - (f) if yes to (6)(e), please provide details;



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- (g) how is the Minister or Department planning to meet the health needs of the general population of women in the Merriwa, Clarkson and Butler area who are at risk because they are marginalised and/or at risk of achieving sustainable health gains given that Ishar is a multicultural women's health centre;
  - (h) referring to the answer to question (4)(b), which stated that parts of the grants were provided to assess the ongoing needs of women in Merriwa, Clarkson and Butler areas, who will be funded to deliver any services identified through that assessment process;
  - (i) when does the Minister expect the conclusion of this assessment; and
  - (j) what other information will be taken into account when considering future health services in the area?
- (7) How does the Minister or Department plan to deliver programs to women in the Merriwa, Clarkson, and Butler areas to achieve sustainable health benefits?

4840. Hon Lynn MacLaren to the Minister for Finance representing the Minister for Transport

With regard to the Fremantle Port Authority's decision to reject the proposal by the Fremantle Wind Farm Consortium to construct a commercial wind farm at Rous Head harbour -

- (1) Please table the terms of reference for the report commissioned by the Fremantle Port Authority.
- (2) Please table the full report.
- (3) Please give detailed reasons for rejecting the proposal.
- (4) Please explain the scientific, commercial and sustainability rationale for rejecting the proposal.

4841. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment

In regard to the decision recently to extend the Kwinana Industrial Air Buffer Zone made by the Western Australian Planning Commission in September 2010, please outline the following -

- (1) What technologies could be used to reduce any current perceived dust problems caused by Alcoa's operation and to what extent have these alternatives been explored?
- (2) Can the Minister confirm that Alcoa only uses sprinklers to suppress dust?
- (3) Could mulching be used to suppress dust?
- (4) How is the dust being monitored and where are dust monitors specifically located?
- (5) Who controls dust monitoring (the Government or Alcoa)?
- (6) What are the known health risks in the affected area and surrounds as a result of Alcoa's operations?
- (7) Have there been any independent impact statements and/or assessments conducted regarding the current and projected impact of Alcoa's operations in the area?
- (8) If yes to (7), please provide details.

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(9)      What independent assessments of Alcoa's operations in the area are planned in the future?

(10)     What are the known environmental risks in the affected area?

4842. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Environment

(1)      Has the Department been requested to test the water quality of any rainwater tanks in the Alcoa buffer zone?

(2)      If yes to (1), when were those tanks tested and what were the results?

(3)      If no to (1), what circumstances would trigger the Department's environmental safety team to investigate rainwater tanks in the area?

4843. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Health

In regard to the decision recently to extend the Kwinana Industrial Air Buffer Zone made by the Western Australian Planning Commission in September 2010 -

(1)      Does the Department of Health recommend that residents in the affected area and surrounds drink and cook with rainwater from their rainwater tanks?

(2)      What independent monitoring and long-term assessments of the health impact of Alcoa's operations in the area are presently taking place?

(3)      How has the Department of Health satisfied itself that it is safe to grow vegetables commercially in the area (some of which is exported) for human consumption?

(4)      Is it safe to operate child care facilities (like family day care in the area)?

(5)      Have any independent impact statements and/or assessments been conducted regarding the current and projected impact of Alcoa's operations in the area?

(6)      If yes to (5), please provide details.

(7)      What independent assessments of Alcoa's operations in the area are planned in the future?

(8)      What are the known health risks in the affected area?

4844. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Planning

In regard to the operation of Alcoa near Mandogalup, please outline the following -

(1)      When does the Western Australian Planning Commission (WAPC) anticipate that Area F in the Alcoa Residue Storage Area will be closed and how certain is any projected closure date?

(2)      How does the WAPC anticipate Area F will be rehabilitated?

(3)      Have a range of alternative rehabilitation initiatives been explored that may eliminate perceived dust problems fast?

(4)      If yes to (3), how have they been considered?

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4845. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Planning  
In regard to the decision recently to extend the Kwinana Industrial Air Buffer Zone made by the Western Australian Planning Commission in September 2010 -

- (1) How long has the buffer existed?
- (2) How long is the buffer projected to exist?
- (3) What permits, licences and statutory authority allow Alcoa to operate in the area?
- (4) What alternative uses are anticipated and/or planned for land affected by the decision to extend the buffer?

4846. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Water

- (1) If modelling of groundwater contamination has been done, please table this modelling?
- (2) If modelling has not been done, why not?
- (3) Does the Department of Water regularly sample water quality in Mandogalup?
- (4) If yes to (3) -
  - (a) where are those samples taken from;
  - (b) how often are samples taken and analysed;
  - (c) please table the results of the last two years for each sampling site; and
  - (d) what is the schedule for the next two years for testing the water from each sampling site?

4847. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Water

- (1) Does the Department expect that Alcoa's activities will have an impact on surface or ground water in the buffer area?
- (2) If no to (1), why not?
- (3) Are there any water quality monitoring bores in the buffer area?
- (4) If yes to (3) -
  - (a) please provide the location of each bore;
  - (b) how often is the water in each bore tested for contaminants;
  - (c) please table results for each bore for the last two years; and
  - (d) what is the schedule for the next two years for testing the water from these bores?
- (5) If no to (3) -
  - (a) will the Department install monitoring bores;
  - (b) will the Department request that Alcoa do so; and
  - (c) how will sites be chosen for monitoring bores?

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- (6) What input, if any, does the Department of Water have in guiding Alcoa about disposal of their waste products?
- (7) Is Alcoa obliged to act in accordance with advice from the Department of Water?
- (8) Should the Department of Water have reason to believe that Alcoa's practices are contaminating surface or ground water, what actions will the Department take to protect these natural assets?

4848. Hon Lynn MacLaren to the Minister for Mental Health representing the Minister for Planning  
In regard to the decision recently to extend the Kwinana Industrial Air Buffer Zone made by the Western Australian Planning Commission (WAPC) in September 2010 -

- (1) Please outline -
  - (a) the reason for the decision to modify the Kwinana Industrial Air Buffer Zone;
  - (b) the information upon which the decision was made, including all relevant reports considered by the WAPC; and
  - (c) the methodology used to satisfy the WAPC about the safety to the public or otherwise, of the relevant areas in which the buffer was extended and surrounding area.
- (2) How were local landowners and residents consulted prior to the decision being made?
- (3) If they were not consulted, why not?
- (4) Why did the WAPC not formally advise the relevant landowners of the decision, after the decision was made?
- (5) Why hasn't the WAPC responded to landowners who have written to the WAPC, seeking an explanation of the decision?
- (6) What was the process used to make the decision?
- (7) Who was consulted and when were they were consulted?
- (8) Were any present health, environmental or water problems or concerns with land affected by the decision reported to the WAPC?
- (9) If yes to (8), please provide details.
- (10) Were any potential future health, environmental or water problems or concerns with land affected by the decision reported to the WAPC?
- (11) Have there been any independent impact statements and/or assessments conducted regarding the current and projected impact of Alcoa's operations in the area?
- (12) If yes to (11), please provide details.
- (13) Will the WAPC disclose all of the information upon which the decision was made?
- (14) If no to (13), on what grounds is information being kept confidential?
- (15) Which reports are confidential and why?
- (16) Was Alcoa consulted in regard to the decision?

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- (17) Were affected property developers consulted in regard to the decision?
- (18) If yes to (17), when?
- (19) To date, has legal action been conducted in regard to the decision?
- (20) If yes to (19), by whom and what is the status of any legal action?
- (21) Have any accommodations been made for property developers affected by the decision?
- (22) Is the decision reviewable?
- (23) If yes to (22), how and what timelines apply to local landowners?

**MALCOLM PEACOCK**  
Clerk of the Legislative Council