

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**

**QUESTIONS**

**No. 14**

**Tuesday, 27 June 2017**

Questions appear according to the date on which notice was delivered.  
When a question has been answered it is removed from the postponed list.

**POSTPONED QUESTIONS**

***Notice Given***                      ***Tuesday, 23 May 2017***

19.     Hon Peter Collier to the Leader of the House representing the Premier

***Notice Given***                      ***Wednesday, 24 May 2017***

20.     Hon Martin Aldridge to the Minister for Environment representing the Treasurer  
21.     Hon Dr Steve Thomas to the Minister for Environment  
22.     Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health  
23.     Hon Nick Goiran to the Minister for Education and Training  
24.     Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection  
25.     Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection  
26.     Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection

***Notice Given***                      ***Thursday, 25 May 2017***

27.     Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum  
28.     Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum  
29.     Hon Robin Chapple to the Minister for Regional Development  
30.     Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum  
31.     Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum  
32.     Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health  
33.     Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health  
34.     Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health

## LEGISLATIVE COUNCIL

**Postponed Questions**

- 35. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water
- 36. Hon Martin Aldridge to the Minister for Environment representing the Minister for Aboriginal Affairs
- 37. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
- 38. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Mental Health
- 39. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health

**Notice Given**                      ***Tuesday, 13 June 2017***

- 40. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 41. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations
- 42. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations
- 43. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations
- 44. Hon Alison Xamon to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations
- 45. Hon Robin Chapple to the Minister for Environment representing the Minister for Police
- 46. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection
- 47. Hon Nick Goiran to the Minister for Environment representing the Minister for Planning
- 48. Hon Charles Smith to the Leader of the House representing the Attorney General
- 49. Hon Charles Smith to the Leader of the House representing the Attorney General
- 50. Hon Charles Smith to the Leader of the House representing the Attorney General
- 51. Hon Robin Chapple to the Minister for Environment representing the Minister for Energy
- 52. Hon Robin Chapple to the Minister for Environment representing the Treasurer
- 53. Hon Robin Chapple to the Minister for Environment representing the Minister for Lands
- 54. Hon Robin Chapple to the Minister for Environment representing the Minister for Mines and Petroleum
- 55. Hon Robin Chapple to the Minister for Environment representing the Minister for Police

**Notice Given**                      ***Wednesday, 14 June 2017***

- 56. Hon Jacqui Boydell to the Minister for Regional Development representing the Minister for Electoral Affairs
- 57. Hon Jacqui Boydell to the Minister for Regional Development representing the Minister for Electoral Affairs
- 58. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 59. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services

## LEGISLATIVE COUNCIL

**Postponed Questions**

- 60. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 61. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 62. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services
- 63. Hon Alison Xamon to the Minister for Environment representing the Minister for Corrective Services

**Notice Given** *Thursday, 15 June 2017*

- 64. Hon Nick Goiran to the Leader of the House representing the Attorney General
- 65. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 66. Hon Tjorn Sibma to the Leader of the House representing the Minister for Public Sector Management
- 67. Hon Tjorn Sibma to the Leader of the House representing the Minister for Public Sector Management
- 68. Hon Tjorn Sibma to the Leader of the House representing the Minister for Public Sector Management

**Notice Given** *Tuesday, 20 June 2017*

- 69. Hon Nick Goiran to the Minister for Environment representing the Minister for Transport
- 70. Hon Tjorn Sibma to the Minister for Environment representing the Minister for Police
- 71. Hon Peter Collier to the Minister for Environment representing the Minister for Energy
- 72. Hon Charles Smith to the Minister for Environment representing the Minister for Police
- 73. Hon Diane Evers to the Minister for Regional Development representing the Minister for Fisheries

**Notice Given** *Thursday, 22 June 2017*

- 74. Hon Nick Goiran to the Leader of the House representing the Minister for Seniors and Ageing
- 75. Hon Tim Clifford to the Minister for Environment
- 76. Hon Robin Scott to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 77. Hon Robin Scott to the Parliamentary Secretary representing the Minister for Health
- 78. Hon Robin Scott to the Minister for Regional Development representing the Minister for Mines and Petroleum
- 79. Hon Charles Smith to the Minister for Environment representing the Minister for Police

## LEGISLATIVE COUNCIL

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 QUESTIONS ASKED TODAY
 

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*Notice Given**Tuesday, 27 June 2017***80. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection:**

On 17 March 2017, how many people were employed in the Department for Child Protection and Family Support by:

- (a) full-time equivalent;
- (b) head count; and
- (c) actively engaged?

**81. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection:**

- (1) On what date did each of the Ministers' staff commence employment within the Ministers' office?
- (2) On what date did each of the Ministers' staff complete their mandatory ethics and integrity training?
- (3) Has any of the Ministers' staff declared any conflict of interest since commencing employment within the Ministers' office?

**82. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection:**

Since 17 March 2017, has the Minister had any contact or meetings with Brian Burke?

**83. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:**

I refer to a high speed microwave link or some other high speed data transmission technology used that provided Western Tenement Services (previously managed by a senior former Department of Mines and Petroleum (DMP) employee) with a direct link to the DMP mainframe computer, including ten graph:

- (a) can the Minister explain why Western Tenement Services (WTS) had a high speed microwave link or some other high speed data transmission technology link to the DMP mainframe computer which was not available to any other member of the public;
- (b) if no to (a), why not;
- (c) does the Minister support the DMP providing special dispensation to former senior departmental officers, working or operating in any mining tenement services companies (not necessarily WTS), where the DMP affords these people services, which are clearly not available to other members of the public; and
- (d) if no to (c), why not?

## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given Tuesday, 27 June 2017*

**84. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:**

I refer to Mining Lease 31/30 owned by Saracen Gold Mines, and ask:

- (a) can the Minister state what the minimum total financial expenditure commitment/requirement on Mining Lease 31/30;
- (b) if no to (a), why not;
- (c) can the Minister explain the justification by also making reference to the statutory declaration, which was provided to explain why application for exemption number 497795 was refused on Mining Lease 31/30;
- (d) if no to (c), why not;
- (e) on what specific date was the application for exemption number 497795 lodged with the Department of Mines and Petroleum (DMP);
- (f) on what specific date was the statutory declaration lodged with the DMP to support the application for exemption number 497795;
- (g) will the Minister now table a copy of the statutory declaration lodged with DMP to support the application for exemption number 497795;
- (h) if no to (g), why not;
- (i) is it correct that on the same day as the application for exemption number 497795 was refused the DMP issued an application for forfeiture number 503563;
- (j) if no to (i), what is correct;
- (k) can the Minister state what specific calculation methodology is used by the DMP to calculate a recommended or suggested fine in relation to the application for forfeiture and the refusal for the application for exemption from expenditure requirements;
- (l) if no to (k), why not;
- (m) what was the monetary fine imposed on Mining Lease 31/30 as result of the application for forfeiture by the DMP;
- (n) can the Minister explain why the DMP has an internal process for any mining tenement where an application for exemption is refused, that on the same day as the refusal of the exemption application the DMP issues an application for forfeiture;
- (o) if no to (n), why not;
- (p) can any member of the public now lodge an application for forfeiture and be successful with the Minister in having the tenement forfeited under the 'use it or lose it principle' of the *Mining Act 1978* with respect to the specific year applicable to the application for exemption number 497795, which was refused;
- (q) if no to (p), why not; and
- (r) if yes to (p), how long a timeframe in months, from the date the exemption application was refused, can any member of the public now lodge an application for forfeiture?

## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given**Tuesday, 27 June 2017***85. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:**

I refer to the submission signed by Bill Johnston MLA, Minister for Mines, dated 13 April 2017, to the Senate Environment and Communications Reference Committee, and I ask:

- (a) can the Minister explain why it is so important for mining companies to disclose their environmental liabilities far more transparently for the whole mining sector and community than is currently required;
- (b) if no to (a), why not;
- (c) can the Minister explain the current deficiencies that the Minister has identified as to why mining company environmental liabilities are not disclosed in a highly transparent manner;
- (d) if no to (c), why not;
- (e) can the Minister explain why loopholes for rogue miners to escape clean-up costs must close;
- (f) if no to (e), why not;
- (g) given the Department of Minerals and Petroleum (DMP) may strongly argue that the full disclosure of environmental liabilities in a highly transparent manner is commercially confidential, can the Minister explain how he will overcome this opposition from the DMP favouring the full and frank disclosure of environmental liabilities in the public interest;
- (h) if no to (g), why not;
- (i) regardless of federal matters, can the Minister state and identify what the DMP is going to do specifically to make mining companies far more transparent in disclosing environmental liabilities and responsibly addressing those environmental responsibilities thereby not exposing the State to unnecessary liabilities; and
- (j) if no to (i), why not?

**86. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:**

I refer to Mining Lease 31/157 owned by Saracen Gold Mines, and ask:

- (a) can the Minister state what is the minimum total financial expenditure commitment/requirement on Mining Lease 31/157;
- (b) if no to (a), why not;
- (c) can the Minister explain the justification by also making reference to the statutory declaration which was provided as to why application for exemption number 485068 was refused on Mining Lease 31/157;
- (d) on what specific date was the statutory declaration lodged with the Department of Mines and Petroleum (DMP) to support the application for exemption number 485068;
- (e) will the Minister now table a copy of the statutory declaration lodged with DMP to support the application for exemption number 485068;
- (f) if no to (e), why not;

## LEGISLATIVE COUNCIL

## Questions Asked Today

Notice Given

Tuesday, 27 June 2017

- (g) is it correct that on the same day as the application for exemptions were refused the DMP issued an application for forfeiture;
- (h) if no to (g), what is specifically correct;
- (i) can the Minister state what is the specific calculation methodology used by the DMP to calculate a recommended or suggested fine in relation to the application for forfeiture and the refusal for the applications for exemption from expenditure requirements;
- (j) if no to (i), why not;
- (k) what was the monetary fine imposed on Mining Lease 31/157 as a result of the applications for forfeiture by the DMP;
- (l) is it correct that previous exemptions from financial expenditure requirements were granted in the years 2010, 2011, 2012, 2013, and 2014 for Mining Lease 31/157;
- (m) if no to (l), what is specifically correct;
- (n) can the Minister state what is the justification and importance of making tenements holders comply with lodging mineral exploration reports under section 115A of the *Mining Act 1978*;
- (o) if no to (n), why not;
- (p) can the Minister state what is the specific calculation methodology used by the DMP to calculate a recommended or suggested fine for non-compliance in lodging mineral exploration reports under section 115A of the *Mining Act 1978*;
- (q) if no to (p), why not;
- (r) for the entire term of the tenement on Mining Lease 31/157, can the Minister state what were the monetary penalties imposed for each respective year for non-compliance with section 115A of the *Mining Act 1978*; and
- (s) if no to (r), why not?

**87. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Water:**

- (1) I refer to Vimy Resources proposed Mulga Rocks uranium project in the Eastern Goldfields, and ask:
  - (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 (iv), 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;

## LEGISLATIVE COUNCIL

**Questions Asked Today****Notice Given*****Tuesday, 27 June 2017***

- (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 (b)(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) is there any planned operations at the site; and
  - (iii) 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) please provide detailed information of all previous mineral surveys conducted at the site;
- (h) please provide detailed information of all previous digs conducted at the site;
- (i) has any ore material ever been removed from the site:
  - (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) 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);



## LEGISLATIVE COUNCIL

## Questions Asked Today

**Notice Given****Tuesday, 27 June 2017**

- (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;

## LEGISLATIVE COUNCIL

**Questions Asked Today***Notice Given**Tuesday, 27 June 2017*

- (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?

## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given*                      *Tuesday, 27 June 2017*

**88. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum:**

- (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 (iv), 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) 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) is there regular personnel movements to and from the site:
    - (i) if yes to (f), what is their purpose;
  - (g) please provide detailed information of all previous mineral surveys conducted at the site;
  - (h) please provide detailed information of all previous digs conducted at the site;
  - (i) has any ore material ever been removed from the site:
    - (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:

## LEGISLATIVE COUNCIL

## Questions Asked Today

## Notice Given

Tuesday, 27 June 2017

- (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) 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);

## LEGISLATIVE COUNCIL

## Questions Asked Today

*Notice Given**Tuesday, 27 June 2017*

- (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;

## LEGISLATIVE COUNCIL

**Questions Asked Today***Notice Given Tuesday, 27 June 2017*

- (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?
- 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);

## LEGISLATIVE COUNCIL

**Questions Asked Today****Notice Given*****Tuesday, 27 June 2017***

- (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;

## LEGISLATIVE COUNCIL

## Questions Asked Today

**Notice Given****Tuesday, 27 June 2017**

- (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 dynamics 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;



## LEGISLATIVE COUNCIL

**Questions Asked Today****Notice Given*****Tuesday, 27 June 2017***

- (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?

**90. Hon Robin Chapple to the Minister for Environment:**

- (1) I refer to Vimy Resources proposed Mulga Rocks uranium project in the Eastern Goldfields, and ask:
  - (a) has any native vegetation previously been cleared at the project site:
    - (i) if yes to (a), 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 (iv), 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) if yes to (b), please name all roads;

## LEGISLATIVE COUNCIL

**Questions Asked Today*****Notice Given******Tuesday, 27 June 2017***

- (ii) when was each named road cleared;
- (iii) was a clearing permit provided for each instance;
- (iv) if no to (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) is there any planned operations at the site; and
  - (iii) if yes to (d)(ii), will the Minister please table the information;
- (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:
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- (j) is there waste material stored at the site:
  - (i) what quantity of waste material; and
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- (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*;
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- (o) if no to (l), (m) or (n), why not;

## LEGISLATIVE COUNCIL

**Questions Asked Today****Notice Given****Tuesday, 27 June 2017**

- (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);
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- (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;
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- (ll) does the project have a flora response to fire management plan for final environmental approval;

## LEGISLATIVE COUNCIL

**Questions Asked Today***Notice Given**Tuesday, 27 June 2017*

- (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;
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  - (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?

## LEGISLATIVE COUNCIL

**Questions Asked Today***Notice Given**Tuesday, 27 June 2017***91. Hon Diane Evers to the Minister for Environment representing the Minister for Lands:**

- (1) Can the Minister confirm that according to the Traffic Management Plan for LandCorp's proposed housing estate at Mangles Bay in Rockingham, once the project is completed, an estimated 15,000 vehicles per day would travel along Memorial Drive?
- (2) Will the Minister confirm that the same traffic plan proposes to expand Memorial Drive to four lanes?
- (3) Is it correct that the plan suggests that, once the project is completed, during peak afternoon times, traffic may back up for 120 metres from the intersection of Safety Bay Road and Memorial Drive?
- (4) If no to (1), (2) or (3), will the Minister please provide correct details for each item?
- (5) Will the Traffic Management Plan be made available for public comment prior to a decision being made by Government on proposed Metropolitan Region Scheme Amendment 1280/41 relating to the proposed Mangles Bay housing estate and, if not, why not?
- (6) What is the current figure for the total number of dwellings proposed to be created in the new housing estate, and of these, how many will be apartments?
- (7) Does the Minister agree that an inland marina created by dredging into the Point Peron peninsular is an artificial waterway as defined by Development Control Policy 1.8 for Canal Estates and Artificial Waterway Developments, whether or not finger canals are built connecting to the marina?
- (8) If no to (7), why not?
- (9) Can the Minister please confirm that all artificial waterways require careful management and monitoring for impacts on water quality caused by high nutrient levels and/or contamination and reduced flushing and, if not, why not?
- (10) Does the Minister agree that the policy objectives of the Bush Forever strategic plan are biodiversity protection and urban bush retention, and that under the plan, these objectives in general are to be achieved by protecting identified Bush Forever sites from clearing and development?
- (11) Given the Australian Labor Party (ALP) stated prior to the last State election that an ALP Government would implement policy objectives of the Bush Forever plan without further undue delay, why is the Government proceeding with a housing development proposal at Mangles Bay that would require 43 hectares of Bush Forever land to be cleared?

## LEGISLATIVE COUNCIL

**Questions Asked Today**

*Notice Given*                      *Tuesday, 27 June 2017*

**92.     Hon Colin Holt to the Minister for Regional Development representing the Minister for Racing and Gaming:**

I refer to Racing and Wagering Western Australia's (RWWA) submission to the Australian Competition Tribunal (ACT), tabled by the Minister yesterday, and I ask:

- (a)     was the submission to the ACT dated 7 March 2017 endorsed by the board of RWWA;
- (b)     the submission states "RWWA also participated in the Australian Competition and Consumer Commission process" on the merger:
  - (i)     will the Minister table all documents relating to the RWWA participation in the Australian Competition and Consumer Commission process; and
  - (ii)    if not to (b)(i), why not;
- (c)     what specific information did Tabcorp provide to RWWA to allay concerns that "the removal of one bidder (Tatts) from any potential future privatisation process may reduce competition for the potential acquisition of the WA TAB wagering licence;
- (d)     in relation to (c), will the Minister table the information; and
- (e)     if no to (d), why not?

**NIGEL PRATT**

Clerk of the Legislative Council