

*Yeelirrie Uranium Mine Assessment — Public Inquiry — Adjournment Debate*

**HON SALLY TALBOT (South West)** [10.12 pm]: Today I expected the Minister for Environment to respond to what I thought was a fairly simple question that I have now put to her three times in this house. I know that the opportunities for members of the government to put their point of view are somewhat limited, ironically and also somewhat counter-intuitively. I know that the business of the government is to push legislation through—not that the government is doing a really good job of that at the moment; nevertheless —

**Hon Norman Moore:** What an absolute joke you are! You have been filibustering for three weeks!

**Hon Ken Travers:** What about the graffiti bill!

**Hon Norman Moore:** Two of our members spoke on that.

**The DEPUTY PRESIDENT (Hon Michael Mischin):** Order, members! Members will have a lot less time to engage in the adjournment debate at this rate!

**Hon SALLY TALBOT:** Thank you, Mr Deputy President. I hope to have a chance to talk with the Leader of the House at some stage over the next few weeks about exactly what a filibuster is, because I think he has some fundamental misconceptions or misunderstandings about exactly what a filibuster is.

**Hon Norman Moore:** I am sure you can teach me a whole lot about filibustering, because you are getting very good at it—every night you go on and on and on, to no good purpose that I can think of!

**Hon Ken Travers:** Hon Norman Moore was such a happy chap earlier today!

**Hon Norman Moore:** At this time of the day, it is a pain in the neck when we get the same speech every night!

**Hon Ken Travers:** It gets better every night, too!

**Hon SALLY TALBOT:** He is obviously upset now!

**Hon Norman Moore:** I am not upset. You are just a pain in the neck.

**Hon SALLY TALBOT:** I was just commenting on the fact that the opportunities for government members to speak in this place are perhaps more limited than people would realise; nevertheless, there are opportunities, and the minister has clearly failed to take any of them.

In question time today, the minister landed in it right up to her neck. That led me to rise again tonight to try for the fourth time to get some indication from the minister of exactly what she is up to. I am going to start on a different note. I am going to start —

**Hon Norman Moore:** Who are you talking about, by the way?

**Hon SALLY TALBOT:** Does the Leader of the House have a problem with —

**Hon Norman Moore:** When you talk about “she”, I think it is appropriate that you say who you are talking about.

**Hon SALLY TALBOT:** I thank the Leader of the Government. I am talking about the Minister for Environment. I am going to start tonight by talking about what the minister and I do agree about. I agree with the minister that some of the issues raised by the people who have put in appeals about the level of inquiry into BHP’s proposal to start a uranium mine at Yeelirrie fall outside the scope of the Environmental Protection Act, and that those issues that fall outside the scope of that act could not be considered in the EPA’s assessment of that project. The minister herself referred to this in her press release on the day she made the decision —

“However, whether the assessment is through an ERMP or public inquiry under the Act—it can only consider environmental matters relevant to the assessment of the proposal—rather than broader issues,” she said.

I agree with the minister on that point. In the report to the Minister for Environment from the Appeals Convener there is a section called “Grounds of Appeal” that goes through issues a to m. These are issues that were raised by people who put in appeals about the level of assessment. All these appeals called for a public inquiry. The issues listed are —

- a. the issues of long-term radiation impacts of uranium, host rock and associated waste;
- b. risks of public exposure to radiation contamination;
- c. exposure of workers to levels of radiation not permitted for general public;
- d. the comprehensive examination into the unique impacts, costs, risks and benefits that is required can only be achieved through a public inquiry;

- e. the argument that the mining of mineral sands and uranium are directly comparable and that experience in the former equips WA to handle the former —

I think that should be “the latter” —

is clearly untenable;

- f. the possibility of enormous damage to every aspect of the water cycle from radioactive contamination;
- g. risks of exposure to workers and the public from nuclear power plants;
- h. the mining of uranium being a controversial topic with this proposal being the first of its kind in WA;
- i. uranium having the potential to provide the basic requirement for the building of nuclear weapons;
- j. the potential impacts on Aboriginal communities and their heritage;
- k. the current lack of proven regulatory framework;
- l. the limited scope of EPA assessment to be able to address issues such as downstream processing, wider nuclear fuel cycle, domestic and international political conflict and security implications, adequacy of national and international non-proliferation and safeguard mechanisms and regimes, and the status and adequacy of domestic and international radioactive waste management regimes; and
- m. the mining of uranium not being necessary

Quite clearly, some of those considerations would fall outside the scope of the Environmental Protection Act 1986, and therefore would not be able to be taken into account. I am now asking for the fourth time why the minister could not consider having a public inquiry into those subjects of appeals that do fall inside the EP act. This is specifically canvassed on page 11 of the Appeals Convenor’s report, which states —

However, the appeals also raise proposal-specific environmental issues which are relevant to guiding the consideration as to whether the proposal should be the subject of a public inquiry. These issues include impacts on the aquifer system and water cycle; disposal and storage of tailings; occupational health risks (including radiation exposure) for workers; health and safety risks for surrounding communities and Indigenous communities; transportation; and impacts on biodiversity.

The Appeals Convenor stated that all those things fall under the Environmental Protection Act and therefore could be the subjects of a public inquiry. I am still not at the point of the question that I have been asking the minister. She has made the determination that this issue will not be subject to a public inquiry, despite the fact that the Appeals Convener said —

In light of the above, and given the intention of a public inquiry under the EP Act appears to be to provide an additional level of public input into an assessment of the environmental impacts of significant proposals, it is open to the Minister to consider directing the EPA to assess the proposal more publicly, and for that purpose convene a public inquiry as requested by appellants. Such a direction would be made under section 43 of the EP Act, and could be made by the Minister as part of the consideration of appeals.

The minister has the authority to decide otherwise. My question is: if we are not going to have a public inquiry into the mining of uranium, what would she consider having a public inquiry into? I just cannot get the answer to this. But my problem with all of this is that it is beginning to appear that the Minister for Environment has no idea of the issues at stake—absolutely no idea. That was borne out once again in question time today, when I asked the minister whether she was —

... confident that the regulatory regime currently in place for the mining of mineral sands and tantalum adequately addresses the regulatory requirements for the mining of uranium?

Her answer was —

I thank the member for her question. It is a very strange question. I am responsible for making assessments of the environmental aspect of proposals.

She had no idea what I was asking about.

**Hon Norman Moore** interjected.

**Hon SALLY TALBOT:** What I am talking about, Mr Moore, is the answer that was provided by you; Mr Moore recognises those words because they are his words. He stated —

Existing State legislation that regulates the radioactive elements associated with mineral sand and tantalum mining is continuously updated and this addresses the regulatory requirements for uranium mining.

Mr Moore said that, but the environment minister has no idea what is going on—but it gets worse! Another question was asked by Hon Jon Ford to the Minister for Mines and Petroleum. After I had asked the Minister for Environment whether she had any idea what her colleagues were doing about this most serious issue that is of utmost concern to the community, Hon Norman Moore was asked —

- (1) What types of uranium ore processes, if any, have the project proponents suggested they will utilise?

Several members interjected.

**THE DEPUTY PRESIDENT (Hon Matt Benson-Lidholm):** Order, members! One person is speaking. I do not need the rest of the chamber in uproar. If you wish to speak, you wait for the call. Hon Sally Talbot has the call.

**Hon SALLY TALBOT:** Thank you, Mr Deputy President. The second part of the question was —

- (2) What types of uranium processing will be approved in Western Australia should mining be allowed to proceed?

This was the answer provided by Hon Norman Moore —

- (1) To date, companies have advised that they are still evaluating process options.

We can go into that another time! The second part of the answer was —

- (2) Uranium mining proposals, including the type of processing proposed, will be evaluated as part of the assessment under part IV of the Environmental Protection Act 1986 process.

There we have it, Mr Deputy President!