



# Mining and the Environment. Balancing the scales.



*A Western Australian Government Policy Report.*









Among the State's most cherished possessions are its national parks and nature reserves. In the past, these areas have not been well protected from mining.

The main thrust of the Western Australian Government's new policy is to give greater security to national parks and nature reserves not only during the life of the present Labor Government but into the future.



The policy is based on procedures drawn up by experts and takes into account the views of all interested groups and public comment.

The new policy provides clearly defined unmistakable safeguards for the environment and for the State's economic well-being.



# The future belongs to all of us.

Among the State's most coveted gifts of nature are its national parks and nature reserves.

This big State, occupying a third of the entire continent, has many parks, ranging from the harsh ochre-red columns of the Bungle to mighty karri and jarrah forests.

For decades we didn't really need to worry about these wonders of nature.



*The Hon. Brian Burke,  
Premier.*

The population was sparse and the scars inflicted upon the virgin landscape were comparatively minor.

But in the past 25 years, highly-mechanised mining techniques and technological advances have meant a rapid escalation in activities in areas which need to be preserved.

We must pay urgent attention to the potential effect of mining on our landscape and on all creatures great and small.

Mining has been of enormous benefit to this State — and will continue to be so.

But its growth has been of a dimension that the time has come for your Government to tighten the rules, to implement a code which will safeguard the ecology from a cauldron of disaster.

Action simply has to be taken and the Labor Government is taking it.

New policies to be introduced by the Western Australian Government will provide this stricter code of conduct to keep a tighter rein on mining in valued areas.

The Government has consulted the mining industry, it has canvassed the views of interested parties and has called for public comment.

And it has marshalled together the views of experts and authorities whose advice must be considered.

Never before, whether it be in this State or in any other democracy, have governments had to weigh up the needs and opinions of so many.

Conservation and mining are both critical to our way of life. In a changing and more demanding society, our parks and our reserves have become a retreat, a hideaway from the burdens and pressure of an intense lifestyle.

In times of prosperity or recession, mining has been the economic backbone of the State. More than 130,000 West Australians depend on mining for their jobs.

Therefore, the Government commissioned its experts to examine *all* the issues.

The new plans are not short-term, stop-gap measures.

They provide positive and stable solutions.

Not all of the many parties interested in these issues will be satisfied.

But this is a time for "give and take" and the denial of self-interest.

The policy is the result of an *independent* inquiry with one objective — to strike a sensible balance.

This policy will see the beginning of the end of the long period of crude attempts to both utilise and preserve the environment.

With an open mind and a willingness to co-operate, fair minded people will see that this Government has found the "sensible balance" between mining and the environment.

It will provide a better place for us and future generations.



# 19 steps towards keeping the balance.

1

## **PARKS CLOSED TO MINING**

National parks and nature reserves will be closed to exploration and mining activities. This situation will remain unless a specific park or reserve has been either individually opened for the granting of an exploration licence by the process described in this document or reclassified as provided for in Policy 5.

2

## **SENSITIVE AREAS CLOSED FOREVER**

Areas of the highest biological or landscape value will remain closed.

3

## **PERMITS REQUIRED FOR SURVEYS**

Geoscientific survey work will be permitted without holding an exploration licence in national parks and reserves under permit issued by the Minister for Mines. The Minister must seek and obtain the agreement of the Minister for Conservation and Land Management. The Minister for Mines may attach appropriate conditions to a permit, or, in exceptional circumstances, refuse to issue a permit. Appropriate reports on the results of the survey should be prepared by the permit holder for the Departments of Mines, and Conservation and Land Management.

4

## **EPA RESEARCH**

If the Mines Department believes that a particular national park or nature reserve or part thereof is of sufficient prospectivity, then it will formally refer the proposal to open the area for the granting of exploration licences to the Environmental Protection Authority. A programme of non-destructive research will then be carried out with an inter-departmental committee, convened by the Environmental Protection Authority and including representatives of the Department of Conservation and Land Management, and Mines Department. The committee will assess the results of the research and report to the Environmental Protection Authority, which will then recommend to Government. Where a company has lodged a tenement application over a closed area, it will be required to meet the cost of the necessary research.

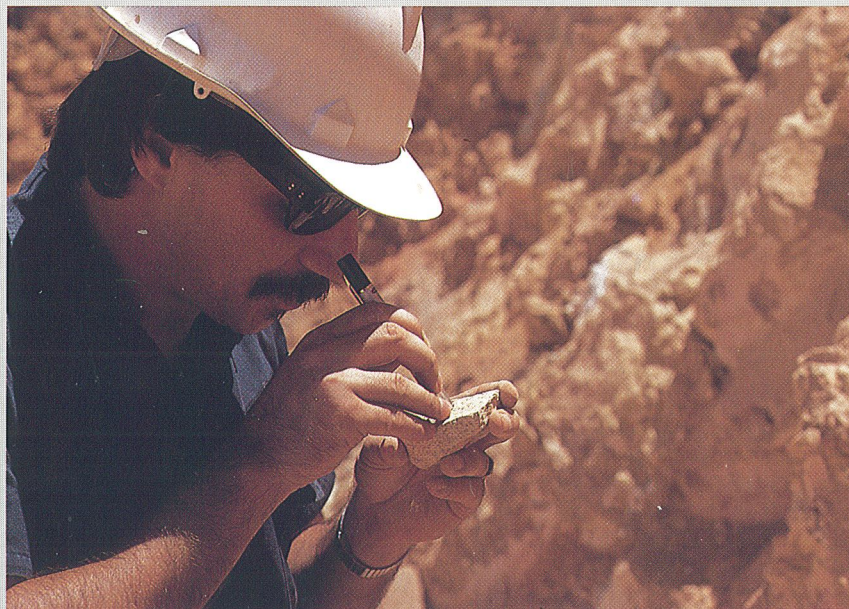
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## **EPA RECOMMENDATION**

In reporting to Government the Environmental Protection

Authority will recommend:

- that the area in question not be declared open for the granting of exploration licences if it is considered to be of the highest biological or landscape value; or



- that the area in question be declared open for the granting of exploration licences subject to appropriate conditions but remain part of the national park or nature reserve if it is considered to be of intermediate biological and landscape value; or
- that the area in question be removed from the national park and nature reserve system if it is considered to be of low biological and landscape value.

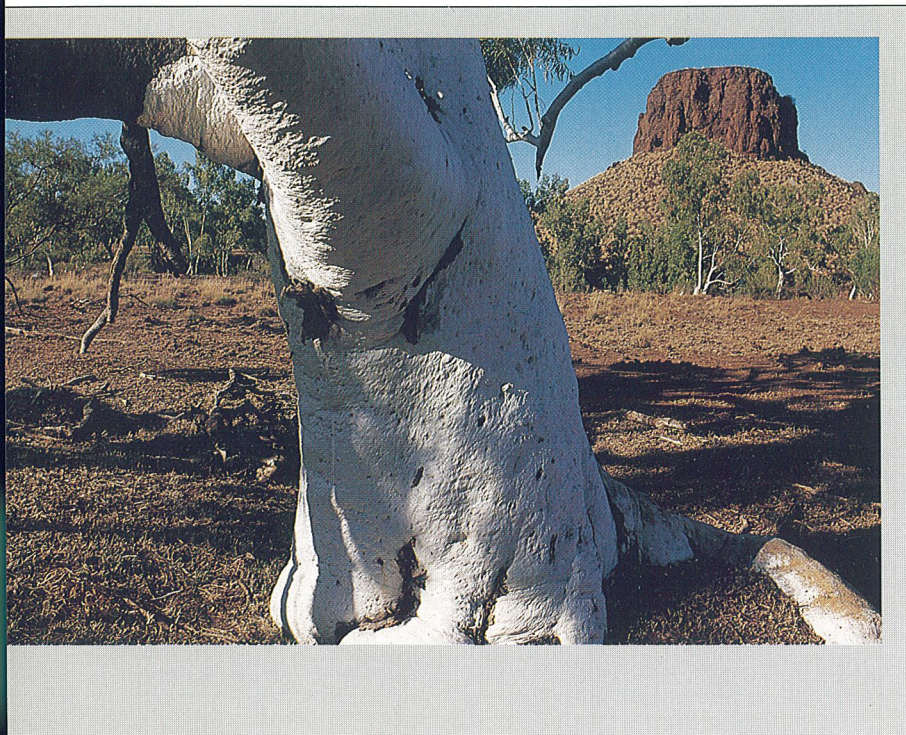
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## **EPA SCRUTINY**

The following matters will be taken into account by the Environmental Protection Authority, when assessing whether or not to recommend that a national park or nature reserve or part thereof be declared open for the granting of exploration licences:



- the presence of rare or endangered species of fauna and flora, communities or habitats;
- the presence of areas of outstanding scenic or landscape value;
- the presence of significant wilderness or important wetlands;
- the presence of sites of archaeological, cultural, historic, or scientific value, or a geological monument;



- the importance of the area in terms of its role in protecting representative ecosystems;
- the particular importance of islands to nature conservation; and
- any other matter that the Environmental Protection Authority considers relevant.

**7**

### **PARLIAMENT MUST AGREE TO PARK OPENING**

If after receiving the advice from the Environmental Protection Authority, the Government wishes to open a national park or reserve or part thereof, then it must seek and receive the agreement of both Houses of Parliament.

**8**

### **NO MINING UNLESS PARK OPENED**

Mining leases will only be granted over national parks or nature reserves if the area concerned has previously been declared open for the granting of exploration licences or the mining lease application covers an area subject to a pre-existing exploration licence or prospecting licence.

**9**

### **EXISTING TENEMENTS MUST COMPLY**

Existing tenements over national parks or nature reserves which were granted with a no mining condition (or those not granted) will not be considered for mining until the procedures outlined in this policy document (policies 1-8) have been completed.

**10**

### **PARK CLOSED — 5 YEAR MORATORIUM**

Once a park or reserve has been assessed and refused opening, a new application over the same area will not be considered within five years of the date of refusal. Provision will be made in special circumstances for an appeal to be heard against this recommendation which would require the approval of both the Mines Minister and the Minister for Conservation and Land Management, to be successful.

**11**

### **RESERVES WILL BE UPGRADED**

Areas vested in the National Parks and Nature Conservation Authority as B or C class reserves will be individually reviewed and either:

- reclassified as a national park or nature reserve; or
- have its NPNCA vesting status removed.

**12**

### **RESERVE PROTECTION**

If an exploration licence application was lodged over a B or C class reserve before the completion of the Policy 11 review, then the reserve would need to be reviewed before the application was granted.

**13**

### **PROPOSED AREAS PROTECTED**

Areas proposed for reservation as national parks or nature reserves and fully approved by Government will be treated administratively as if they were so reserved.



14

**BETTER PARK MANAGEMENT**

The Government will initiate a public review of the national park and nature reserve boundaries, with a view to rationalisation. The primary objective of this process will be to set ecologically sensible and manageable boundaries while maintaining the values and area of the reserve system. A secondary objective will be to avoid areas of high prospectivity wherever this can be accomplished without prejudice to the primary objective.

The Review will be undertaken by the Department of Conservation and Land Management in liaison with the Mines Department and the Environmental Protection Authority. The Review could be carried out as part of the preparation by the Department of Conservation and Land Management of a management plan for each park or reserve.

15

**COMPULSORY REHABILITATION**

Insofar as it relates to national parks and nature reserves the Mining Act 1978 will be amended to:

- require that exploration licences and mining leases are only granted subject to the condition that damage to the surface of the land and anything on the surface of the land (e.g. flora and fauna) is prevented or minimised and repaired; and
- enable the Minister for Mines to impose additional environmental conditions at any time.

16

**PROTECTION PLAN — EXPLORATION**

Applications for exploration licences over national parks and nature reserves and the assessment of exploration programmes will be processed according to the procedures illustrated in Figure 1.

17

**PROTECTION PLAN — MINING**

Applications for mining leases over national parks and nature reserves and the assessment of mining proposals will be processed according to the procedures illustrated in Figure 2.

18

**ENVIRONMENTAL REPORTS REQUIRED**

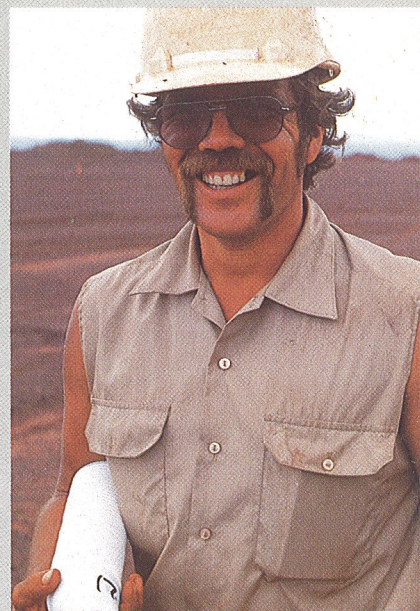
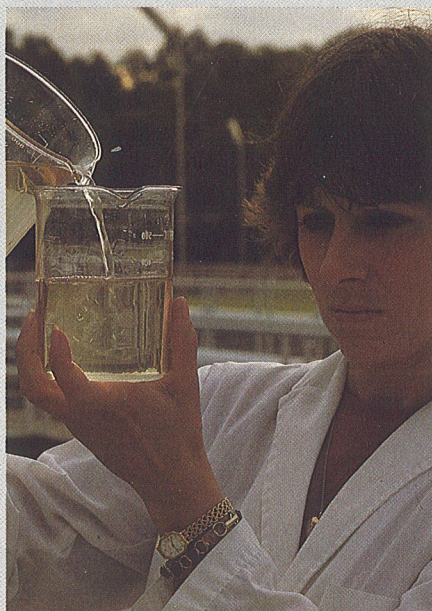
Reports will be prepared by the holders of mining tenements over national parks and nature reserves at appropriate

intervals describing the environmental management of their activities. Such reports should be forwarded to the Mines Department, Department of Conservation and Land Management and other departments and authorities where appropriate.

19

**STRICT PARK ACCESS CONDITIONS**

Access to national parks and nature reserves for exploration and mining



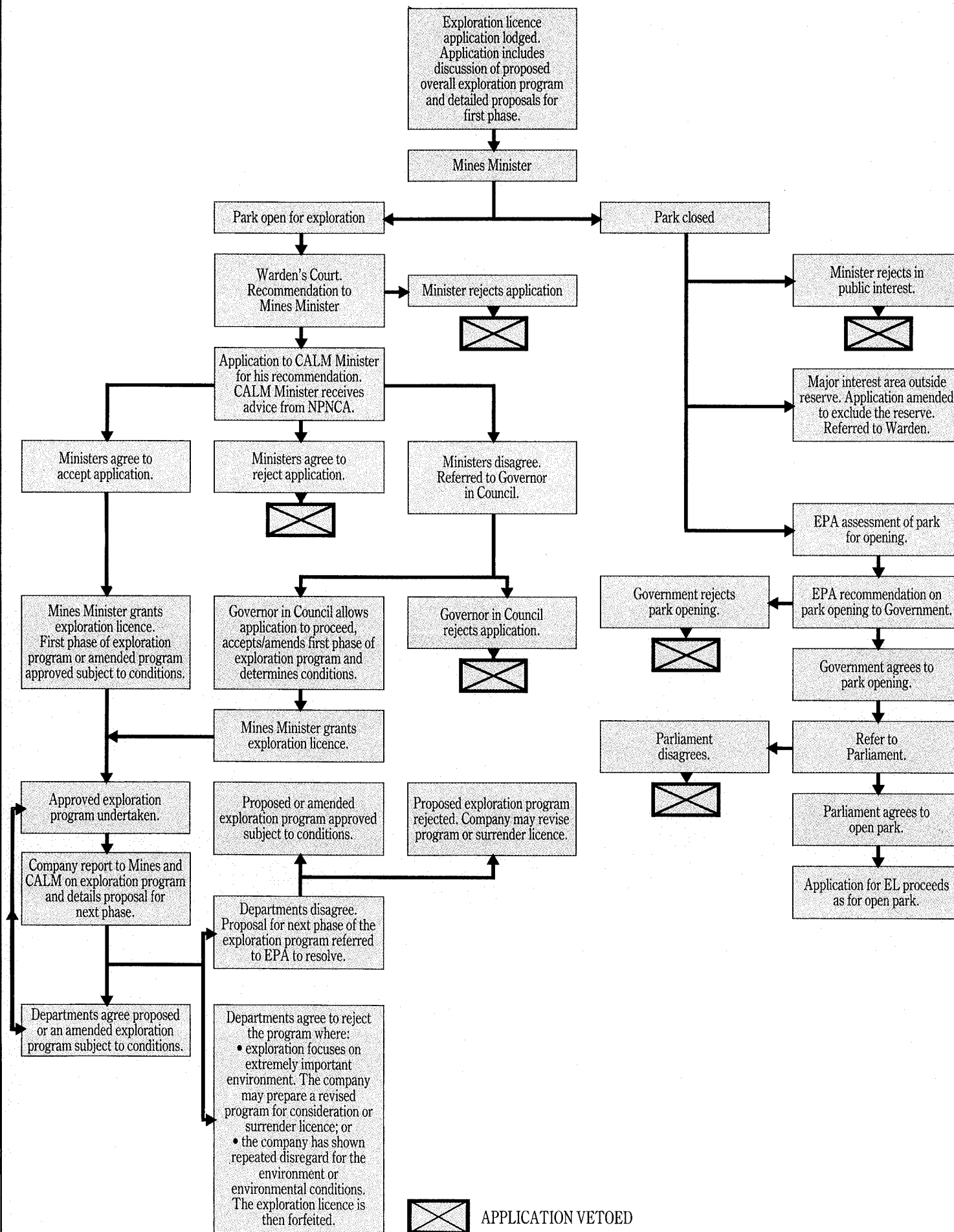
activities including access for the purpose of marking out a tenement will occur under only three circumstances:

- as authorised by a geoscientific survey permit; or
- in accordance with the terms and conditions of an exploration licence; or
- in accordance with the terms and conditions of a mining lease.



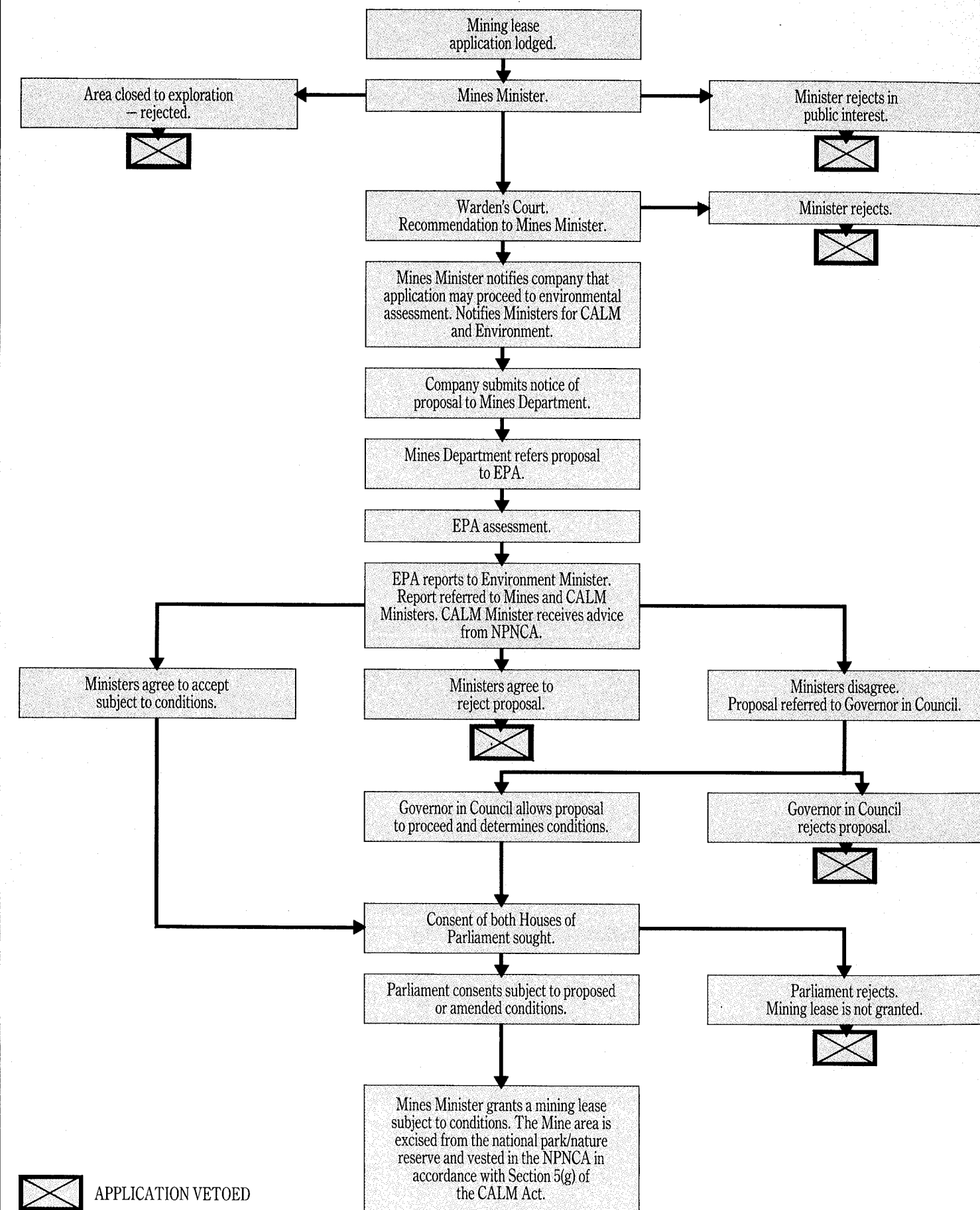
# PROTECTION PLAN – EXPLORATION

FIGURE 1



# PROTECTION PLAN – MINING

FIGURE 2



 APPLICATION VETOED