

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

QUESTIONS

No. 177

Thursday, 13 February 2020

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

QUESTIONS AWAITING ANSWERS

Notice Given **Wednesday, 27 November 2019**

2726. Hon Colin Holt to the Minister for Environment representing the Minister for Transport;
Planning

Notice Given **Friday, 29 November 2019**

2727. Hon Colin Holt to the Minister for Environment representing the Minister for Housing

2728. Hon Nick Goiran to the Leader of the House representing the Premier

Notice Given **Tuesday, 3 December 2019**

2729. Hon Jacqui Boydell to the Minister for Education and Training

2730. Hon Jacqui Boydell to the Minister for Regional Development representing the Minister for
Mines and Petroleum; Industrial Relations

2731. Hon Colin Holt to the Minister for Environment representing the Minister for Transport

Notice Given **Wednesday, 4 December 2019**

2732. Hon Jacqui Boydell to the Minister for Regional Development representing the Minister for
Mines and Petroleum; Industrial Relations

Notice Given **Thursday, 5 December 2019**

2733. Hon Colin Holt to the Minister for Environment representing the Minister for Housing

2734. Hon Colin de Grussa to the Minister for Environment representing the Minister for Police

2735. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for
Mines and Petroleum

2736. Hon Jacqui Boydell to the Minister for Regional Development representing the Minister for
Water

2737. Hon Robin Scott to the Minister for Regional Development representing the Minister for
Mines and Petroleum; Industrial Relations

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Questions Awaiting Answers

Notice Given ***Tuesday, 11 February 2020***

- 2738. Hon Dr Steve Thomas to the Parliamentary Secretary representing the Minister for Health
- 2739. Hon Nick Goiran to the Leader of the House representing the Attorney General
- 2740. Hon Nick Goiran to the Minister for Environment representing the Minister for Corrective Services
- 2741. Hon Nick Goiran to the Leader of the House representing the Premier
- 2742. Hon Nick Goiran to the Leader of the House representing the Premier
- 2743. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 2744. Hon Alison Xamon to the Minister for Environment representing the Minister for Housing
- 2745. Hon Alison Xamon to the Minister for Environment representing the Minister for Housing
- 2746. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 2747. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 2748. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 2749. Hon Alison Xamon to the Minister for Environment representing the Minister for Police
- 2750. Hon Alison Xamon to the Leader of the House representing the Attorney General
- 2751. Hon Alison Xamon to the Minister for Education and Training
- 2752. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 2753. Hon Martin Aldridge to the Minister for Environment representing the Minister for Road Safety
- 2754. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 2755. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 2756. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 2757. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 2758. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police
- 2759. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police; Road Safety
- 2760. Hon Martin Aldridge to the Minister for Environment representing the Treasurer
- 2761. Hon Martin Aldridge to the Leader of the House representing the Minister for Community Services
- 2762. Hon Martin Aldridge to the Parliamentary Secretary representing the Minister for Health
- 2763. Hon Martin Aldridge to the Minister for Regional Development
- 2764. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Youth
- 2765. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
- 2766. Hon Alison Xamon to the Minister for Environment

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- 2767. Hon Alison Xamon to the Minister for Environment
- 2768. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 2769. Hon Alison Xamon to the Minister for Education and Training
- 2770. Hon Alison Xamon to the Minister for Education and Training
- 2771. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 2772. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning
- 2773. Hon Martin Aldridge to the Minister for Environment representing the Minister for Energy
- 2774. Hon Martin Aldridge to the Leader of the House representing the Premier; Minister for Public Sector Management; Federal-State Relations
- 2775. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for State Development, Jobs and Trade
- 2776. Hon Martin Aldridge to the Parliamentary Secretary representing the Deputy Premier; Minister for Health; Mental Health
- 2777. Hon Martin Aldridge to the Minister for Education and Training
- 2778. Hon Martin Aldridge to the Minister for Environment; Disability Services; Electoral Affairs
- 2779. Hon Martin Aldridge to the Minister for Environment representing the Minister for Police; Road Safety
- 2780. Hon Martin Aldridge to the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade
- 2781. Hon Martin Aldridge to the Minister for Environment representing the Minister for Emergency Services; Corrective Services
- 2782. Hon Martin Aldridge to the Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts
- 2783. Hon Martin Aldridge to the Leader of the House representing the Attorney General
- 2784. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Commerce
- 2785. Hon Martin Aldridge to the Leader of the House representing the Minister for Seniors and Ageing; Volunteering; Sport and Recreation
- 2786. Hon Martin Aldridge to the Minister for Environment representing the Treasurer; Minister for Finance; Aboriginal Affairs; Lands
- 2787. 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
- 2788. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations
- 2789. Hon Martin Aldridge to the Minister for Environment representing the Minister for Energy
- 2790. Hon Martin Aldridge to the Minister for Environment representing the Minister for Transport; Planning
- 2791. Hon Martin Aldridge to the Minister for Environment representing the Minister for Housing; Fisheries; Veterans Issues; Asian Engagement

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- 2792. 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
- 2793. Hon Martin Aldridge to the Minister for Regional Development representing the Minister for Water; Forestry; Innovation and ICT; Science; Youth

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2794. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Health:

I refer to the *Pilbara Health Profile 2018; Planning and Evaluation Unit (November 2018)*, published by the WA Country Health Service, and specifically *Table 9* on page 25; regarding ‘Potentially Preventable Hospitalisations’ for children under 14, and I ask:

- (a) will the Minister please provide a breakdown of the data contained within *Table 9* by towns within the Pilbara Health Profile;
- (b) if no to (a), why not;
- (c) given that the report’s data is for the years 2011 to 2015, does the Department have any more recent data;
- (d) if no to (c), why not;
- (e) if yes to (c), will the Minister please provide that data:
 - (i) in the format given in the report; and
 - (ii) by town, within the the Pilbara; and
- (f) if no to (e), why not?

2795. Hon Robin Chapple to the Minister for Environment:

The “Fortescue Marsh Management Strategy: 2018 – 2024” (FMMS), page 15, states “In 1999, the department’s predecessor, the Department of Conservation and Land Management, undertook an assessment of significant wetlands across Western Australia and determined their suitability for nomination for Ramsar listing. Nomination of the [Fortescue] Marsh as a rare and unusual wetland type within its biogeographic region was recommended, although the assessment recognised that more information on the biodiversity values of the Marsh would be required to progress a nomination (Jaensch and Watkins 1999)”, with the marsh facing significant development pressures from the iron ore industry to its immediate north and south, I ask:

- (a) what is the status of any or part of the Fortescue Marsh:
 - (i) within the State conservation reserve system; and
 - (ii) within the National conservation reserve system;
- (b) how can the Department say unequivocally that “it will not seek to incorporate land into a conservation reserve that may contain existing or proposed mine sites” (FMMS page 3), without a prior thorough assessment of the conservation values of any such locations first;
- (c) are conservation reserves in Western Australia enshrined in legislation:
 - (i) if yes to (c), in which legislation;
- (d) what categories of conservation reserve can be created in Western Australia;
- (e) which Minister can cancel a reserve or its Class A classification;
- (f) does the Minister require the approval of both Houses of Parliament to cancel a reserve or its Class A conservation;

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- (g) does the Minister require the approval of a single House of Parliament to cancel a reserve or its Class A conservation:
 - (i) if yes to (g), which House;
- (h) if the Minister wishes to cancel a reserve or its Class A classification, what process must the Minister follow;
- (i) what is the *Convention on Wetlands of International Convention Especially as Waterfowl Habitat* (Ramsar (Iran), 2 February, 1971, the Ramsar Convention);
- (j) does the Ramsar Convention aim to halt and, where possible, reverse the worldwide loss of wetlands;
- (k) can the Minister please table a map of the Fortescue Marsh, including surrounding existing mining lease boundaries, exploration lease boundaries and proposed future mining developments;
- (l) can the Minister please table a map of the Fortescue Marsh and surrounds, overlaid by all of the various land tenures in operation;
- (m) what further work is required to assess the international significance of the Fortescue Marsh in terms of ecology, botany, zoology, limnology or hydrology;
- (n) what funding has been allocated to assess the international significance of the Fortescue Marsh as outlined in (m) above for each of the next:
 - (i) 12 months;
 - (ii) 24 months; and
 - (iii) 5 years;
- (o) what is the status of the Department's investigations in deciding whether the Fortescue Marsh should be nominated for listing under the Ramsar Convention;
- (p) given that Jaensch and Watkins asserted that more information was required to progress a Ramsar Listing over 20 years ago, when will the Government make a final decision on whether the Fortescue Marsh should be listed under the Ramsar Convention;
- (q) what have been the reasons for the Government's delay in deciding whether or not to nominate the Fortescue Marsh for Ramsar Listing;
- (r) @are Ramsar Wetlands regulated under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*;
- (s) if the Government has decided not to pursue a Ramsar Listing for the Fortescue Marsh, for what reasons did it make this decision;
- (t) what is the Fortescue Marsh Reference Group (FMRG);
- (u) what is the current status of the FMRG;
- (v) when was the FMRG formed;
- (w) who are the current members of the FMRG by name and employer;
- (x) on what dates has the FMRG met since its inception; and
- (y) does the FMRG have any legal status?

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*Notice Given**Thursday, 13 February 2020***2796. Hon Robin Chapple to the Minister for Environment:**

I refer to the Fortescue Metals Group (FMG) Christmas Creek mine operations, the Christmas Creek Water Management Scheme (CCWMS), and to the Vegetation Health Monitoring and Management Plan (VHMMP) related to that Scheme, and I ask:

- (a) can the Minister please table the VHMMP, submitted by FMG, prior to the commencement of its aquifer reinjection scheme;
- (b) have vegetation health trigger levels been exceeded, at any stage, as a result of the implementation of groundwater abstraction and disposal, since the commencement of the CCWMS;
- (c) if yes to (b), can the Minister please table details as to the dates, locations and circumstances in which those trigger levels were exceeded;
- (d) if yes to (b), what remediation actions were taken; subsequent to the exceedance of vegetation health trigger levels; and
- (e) have vegetation health trigger levels been amended, at any stage, since the commencement of mining at Christmas Creek:
 - (i) if yes to (e), on what dates; and
 - (ii) if yes to (e), what were the reasons for amendments to vegetation health trigger levels?

2797. Hon Robin Chapple to the Minister for Environment:

I refer to the Fortescue Marsh, and to the Fortescue Metals Group (FMG) Cloudbreak mine operations, and the following monitoring bores (CBFMM01-CBFMM08 inclusive), and their respective locations: (720703 7531612), (727558.7 7527940), (734697 7527655), (746758 7523454), (740435.9 7524558), (751176 7521806), (755273 7520434), and I ask:

- (a) what are the current baseline groundwater levels for each of the above bores;
- (b) have baseline groundwater levels changed at any stage for any of the above bores since 1 January 2010;
- (c) if yes to (b), can the Minister please state the baseline groundwater levels, as split out by bore and date of change(s), before and after any change(s) in baseline groundwater levels were made;
- (d) if yes to (b), what were the reasons for those changes;
- (e) if yes to (b), were these changes approved by the Department;
- (f) what are the trigger groundwater levels for each of the above bores;
- (g) have these trigger groundwater levels changed at any stage for any of the above bores since 1 January 2010;
- (h) if yes to (g), can the Minister please state the trigger groundwater levels, as split out by bore and date of change(s), before and after the change(s) in trigger groundwater levels were made;
- (i) if yes to (g), what were the reasons for those changes;
- (j) if yes to (g), were these changes approved by the Department;
- (k) can the Minister please table the annual results of monitoring, as submitted by FMG, for each of the years dating back to 1 January 2010;

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- (l) have groundwater levels, at any or all of the above-listed bores, risen or fallen by more than 1.0 metres from the baseline groundwater level, at any stage in any year, dating back to 1 January 2010;
- (m) if yes to (l), on what dates did your Department receive notification(s) that groundwater levels at any or all of the above bores have risen or fallen by more than 1.0 metres from the baseline groundwater level;
- (n) what is the function of the control bore; and
- (o) how does the control bore differ from the groundwater monitoring bores listed above?

2798. Hon Robin Chapple to the Minister for Environment:

I refer to the Fortescue Metals Group (FMG) Cloudbreak mine operations, Ministerial Statement 899, and to the Vegetation Health Monitoring and Management Plan (VHMMP) referred to in that statement, and I ask:

- (a) can the Minister please table the VHMMP submitted by FMG prior to the commencement of its aquifer reinjection scheme at Cloudbreak;
- (b) have vegetation health trigger levels been exceeded at any stage, as a result of the implementation of groundwater abstraction and disposal, since the commencement of the Cloudbreak operations:
 - (i) if yes to (b), can the Minister please table details as to the dates, locations and circumstances in which those trigger levels were exceeded; and
- (c) have vegetation health trigger levels been amended at any stage since the commencement of mining at Cloudbreak:
 - (i) if yes to (c), on what dates; and
 - (ii) if yes to (c), what were the reasons for amendments to vegetation health trigger levels?

2799. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water:

I refer to the issue of water consumption in the Pilbara, and I ask:

- (a) for each mine in the Pilbara, by company and location, and for the most recently completed reporting year, would the Minister please table:
 - (i) the licensed water abstraction amounts, inclusive of mine dewatering;
 - (ii) the licensed aquifer reinjection rates;
 - (iii) the actual extraction rates; and
 - (iv) the actual reinjection rates;
- (b) what is the total water consumption of the Pilbara region, inclusive of mine dewatering but exclusive of aquifer reinjection and residential consumption;
- (c) split out by year and dating back to the beginning of the 2010 reporting year, what is the total amount the Water Corporation has earned in fixed and variable use water charges and rates from industrial and mining companies, exclusive of residential customers;
- (d) which mines in the Pilbara have aquifer reinjection schemes in operation; and

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- (e) for each mine with an aquifer reinjection scheme in operation, can the Minister please outline how each of these schemes work, as split out by operation, describing:
 - (i) the nature of each scheme itself (i.e. the model used);
 - (ii) the name of the aquifer being recharged by each scheme; and
 - (iii) the name of the formation within each aquifer that is being recharged?

2800. Hon Alison Xamon to the Minister for Education and Training:

I refer to Bob Hawke's physical education program and the community understanding that physical education courses will not be offered to senior students, and I ask:

- (a) will physical education courses be offered to Year 11 and 12 students at the school:
 - (i) if no to (a), what modality(-ies) will be offered to senior students to enable them to study physical education courses;
- (b) will any physical education facilities be shared between Bob Hawke College and Perth Modern School; and
- (c) if yes to (b), please identify:
 - (i) what facilities will be shared; and
 - (ii) where will they be located?

2801. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water:

I refer to the issue of water consumption in the Perth/Peel region, and I ask:

- (a) what were the total volumes of water servicing the Perth/Peel regions as split out by year for each of the past 10 full reporting years;
- (b) for each of the past 10 full reporting years, what percentage of these volumes were for:
 - (i) residential use; and
 - (ii) industrial use;
- (c) for each of the past 10 full reporting years, what was the water consumption by volume for each of the 10 largest single industrial users of water in the Perth/Peel regions; and
- (d) what have been the water sources, by volume, and location, for the Perth/Peel region for each of the last 10 reporting years?

2802. Hon Alison Xamon to the Minister for Environment representing the Minister for Planning:

I refer to the \$227 million budgeted for the Subiaco East redevelopment and I ask:

- (a) could the Minister please itemise the \$227 million; and
- (b) which, if any, stages of the development of the Bob Hawke College have been included in this \$227 million?

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2803. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection:

For the 2019 school year, for each school year group from Year 1 through to Year 12, I ask:

- (a) how many young people in the care of the CEO commenced that year of schooling; and
- (b) how many young people in the care of the CEO successfully passed that year of schooling?

2804. Hon Nick Goiran to the Leader of the House representing the Premier:

I refer to the email from the Premier's office, dated 12 February 2020 and received at 4.16pm from the Premier's appointments secretary, and I ask:

- (a) for what period of time was the Premier in the South Metropolitan Region;
- (b) further to (a):
 - (i) how many meetings, events, functions or similar did the Premier attend;
 - (ii) who attended each of the meetings, events, functions or similar with the Premier; and
 - (iii) did the Premier receive or create any documents during or in preparation for the meetings, events, functions or similar;
- (c) if yes to (b)(iii), what were those documents;
- (d) further to (c), will the Premier table those documents;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

2805. Hon Jacqui Boyde to the Minister for Environment representing the Treasurer:

I refer to the Royalties for Regions account, and for each financial year since 2008-09, I ask:

- (a) what was the Government imposed expenditure limit on the Royalties for Regions account;
- (b) what was the actual underspend provision;
- (c) what was the total amount of royalties and interest from the Royalties for Regions account returned to the Consolidated Account; and
- (d) in relation to the line item 'Administration', what was the actual expenditure?

2806. Hon Alison Xamon to the Leader of the House representing the Premier:

I refer to the answer given to question on notice 504 on 20 March 2018, and to the answer given to question on notice 2583 on 19 November 2019, and I ask:

- (a) will the Premier take action to ensure a complete, consolidated, current form of all State agreements is published:
 - (i) on the Department of Jobs, Tourism, Science and Innovation website and/or; and
 - (ii) on the Western Australian Legislation website (to which the Department's website page that lists all State agreements provides a link); and
- (b) if no to both, why not?

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Notice Given *Thursday, 13 February 2020*

2807. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection:

I refer to the Minister's response to question on notice 2482, and I ask:

- (a) how many requests for a review were made in 2019;
- (b) how many reviews were undertaken;
- (c) how long did each review take, from the applicant's request to the applicant being notified of the outcome; and
- (d) how many panel members were there for each review?

NIGEL PRATT

Clerk of the Legislative Council