

LEGISLATIVE COUNCIL
Question Without Notice

Tuesday, 19 November 2019

C1442. Hon Robin Chapple to the Minister for Environment

I refer to Ministerial Statement 1108, specifically §14-2, which describes the responsibilities of Fortescue Metals Group ('FMG'; *The Proponent*) to the Native Title Holders (The Eastern Guruma People and their chosen representatives; *The Native Title Holders*) and I ask the following:

1. Does the Minister consider §14-2 of Ministerial Statement 1108 to be binding on FMG?
2. Who, within Department of Water, Environment and Regulation, is responsible for approving the Social, Cultural and Heritage Management Plan (SCHMP)?
3. Is the Minister aware that The Proponent did not consult with The Native Title Holders prior to the submission of the SCHMP on 22nd October?
4. Will the Minister provide details of the consultations – if any - that Fortescue Metals Group claim they undertook with The Native Title Holders before 22nd October 2019?
5. Does the Minister consider this action by FMG to be in violation of Ministerial Statement 1108; and the incumbent responsibilities of The Proponent to The Native Title Holder detailed within §14-2?

Answer

1. Yes
2. The Director General of the Department of Water and Environmental Regulation, or their delegate.
- 3-5. I am advised by the Department of Water and Environmental Regulation that it received a Social, Cultural and Heritage Management Plan (SCHMP) on 21 October 2019, which includes details of consultation undertaken between FMG and representatives of the Native Title holders. At this stage, the SCHMP is currently being reviewed by the Department to determine whether it adequately meets the requirements of Ministerial Statement 1108.

adequately



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