

LEGISLATIVE COUNCIL
Question On Notice

Thursday, 27 June 2019

2264. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial Relations

I refer to E45/5473 held by Rocklea Gold Pty Ltd, M45/657, M45/675, M45/109 and M45/113 held by BGC Contracting, M45/673 held by Holcim (Australia) Pty Ltd and E45/5064 held by CTTR Mining Tenements Pty Ltd, and ask:

- (a) have these corporations, in submitting their applications, informed the Department of Mines of any heritage survey work carried out on the known Karriyarra heritage area;
- (b) if yes to (a), will the Minister provide details;
- (c) if no to (a), why not;
- (d) have these corporations, in submitting their applications, advised of the need to submit section 18 applications under the *Aboriginal Heritage Act 1972* over the known Karriyarra heritage area;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

Answer

For clarity, answers are provided for each mining tenement referenced in the question.

E45/5473 and E45/5064:

- (a) No
- (b) Not applicable
- (c) E45/5473 and E45/5064 are pending tenement applications. The *Mining Act 1978* does not require tenement applications to contain details of heritage survey work carried out on the tenement.
- (d) No
- (e) Not applicable
- (f) The *Mining Act 1978* does not require tenement applications to contain statements regarding compliance with the provisions of section 18 of the *Aboriginal Heritage Act 1972*.

M45/657:

- (a) Yes
- (b) Yes.

A Notice of Intent dated May 2002 advised several heritage areas had been identified and would be excluded from all mining activities.

The Notice of Intent was not approved and was withdrawn by BGC Contracting on 21 December 2004.

- (c) Not applicable
- (d) No
- (e) Not applicable
- (f) The *Mining Act 1978* does not require tenement applications to contain statements regarding compliance with the provisions of Section 18 of the *Aboriginal Heritage Act 1972*.

M45/675 and M45/109:

- (a) Yes
- (b) Yes.

A Notice of Intent dated 2 September 2009 advised that M45/109 and M45/675 occur on lands of the Kariyarra Aboriginal group and that no Aboriginal sites had been identified within the project area.

The Notice of Intent was approved by the former Department of Mines and Petroleum on 18 March 2010.

- (c) Not applicable
- (d) No
- (e) Not applicable
- (f) The *Mining Act 1978* does not require tenement applications to contain statements regarding compliance with the provisions of Section 18 of the *Aboriginal Heritage Act 1972*.

M45/113:

- (a) Yes
- (b) Yes.

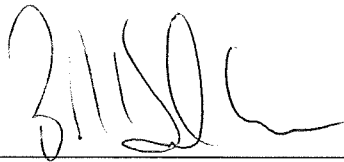
A Notice of Intent dated 31 December 1997 advised that a heritage survey identified no evidence of Aboriginal occupation or habitation on M45/113.

The Notice of Intent was approved by the former Department of Minerals and Energy on 8 April 1998.

- (c) Not applicable
- (d) The Notice of Intent did not specifically mention Section 18 applications or the Kariyarra heritage area. However, the following statement was included: "BGC will comply with its obligations under the provisions of the *Aboriginal Heritage Act 1972*."
- (e) Not applicable
- (f) The *Mining Act 1978* does not require tenement applications to contain statements regarding compliance with the provisions of section 18 of the *Aboriginal Heritage Act 1972*.

M45/673:

- (a) No
- (b) Not applicable
- (c) The *Mining Act 1978* does not require a tenement application to contain details of heritage survey work carried out on the tenement.
- (d) No
- (e) Not applicable
- (f) The *Mining Act 1978* does not require a tenement application to contain statements regarding compliance with the provisions of Section 18 of the *Aboriginal Heritage Act 1972*.



**MINISTER FOR MINES AND PETROLEUM;
INDUSTRIAL RELATIONS**

12/8/19