



# INFORMATION SERIES No. 11

## MINING ACT 1978

### GUIDELINES FOR THE APPLICATION OF ENVIRONMENTAL CONDITIONS FOR ONSHORE MINERAL EXPLORATION AND DEVELOPMENT ON CONSERVATION RESERVES AND OTHER ENVIRONMENTALLY SENSITIVE LAND IN WESTERN AUSTRALIA

DEPARTMENT OF MINERALS  
AND ENERGY WESTERN AUSTRALIA

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#### 1.0 SCOPE AND PURPOSE

The document summarizes the use of environmental conditions applied by the Department of Minerals and Energy in Western Australia to lessen possible environmental impacts resulting from mineral exploration and development mining. **Petroleum and mineral exploration and development offshore and the operations of the quarrying industry are not covered.**

**This information pamphlet replaces Pamphlet No 11 issued in July 1992 and it is an update of the February 1993 and July 1994 versions.**

The guidelines give mineral explorers and developers and other interested parties uniform criteria from which to address environmental constraints and issues. The guidelines are not all-embracing and, consequently, should be adjusted to meet specific situations as well as the needs of other State agencies. The pamphlet reflects the consultative procedures adopted by the Memorandum of Understanding between DME and EPA (April 1995) to ensure protection of sensitive environments where onshore mineral exploration and development occurs.

#### 2.0 BACKGROUND

Mineral development in Western Australia is regulated under the Mining Act 1978. Mineral development projects are administered under appropriate controls covering project management, operation and post-mining rehabilitation. Each tenement

application and project proposal is assessed in terms of its location, site characteristics, land-use, and the likely impacts or effects which the proposed activities (e.g. mineral exploration, developmental mining, ore-treatment and processing, transport, storage and shipping) could have on the immediate and adjacent natural and modified environments.

The Department of Minerals and Energy (DME) makes certain that the community of Western Australia receives the maximum benefit from the orderly exploitation of mineral resources in Western Australia. In carrying out the mandate the Department ensures that measures are taken to protect the natural environment and to rehabilitate areas where ground disturbance has occurred.

Protection is accomplished primarily by setting conditions for the granting of title and subsequent exploration and mining programs. The conditions are developed by DME in consultation with appropriate Government agencies.

### **3.0 LAND TENURE**

Land in Western Australia is held under a range of tenures with each having corresponding levels of security and protection. Land tenure includes the following classes:

#### **Crown Land:**

- Vacant Crown Land;
- Pastoral Leases;
- National Parks, Nature Reserves and State Forests;
- Other reserved land including Aboriginal Reserves;

#### **Private Land:**

- Pre-1899 ('Minerals-to-Owner') Land;
- Private (freehold/leasehold) Land;

The framing of environmental conditions for Mining Act tenements is influenced by land tenure (Refer Appendix 1) as well as the type of activity proposed.

Gold, silver and precious metal mining on pre-1899, or 'Minerals-to-Owner' Land, requires the agreement of the land-title holder. All other mining on such land is outside the scope of the Mining Act (Refer 6.6 and 6.7). The State Government's Policy (December 1993) permits exploration and mining in all of the State's National Parks, Nature Reserves and Conservation Parks if these activities are shown to be environmentally acceptable (Refer Appendix II). The Minister for Mines, under Section 19 of the Mining Act 1978, may exempt any Crown Land from exploration and/or mining. All other lands are open to exploration and mining subject to varying degrees of environmental assessment, and associated controls and conditions.

### **4.0 MANAGEMENT PLANS AND PROTECTION POLICIES**

Various parcels of land in Western Australia are subject to management plans and protection policies administered under Government Acts. These plans and policies either direct development, or protect specific components of the environment. Government agencies involved in land planning and policy development include the Water Authority of Western Australia, Western Australian Water Resources Council, Soils and Land Conservation Council, Environmental Protection Authority, Department of Environmental Protection (DEP), Department of Conservation and Land Management (CALM), Department of Agriculture, Department of Planning and Urban Development, Department of Resources Development, and Local Government Councils. The plans and policies may impose constraints and controls on development within the specified planning or policy area.

Management plans and policies which may require the imposition of special environmental conditions are:

- Regional, town and Shire plans (e.g. Peel Regional Plan, Central Coast Regional Strategy, Onslow Coastal Strategy)

- Local Government Town Planning Schemes and Rural strategies
- Proclaimed groundwater protection areas (e.g. Gngangara Mound, Jandakot Mound, Serpentine)
- Protection policies and guidelines (e.g. Environmental Protection Policy for Swan Coastal Plain Lakes, Gngangara Groundwater Mound Protection Policy, Metropolitan Basic Raw Materials Resource Protection Statement)
- CALM regional management plans (e.g. South Coast (1992); Forest Management Plan (1994)).

DME ensures that agencies preparing these plans and policies are conversant with resource development issues and industry requirements.

## 5.0 EXPLORATION AND MINING TENEMENTS

Mineral exploration and mining operations in Western Australia are regulated under the Mining Act 1978 through the grant of:

- Exploration Licence (E);
- Prospecting Licence (P);
- Mining Lease (M);
- General Purpose Lease (G); and
- Miscellaneous Licence (L);
- Retention Licence (R).

## 6.0 PROCEDURES IN RELATION TO CALM MANAGED LAND AND OTHER AREAS OF ENVIRONMENTAL SENSITIVITY

### 6.1 Reserved Land

Land managed by the Department of Conservation and Land Management (CALM) under the CALM Act is vested in the National Parks and Nature Conservation Authority (NPNCA), Lands and Forest Commission (LFC) or the Executive Director, CALM. These lands are classified as National Parks, Marine Parks, Marine Nature Reserves, Nature Reserves or Conservation Parks (A and C Class), State Forests, Timber Reserves, Pastoral Leases, Reserves vested in Executive Director, Section 5(g) reserves, and freehold land (owned and managed by CALM). (Refer Appendix III.)

#### 6.1.1 National Parks

Geoscientific Survey Authority (GSA)	Minister for the Environment's concurrence required.
Grant of P, E	May be permitted in <b>all</b> national parks with A1 Conditions (Minister for the Environment's concurrence required). However, certain areas are of such importance that it is unlikely they would ever be considered for exploration or mining. These would be considered on a case by case basis. DME to be supplied with details of first year of exploration program including environmental management provisions before applications are referred by DME to CALM. The DEP will be notified of applications. This notification will not be treated as a referral until the NPNCA has decided on its approach to the application. If an application is referred to the EPA by a third party the Authority will seek further information (including the advice of the NPNCA and DME) prior to considering the level of assessment.
P, E with environmental disturbance	May be permitted for <b>all</b> national parks following consultation with NPNCA and with DEP being notified. EPA assessment is likely. Subsequent exploration stages will be forwarded to CALM/NPNCA and DEP. Although

Prospecting Licence applications are provided for, it is unlikely that DME would agree to their use for exploiting basic raw materials.

Grant of M and developmental or productive mining

Applies to **all** national parks. Grant of title only following NPNCA and EPA assessment of mining proposal and Parliamentary approval.

#### 6.1.2 A Class Nature Reserves, and Conservation Parks

Same approach used as for national parks.

#### 6.1.3 B and C Class Nature Reserves and Conservation Parks

GSA

Minister for the Environment to give **recommendations** rather than approval.

P, E grant

Following receipt of Minister for the Environment's **recommendation** (note comments at 6.1.8), "A1" conditions applied for mineral exploration access. Exploration may be referred to EPA if required by CALM.

Grant of M and developmental or productive mining

Instead of a separation of grant and then submission of a Notice of Intent (NOI), the NOI (for continued exploration or for mining) would be submitted **before** grant. It may be referred to EPA where agreed to in the Memorandum of Understanding between EPA and DME (MOU). All productive mining proposals in sensitive environments will be referred to the EPA.

#### 6.1.4 Section 5(g) Reserves and Executive Director (CALM) Reserves

Reserves specified under Section 5(g) of the CALM Act are managed by CALM. The reserves are predominantly vested in the NPNCA and less frequently in the LFC. They are mainly conservation and/or recreation reserves but, as required, have a multitude of different purposes. Some are transitional with the intention in the future to convert them to another CALM land category.

Reserves with varying purposes may also be vested in the Executive Director of CALM.

With respect to exploration and mining, the treatment of Section 5(g) 'other' reserves and Executive Director reserves is dependent on their classification, purpose and geographic location as per Section 24 of the Mining Act 1978.

#### 6.1.5 State Forests and Timber Reserves

Conditions established for Ps, Es, and Ms in the South West State forests ("B" and "C" Conditions) and outside the South West, i.e. the goldfields ("D" and "E" Conditions) will continue to be applied by DME and CALM. In these cases there is still a need for the Minister for the Environment to give his **concurrence** for exploration and mining activities (note comments at 6.1.8).

Developmental or productive mining proposals may be referred to the EPA as agreed to in the MOU.

#### 6.1.6 Proposed Reserves from CALM Regional Management Plans, EPA Red Books (on VCL, Pastoral Lands)

Proposed reserves are those agreed to by the Minister for the Environment or approved by Cabinet (e.g. EPA Red Book recommendations or those included in a CALM **final** regional management plan).

GSA	Not applicable. Miner's Right applies.
P, E grant	DME grants with revised "A2" Conditions <b>then</b> informal discussion with CALM or EPA (if area not to be managed by CALM).
P, E, environmental disturbance	Managed by DME. Informal liaison with CALM prior to DME approval.
M grant	Instead of referral to EPA or CALM prior to grant now DME grants with revised "G" Conditions <b>then</b> CALM is notified, or DEP if the area is not to be managed by CALM.
Developmental or productive mining	NOI required, referral to EPA as where agreed to in the MO.U. Liaison with CALM prior to approval. All productive mining proposals in sensitive environments would be referred to the EPA.

#### 6.1.7 Other Environmentally Sensitive Areas

This classification applies to land not reserved or currently proposed for reservation but which DME agrees warrants protection (e.g. remnant Kimberley rain forest, monitoring sites, areas of declared rare flora, mangrove communities, turtle breeding sites and EPA's Environmental Protection Policy (EPP) Swan Coastal Plain Lakes) and, if relevant, application of the dieback prevention condition. The EPA and CALM will be consulted to define other environmentally sensitive areas (e.g. EPP for wetlands of the South West Agriculture Area).

Grant of P, E, M	"A2" conditions applied to P, E. There is no requirement to consult with DEP before grant.
Environmental disturbance on P, E	Depending on the local conditions, there may be a need to consult with CALM or DEP
Developmental or productive Mining	NOI required if significant impact. Mining proposals in sensitive environments will be referred to the EPA.
Miscellaneous Licence and General Purpose Lease	Miscellaneous licences will be individually assessed by DME on a case-by-case basis using modified schedule "A2" conditions. For a general purpose lease a N.O.I. is required to be lodged prior to grant.

In both cases DME refers to EPA only if potential exists for significant environmental impact.

#### 6.1.8 Procedural Notes

##### *Resource assessment of applications in National Parks and Class A Nature Reserves*

DME contacts companies with applications in National Parks and A Class Nature Reserves to ascertain the scope and environmental management aspects of proposed exploration programs. DME then provides CALM with the company's response, together with a report on the resource potential of the area under consideration and the applicability of the exploration program.

##### **EPA Red Book Areas**

EPA Red Book Recommendations initiated or endorsed by Government have been progressively implemented throughout the State. CALM is reviewing the outstanding recommendations as part of its preparation of Regional Plans. Once a final CALM Regional Plan is endorsed, related Red Book Recommendation areas within the Plan boundaries are

superseded. Red Book areas recommended for management by an agency other than CALM will continue to be recognised by DME.

**Minor encroachment**

If there is a minor overlap (in general less than 20 percent) of an exploration tenement application with reserved land, DME will grant with a "No Mining (exploration)" condition unless otherwise indicated by the applicant, rather than excising that portion of the tenement. Where DME has information that mineral exploration access is warranted on a conservation reserve associated with an exploration tenement application, there would be a referral to CALM.

**Grant vs Mining Act activities on B and C Class Nature Reserves, State Forest and Timber Reserves:**

Under the provisions of the Mining Act, the Minister for the Environment is required to give his recommendation for Mining Act activities on B and C Class Nature Reserves and his concurrence for those activities on State Forests and Timber Reserves. He is not required to comment on the **grant** of Mining Act tenements. However, it is normal practice to ask for the Minister for the Environment's comments prior to grant to determine at an early stage if there are issues of concern which need to be addressed.

**6.2 Changes To Environmental Conditions**

During 1992, a series of tenement conditions were developed to progress the previous Government's "Resolution of Conflict" policy. They have been reviewed by DME and CALM in response to the Government's new approach to the grant of tenements occurring within reserved lands. These revised conditions include the standard conditions that are applied to all tenements. The following table lists the changes. Environmental conditions will evolve as knowledge increases and circumstances change.

**Tenement Condition Changes**

	<b>Condition</b>	<b>Comments</b>
GSA -	for non-tenement, non-ground disturbing exploration	No change
A1 -	for Ps, Es on land vested for conservation	No change
A2 -	for Ps, Es on unvested land proposed for conservation or other environmentally sensitive areas	No longer a need for tenement holder to consult with CALM or EPA. DME discusses issues with CALM or DEP as appropriate.
A3 -	for Ps, Es on other environmentally sensitive areas	Cancelled (A2 now applies)
B -	for Ps, Es in South West State forests	No change
C -	for Ms in South West State forest	No change
D -	for Ps, Es in State forests, timber reserves outside South West	No change
E -	for Ms in State forests, timber reserves outside South West	No change
F -	for Ms on land vested for conservation (predominantly "C" Class)	No change

Condition	Comments
G - for Ms on unvested land proposed for conservation	New conditions. No longer a need for tenement holder to consult with CALM or EPA. DME discusses issues with CALM or DEP as appropriate.
Declared Rare Flora - endorsement imposed where DRF is encountered	As in all cases relating to existing legislation this is now an endorsement rather than a condition. Tenement holder to liaise with CALM
Dieback	No change. Agreed condition for tenements in the South West
CALM owned Pastoral Lease	No change

### 6.3 Environmental Disturbance In Exploration

As a result of discussions between DME, CALM, NPNCA, LFC, EPA and the environmental movement, it is considered that the following activities constitute environmental disturbance:

- ◆ drilling access involving damage to vegetation or soils;
- ◆ drilling on gridlines cleared by dozing or grading;
- ◆ costeans;
- ◆ exploration shafts; and
- ◆ declines.

~~It is believed that the following activities do not usually result in environmental disturbance and in accordance with the MOU, it is agreed that the DEP/EPA should be consulted by CALM or DME prior to them being carried out:~~

- ◆ drilling access involving damage to vegetation or soils;
- ◆ drilling on gridlines cleared by dozing or grading;
- ◆ costeans;
- ◆ exploration shafts; and
- ◆ declines.

It is believed that the following activities do not usually result in environmental disturbance, if carried out in accordance with standard conditions.

- ◆ All airborne surveys;
- ◆ Reconnaissance in light vehicles, including limited off-road access where approved by the management authority;
- ◆ Geophysical work, e.g. magnetometer surveys, especially if on foot, by helicopter or with limited off-road access where approved;
- ◆ Geochemical work including collection of small samples (<20kg) especially if on foot or with limited off-road access where approved;

- ◆ Scout drilling on existing roads, tracks and approved management access routes.

Depending on the location, vegetation type, time of year and degree of current road access and vehicle/tyre configuration, the following additional activities may be approved by the management agency:

- ◆ Scout drilling off-road using drills mounted on low impact vehicles such as a bobcat, four wheel drive off-road tractor or other similar low ground pressure off-road unit.

Off-road non-environmental disturbance activity should be such that, with the passage of a short period of time or following a wildfire event, the access routes would be very difficult to distinguish.

Because of the large area covered by some reserves, camping will be permitted on a limited basis in areas approved by the Management Authority, or DME when land is unvested.

#### **6.4 Other Reserved or Special Management Land**

Areas may be reserved or managed for a particular purpose under State and Commonwealth legislation. Mineral development tenements and projects may require conditions to counter or lessen environmental concerns in particular areas. Examples of such areas include defence purpose reserves, irrigation districts, groundwater protection areas, water reserves, National Estate, cemetery reserves, aerial landing grounds, gas pipelines, highways, existing and gazetted townsites, geodetic survey stations, and leases covered by a special agreement act. Specific conditions would be developed in such cases.

#### **6.5 Pastoral Leases**

Land held under Pastoral Lease is considered Crown Land for the purpose of the Mining Act 1978. However, the Minister for Mines may apply additional terms and conditions to those environmental conditions prevailing for Crown Land.

#### **6.6 Private (Freehold) Land**

Private (Freehold) Land falls within the categories of pre-1899 (i.e. pre-Federation or 'Minerals-to-Owner') land title and post 1899 land title. The Mining Act 1978 allows granting of mining tenements over Private Land (other than pre-1899 'Minerals-to-Owner Land') but the consent of the owner is required in respect of private land which is under cultivation.

#### **6.7 Pre-1899 (or "Minerals-to-Owner") Land**

The title of land alienated from the Crown prior to January 1899 includes the rights to all minerals (excluding gold, silver and other precious metals). This type of private land title is mainly confined to the South West of Western Australia. Mining and exploration operations on such land are not currently covered by the provisions of the Mining Act 1978. There is no requirement for the operator to obtain a mining lease. Consequently, the environmental provisions of the Mining Act do not apply and DME has **no statutory role** in ensuring that exploration and rehabilitation are carried out satisfactorily. However, the requirements of the Environmental Protection, Soil and Land Conservation, Rights in Water and Irrigation, Wildlife Conservation, and Aboriginal Heritage Acts apply.

Environmental conditions can be specified by agreement with the landowner or by way of EPA recommendations.





## GLOSSARY

CALM:	Department of Conservation and Land Management
CPI:	Consumer Price Index
DEP:	Department of Environmental Protection
DME:	Department of Minerals and Energy
DRA:	Disease Risk Area
DRF:	Declared Rare Flora
EPA:	Environmental Protection Authority
GSA:	Geoscientific Survey Authority
LFC:	Lands and Forest Commission
MOU:	Memorandum of Understanding
NOI:	Notice of Intent
NPNCA:	National Parks and Nature Conservation Authority

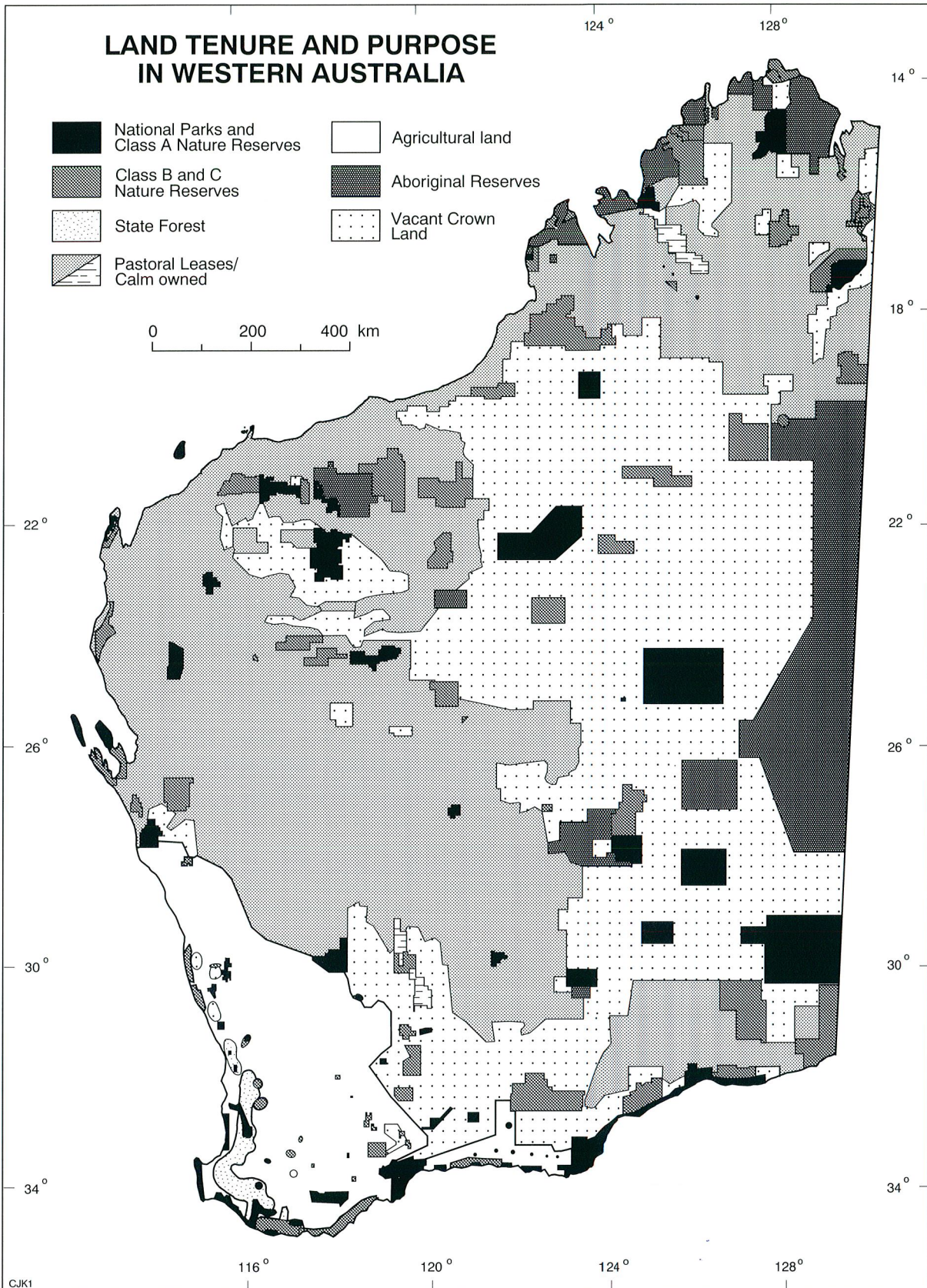
# APPENDIX I

## CONSULTATIVE PROCEDURES FOR MINING ACT TENEMENTS ASSOCIATED WITH AREAS OF ENVIRONMENTAL SENSITIVITY

	L A N D T E N U R E					
TENEMENT	"A" NATURE RESERVE, CONSERVATION PARK	"B" & "C" NATURE RESERVES, CONSERVATION PARK	STATE FORESTS TIMBER RESERVES IN SOUTH WEST Note (h)	STATE FORESTS TIMBER RESERVES OUTSIDE SOUTH WEST Note (f)	RED BOOK AREAS AND PROPOSED RESERVES (on VCL, Pastoral Leases) Note (f)	OTHER ENVIRONMENTALLY SENSITIVE AREAS (on VCL, Pastoral Leases) Note (b)
Geoscientific Survey Authority (no environmentally significant disturbance) Note (d) <i>no longer used</i>	<ul style="list-style-type: none"> <li>Refer to CALM (&amp; NPNCAs)</li> <li>Min. for Env. Concurrence</li> <li>GSA Conditions</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM (&amp; NPNCAs)</li> <li>Min. for Env. Concurrence</li> <li>recommendation</li> <li>GSA Conditions</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM (&amp; LFC via CALM)</li> <li>Min. For Env. Concurrence</li> <li>GSA Conditions</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM (and LFC via CALM)</li> <li>Min. For Env. Concurrence</li> <li>GSA Conditions</li> </ul>	<ul style="list-style-type: none"> <li>Miners Right applies</li> </ul>	<ul style="list-style-type: none"> <li>Miners Right applies</li> </ul>
Grant of Prospecting & Exploration Licences (no environmentally significant disturbance) Note (g)	<ul style="list-style-type: none"> <li>Assess by DME</li> <li>Refer to CALM/NPNCAs</li> <li>DEP notified (not referred to EPA) Note (e)</li> <li>Min. for Env. Concurrence</li> <li>A1 Conditions Note (c)</li> </ul>	<ul style="list-style-type: none"> <li>Assess by DME</li> <li>Refer to CALM/NPNCAs</li> <li>DEP notified (not referred to EPA) Note (e)</li> <li>Min. for Env. Concurrence</li> <li>A1 Conditions Note (c)</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM (&amp; LFC via CALM)</li> <li>Min. For Env. Concurrence</li> <li>B Conditions Note (c)</li> </ul>	<ul style="list-style-type: none"> <li>A2 conditions</li> <li>CALM notified on grant</li> <li>DEP notified if area not to be managed by CALM</li> </ul>	<ul style="list-style-type: none"> <li>A2 Conditions + DRF</li> <li>Endorsement as appropriate after conferring with CALM, DEP as necessary</li> </ul>	
Prospecting & Exploration activity (environmentally significant disturbance) Note (a) Note (g)	<ul style="list-style-type: none"> <li>Refer to CALM/NPNCAs. DEP notified. Refer to EPA if required by CALM.</li> <li>Forward to DEP for information for subsequent stages</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM/NPNCAs. DEP notified. Refer to EPA if required by CALM.</li> <li>Forward to DEP for information for subsequent stages</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM</li> <li>Refer to EPA if required by CALM</li> </ul>	<ul style="list-style-type: none"> <li>informal liaison with CALM (or DEP) prior to DME approval</li> <li>Refer to EPA if required by CALM (or DEP)</li> <li>A2 conditions</li> </ul>	<ul style="list-style-type: none"> <li>according to tenement conditions. Refer to EPA, CALM as required</li> </ul>	
Grant of Mining Lease (no environmentally significant disturbance)	<ul style="list-style-type: none"> <li>Assess by DME</li> <li>Refer to CALM/NPNCAs</li> <li>NOI required by DME/CALM</li> <li>EPA assessment</li> <li>Parliamentary concurrence</li> <li>title granted and conditions set</li> </ul>	<ul style="list-style-type: none"> <li>Assess by DME</li> <li>Refer to CALM/NPNCAs</li> <li>NOI required by DME/CALM</li> <li>EPA assessment</li> <li>Parliamentary concurrence</li> <li>title granted and conditions set</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM</li> <li>Min. for Env. Concurrence</li> <li>C Conditions</li> </ul>	<ul style="list-style-type: none"> <li>G conditions</li> <li>CALM notified on grant</li> <li>DEP notified if area not to be managed by CALM</li> </ul>	<ul style="list-style-type: none"> <li>conditions as appropriate after conferring with CALM, DEP as necessary.</li> </ul>	
Mining activity (environmentally significant disturbance). Note (a)	<ul style="list-style-type: none"> <li>Min. for Env. Concurrence</li> <li>recommendation</li> <li>title granted and conditions set - based on F Conditions</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM (and LFC via CALM)</li> <li>NOI required by DME/CALM</li> <li>Refer to EPA if significant impact (MOU)</li> </ul>	<ul style="list-style-type: none"> <li>Refer to CALM (and LFC via CALM)</li> <li>NOI required by DME/CALM</li> <li>Refer to EPA if significant impact (MOU)</li> </ul>	<ul style="list-style-type: none"> <li>NOI required by DME</li> <li>CALM consulted prior to approval</li> <li>Refer to EPA if significant impact (MOU)</li> </ul>	<ul style="list-style-type: none"> <li>NOI required by DME</li> <li>Refer to EPA if significant impact (MOU)</li> </ul>	
Miscellaneous Licences, General Purpose Leases	Case by case basis - DME refers to EPA if potential significant environmental impact					

**EXPLANATORY NOTES:**  
 In accordance with Environment Protection Act any proposals can be referred at any time to EPA.  
 Re DEP/EPA involvement. "Refer" means formal referral under the Environmental Protection Act; "Notified" means DEP advised of issue but it is not a formal referral; and "Forwarded" means exploration program details are sent to DEP for information.  
 Note (a) Environmentally significant disturbance based on agreed list developed between CALM, EPA and DME  
 Note (b) Other Environmentally Sensitive areas as agreed between DME, EPA and CALM and marked on public plans.  
 Note (c) Apply "No Mining" (i.e. no exploration or prospecting) conditions for minor overlaps if not important to applicant. Notify CALM after grant.  
 Note (d) Geoscientific Survey Authority issued pursuant to S24 of the Mining Act.  
 Note (e) If referred by member of the public EPA will obtain further advice from NPNCALFC and DME before deciding on assessment.  
 Note (f) Proposed reserves are those that have received Ministerial or Government endorsement (e.g. within final CALM management plans).  
 Note (g) Retention Licences also covered in the same way.  
 Note (h) If proposed reserve occurs over State Forest then that tenure applies and Schedule 'B' conditions imposed.  
 Re: Section 5(g) (CALM Act) reserves and Executive Director (CALM) Reserves: treatment depends on their classification, purpose and location.

## APPENDIX II



For more detailed information refer to DOMWA plans MS001 - MS003 (incl.)

## APPENDIX III

### ENVIRONMENTAL CONDITIONS FOR EXPLORATION AND MINING ON LAND VESTED IN OR MANAGED BY THE DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

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## **CALM PASTORAL LEASE CONDITIONS - FOR ALL PROSPECTING LICENCES, EXPLORATION LICENCES AND MINING LEASES**

### **ENDORSEMENT**

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

### **CONDITIONS**

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to, or at, the termination of exploration program.

Unless the written approval of the District Mining Engineer 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.

**In respect to the \_\_\_\_\_ Pastoral Lease \_\_\_\_/\_\_\_\_/\_\_\_\_ the following additional conditions apply:-**

Prior to any ground disturbing activity as defined by the State Mining Engineer, the licensee preparing a detailed program for each phase of proposed exploration for approval of the State Mining Engineer. This program to include:

- (i) maps and/or aerial photographs showing all proposed routes, construction and upgrading of tracks, camps, drill sites and any other disturbances;
- (ii) The purpose, specifications and life of all proposed disturbances;
- (iii) Proposals which may disturb any declared rare or geographically restricted flora and fauna; and
- (iv) Techniques, prescriptions and timetable for the rehabilitation of all proposed disturbances.

The licensee, at his expense, rehabilitating all areas cleared, explored or otherwise disturbed during the term of the licence to the satisfaction of the State Mining Engineer. Such rehabilitation as is appropriate and may include:

- (i) stockpiling and return of topsoil;
- (ii) backfilling all holes, trenches and costeans;
- (iii) ripping;
- (iv) contouring to the original landform;
- (v) revegetation with seed; and
- (vi) capping and backfilling of all drill holes.

Prior to the cessation of exploration/prospecting activity the licensee/lessee notifying the District Mining Engineer and arranging an inspection as required.

### **ADDITIONAL STANDARD CONDITION - MINING LEASES ONLY**

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 State Mining Engineer for assessment; and until his written approval has been obtained.

## SCHEDULE A ENDORSEMENTS AND CONDITIONS

### VERSION A1

## PROSPECTING AND EXPLORATION LICENCES ON EXISTING NATIONAL PARKS, NATURE RESERVES AND CONSERVATION PARKS

### ENDORSEMENT

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

### CONDITIONS

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.

Unless the written approval of the District Mining Engineer 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.

**Consent to mine \_\_\_\_\_ Reserve No. \_\_\_\_\_ granted by the Minister for Mines on \_\_\_\_\_ subject to the following additional endorsements and conditions.**

### ENDORSEMENTS

The grant of this licence not inferring automatic approval to mine or the subsequent grant of a mining lease in accordance with Section 75 of the Mining Act.

The licensee's attention is drawn to the provisions of:

- i) the **Conservation and Land Management Act, 1984**, and the Regulations thereunder;
- ii) the **Bush Fires Act, 1954**, and the Regulations thereunder; and
- iii) the **Wildlife Conservation Act, 1950**, as amended, and the Regulations thereunder (excepting the Regulations 46 a,b,c,d,g,i, l and o insofar as noncompliance occurs as an unavoidable incident or reasonable consequence in the performance of the approved exploration program).

### CONDITIONS

Prior to accessing the reserve the licensee consulting with and ensuring that, where required by the Regional Manager, Department of Conservation and Land Management, all vehicles, machinery and equipment entering the area are cleaned down to remove soil and plant propagules and adhering to such conditions specified by the Regional Manager, Department of Conservation and Land Management, for the prevention of the spread of soil borne diseases.

Access to and from and the movement of vehicles and personnel being restricted to ground or seasonal conditions and routes approved by the Regional Manager, Department of Conservation and Land Management.

The Regional Manager, Department of Conservation and Land Management, being supplied with an itinerary and program of the locations of operations on the licence area and informed at least seven days in advance of any changes to that itinerary.

Prior to any activity not specified as "environmental disturbance" the licensee preparing a program for each phase of the proposed exploration for approval of the State Mining Engineer in agreement with the Regional Manager, Department of Conservation and Land Management.

Prior to any environmental disturbance, (as defined by the State Mining Engineer in agreement with the Executive Director, Department of Conservation and Land Management (CALM), the National Parks and Nature Conservation Authority (NPNCA) and the Environmental Protection Authority), the licensee preparing a detailed program for each phase of proposed exploration for approval of the State Mining Engineer in agreement with the Regional Manager, Department of Conservation and Land Management and the NPNCA. This program to describe the environmental impacts and programs for their management and is to include (i) to (ix):

- i) maps and/or aerial photographs showing the proposed locations of all roads, tracks, camps, costeans and other disturbances;
- ii) the purpose, specifications and life of such roads, tracks, disturbances, etc;
- iii) descriptions of all vegetation types (in general terms), land forms, and unusual features likely to be disturbed by such proposed disturbances. The Regional Manager, Department of Conservation and Land Management, specifying the level of vegetation description;
- iv) proposals which may disturb any declared rare or geographically restricted flora and fauna;
- v) techniques, prescriptions, and timetable for rehabilitation of all proposed disturbances;
- vi) undertaking for corrective measures for failed rehabilitation;
- vii) details of water requirements from within the reserve;
- viii) details of refuse disposal; and
- ix) proposals for instruction and supervision of personnel and contractors in respect to environmental conditions.

All rehabilitation being to the satisfaction of the State Mining Engineer in agreement with the Regional Manager, Department of Conservation and Land Management.

At agreed intervals, not greater than 12 monthly, the licensee reporting to the District Mining Engineer and the Regional Manager, Department of Conservation and Land Management, on the progress of the operation and the rehabilitation program.

Prior to the cessation of the exploration/prospecting activity in the reserve, the licensee notifying the District Mining Engineer and the Regional Manager, Department of Conservation and Land Management, and arranging an inspection as required.

The licensee making provision to prevent spillage of fuel and discharge of pollutants generally and for all exploration sites being kept free from any rubbish and being left in a clean and tidy state.

The licensee not establishing any camp, base works or area, fuelling depot or similar establishment on the licence area unless the site and access has received prior approval of the State Mining Engineer in agreement with the Regional Manager, Department of Conservation and Land Management.

Domestic animals, traps, or firearms not being taken onto the reserve.

## VERSION A2

### PROSPECTING AND EXPLORATION LICENCES ON PROPOSED CONSERVATION RESERVES

#### ENDORSEMENT

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

#### CONDITIONS

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration programme.

Unless the written approval of the District Mining Engineer 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.

**In respect to the area outlined in turquoise on the Public Plan (name and scale of plan), hereinafter referred to as the designated area, the following additional conditions shall apply:**


Prior to any environmental disturbance, as defined by the State Mining Engineer, the licensee preparing a detailed programme for each phase of proposed exploration for approval of the State Mining Engineer. This program to include:-

- i) maps and/or aerial photographs showing the proposed locations of all roads, tracks, camps, costeans and other disturbances;
- ii) the purpose, specifications and life of such roads, tracks, disturbances, etc;
- iii) descriptions of all vegetation types (in general terms), land forms, and unusual features likely to be disturbed by such proposed disturbances.
- iv) proposals which may disturb any declared rare or geographically restricted flora and fauna;
- v) techniques, prescriptions, and timetable for rehabilitation of all proposed disturbances;
- vi) undertaking for corrective measures for failed rehabilitation;
- vii) details of water requirements from within the designated area;
- viii) details of refuse disposal; and
- ix) proposals for instruction and supervision of personnel and contractors in respect to environmental conditions.

At agreed intervals, not greater than 12 monthly, the licensee providing a brief report to the State Mining Engineer outlining the progress of the operation and rehabilitation programme and the proposed operations and rehabilitation programs for the next 12 months.

Prior to accessing the licence area, the licensee shall consult with the Regional Environmental Officer, Department of Minerals and Energy, and ensure that where required all vehicles and equipment entering the designated area are washed down to remove soil and plant propagules and adhering to such conditions specified for the prevention of the spread of soil borne diseases.





Access to and from and the movement of vehicles within the licence area being restricted to ground or seasonal conditions and routes approved under the programme or otherwise agreed by the Regional Environmental Officer, Department of Minerals and Energy.

Prior to the cessation of the exploration/prospecting activity in the designated area, the licensee notifying the District Mining Engineer and arranging an inspection as required.

**SCHEDULE B ENDORSEMENTS AND CONDITIONS**  
**PROSPECTING AND EXPLORATION LICENCES ON STATE**  
**FOREST AND TIMBER RESERVES (SOUTH WEST)**

**ENDORSEMENT**

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

**CONDITIONS**

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.

Unless the written approval of the District Mining Engineer 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.

**Consent to mine on \_\_\_\_\_ granted by the Minister for Mines on \_\_\_\_\_ subject to the following additional endorsements and conditions :**

**ENDORSEMENTS**

The grant of this licence not inferring automatic approval to mine or the subsequent grant of a mining lease in accordance with Section 75 of the Mining Act.

The licensee's attention is drawn to the provisions of:

- (i) the **Conservation and Land Management Act, 1984** and the Regulations thereunder;
- (ii) the **Bush Fires Act, 1954** and the Regulations thereunder;
- (iii) the **Wildlife Conservation Act, 1950**, as amended and the Regulations thereunder, and
- (iv) the **Country Areas Water Supply Act, 1947** and the Regulations thereunder.

**CONDITIONS**

Prior to any disturbance to vegetation the licensee preparing a detailed programme for each phase of proposed exploration for written approval of the State Mining Engineer in agreement with the Regional Manager, Department of Conservation and Land Management (CALM). This program to include:

- (i) maps and/or aerial photographs showing all proposed routes, construction and upgrading of tracks, camps, drill sites and any other disturbances;
- (ii) Proposals which may disturb any declared rare or geographically restricted flora and fauna; and
- (iii) Techniques, prescriptions and target dates for the rehabilitation of all proposed disturbances.

The licensee, at his expense, rehabilitating all areas cleared, explored or otherwise disturbed during the term of the licence to the satisfaction of the State Mining Engineer in agreement with the District Manager, CALM. Such rehabilitation as is appropriate and may include:

- (i) stockpiling and return of topsoil;
- (ii) backfilling all holes, trenches and costeans;
- (iii) ripping;
- (iv) contouring to the original landform;
- (v) revegetation with seed and/or plants; and
- (vi) capping and or backfilling of all drill holes.

Prior to the cessation of exploration/prospecting activity the licensee notifying the District Mining Engineer and Regional/District Manager CALM and arranging an inspection as required.

The licensee informing the District Manager CALM of the whereabouts of the operations on the licence areas by providing a works program or weekly advice of work location.

Access to and from and the movement of vehicles within State Forest and Timber Reserves being restricted to road and tracks approved under the program or otherwise agreed by the District Manager CALM.

The licensee complying with the instructions of the Executive Director or his nominee in respect of the forests disease Phytophthora cinnamomi (or "Jarrah Dieback"), the prevention and spread of that disease and general forest hygiene.

Entry into a Forest Disease Risk Area (D.R.A.) will only be undertaken by the licensee once a permit for vehicle access has been issued.

The licensee washing down and cleaning all rigs, vehicles, tools and other equipment to the standard required by the District Manager, CALM, prior to and on each occasion any such equipment, rig, vehicle or tool is brought onto or taken from the licence area. All sampling equipment to be cleaned between samples to the standard required by the District Manager CALM.

The licensee taking all reasonable precautions not to unnecessarily destroy or damage vegetation on the licence area.

No firearms being used or taken onto the licence area.

The licensee not establishing any camp, base works or area, fuelling depot or similar establishment on the licence area unless the site and access has received prior approval of the District Manager, CALM.

**SCHEDULE C ENDORSEMENT AND CONDITIONS  
FOR MINING LEASES ON STATE FOREST AND TIMBER  
RESERVES (SOUTH WEST)**

**ENDORSEMENT**

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

**CONDITIONS**

**Survey.**

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.

Unless the written approval of the District Mining Engineer 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.

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 State Mining Engineer for assessment; and until his written approval has been obtained.

**Consent to Mine on \_\_\_\_\_ granted by the Minister for Mines on \_\_\_\_\_ subject to the following additional endorsement and conditions :**

**ENDORSEMENT**

The lessee's attention is drawn to the provisions of :

- (i) the **Conservation and Land Management Act, 1984** and the Regulations thereunder;
- (ii) **the Bush Fires Act, 1954** and Regulations; and
- (iii) **Wildlife Conservation Act, 1950** and Regulations thereunder.

**CONDITIONS**

The lessee giving the Executive Director, Department of Conservation and Land Management (CALM) three (3) months notice in writing of the intention to enter upon any uncleared area of State Forest for the purposes of mining or operations associated with mining. Rights to remove any marketable timber from such area in advance of mining operations being with the Executive Director.

The lessee paying to the Executive Director, Department of Conservation and Land Management (CALM), compensation for all areas cleared of vegetation for mining, in support of mining and degraded as a result of mining in association with this lease. Provided that the Executive Director and the lessee may agree from time to time that land shall be transferred or works undertaken by the lessee in lieu of payment under this condition. The rate of compensation being \$\_\_\_\_ per hectare and being adjusted annually by the Executive Director. The C.P.I. for Perth providing the basis of such adjustments. The Executive Director issuing a notice for

the amount of compensation due and the lessee paying the amount within 2 months of the date of such notice. A penalty of interest at the Commonwealth bond rate being charged for late payment. The Lessee providing detailed surveys of areas cleared in conjunction with annual mining proposals.

The lessee paying royalty at current rates to the Executive Director for any forest produce obtained from State Forest and Crown Land used in connection with mining operations on the lease.

The lessee at his expense carrying out all necessary measures to prevent the spread of the forests disease Phytophthora Cinnamomi (or Jarrah Dieback) on the area of the lease and liaising with the District Manager CALM before commencing exploratory work outside areas being mined.

Lessee taking all such necessary precautions as may be indicated by the District Manager CALM to prevent the occurrence or spread of any fire within or adjacent to the leased area.

The lessee at his expense rehabilitating all areas affected by mining or operations associated with mining conducted during the term of the lease. Rehabilitation being to the satisfaction of the State Mining Engineer and in agreement with the Regional Manager CALM and in accordance with CALM Policy No. 10 (Rehabilitation of Disturbed Lands).

No developmental or productive mining being commenced until the lessee has submitted a Notice of Intent (N.O.I.) for the proposed operations, including measures to safeguard the environment, to the Director, Mining Operations Division for assessment and until his written approval has been obtained, subject to the agreement of the Executive Director, CALM. The approved N.O.I (as amended) then becoming a condition of this lease and the lessee providing a bond in favour of the Minister for Mines for the sum specified in the NOI approval for due compliance with the environmental conditions of the lease.

Each year on the anniversary date of the approval of the NOI, the lessee consulting with the District Mining Engineer and District Manager to review past programs and within one (1) month of this review the lessee to prepare and submit detailed annual mining proposals and management programs for approval to the Director, Mining Operations Division in agreement with the Regional Manager, CALM.

The lessee designating to the Regional Manager, CALM a responsible officer to direct and control the rehabilitation program.

Exploration programmes involving vegetation disturbance are subject to the approval of the State Mining Engineer in consultation with the District Manager, CALM.

Where reasonable, the lessee permitting CALM to remove for CALM requirements, sand, rock, clay, gravel and soil subject to a working agreement.

## SCHEDULE D ENDORSEMENTS AND CONDITIONS FOR PROSPECTING AND EXPLORATION LICENCES ON GOLDFIELDS TIMBER RESERVES

### ENDORSEMENT

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

### CONDITIONS

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.

Unless the written approval of the District Mining Engineer 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.

Consent to mine on \_\_\_\_\_ granted by Minister for Mines on \_\_\_\_\_  
subject to the following additional endorsements and conditions :

### ENDORSEMENTS

The grant of this licence not inferring automatic approval to mine or the subsequent grant of a mining lease in accordance with Section 75 of the Mining Act.

The licensee's attention is drawn to the provisions of:

- (i) the Conservation and Land Management Act, 1984 and the Regulations thereunder.
- (ii) the Bush Fires Act, 1954 and the Regulations thereunder, and
- (iii) the Wildlife Conservation Act, 1950, as amended and the Regulations thereunder.

### CONDITIONS

Prior to any disturbance to vegetation the licensee preparing a detailed programme for each phase of proposed exploration for written approval of the State Mining Engineer in agreement with the Regional Manager, Department of Conservation and Land Management (CALM). This program to include:

- (i) maps and/or aerial photographs showing all proposed routes, construction and upgrading of tracks, camps, drill sites and any other disturbances;
- (ii) The purpose, specifications and life of all proposed disturbances;
- (iii) Proposals which may disturb any declared rare or geographically restricted flora and fauna; and
- (iv) Techniques, prescriptions and timetable for the rehabilitation of all proposed disturbances and historic ground disturbances the licensee has agreed to rehabilitate.

The licensee, at his expense, rehabilitating all areas cleared, explored or otherwise disturbed during the term of the licence to the satisfaction of the State Mining Engineer in agreement with the Regional Manager, CALM. Such rehabilitation as is appropriate and may include:

- (i) stockpiling and return of topsoil;
- (ii) backfilling all holes, trenches and costeans;
- (iii) ripping;
- (iv) contouring to the original landform;
- (v) revegetation with seed and
- (vi) capping and backfilling of all drill holes.

Prior to the cessation of exploration/prospecting activity the licensee notifying the District Mining Engineer and Regional Manager CALM and arranging an inspection as required.

In consultation with the Regional Manager CALM, machinery or equipment being cleaned of all soil, mud and plant propagules prior to entering the reserve.

Access to and from and the movement of vehicles within the Reserve being restricted to roads and tracks approved under the programme or otherwise agreed by the Regional Manager CALM.

The licensee taking all reasonable precautions not to unnecessarily destroy or damage vegetation on the licence area.

No firearms being used or taken onto the licence area.

The licensee not establishing any camp, base works or area, fuelling depot or similar establishment on the reserve unless the site and access has received the prior approval of the Regional Manager, CALM.

The licensee providing a (Bond/Unconditional Performance Bond guaranteed by a bank or other approved financial institution) in favour of the Minister for Mines in the sum of \$\_\_\_\_\_ for due compliance with the environmental conditions of the licence.

## SCHEDULE E ENDORSEMENT AND CONDITIONS

### FOR MINING LEASES ON STATE FOREST AND TIMBER RESERVES (GOLDFIELDS)

#### ENDORSEMENT

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

#### CONDITIONS

##### Survey.

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.

Unless the written approval of the District Mining Engineer 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.

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 State Mining Engineer for assessment; and until his written approval has been obtained.

**Consent to mine on \_\_\_\_\_ granted by the Minister for Mines on \_\_\_\_\_ subject to the following additional endorsement and conditions:**

#### ENDORSEMENT

The lessee's attention is drawn to the provisions of :

- (i) the **Conservation and Land Management Act**, 1984 and the Regulations thereunder;
- (ii) the **Bush Fires Act**, 1954 and Regulations, and
- (iii) **Wildlife Conservation Act**, 1950 and Regulations thereunder.

#### CONDITIONS

The lessee paying to the Executive Director, Department of Conservation and Land Management (CALM), compensation for all areas cleared of vegetation for mining, in support of mining and degraded as a result of mining in association with this lease. Provided that the Executive Director and the lessee may agree from time to time that land shall be transferred or works undertaken by the lessee in lieu of payment under this condition. The rate of compensation being \$\_\_\_\_\_ per hectare and being adjusted annually by the Executive Director. The C.P.I. for Perth providing the basis of such adjustments. The Executive Director issuing a notice for the amount of compensation due and the lessee paying the amount within 2 months of the date of such notice. A penalty of interest at the Commonwealth bond rate being charged for late payment. The Lessee providing detailed surveys of areas cleared in conjunction with annual mining proposals.

The lessee paying royalty at current rates to the Executive Director for any forest produce obtained from Crown land in connection with mining operations on the lease.



Lessee taking all such necessary precautions as may be indicated by the Regional Manager, CALM to prevent the occurrence or spread and undertake suppression of any fire within or adjacent to the leased area.

The lessee at his expense rehabilitating all areas affected by mining or operations associated with mining conducted during the term of the lease. Rehabilitation being to the satisfaction of the State Mining Engineer and in agreement with the Regional Manager, CALM and in accordance with CALM Policy No. 10 (Rehabilitation of Disturbed Lands).

No developmental or productive mining being commenced until the lessee has submitted a Notice of Intent (N.O.I.) for the proposed operations, including measures to safeguard the environment, to the Director, Mining Operations Division for assessment; and until his written approval has been obtained, subject to the agreement of the Executive Director, CALM. The approved N.O.I. (as amended) then becoming a condition of this lease and the lessee providing a bond in favour of the Minister for Mines for the sum specified in the N.O.I. approval for due compliance with the environmental conditions of the lease.

Each year on the anniversary date of the approval of the N.O.I., the lessee consulting with the District Mining Engineer and District Manager to review past programs and within one (1) month of this review the lessee to prepare and submit detailed annual mining proposals and management programs for approval to the Director, Mining Operations Division in agreement with the Regional Manager, CALM.

The lessee designating to the Regional Manager, CALM a responsible officer to direct and control the rehabilitation program.

Exploration programs involving vegetation disturbance are subject to the approval of the State Mining Engineer in consultation with the Regional Manager, CALM.

The lessee not establishing any camp, base works or area, fuelling depot or similar establishment on the reserve, unless the site and access has received prior approval of the Regional Manager, CALM.

The lessee providing a (Bond/Unconditional Performance Bond guaranteed by a Bank or other approved financial institution) in favour of the Minister for Mines in the sum of \$\_\_\_\_\_ for due compliance with the environmental conditions of the lease.

## SCHEDULE F ENDORSEMENT AND CONDITIONS

### FOR MINING LEASES ON NATIONAL PARKS, NATURE RESERVES AND CONSERVATION PARKS

#### ENDORSEMENT

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

#### CONDITIONS

##### Survey.

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.

Unless the written approval of the District Mining Engineer 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.

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 State Mining Engineer for assessment; and until his written approval has been obtained.

**Consent to mine on \_\_\_\_\_ granted by Minister for Mines on \_\_\_\_\_  
subject to the following additional endorsement and conditions :**

#### ENDORSEMENT

The lessee's attention is drawn to the provisions of:

- (i) the **Conservation and Land Management Act, 1984** and the Regulations thereunder;
- (ii) the **Bush Fires Act, 1954** and Regulations; and
- (iii) **Wildlife Conservation Act, 1950** and Regulations thereunder.

#### CONDITIONS

No developmental or productive mining being commenced until the lessee has submitted a Notice of Intent (N.O.I.) for the proposed operations, including measures to safeguard the environment, to the Director, Mining Operations Division for assessment; and until his written approval has been obtained, subject to the agreement of the Executive Director, CALM. The approved N.O.I. (as amended) then becoming a condition of this lease and the lessee providing a bond in favour of the Minister for Mines for the sum specified in the N.O.I. approval for due compliance with the environmental conditions of the lease.

Each year on the anniversary date of the approval of the N.O.I., the lessee consulting with the District Mining Engineer and District Manager to review past programs and within one (1) month of this review the lessee to prepare and submit detailed annual mining proposals and management programs for approval to the Director Mining Operations Division in agreement with the Regional Manager, CALM.

The lessee paying to the Executive Director, Department of Conservation and Land Management (CALM), compensation for all areas cleared of vegetation for mining, in support of mining and degraded as a result of mining in association with this lease. Provided that the Executive Director and the lessee may agree from time to time that land shall be transferred or works undertaken by the lessee in lieu of payment under this condition. The rate of compensation being \$\_\_\_\_ per hectare and being adjusted annually by the Executive Director. The C.P.I. for Perth providing the basis of such adjustments. The Executive Director issuing a notice for the amount of compensation due and the lessee paying the amount within 2 months of the date of such notice. A penalty of interest at the Commonwealth bond rate being charged for late payment. The Lessee providing detailed surveys of areas cleared in conjunction with annual mining proposals.

The lessee at his expense rehabilitating all areas affected by mining or operations associated with mining conducted during the term of the lease Rehabilitation being to the satisfaction of the State Mining Engineer in agreement with the Regional Manager, CALM and in accordance with CALM Policy Statement 10 (Rehabilitation of Disturbed Lands).

The lessee designating to the Regional Manager CALM, a responsible officer to direct and control the rehabilitation program.

In consultation with the Regional Manager, CALM the lessee ensuring that vehicles, machinery and equipment entering the reserve are cleaned down to remove soil and plant propagules and adhering to such conditions specified by the Regional Manager, CALM, for the prevention of the spread of soil borne diseases and weeds.

Lessee taking all such necessary precautions as may be indicated by the Regional Manager CALM to prevent the occurrence or spread of any fire within or adjacent to the leased area.

Exploration programmes involving disturbances which are not included in productive mining approvals are subject to the approval of the State Mining Engineer in agreement with the Regional Manager, CALM and in the case of environmental disturbance the approval of the NPNCA is also required. The State Mining Engineer, the Executive Director of CALM or the Chairman NPNCA may refer any program to the Environmental Protection Authority, if required.

## SCHEDULE G CONDITIONS

### MINING LEASES ON PROPOSED RESERVES NOT VESTED IN NPNCA AND IN WHICH CALM HAS AN INTEREST

#### ENDORSEMENT

The lessee's/licensee's attention is drawn to the provisions of the Aboriginal Heritage Act, 1972.

#### CONDITIONS

##### Survey.

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

All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the District Mining Engineer. Backfilling and rehabilitation being required no later than 6 months after excavation unless otherwise approved in writing by the District Mining Engineer.

All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.

Unless the written approval of the District Mining Engineer 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.


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 State Mining Engineer for assessment; and until his written approval has been obtained.

In respect to the area outlined in turquoise on the Public Plan (name and scale of plan), hereinafter referred to as the designated area, the following additional conditions shall apply :

Prior to any environmental disturbance, as defined by the State Mining Engineer, the licensee preparing a detailed program for each phase of proposed exploration for approval of the State Mining Engineer. This program to include:-

- i) maps and/or aerial photographs showing the proposed locations of all roads, tracks, camps, costeans and other disturbances;
- ii) the purpose, specifications and life of such roads, tracks, disturbances, etc;
- iii) descriptions of all vegetation types (in general terms), land forms, and unusual features likely to be disturbed by such proposed disturbances.
- iv) proposals which may disturb any declared rare or geographically restricted flora and fauna;
- v) techniques, prescriptions, and timetable for rehabilitation of all proposed disturbances;
- vi) undertaking for corrective measures for failed rehabilitation;
- vii) details of water requirements from within the designated area;
- viii) details of refuse disposal; and
- ix) proposals for instruction and supervision of personnel and contractors in respect to environmental conditions.

At agreed intervals, not greater than 12 monthly, the lessee providing a brief report to the State Mining Engineer outlining the progress of the operation and rehabilitation program and the proposed operations and rehabilitation programs for the next 12 months.



Prior to accessing the lease area, the lessee shall consult with the Regional Environmental Officer, Department of Minerals and Energy, and ensure that where required all vehicles and equipment entering the designated area are washed down to remove soil and plant propagules and adhering to such conditions specified for the prevention of the spread of soil borne diseases.

Access to and from and the movement of vehicles within the lease area being restricted to ground or seasonal conditions and routes approved under the programme or otherwise agreed by the Regional Environmental Officer, Department of Minerals and Energy.

Prior to the cessation of the exploration/prospecting activity in the designated area, the lessee notifying the State Mining Engineer and arranging an inspection as required.

## CONDITIONS FOR GRANTING GEOSCIENTIFIC SURVEY AUTHORITY (CONSERVATION RESERVES)

Activities being limited to those set out in the application for the Permit.

The Permittee providing the Regional Manager, Department of Conservation and Land Management (CALM), with a date of commencement of field work and with a program and generalised itinerary of work to be conducted and, as far as practical, keeping the Regional Manager informed of any major changes to the program and itinerary at least seven days in advance.

The movement of vehicles within the Reserve shall be restricted to existing tracks as in the approved work program and following on-site clarification by the District Manager of CALM or his nominee.

No undue interference with native fauna or flora, nor with any watercourses or rock-holes, nor with any natural features. All activities conforming to the following legislation:

- The **Conservation and Land Management Act**, 1985 and Regulations.
- The **Bush Fires Act**, 1954, and Regulations.
- The **Wildlife Conservation Act**, 1950, as Amended and Regulations.
- The **Aboriginal Heritage Act**, 1972, and Regulations.

No firearms, traps or domestic animals being taken into the Reserve.

The Permittee complying with any and all reasonable conditions as specified by the Regional Manager, CALM to protect the environment and to prevent the introduction or spread of soil-borne plant diseases and non-endemic weeds.

The Permittee not establishing any camp, fuelling facilities or similar establishment on the Reserve.

All waste material and rubbish being removed from the Reserve (not buried). Soap or detergent not being deposited in any watercourse or rock-hole.

The Permittee notifying the Regional Manager, CALM and the Director General of Minerals and Energy, of the cessation of activities, and if requested arrange for an inspection by the Regional Manager or his nominee and/or a nominee of the Director General.

Within three months after expiry of the Permit, the following comprehensive reports being submitted:

- Activities Report, detailing all activities conducted within the area of the Permit. It is to describe areas visited, samples collected, means of collection, and instruments and equipment used. It is to include detailed maps of sampling sites.
  - Copies of this report being forwarded to :
    - The Director General, Department of Minerals and Energy, and
    - The Executive Director, Department of Conservation and Land Management,
- Results of Activities Report, detailing the results of all field activities and subsequent laboratory work completed, and assessments and conclusions of the work done. This report being supplied to the Director General, Department of Minerals and Energy.

The Minister for Mines reserves the right to place the reports on open file at a time governed by the stipulations of Regulation 96 of the Mining Act (1978).

All surface samples collected are to be less than 3kg in mass.

The permit is granted for a period of \_\_\_\_\_ months commencing / / .

## **GENERAL PURPOSE LEASE**

Condition imposed upon grant of a general purpose lease situated in an environmentally sensitive area are formulated on a case-by-case basis.

However the following standard condition is imposed in respect to the grant of all general purpose leases:-

"No development or construction being commenced until the lessee has submitted a plan of proposed operations and measures to safeguard the environment to the State Mining Engineer for assessment; and until his written approval has been obtained.



**This pamphlet is one of the Department of Minerals and Energy's General Information Series.**

**N.B. The information contained in this pamphlet is designed to assist in gaining a general awareness of the requirements of the Mining Act 1978-1991 and is not intended to be a substitute for understanding the statutory requirements of the Act and Regulations thereunder. This edition issued May 1995.**

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**DEPARTMENT OF MINERALS AND ENERGY  
WESTERN AUSTRALIA**