

LEGISLATIVE COUNCIL

Question On Notice

Thursday, 25 May 2017

30. Hon Robin Chappie to the Minister for Regional Development representing the Minister for Mines and Petroleum

I refer to all exemption applications made with Western Australia, form 5 expenditure report obligations lodged with the Department of Mines and Petroleum (DMP) and the Wardens Court case *GMK Exploration Pty Ltd (applicant for exemption) and Glyn Thomas Morgan (objector) 2016(WAMW 14)* and the Government's stated position in terms of creating jobs and employment:

- (a) does the Minister strongly support that the holder of all mining tenements held should progressively each consecutive year continue to identify minerals and devise plans to optimize mineral wealth within the State of Western Australia;
- (b) if no to (a), why not;
- (c) if yes to (a), what are those specific reasons;
- (d) does the Minister strongly support, that in order for an applicant to avail itself for exemption under section 102(h) of the *Mining Act 1978*, that the legislation contemplates a nexus between work done on one mining tenement establishing a real or potential resource on other tenements within the combined reporting group and that this should involve a heavy emphasis/ process of exploration rather than merely mining to find the future mines of tomorrow rather than simply adopting administrative processes that support warehousing of tenements through exploitation with exemption applications;
- (e) if yes to (d), what are those specific reasons;
- (f) if no to (d), why not;
- (g) will the Minister with the DMP now proactively make sure that all tenement holders focus on exploration with physical on ground work with form 5 financial expenditure reports to create jobs and employment in the regions where the respective mining tenure is held and strongly discourage people who seek exemptions only to warehouse mining tenure at the expense of the *bona fide* miner and explorer against the best interests of the State;
- (h) if no to (g), why not;
- (i) if yes to (g), how is the DMP proactively going to achieve this in terms of administration;
- (j) does the Minister strongly support all legislative provisions under the *Mining Act 1978*, whereby it prevents the holder of multiple tenements, incurring significant expense, mining on one, or more, tenements and aggregating those expenses across tenements which are otherwise not in any way being actively explored;
- (k) if no to (j), why not; and
- (l) if yes to (j), what are those specific reasons?

Answer

- (a) The Minister supports the principle that tenement holders should continue to identify and optimise the mineral wealth of Western Australia.
- (b) Not applicable

- (c) To identify mineral resources for the benefit of the people of Western Australia.
- (d) The Minister supports the current provisions in the *Mining Act 1978* and will continue to review the legislation where appropriate.
- (e) Section 102(2)(h) of the *Mining Act 1978* allows for the progressive exploration of a project by the tenement holder to encourage the identification of mineral resources that will ultimately benefit the people of Western Australia. This provision recognises the need in some cases for mining companies that hold multiple tenements to apply a whole of project approach to their exploration activities.
- (f) Not applicable
- (g) This is already the case.
- (h) Not applicable
- (i) Applications for exemption from expenditure and Form 5 expenditure reports are administered, and will continue to be administered, in accordance with the *Mining Act 1978*. The Minister and DMP will continue to ensure compliance with the expenditure conditions under the *Mining Act 1978* and Mining Regulations 1981 to promote mineral resource exploration in Western Australia, and will continue to assess applications for exemption from the expenditure condition as prescribed under the *Mining Act 1978*.
- (j) Yes
- (k) Not applicable
- (l) The Minister, and the legislation, recognises the need in some cases for mining companies that hold multiple tenements to apply a whole of project approach to their exploration activities.



MINISTER FOR MINES AND PETROLEUM