

**LEGISLATIVE COUNCIL**  
**Question On Notice**

**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:

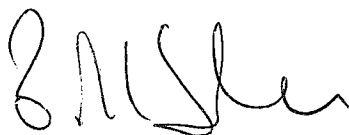
- (a) can the Minister state what the minimum total financial expenditure commitment/requirement on Mining Lease 31/30;
- (b) if no to (a), why not;
- (c) can the Minister explain the justification by also making reference to the statutory declaration, which was provided to explain why application for 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 a internal process for any mining tenement where a application for exemption is refused, that on the same day as the refusal of the exemption application the DMP issues a 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?

---

**Answer**

- (a) The minimum expenditure commitment is \$43 800.00 per annum.
- (b) Not applicable

- (c) I am advised that the information provided in the statutory declaration was insufficient to support a grant of the applied for exemption.
- (d) Not applicable
- (e) 29 November 2016
- (f) 19 December 2016
- (g) No
- (h) Information may contain commercial in confidence material and should be properly assessed under the *Freedom of Information Act*.
- (i) Yes
- (j) Not applicable
- (k) Yes. For the first offence it is 10 per cent of shortfall with minimum of \$550.00 if individual or \$650.00 if body corporate. For the second offence it is 20 per cent of shortfall with minimum \$1100.00 if individual or \$1250.00 if body corporate. For the third and subsequent offence it is at the Minister's discretion.
- (l) Not applicable
- (m) \$2344.00
- (n) Yes. To enable the processing of Departmental initiated forfeiture in an efficient and timely manner.
- (o) Not applicable
- (p) No
- (q) As more than eight months has passed since the end of the expenditure year, section 96A(2a) of the *Mining Act 1978* is applicable, which requires application for forfeiture by any person to be made only within eight months of the end of the expenditure year.
- (r) Not applicable



---

**MINISTER FOR MINES AND PETROLEUM**