

LEGISLATIVE COUNCIL
Question on notice

Thursday, 11 April 2013

2. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum.

With reference to the Department of Mines and Petroleum Environment eNewsletter titled 'Non Compliance costs over \$100,000', I ask:

- (a) can the Minister state the names of all the tenement holders who have been issued with fines for failing to comply with tenement conditions;
- (b) if no to (a), why not;
- (c) can the Minister state how many tenement holders were fined for clearing vegetation outside of the approved operating areas;
- (d) if no to (c), why not;
- (e) can the Minister state how many hectares of land in each respective case for each tenement was cleared to warrant a fine being issued for ground clearing and vegetation outside of approved operating areas;
- (f) if no to (e), why not;
- (g) can the Minister quote the text of the specific tenement condition, including the tenement number which was breached to warrant over \$100,000 of fines being issued to tenement holders;
- (h) if no to (g), why not;
- (i) can the Minister give the precise amount of fines issued for non-compliance matters;
- (j) if no to (i), why not;
- (k) can the Minister quote the sections of the *Mining Act 1978* or any other acts which may be applicable including any penalty which may be imposed for any officer/employee unlawfully releasing/disclosing information obtained while working within the department; and
- (l) with reference to the above media statement, dated 3 October 2008, can the Minister also state what specific measures have been in place since that date by the DMP to ensure no unauthorised confidential information is being released by Nick Galton Fenzi or other departmental staff to a senior former DMP employee Ms Janine Cameron who also works for KCGM, Barrick and Newmont?



Answer

(a) Achillies Pty Ltd

Boral Resources (WA) Ltd

Doral Mineral Sands Pty Ltd

Elazac Mining Pty Ltd

KBL Mining Ltd

Peak Hill Manganese Pty Ltd

Pilbara Manganese Pty Ltd

Stirling Bay Holdings Pty Ltd

Swan Bay Holdings Pty Ltd

Sweetman Industries Pty Ltd

Plant Hire Services Pty Ltd

Ross and Judi Grant

Guiseppe, Steven Joseph and Pamela Rocca

(b) Not applicable

(c) 10

(d) Not applicable

(e) 30 ha, 3.1 ha, 11.7 ha, 30.45 ha, 1.862 ha, 8.5 ha, 24.1 ha, 2.18 ha, 1.14 ha, 0.0072 ha

(f) Not applicable

(g) M70/887

Condition 5

"Unless the written approval of the Environmental Officer, DoIR, is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface clearing or the excavation of costeans is prohibited. Following approval, all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."

Condition 6



"No developmental or productive mining or construction activity being commenced until the tenement holder has submitted a plan of the proposed operations and measures to safeguard the environment to the Director, Environment, DoIR, for assessment; and until his written approval has been obtained."

M52/806

Condition 5

"Unless the written approval of the Environmental Officer, DoIR is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval, all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."

M70/652

Condition 7

"No developmental or productive mining or construction activity being commenced until the tenement holder has submitted a plan of the proposed operations and measures to safeguard the environment to the Director, Environment, DoIR for assessment; and until his written approval has been obtained."

Condition 35

"Any alteration or expansion of operations within the lease boundaries beyond that outlined in the above document(s) not commencing until a plan of operations and a programme to safeguard the environment are submitted to the Director, Environment, DMP for his assessment and until his written approval to proceed has been obtained."

M45/638

Condition 5

"Unless the written approval of the Environmental Officer, DoIR is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval, all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."

Condition 7

"No developmental or productive mining or construction activity being commenced until the tenement holder has submitted a plan of the proposed operations and measures to safeguard the environment to the Director, Environment, DoIR for assessment; and until his written approval has been obtained."

M45/639



Condition 5

"Unless the written approval of the Environmental Officer, DoIR is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval, all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."

Condition 7

"No developmental or productive mining or construction activity being commenced until the tenement holder has submitted a plan of the proposed operations and measures to safeguard the environment to the Director, Environment, DoIR for assessment; and until his written approval has been obtained."

Condition 11

'The construction and operation of the project and measures to protect the environment being carried out generally in accordance with the document titled: Letter and attached documentation dated 13 February 2012 signed by Enrico Chedid titled: 'Woodie Woodie Manganese Operations, Parrot Pit Mining Proposal Reg. ID 33104' and retained on Department of Mines and Petroleum file No, EARS-MP-33104.'

M45/430

Condition 6

"Unless the written approval of the Environmental Officer, DoIR is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval, all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."

Condition 7

"No developmental or productive mining or construction activity being commenced until the tenement holder has submitted a plan of the proposed operations and measures to safeguard the environment to the Director, Environment, DoIR for assessment; and until his written approval has been obtained. "

Condition 9

"The construction and operation of the project and measures to protect the environment being carried out generally in accordance with the document titled: "Mining Proposal for Sardine Project Woodie Woodie Manganese Operations East Pilbara, Western Australia" (Reg ID: 29075) dated 26 November 2010 signed by Norman Galli, Environmental manager Consolidated Minerals Pty Ltd and retained on Department of Mines and Petroleum "File No. EARS-MP-29075."

M45/640



Condition 5

"Unless the written approval of the Environmental Officer, DoIR is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval, all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."

Condition 7

"No developmental or productive mining or construction activity being commenced until the tenement holder has submitted a plan of the proposed operations and measures to safeguard the environment to the Director, Environment, DoIR for assessment; and until his written approval has been obtained."

Condition 9

"The construction and operation of the project and measures to protect the environment being carried out generally in accordance with the document titled: "Mining Proposal for Sardine Project Woodie Woodie Manganese Operations East Pilbara, Western Australia" (Reg ID: 29075) dated 26 November 2010 signed by Norman Galli, Environmental manager Consolidated Minerals Pty Ltd and retained on Department of Mines and Petroleum "File No. EARS-MP-29075."

M09/130

Condition 6

"The lessee submitting a plan of proposed operations and measures to safeguard the environment to the Director, Environment, DoIR for his assessment and written approval prior to commencing any developmental or productive mining or construction activity."

M45/1186

Condition 18

"Any alteration or expansion of operations within the lease boundaries beyond that outlined in the above document(s) not commencing until a plan of operations and a programme to safeguard the environment are submitted to the Director, Environment, DMP for his assessment and until his written approval to proceed has been obtained."

E47/574

Condition 5

"Unless the written approval of the Environmental Officer, DoIR is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval, all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."



M47/1418

Condition 10

"The construction and operation of the project and measures to protect the environment being carried out generally in accordance with the document titled: (Reg. ID: 30731) "Quarrying and Crushing Project Mt Regal- M47/1418" dated 8 June 2011 signed by David Lynch and retained on Department of Mines and Petroleum file no. EARS-MP-30731."

M80/572

Condition 26

"Any alteration or expansion of operations within the lease boundaries beyond that outlined in the above document(s) not commencing until a plan of operations and a programme to safeguard the environment are submitted to the Director, Environment, DMP for his assessment and until his written approval to proceed has been obtained."

M15/444

Condition 14

"Any alteration or expansion of operations within the lease boundaries beyond that outlined in the above document(s) not commencing until a plan of operations and a programme to safeguard the environment are submitted to the Director, Environment, DoIR for his assessment and until his written approval to proceed has been obtained."

M47/293

Condition 3

"All surface holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion."

Condition 6

"Unless the written approval of the Environmental Officer, DoIR is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."

M47/226

Condition 6

"Unless the written approval of the Environmental Officer, DoIR is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval all topsoil being



removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations."

M80/197

Condition 16

"The construction and operation of the project and measures to protect the environment being carried out generally in accordance with the document titled: "Programme of Work on M80/197 for Kimberley Metals Limited" (Reg ID 27317) dated 9 June 2010 signed by Stuart Mathews and retained on Department of Mines and Petroleum File No. T0529/20090.1."

(h) Not applicable

(i) \$157 000.

(j) Not applicable

(k) Refer to answer to Parliamentary Question 7.

(l) Refer to answer to Parliamentary Question 7.

