

INFORMATION SERIES



MINING ACT 1978

GUIDELINES FOR THE APPLICATION OF ENVIRONMENTAL CONDITIONS FOR EXPLORATION AND MINING

DEPARTMENT OF MINERALS
AND ENERGY
WESTERN AUSTRALIA

(GEOLOGICAL SURVEY OF
WESTERN AUSTRALIA)

CONTENTS

- 1.0 SCOPE AND PURPOSE
- 2.0 BACKGROUND
- 3.0 LAND TENURE
- 4.0 MANAGEMENT PLANS AND PROTECTION POLICIES
- 5.0 EXPLORATION AND MINING TENEMENTS
- 6.0 ENVIRONMENTAL SETTINGS AND LEGISLATION
- 7.0 ENVIRONMENTAL SCHEDULE
 - 7.1 Crown Land
 - 7.2 Reserve Land
 - 7.3 Changes to Environmental Conditions
 - 7.4 Environmentally significant disturbance in exploration
 - 7.5 Other Reserved or Special Management Land
 - 7.6 Pastoral Leases
 - 7.7 Private (Freehold) Land
 - 7.8 Pre-1899 (or 'Minerals-to-Owner') Land
- 8.0 APPENDICES
 - I Matrix - Relevant Procedures for Mining Act tenements associated with areas of environmental sensitivity
 - II Land Tenure and Purpose in Western Australia
 - III Environmental conditions for Exploration and Mining on land vested in or managed by the Department of Conservation and Land Management (CALM).

1.0 SCOPE AND PURPOSE

The document summarizes the use of standard conditions applied by the Department of Minerals and Energy Western Australia to lessen possible environmental impacts resulting from mineral exploration and development mining. Petroleum 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.

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.

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 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 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 the Department of Minerals and Energy 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;
- Aboriginal Lands (Reserves and Special Purposes Leases);
- Nature Conservation Reserves;
- Reserve Land (various purposes);
- Pre-1899 ('Minerals-to-Owner') Land;
- Private (Freehold/Leasehold) Land;

Granted mineral tenement (i.e. licence and lease).

The framing of environmental conditions for mineral development tenements is influenced by land tenure (refer to 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 to 7.7 and 7.8). 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 shown to be environmentally acceptable (refer to 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 mineral development 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 various Government Acts. These plans and polices 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, Environmental Protection Authority, Department of Conservation and Land Management, Department of Agriculture, Department of Planning and Urban Development, Department of State Development, and Local

Government Councils. The plans and policies may impose constraints and controls on development within the 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, Geraldton Regional Plan, Kimberley Regional Planning Study, Onslow Coastal Strategy);
Local Government Management Plans (e.g. Ellis Brook Valley Reserve Management Plan);
- proclaimed groundwater protection areas (e.g. Gnangara Mound, Jandakot Mound, Serpentine);
- protection policies and guidelines (e.g. Environmental Protection Policy for the Groundwaters of the Swan Coastal Plain, Gnangara Groundwater Mound Protection Policy, Metropolitan Basic Raw Materials Resource Protection Statement);
- CALM management plans (e.g. Northern, Central and Southern Forest Region Management Plans).

5.0 EXPLORATION AND MINING TENEMENTS

Mineral development within Western Australia is permitted under a variety of tenements (licences, leases, permits) which are regulated under the Mining Act 1978. The various mineral tenements authorised under the Act are:

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

6.0 ENVIRONMENTAL SETTINGS AND LEGISLATION

Environmental conditions imposed on tenements and projects vary according to the nature of the project and its biophysical setting. Terrestrial and marine biophysical settings determine the scope of environmental matters and issues warranting appropriate environmental conditions.

The following environmental matters are considered when developing conditions for tenements and projects in a terrestrial setting.

Environmental

- soil conservation, slope stability, and the prevention of wind and water erosion;
- preservation of water quality and protection of surface water and groundwater recharge areas plus general measures to safeguard water catchments;
- preservation of fragile or scenically significant landforms and landmarks such as coastal headlands, prominent hills and escarpments;
- identification and possible excision of high-quality conservation areas (eg National Parks and Class 'A' Nature Conservation Reserves);
- prevention of excessive clearing of vegetation for drilling and seismic lines, access and haulage roads, and mine and treatment plant sites;
- identification and prevention of loss or damage to declared rare or geographically restricted flora;

* *Mining Amendment Act 1993 (to be proclaimed) provides for a holding title to be known as a retention licence. This form of title will cater for tenement holders who have identified potentially economic mineralisation which cannot be developed for economic, marketing or other special circumstances. Rights conferred by a retention licence include rights to further explore the land. The environmental schedules for exploration licences referred to in this pamphlet will be applied to retention licences.*

- protection of remaining vegetation and the habitats of endangered fauna;
- adherence to forest, woodland and heath hygiene prescriptions to prevent or minimise the spread of "dieback" pathogens and other soil or water-borne plant and root diseases;
- prevention of excessive noise, ground vibration, air-blast, oil, dust and other emissions and contaminants;

Cultural

- identification and preservation of sites of scientific, archaeological, ethnographical, or cultural (Aboriginal or European) significance;
- prevention of damage to improvements, buildings, roads, fences, gates, orchards, crops, dams, water tanks, windmills and airstrips associated with private property, agricultural land and pastoral leases;
- restoration and rehabilitation of ground disturbed by mineral development activities on land to meet determined end-uses such as pasture, timber production, recreation and industrial or residential development.

Alternatively, where any activity related to mineral development is situated in (or adjacent to) a marine locality, the following environmental matters are considered:

- prevention of excessive damage to sand dune vegetation seagrass meadows, mangrove communities or coral reef;
- prevention of the dumping of rubbish, spillage of fuels, oil or the discharge of pollutants (including toxic drilling compounds);
- minimization of access and ground disturbance to islands, wave-cut platforms and fringing reefs (except when approved for the siting of navigational aids and minor storage and mooring facilities);
- adherence to emergency measures with respect to oil spillages;
- prevention of damage or disturbance to sea-bird and turtle breeding, nesting and feeding grounds;
- prevention of damage to nursery grounds, and to recreational and commercial fishing sites;
- restriction of access to existing and proposed Marine Parks and Reserves;
- operation of vessels in accordance with conditions specified by the Department of Marine and Harbours.

The **Mining Act** provides for the imposition of conditions to safeguard the environment. Activities applying to land and seas under the jurisdiction of the Department of Conservation and Land Management (CALM) require referral to CALM.

Under the **Environmental Protection Act**, referral of mineral exploration or mining activity to the Environmental Protection Authority (EPA) is mandatory where significant environmental impacts are likely. The EPA provides independent advice to the Minister for the Environment. The EPA may require various levels of environmental assessment which have corresponding degrees of public consultation.

Officers of the Department of Environmental Protection (DEP) assist in the collecting and analysis of information relevant to the assessment. They also carry out ongoing auditing of projects once implemented. In addition the DEP provides day to day advice on technical issues associated with environmental protection.

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

7.1 Crown Land

Under Section 18 of the Mining Act 1978, all Crown Land, other than land that is already subject to a mining tenements, is open for exploration and developmental mining.

7.2 Reserved Land

Under the CALM Act, CALM manages lands in Western Australia most of which are vested in the National Parks and Nature Conservation Authority or Land and Forests Commission. These lands are classified as National Parks, Marine Parks, Marine Reserves, Nature Conservation Reserves or Conservation Parks ('A', 'B' and 'C' Class), State Forests, Timber Reserves, Pastoral Leases and Freehold Land (owned and managed by CALM for conservation). (Refer Appendix III.)

7.2.1 National Parks

Geoscientific Survey Permit (GSP)	Minister for the Environment's concurrence required.
Grant of P, E	May be permitted in all 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. DOME to be supplied with details of first year of exploration program including environmental management provisions before applications are referred by DOME 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 to determine the significance of any proposal, including the advice of the NPNCA and DOME, prior to considering the level of assessment.
P, E with environmentally significant disturbance	May be permitted for all 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 DOME 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.

7.2.2 A Class Nature Reserves, and Conservation Parks

Same approach used as for national parks.

7.2.3 B and C Class Nature Reserves and Conservation Parks

GSP	Minister for the Environment to give recommendations rather than approval.
P, E grant, environmentally significant disturbance	Following receipt of Minister for the Environment's recommendation (note comments at 7.2.7), "A1" conditions applied

Grant of M and developmental or productive mining

for mineral exploration access. Exploration may be referred to EPA if required by CALM. 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, if considered environmentally significant, in accordance with a memorandum of understanding (MOU) between EPA and DOME. All productive mining proposals in sensitive environments will be referred to the EPA.

7.2.4 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. Red Book recommendations or those included in a CALM final regional management plan).

GSP

Not applicable. Miner's Right applies.

P, E grant

DOME grants with revised "A2" Conditions **then** informal discussion with CALM or EPA (if area not to be managed by CALM).

P, E, environmentally significant disturbance

Managed by DOME. Informal liaison with CALM prior to DOME approval.

M grant

Instead of referral to EPA or CALM prior to grant now DOME grants with revised "G" Conditions **then** CALM is notified, or DEP if the area is not to be managed by CALM.

Developmental or productive mining

NOI required, referral to EPA if a significant impact as defined in Memorandum of Understanding (MOU) between DOME and EPA. Liaison with CALM prior to approval. All productive mining proposals in sensitive environments would be referred to the EPA.

7.2.5 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 DOME and CALM. There is still a need for the Minister for the Environment to give his concurrence for exploration and mining activities (note comments at 7.2.7).

Developmental or productive mining proposals may be referred to the EPA if there is potential for a significant environmental impact. The means for deciding on significance would be based on the existing MOU between DOME and EPA.

7.2.6 Other Environmentally Sensitive Areas

This classification applies to land not reserved or currently proposed for reservation but which the Department of Minerals and Energy agrees warrants protection (e.g. remnant Kimberley rain forest, areas of declared rare flora, mangrove communities and EPA's Environmental Protection Policy Swan Coastal Plain lakes) and, if relevant, application of the dieback condition. The EPA and CALM will be consulted in the progressive definition of other environmentally sensitive areas (e.g. wetlands of the South West Land Division, coastal zone).

Grant of P, E, M	"A2" conditions applied to P, E. There is no requirement to consult with DEP before grant.
Environmentally significant 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, referral to EPA if significant impact. This will be based on existing MOU between EPA and DOME. Productive mining proposals in sensitive environments will be referred to the EPA.

7.2.7 Procedural Notes

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

DOME is writing to companies with applications in National Parks and A Class Nature Reserves to ascertain the scope and environmental management aspects of proposed exploration programs. GSWA 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 the previous coalition Government have been progressively implemented throughout the State. CALM is reviewing the reserve recommendations still outstanding in the preparation of its Regional Plans. Once a 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.

Minor encroachment

If there is a minor overlap (in general less than 20 percent) of an exploration tenement application with reserved land, DOME will grant with a "No Mining (exploration)" condition unless otherwise indicated by the applicant, rather than excising that portion of the tenement. Where DOME 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 that need to be addressed.

7.3 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 DOME 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. These will continue to evolve as circumstances require.

Tenement Condition Changes		
	Condition	Comments
GSP -	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 area	No longer a need for tenement holder to consult with CALM or EPA. DOME 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
G -	for Ms on unvested land proposed for conservation	New conditions. No longer a need for tenement holder to consult with CALM or EPA. DOME discusses issues with CALM or DEP as appropriate.
	Declared Rare Flora - 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

7.4 Environmentally Significant Disturbance In Exploration

As a result of discussions between DOME, CALM, NPNCA, EPA and the environmental movement it is considered that the following activities constitute environmentally significant 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 environmentally significant 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 (kg) 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 as not being environmentally significant disturbance:

- ◆ 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-environmentally significant 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 DOME when land is unvested.

7.5 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.

7.6 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.

7.7 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 under cultivation.

7.8 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 the Department of Minerals and Energy 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 applied through Local Government approvals or by way of EPA recommendations.

APPENDIX I

REFERRAL PROCEDURES FOR MINING ACT TENEMENTS ASSOCIATED WITH AREAS OF ENVIRONMENTAL SENSITIVITY

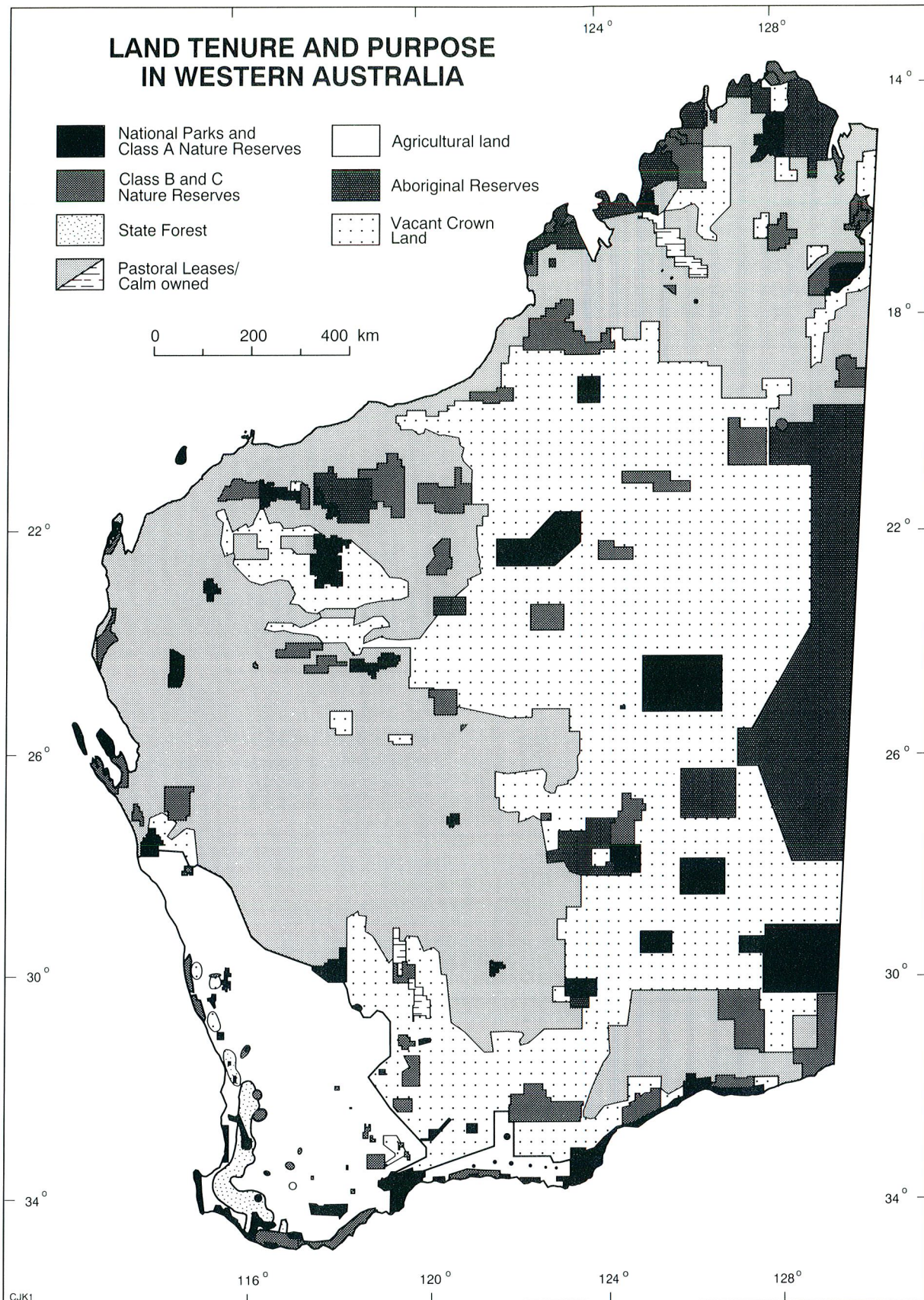
		L A N D T E N U R E					
TENEMENT	NATIONAL PARK	"A" NATURE RESERVE, CONSERVATION PARK	"B" & "C" NATURE RESERVES, CONSERVATION PARK	RED BOOK AREAS AND OTHER PROPOSED RESERVES (on VCL Pastoral Leases) Note (f)	STATE FORESTS IN SOUTH WEST	STATE FOREST/TIMBER RESERVE OUTSIDE SOUTH WEST	OTHER ENVIRONMENTALLY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

EXPLANATORY NOTES:
 In accordance with Act any proposals can be referred at any time to EPA

Note (a) Environmentally significant disturbance based on agreed list developed between CALM, EPA and DOME.
 Note (b) Other Environmentally Sensitive areas as agreed between DOME, EPA and CALM and marked on public plans.
 Note (c) Apply "No Mining" conditions for minor overlaps if not important to applicant. Notify CALM after grant.
 Note (d) Geoscientific Survey permits issued pursuant to S24 of the Mining Act.
 LFC Land and Forests Commission
 MOU Memorandum of Understanding negotiated between EPA and DOME.
 DRF Declared Rare Flora

Note (e) If referred by member of the public EPA will obtain further advice from NPNCAs and DOME before deciding on assessment.
 Note (f) Proposed reserves are those that have received Ministerial or Government endorsement (e.g. within final CALM management plans).
 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.
 All productive mining proposals in sensitive environments will be referred to the EPA.

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

INDEX

CALM Pastoral Leases Conditions - for all Prospecting Licences, Exploration Licences and Mining Leases	i
Schedule A Endorsements And Conditions.	
● Version A1. Prospecting and Exploration Licences on Existing National Parks, Nature Reserves and Conservation Parks	iii
● Version A2. Prospecting and Exploration Licences on Proposed Conservation Reserves	vi
Schedule B Endorsements and Conditions. Prospecting and Exploration Licences on State Forest and Timber Reserves (South West)	viii
Schedule C Endorsement and Conditions. For Mining Leases on State Forest and Timber Reserves (South West)	xi
Schedule D Endorsements and Conditions. For Prospecting and Exploration Licences on Goldfields Timber Reserves	xiv
Schedule E Endorsements and Conditions. For Mining Leases on State Forest and Timber Reserves (Goldfields)	xvii
Schedule F Endorsement and Conditions. For Mining Leases on National Parks, Nature Reserves and Conservation Parks	xx
Schedule G Conditions. Mining Leases on Proposed Reserves not vested in NPNCA and CALM has interest	xxiii
Conditions for Granting Geoscientific Survey Permit (Conservation Reserves)	xxv

CALM PASTORAL LEASES 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 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 _____ Pastoral Lease ____/____/____ the following additional conditions apply:-

Prior to any significant ground disturbing activity 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 programme 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 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.

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 "environmentally significant activity" 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 environmentally significant activity, (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 environmentally significant activity, 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 programme 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 programmes 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 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.

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 programme 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 programme 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 programme 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 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.

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 programmes and within one (1) month of this review the lessee to prepare and submit detailed **annual** mining proposals and management programmes 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 programme.

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 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.

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 programme 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.

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 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.

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 programmes and within one (1) month of this review the lessee to prepare and submit detailed **annual** mining proposals and management programmes 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 programme.

Exploration programmes 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 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.

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 programmes and within one (1) month of this review the lessee to prepare and submit detailed **annual** mining proposals and management programmes 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 programme.

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 environmentally significant activity 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 CALM HAS 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 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.

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 environmentally significant 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 programme 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 programme and the proposed operations and rehabilitation programmes 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 PERMIT (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 significant 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 / / .



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 February 1994

**1st Floor Mineral House
100 Plain Street (cnr Adelaide Terrace)
EAST PERTH WA 6004
PHONE: (09) 222 3333 FAX: (09) 222 3452
TELEX: AA95791 MINEWA**

**DEPARTMENT OF MINERALS AND ENERGY
WESTERN AUSTRALIA**