

LEGISLATIVE COUNCIL
Question On Notice

Tuesday, 27 June 2017

89. Hon Robin Chapple to the Minister for Environment representing the Minister for Aboriginal Affairs

- (1) I refer to Vimy Resources proposed Mulga Rocks uranium project in the Eastern Goldfields:
- (a) has any native vegetation previously been cleared at the project site:
 - (i) when did this clearing occur;
 - (ii) was a permit to clear native vegetation provided at every instance;
 - (iii) if a permit was not required, why not;
 - (iv) was a report ever provided on the impacts clearing at this site would have on native fauna;
 - (v) if no to (v), why not; and
 - (vi) is the impact of clearing on native fauna at this site unknown;
 - (b) have any roads been previously cleared to the project site:
 - (i) name all roads;
 - (ii) when was each named road cleared;
 - (iii) was a clearing permit provided for each instance;
 - (iv) if no to (b)(iii), why not;
 - (v) was a report ever provided on the impacts that clearing this road(s) would have on native fauna; and
 - (vi) if no to (v), why not;
 - (c) have any buildings or other infrastructure been erected, constructed or otherwise placed at the project site;
 - (d) are there any operations currently being undertaken at the project site:
 - (i) have any operations, other than aforementioned clearing, previously been undertaken at the project site;
 - (ii) are there any planned operations at the site; and
 - (iii) will the Minister please table information pertaining to (ii);
 - (e) are there any personnel situated at the site:
 - (i) if yes to (e), what is their purpose;
 - (f) are there regular personnel movements to and from the site:
 - (i) if yes to (f), what is their purpose;
 - (g) will the Minister please provide detailed information of all previous mineral surveys conducted at the site;
 - (h) will the Minister please provide detailed information of all previous digs conducted at the site;
 - (i) has any ore material ever been removed from the site:
 - (i) if yes to (i), when did this occur;
 - (ii) why did this occur; and
 - (iii) on how many occasions has this occurred;
 - (j) is there waste material stored at the site:
 - (i) what quantity of waste material; and

- (ii) is there uranium byproduct contained in this waste material;
- (k) has an Aboriginal heritage survey ever been conducted at the site;
- (i) will the Minister please provide detailed information of every Aboriginal heritage survey conducted at the site historically; and
- (ii) does the Minister believe this is an acceptable level of consultation for a project of this nature;
- (l) has section 18 consent been applied for under the *Aboriginal Heritage Act 1972*;
- (m) has section 18 consent been granted by the Minister under the *Aboriginal Heritage Act 1972*;
- (n) is section 18 consent required for this project;
- (o) if no to (l), (m) or (n), why not;
- (p) does the project have Native Vegetation Clearing Approval from Department of Mines and Petroleum (DMP);
- (q) does the project have State Works Approval and Licensing under part 5 of the *Environmental Protection Act*, from the Department of Environmental Regulation;
- (r) is there a Project Management Plan from DMP;
- (s) has the project provided notification of principal employer under section 32 of the *Mines Safety and Inspection Act (MSIA)*;
- (t) has there been appointment of a registered manager under sections 33/34 of the MSIA;
- (u) has there been appointment of a certificated UG Manager under sections 35/36 of the MSIA;
- (v) has there been appointment of a Certificated Quarry Manager under sections 37/38 of the MSIA;
- (w) does the project have a *Radiation Management Plan Mines Safety and Inspection Regulations (MSIR) r16.27*;
- (x) does this include approval to remove radioactive material under MSIR r16.27;
- (y) has there been appointment of RSO under MSIR r16.9;
- (z) has an application for registration of premises/nomination of RSA been submitted;
- (aa) does the project have dangerous goods approval from DMP;
- (bb) does the project have a license to take water under section 5(c) of the *Rights in Water and Irrigation Act (RIWIA)* from the Department of Water (DOW);
- (cc) does the project have a license to construct or alter a well under section 26(d) of the RIWIA from DOW;
- (dd) does the project have a 'Bed and Banks' permit from DOW;
- (ee) does the project have uranium export approvals from the Department of Industry, Innovation and Science (DIIS);
- (ff) does the project have safeguards approval from the Australian Safeguards and Non-Proliferation Office (ASNO);
- (gg) does the project have a permit to possess nuclear material under section 13(1) under the *Nuclear Non-Proliferation (Safeguards) Act 1987* from ASNO;
- (hh) does the project have a permit to transport nuclear material under section 16(1) under the *Nuclear Non-Proliferation (Safeguards) Act 1987* from ASNO;
- (ii) does the project have a permit to establish nuclear facility under section 16A(1) under the *Nuclear Non-Proliferation (Safeguards) Act 1987* from ASNO;
- (jj) does the project have a groundwater monitoring management plan for final environmental approval;
- (kk) does the project have a seepage monitoring management plan for final environmental approval;
- (ll) does the project have a flora response to fire management plan for final environmental approval;

- (mm) does the project have a seed ecology management plan for final environmental approval;
- (nn) does the project have a soil water dynamis management plan for final environmental approval;
- (oo) does the project have a plant water use management plan for final environmental approval;
- (pp) does the project have a overburden physical and hydraulic characterisation management plan for final environmental approval;
- (qq) does the project have a slow and material stability management plan for final environmental approval;
- (rr) does the project have a wind erosion management plan for final environmental approval;
- (ss) does the project have a geochemical characterisation management plan for final environmental approval;
- (tt) does the project have a column leaching management plan for final environmental approval;
- (uu) does the project have a tailings rheology management plan for final environmental approval;
- (vv) does the project have a seepage analysis management plan for final environmental approval;
- (ww) does the project have a solute fate and transport management plan for final environmental approval;
- (xx) does the project have a compliance assessment plan required by the State Environment Minister;
- (yy) does the project have a flora and vegetation monitoring and management plan required by the State Environment Minister;
- (zz) does the project have a terrestrial fauna monitoring and management plan required by the State Environment Minister;
- (aaa) does the project have an Aboriginal Heritage Management plan required by the State Environment Minister;
- (bbb) does the project have a groundwater monitoring and management plan required by the State Environment Minister;
- (ccc) does the project have a soil monitoring and management plan required by the State Environment Minister;
- (ddd) does the project have a tailings storage facility monitoring and management plan required by the State Environment Minister; and
- (eee) does the project have an above ground tailings storage facility monitoring and management plan required by the State Environment Minister?
- (2) With respect to everything in (1), does Vimy Resources have all necessary approvals to mine and export yellow cake uranium out of Western Australia from the proposed Mulga Rocks uranium project in the Eastern Goldfields?

Answer

(1a)-(j) I refer the Member to the answer to Legislative Council Question on Notice 088 from the Minister for Mines and Petroleum.

(k) Yes. The Department of Planning, Lands and Heritage is aware of three Aboriginal heritage surveys that have been conducted over the area subject of the proposed Mulga Rock uranium project.

(i) The reports pertaining to the three Aboriginal heritage surveys completed are:
- O'Connor, S. (1984), Archaeological Survey for Aboriginal Sites in the P. N. C. Exploration Lease Area, Officer Basin, Great Victoria Desert.
- Glendenning, W. (2014), A Report of an Archaeological Survey of the Proposed Mulga Rock Uranium Project Northeast of Kalgoorlie.
- Mathieu, C. (2015), Report of an Ethnographic Survey of the Mulga Rock Uranium Project Area, Great Victoria Desert, Western Australia.

(ii) The Department of Planning, Lands and Heritage is not aware of the specific consultation that has occurred with the Aboriginal community regarding the project, and is not able to comment as to whether it has been acceptable.

(l) No.

(m) No.

(n) A section 18 consent under the Aboriginal Heritage Act 1972 will be required if activities associated with the project are to impact any Aboriginal site in a manner that will cause an offence under section 17 of the Aboriginal Heritage Act 1972.

(o) The Department of Planning, Lands and Heritage is not at this stage aware that any Aboriginal site, as defined by section 5 of the Aboriginal Heritage Act 1972, will be impacted by activities associated with the project in a manner that will cause an offence under section 17 of the Aboriginal Heritage Act 1972.

(p) I refer the Member to the answer to Legislative Council Question on Notice 088 from the Minister for Mines and Petroleum.

(q) I refer the Member to the answer to Legislative Council Question on Notice 090 from the Minister for Environment.

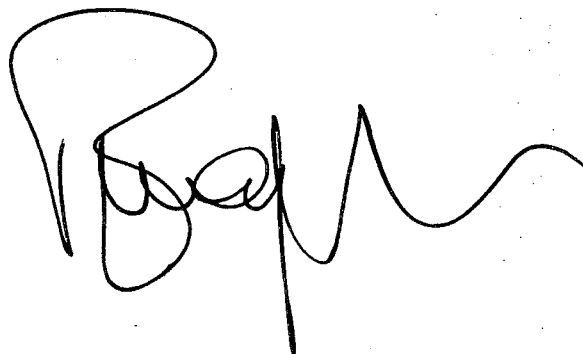
(r)-(aa) I refer the Member to the answer to Legislative Council Question on Notice 088 from the Minister for Mines and Petroleum.

(bb)-(dd) I refer the Member to the answer to Legislative Council Question on Notice 087 from the Minister for Water.

(ee)-(ii) This is the responsibility of the Federal Government.

(jj)-(eee) No.

(2) No.

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