

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 211

Wednesday, 18 June 2008

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

POSTPONED QUESTIONS

Notice Given ***Wednesday, 6 December 2006***

4443. Hon Simon O'Brien to the Parliamentary Secretary representing the Minister for Planning and Infrastructure (*SO 138(d) response - May 2 2007*)

Notice Given ***Tuesday, 20 March 2007***

4476. Hon Peter Collier to the Minister for Multicultural Interests and Citizenship (*SO 138(d) response - May 2 2007*)

4519. Hon Peter Collier to the Minister for Regional Development representing the Minister for Corrective Services (*SO 138(d) response - May 2 2007*)

4520. Hon Peter Collier to the Leader of the House representing the Minister for Small Business (*SO 138(d) response - May 2 2007*)

4521. Hon Peter Collier to the Leader of the House representing the Minister Assisting the Minister for Federal-State Relations (*SO 138(d) response - May 2 2007*)

4574. Hon Ray Halligan to the Minister for Regional Development representing the Minister for Corrective Services (*SO 138(d) response - May 2 2007*)

4575. Hon Ray Halligan to the Leader of the House representing the Minister for Small Business (*SO 138(d) response - May 2 2007*)

4576. Hon Ray Halligan to the Leader of the House representing the Minister Assisting the Minister for Federal-State Relations (*SO 138(d) response - May 2 2007*)

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Postponed Questions

4665. Hon Ray Halligan to the Leader of the House representing the Minister for Sport and Recreation (*SO 138(d) response - May 2 2007*)

Notice Given **Tuesday, 8 April 2008**

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

Notice Given **Tuesday, 6 May 2008**

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

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

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

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

Notice Given **Thursday, 15 May 2008**

6319. Hon Giz Watson to the Minister for Employment Protection

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

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

Notice Given **Tuesday, 27 May 2008**

6325. Hon Ray Halligan to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

6332. Hon Ray Halligan to the Parliamentary Secretary representing the Treasurer

6333. Hon Ray Halligan to the Minister for Youth

6334. Hon Ray Halligan to the Minister for Government Enterprises

6335. Hon Ray Halligan to the Minister for Employment Protection representing the Minister for Police and Emergency Services

6336. Hon Giz Watson to the Leader of the House representing the Minister for Energy

6338. Hon Barry House to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

6339. Hon Barry House to the Parliamentary Secretary representing the Minister for Consumer Protection

6340. Hon Ray Halligan to the Parliamentary Secretary representing the Minister for Planning and Infrastructure

6341. Hon Ray Halligan to the Minister for Child Protection

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- 6342. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment
- 6343. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
- 6344. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training
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- 6358. Hon Shelley Archer to the Minister for Local Government representing the Minister for Education and Training

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

- 6361. Hon Helen Morton to the Minister for Agriculture and Food
- 6362. Hon Helen Morton to the Minister for Forestry
- 6363. Hon Helen Morton to the Minister for the Mid West and Wheatbelt

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- 6364. Hon Helen Morton to the Minister for Great Southern
- 6365. Hon Helen Morton to the Minister for Local Government
- 6366. Hon Helen Morton to the Minister for Racing and Gaming
- 6367. Hon Helen Morton to the Minister for Multicultural Interests and Citizenship
- 6368. Hon Helen Morton to the Minister for Government Enterprises
- 6369. Hon Helen Morton to the Minister Assisting the Minister for Planning and Infrastructure
- 6370. Hon Helen Morton to the Minister for Goldfields-Esperance
- 6371. Hon Helen Morton to the Minister for Youth
- 6372. Hon Helen Morton to the Minister for Regional Development
- 6373. Hon Helen Morton to the Minister for Employment Protection
- 6374. Hon Helen Morton to the Minister for Fisheries
- 6375. Hon Helen Morton to the Minister for the Kimberley, Pilbara and Gascoyne
- 6376. Hon Helen Morton to the Minister for Child Protection
- 6377. Hon Helen Morton to the Minister for Communities
- 6378. Hon Helen Morton to the Minister for Women's Interests
- 6379. Hon Helen Morton to the Minister for Seniors and Volunteering
- 6380. Hon Helen Morton to the Leader of the House representing the Premier
- 6381. Hon Helen Morton to the Leader of the House representing the Minister for Federal-State Relations
- 6382. Hon Helen Morton to the Leader of the House representing the Minister for Trade
- 6383. Hon Helen Morton to the Leader of the House representing the Minister for Innovation
- 6384. Hon Helen Morton to the Leader of the House representing the Minister for Science
- 6385. Hon Helen Morton to the Leader of the House representing the Minister for Public Sector Management
- 6386. Hon Helen Morton to the Parliamentary Secretary representing the Deputy Premier
- 6387. Hon Helen Morton to the Parliamentary Secretary representing the Treasurer
- 6388. Hon Helen Morton to the Parliamentary Secretary representing the Minister for State Development
- 6389. Hon Helen Morton to the Minister for Employment Protection representing the Minister for Police and Emergency Services
- 6390. Hon Helen Morton to the Minister for Employment Protection representing the Minister for Community Safety
- 6391. Hon Helen Morton to the Leader of the House representing the Minister for Water Resources

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- 6392. Hon Helen Morton to the Leader of the House representing the Minister for Sport and Recreation
- 6393. Hon Helen Morton to the Minister for Child Protection representing the Attorney General
- 6394. Hon Helen Morton to the Minister for Child Protection representing the Minister for Health
- 6395. Hon Helen Morton to the Minister for Child Protection representing the Minister for Electoral Affairs
- 6396. Hon Helen Morton to the Minister for Local Government representing the Minister for Housing and Works
- 6397. Hon Helen Morton to the Minister for Local Government representing the Minister for Indigenous Affairs
- 6398. Hon Helen Morton to the Minister for Local Government representing the Minister for Heritage
- 6399. Hon Helen Morton to the Minister for Local Government representing the Minister for Land Information
- 6400. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- 6402. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Tourism
- 6403. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Culture and the Arts
- 6404. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Consumer Protection
- 6405. Hon Helen Morton to the Minister for Local Government representing the Minister for Education and Training
- 6406. Hon Helen Morton to the Leader of the House representing the Minister for South West
- 6407. Hon Helen Morton to the Leader of the House representing the Minister for Energy
- 6408. Hon Helen Morton to the Leader of the House representing the Minister for Resources
- 6409. Hon Helen Morton to the Leader of the House representing the Minister for Industry and Enterprise
- 6410. Hon Helen Morton to the Minister for Employment Protection representing the Minister for Corrective Services
- 6411. Hon Helen Morton to the Leader of the House representing the Minister for Small Business
- 6412. Hon Helen Morton to the Parliamentary Secretary representing the Minister for the Environment
- 6413. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Climate Change
- 6414. Hon Helen Morton to the Parliamentary Secretary representing the Minister for Peel

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

Notice Given *Tuesday, 3 June 2008*

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

Notice Given *Wednesday, 4 June 2008*

6424. Hon Peter Collier to the Minister for Local Government representing the Minister for Education and Training
6426. Hon Simon O'Brien to the Parliamentary Secretary representing the Treasurer
6427. Hon Barry House to the Parliamentary Secretary representing the Minister for the Environment
6428. Hon Barry House to the Leader of the House representing the Minister for Sport and Recreation

Notice Given *Thursday, 5 June 2008*

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

Notice Given *Tuesday, 17 June 2008*

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

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QUESTIONS ASKED TODAY

Notice given**Wednesday, 18 June 2008**

6439. Hon Giz Watson to the Minister for Local Government representing the Minister for Indigenous Affairs

With regard to question's without notice Nos' 415 and 455, in relation to the Apache Energy Devil Creek development, I ask -

- (1) In what part of the *Aboriginal Heritage Act 1972*, the *Aboriginal Heritage Regulations 1974*, the *Environmental Protection Act 1986* or the *Environmental Protection Regulations 1987* is it stated that if the Environmental Protection Authority had not completed an environmental impact assessment under the provisions of the *Environmental Protection Act 1986*, the Minister was not authorised by law to make such a section 18 decision?
- (2) Why was the Minister not authorised by law to make such a decision in respect of the Apache section 18 application?
- (3) In respect of (1) and (2), who in the Department of Indigenous Affairs (DIA) advised the Minister of such a legal requirement?
- (4) Are the registered claimants of the area the Yaburara Mardudhunera WC96/089 and the Wong-Goo-Tt-Oo WC98/040?
- (5) In respect of the insufficient consultation by Apache Northwest Pty Ltd with two native title groups regarding the construction and future operation of the Devil Creek gas plant and associated infrastructure, were the two groups referred to in the letter the Ngarluma and Kuruma Marthudunere Native Title Groups?
- (6) Who within the DIA made the decision that the Ngarluma and Kuruma Marthudunere Native Title Groups should be consulted by Apache Northwest Pty Ltd in respect of their development?
- (7) On what basis was the decision made that the Ngarluma and Kuruma Marthudunere Native Title Groups should be consulted by Apache Northwest Pty Ltd in respect of their development and why?
- (8) Was any correspondence, communication or presentation received by the ACMC, the DIA or the Minister from the Ngarluma Native Title Group or entities representing or purporting to represent their views that they should be consulted?
- (9) If yes to (8), from whom, on what date and by what method was this information received?
- (10) Was any correspondence, communication or presentation received by the ACMC, the DIA or the Minister from the Kuruma Marthudunere Native Title Group or entities representing or purporting to represent their views that they should be consulted?
- (11) If yes to (10), from whom on what date and by what method was this information received?
- (12) If yes to (8) and (10), will the Minister table any correspondence associated with any such communication?

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

6440. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

With regard to question on notice No. 5918, answered in the Legislative Council on 18 March 2008, I ask -

- (1) In what capacity did Mr Brian Burke and Mr Julian Grill represent Portman during the period in question?
- (2) Did Mr Brian Burke or Mr Julian Grill have any dialogue or correspondence with any member of the Department of Environmental Protection during the period in question?
- (3) Did Mr Brian Burke or Mr Julian Grill have any dialogue or correspondence with any member of the Environmental Protection Authority during the period in question?
- (4) Did Mr Brian Burke or Mr Julian Grill have any dialogue or correspondence with any member of the Minister's staff during the period in question?
- (5) Did Mr Brian Burke or Mr Julian Grill have any dialogue or correspondence with the Minister during the period in question?
- (6) If yes to any of (1) to (5) above, will the Minister advise the nature and dates of that dialogue or correspondence?

6441. Hon Giz Watson to the Leader of the House representing the Minister for Resources

I refer to the German television program at, http://www.daserste.de/ttt/beitrag_dyn~uid,tuzcluf3km5vgggr~cm.asp, entitled Der Schatz von Murujuga by the TV station Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland, in which the Minister appears, and ask -

- (1) Are our West Australian gas fields 'some of the largest gas reserves on the planet'?
- (2) What are the gross proven and probable reserves and contingent resources of the West Australian gas fields in trillion cubic feet by field?
- (3) What is the current global consumption rate of LNG?
- (4) What is the expected annual percentage increase of global LNG consumption?
- (5) What are the gross proven, probable reserves and contingent resources of the Russian fields of Urengoy, Yamburg, Shtokman, Zapolyarnoye, Bonavenko, Medvezhye, Orenburg and Kharsavey?
- (6) What are the gross proven, probable reserves and contingent resources of the Qatar-Iranian field of North Field-S Pars?
- (7) What are the gross proven, probable reserves and contingent resources of the Qatar-Algerian field of Hassi R'Mel?
- (8) What are the gross proven, probable reserves and contingent resources of the American field of Hugoton?
- (9) What are the gross proven, probable reserves and contingent resources of the American field of Groningen?

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- (10) What are the gross proven, probable reserves and contingent resources of the Turkmenistan field of Dauletabad-Donmez?
- (11) What are the gross proven, probable reserves and contingent resources of the Kazakhstan field of Karachaganak?
- (12) Does the Minister stand by his statement on German television that our West Australian gas fields 'some of the largest gas reserves on the planet'?

6442. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment
With regard to question on notice No. 5913 and questions without notice Nos' 415 and 455 asked of the Minister for Indigenous Affairs, I ask -

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

6443. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment
With regard to question on notice No. 5913 and Senate question No. 398, asked of the Federal Minister for Heritage, Environment and Arts, in respect of M47/112, M47/29 and M47/326 leases, and I ask -

- (1) Did the Environmental Protection Authority (EPA) in making its decisions, in respect of answers to parts 13-15 of question 5913, communicate the proposal to the Federal Department of Heritage, Environment and Arts?
- (2) Did the EPA make its decision that the environmental impacts were not so significant as to warrant formal environment impact assessment after receiving advice from the Federal Department of Heritage, Environment and Arts?
- (3) If no to (1) and (2), why was a decision made in respect of M47/112, M47/29 and M47/326, two of which fall in part within National Heritage listed area of the Dampier Archipelago (including the Burrup Peninsula) without referral or advice from the Department of Heritage, Environment and Arts?

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- (4) Was the matter referred under the EPBC Act to the Department of Heritage, Environment and Arts?
- (5) If no to (4), why not?

MALCOLM PEACOCK

Clerk of the Legislative Council