

**LEGISLATIVE COUNCIL**  
**Question On Notice**

**Tuesday, 2 April 2019**

**2049. Hon Robin Chapple to the Minister for Environment**

I refer to Brooking Creek, a tributary of the Fitzroy River in the Kimberley and the three photographs found here: <https://robinchapple.com/dam-brooking-creek> and ask:

- (a) is the Minister aware that Brooking Creek, a tributary of the Fitzroy River, was blocked from flowing last year;
- (b) if yes to (a), did the Minister investigate the damming of the Creek;
- (c) if yes to (b), will the Minister table the report;
- (d) if no to (b), why not;
- (e) will the Minister confirm and/or investigate whether the pastoral lease holder has built a vehicle and stock crossing point over Brooking Creek and that this is blocking the flow of the water;
- (f) if no to (e), why not;
- (g) is it necessary to apply for a licence from the department to build anything in the bed and/or banks of a waterway;
- (h) if yes to (g), does the owner of the Brooking Springs pastoral lease have a licence for the built structure or crossing point over Brooking Creek;
- (i) if no to (h), why not;
- (j) will the department, using its Geographic Information System or any other method, determine when the obstruction was originally built;
- (k) if no to (j), why not;
- (l) if the department investigated the blocking of Brooking Creek last year, was the pastoral lease holder prosecuted or issued a warning;
- (m) if yes to (l), was any enforcement action taken;
- (n) if no to (m), why not;
- (o) will the Minister investigate given the photographs taken of Brooking Creek in March 2019, show it is once again blocked;
- (p) if no to (o), why not;
- (q) given the photos show that the obstruction on Brooking Creek contravenes the Western Australian Government's policy that states there will be 'no dams, barriers, weirs or other structures that store water or impede flow on the Fitzroy River and its tributaries', will the Minister ensure that the obstruction is removed as a matter of priority so that the natural flow is not impeded on this environmentally and culturally important tributary of the Fitzroy River;
- (r) if no to (q), why not;
- (s) will the Minister ensure the pastoral lease holder is prosecuted for blocking the creek; and
- (t) if no to (s), why not?

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**Answer**

Please refer to Legislative Council Question on Notice 2051.



Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT;  
DISABILITY SERVICES; ELECTORAL AFFAIRS**