

LEGISLATIVE COUNCIL

Question On Notice

Tuesday, 17 September 2019

2460. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations

I refer to the Tellus Holding's Sandy Ridge Project, and the related questions I posed on 15 February 2019, and 2 April, and I ask:

- (a) has construction work begun, in any sense, for the Sandy Ridge project;
- (b) have all requisite approvals and documentation been submitted by the proponent:
 - (i) if no to (b):
 - (A) why not;
 - (B) which items are outstanding; and
 - (C) has the department been advised on when to expect these outstanding items;
 - (ii) if yes to (b):
 - (A) when were these submitted; and
 - (B) when were these approved by the relevant authority;
- (c) were Tellus granted several months to amend the documentation referred to at (b):
 - (i) if yes to (c):
 - (A) on what grounds was this granted;
 - (B) did Tellus resubmit amended documents; and
 - (C) were Tellus given permission by the relevant authorities to commence construction within this time frame;
 - (ii) if no to (c), were Tellus given permission by the relevant authorities to commence construction within this timeframe;
- (d) is the Minister aware that construction commenced at the Sandy Ridge project without a detailed safety review:
 - (i) if no to (d):
 - (A) who authorised this; and
 - (B) how was this authorised without the Minister's knowledge; and
 - (ii) if yes to (d), why did the Minister allow this, knowing that the project entails radioactive elements;
- (e) has radiation baseline monitoring been conducted at the site:
 - (i) if no to (e), why not; and
 - (ii) if yes to (e), would the Minister please table the results;
- (f) would the Minister please table:
 - (i) the radionuclide species to be deposited at the site;
 - (ii) the frequency with which these radioactive isotopes will be deposited at the site; and
 - (iii) the half-lives of these radionuclides;
- (g) would the Minister please advise, in full, how the proponent or the department seeks to minimise radioactive leaks from the site;
- (h) considering that the half-life of some radioisotopes are in the range of tens-of-millennia, is the Minister confident that the measures referred to in (g) are sufficient to prevent any radioactive leak from the facility, while it houses radioactive material;
- (i) does the Minister consider it pragmatic to defer to Radiological Council on matters of industrial and public safety, in relation to radioactive material:
 - (i) if no to (i), why not;

- (j) has the Department, or proponent, provided the Radiological Council with all relevant documentation for the purpose of independent expert review:
- (i) if no to (j), why not; and
 - (ii) if yes to (j), when, and by whom, was this submitted to the Radiological Council;
- (k) has money been allocated, by the department or proponent, to the engagement of independent experts such as the Radiological Council:
- (i) if no to (k), why not; and
 - (ii) if yes to (k):
- (A) would the Minister please table the expected breakdown of this expenditure; and
- (B) has this money been received, in full or part thereof, by the relevant independent reviewer;
- (l) does the Minister intend to have the documentation referred to at (b) and (c) independently reviewed:
- (i) if no to (l), why not; and
 - (ii) if yes to (l), would the Minister please advise as to when this review is expected to be completed; and
- (m) as per the reply from 2 April, would the Minister please detail under what criteria an isotope will be “deemed to be suitable...for burial” at the site:
- (i) what is the fate of any “unsuitable” isotopes?

Answer

- (a) Yes
- (b) Yes, the necessary approvals under the *Mining Act 1978* and *Mines Safety and Inspection Act 1994* have been granted.
- (i) Not applicable
- (A) – (C) Not applicable
- (ii)
- (A) Mining Proposal and Mine Closure Plan (MPMCP) submitted 9 August 2018.
Native Vegetation Clearing permit (NVCP) submitted 14 December 2018.
Project Management Plan (PMP) submitted 19 September 2018.
PMP amended to include the Mt Dimer aerodrome submitted 23 April 2019.
- (B) MPMCP approved 4 June 2019.
NVCP approved 7 February 2019.
PMP approved 23 January 2019.
Amended PMP approved 4 June 2019.
- (c) Yes
- (i)
- (A) MPMCP: In order to provide additional information required to conduct a thorough environmental impact assessment and ensure adequate management of potential risks, in alignment with the Part IV approval granted under the *Environmental Protection Act 1986*.
NVCP: Not applicable.
PMP: It is an expectation that PMP’s are discussed at length in order that the final documents comply with the legal and technical expectations of the Department. Further, DMIRS had received information that Tellus was considering not extracting the kaolin from the deposit for commercial purposes. In the event that the commercial extraction did not proceed, the Sandy Ridge facility would not have been deemed as a mining operation, and therefore the *Mines Safety and Inspection Act 1994* would not apply.

- (B) Yes, where applicable.
- (C) Yes, conditional on having all required approvals in place.
- (ii) Not applicable
- (d) The PMP approved on 23 January 2019 included a safety review for the development of a Kaolin mine.
- (i) Not applicable.
- (A) – (B) Not applicable
- (ii) This information is not required for a Kaolin Mine.
- (e) No
- (i) This information is not required for a Kaolin Mine.
- (ii) Not applicable.
- (f) The Radiological Council will regulate this aspect of the waste facility given the approval granted under Part IV of the *Environmental Protection Act 1986* via the Department of Water and Environmental Regulation.
- (i) – (iii) Not applicable
- (g) See (f).
- (h) See (f).
- (i) The *Radiation Safety Act 1975* has precedence over the *Mines Safety and Inspection Act 1994*, and therefore the Radiological Council is the ultimate authority that will regulate radiation protection of workers and the public.
- (i) Not applicable
- (j) Yes
- (i) Not applicable
- (ii) Information is routinely provided to the Radiological Council by Inspectors of the Mines Safety Directorate of DMIRS.
- (k) See (f).
- (i) – (ii) Not applicable
- (A) – (B) Not applicable
- (l) See (f).
- (i) – (ii) Not applicable
- (m) See (f).
- (i) See (f).



**MINISTER FOR MINES AND PETROLEUM;
INDUSTRIAL RELATIONS**

8/10/19