

LEGISLATIVE COUNCIL
Question On Notice

Tuesday, 26 June 2018

1419. Hon Robln Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum

I refer to Mining Lease 31/79 owned by Hawthorn Resources Limited and Gel Resources Limited, and ask:

- (a) can the Minister explain, in terms of its functionality and purpose, why the Department of Mines Industry Regulation and Safety (DMIRS) formerly the Department of Mines (DOM) recommended condition number 9 on Mining lease 31/79 relating to any water main;
- (b) if no to (a), why not;
- (c) has DMIRS, within the last 12 months, written to the owners about possible breaches of mining lease tenement conditions on Mining lease 31/79;
- (d) if yes to (c), can the Minister quote the specific text of the tenement conditions and the respective number and on what specific dates was this done;
- (e) can the Minister explain in terms of its functionality and purpose why DMIRS, formerly DOM, recommended condition number 13 that there be no interference with the use of the aerial landing ground;
- (f) if no to (e), why not;
- (g) can the Minister explain the importance why all surface holes drilled for the purpose of exploration need to be capped, filled or otherwise made safe after completion;
- (h) if no to (g), why not;
- (i) can the Minister explain the importance of why all waste material, rubbish, plastic sample bags, abandoned equipment and temporary buildings need to be removed from the mining tenement prior to or at the termination of an exploration program;
- (j) if no to (i), why not;
- (k) can the Minister explain the importance of why all activities need to be carried out in such a manner as to not have a detrimental effect on the natural water flow through the lease and surrounding areas;
- (l) if no to (k), why not;
- (m) will DMIRS urgently take any forfeiture action and impose a large penalty on the owners of the above tenement M31/79 for breaching any tenement conditions so as the statute of limitations for the offences does not pass; and
- (n) if no to (m), why not?

Answer

- (a) Condition 9 was imposed upon grant of Mining Lease 31/79 on 5 October 1988. Prior to grant, an appraisal of interests in the land the subject of the mining lease application showed an intersection with Water Reserves 9736 and 11438. The purpose of the condition is to ensure any water main present is not adversely affected by mining operations.

- (b) Not applicable
- (c) Yes, on three occasions.
- (d) On 15 February 2018, DMIRS wrote to the tenement holder about a potential breach of Condition 17. Condition 17 states:

“The construction and operation of the project and measures to protect the environment to be carried out in accordance with the document titled:

- (MP Reg ID:55291) “AngloSaxon Gold Mining Project Revised Mining Proposal M31/78, M31/79, M31/113, M31/284, G31/4, L31/32, L31/65 and L31/66” dated 26/11/2015 signed by Paul Chare, and retained on Department of Mines and Petroleum file no. EARS-MPMCP-55291 as Doc 4064515;
- (MCP Reg ID:55291) “AngloSaxon Gold Mining Project Revised Mine Closure Plan M31/78, M31/79, M31/113, M31/284, G31/4, L31/32, L31/65 and L 31/66” dated 26/11/2015 signed by Paul Chare, and retained on Department of Mines and Petroleum file no. EARS-MPMCP-55291 as Doc 4064226;
- (Reg ID 69459) “Anglo Saxon Gold Mining Project Revised Mining Proposal Tenements M31/78, M31/79, M31/113, M31/284, G31/4, L31/32, L31/65 and L31/66” dated 26 October 2017 signed by Mr Ian Moody and retained on Department of Mines, Industry Regulation and Safety File No. EARS-MPMCP-69459 as Doc ID 5381147

Where a difference exists between the above document(s) and the following conditions, then the following conditions shall prevail.”

On 26 April and 25 May 2018, DMIRS wrote to the tenement holder about a potential breach of Condition 21. Condition 21 states:

“The Lessee taking all reasonable measures to prevent or minimise the generation of dust from all materials handling operations, stockpiles, open areas and transport activities.”

- (e) Condition 13 was imposed upon grant of Mining Lease 31/79 on 5 October 1988. Prior to grant, an appraisal of interests in the land the subject of the mining lease application showed an intersection with an Aerial Landing Ground. The purpose of the condition is to ensure mining operations do not interfere with the use of the Aerial Landing Ground.
- (f) Not applicable
- (g) Pursuant to the condition setting powers under section 84(1) of the *Mining Act 1978*, it is important to ensure the tenement holder prevents, reduces or makes good any injury to the land, or injury to anything on or below the natural surface of the land.
- (h) Not applicable
- (i) Pursuant to section 84 of the *Mining Act 1978*, it is important to ensure the tenement holder prevents, reduces or makes good any injury to the land, or injury to anything on or below the natural surface of the land.
- (j) Not applicable

- (k) Pursuant to the condition setting powers under section 84 of the *Mining Act 1978*, it is important to ensure the tenement holder prevents, reduces or makes good any injury to the land, or injury to anything on or below the natural surface of the land.
- (l) Not applicable
- (m) The Department of Mines, Industry Regulation and Safety is currently investigating potential breaches of conditions on the relevant mining leases, and should a breach be identified, may make recommendations to the Minister regarding forfeiture action.
- (n) Not applicable



MINISTER FOR MINES AND PETROLEUM

19/3/17