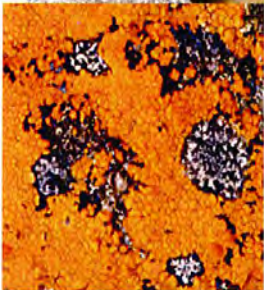


Review of Exploration Conditions and Processes CALM Act Reserves



Norm Caporn



Department of
Environment and Conservation

Our environment, our future



- PROPOSED CHANGES TO EXPLORATION
- FORMALISED ASSESSMENT/APPROVAL PROCESS
- EXPLORATION PROGRAM GUIDELINES



STANDARD EXPLORATION CONDITION SCHEDULES

Background to Review

- Driven by Government approvals review processes
- DMP examining all standard Mining Act conditions for legality and practicality

Provides opportunity to review conditions and update guidelines.

- Currently 4 exploration schedules.
- 30 different conditions
- No formal requirement to consult with land manager (DEC) prior to POW submission.
- Some unnecessarily prescriptive.



SCOPE. Tenement exploration conditions applying to:

- All reserves vested in Commission including SF and TRs
- Proposals cited in the Regional Management Plans for Southwest Forest (2003) Goldfields (1993) and South Coast (1992)

DEC OBJECTIVES:

- Reduce tenement condition complexity
- Maintaining or improving the standard of environmental management
- Minimise assessment process/timeframes
- Increase certainty



EXISTING 'A1' TENEMENT CONDITIONS

Prior to any “**environmental disturbance**”, (as defined by the State Mining Engineer in agreement with the Director General, DEC, the Conservation Commission 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/District Manager, DEC and the Conservation Commission**. This process may result in additional conditions being imposed including lodgement of an Unconditional Performance Bond if required.

This program to describe the environmental impacts and programs for their management and is to include:-

- (i) maps and/or aerial photographs showing the proposed locations of all ground activities and disturbances;
- (ii) the purpose, specifications and extent of each activity and disturbance;
- (iii) descriptions of all vegetation types (in general terms), land forms, and unusual features likely to be disturbed by such proposed disturbances. The Regional/District Manager, CALM specifying the level of vegetation description;
- (iv) details on proposals that may disturb sensitive terrestrial habitats including any declared rare flora and fauna if applicable;
- (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.



'A1' TENEMENT CONDITIONS

- Prior to accessing the reserve the licensee consulting with and ensuring that, where required by the Regional/District Manager, Department of Conservation and Land Management (CALM), 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/District Manager, CALM 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/District Manager, CALM.
- The Regional/District Manager, CALM 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.
- Domestic animals, traps, or firearms not being taken onto the reserve.
- 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/District Manager, CALM.
- 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.
- 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/District Manager, CALM.
- At agreed intervals, not greater than 12 monthly, the licensee reporting to the State Mining Engineer and the Regional/District Manager, CALM on the progress of the operation and the rehabilitation program.
- All rehabilitation being to the satisfaction of the State Mining Engineer in agreement with the Regional/District Manager, CALM.
- Prior to the cessation of the exploration/prospecting activity in the reserve, the licensee notifying the Regional Environmental Officer, Department of Minerals and Energy and the Regional/District Manager, CALM and arranging an inspection as required.



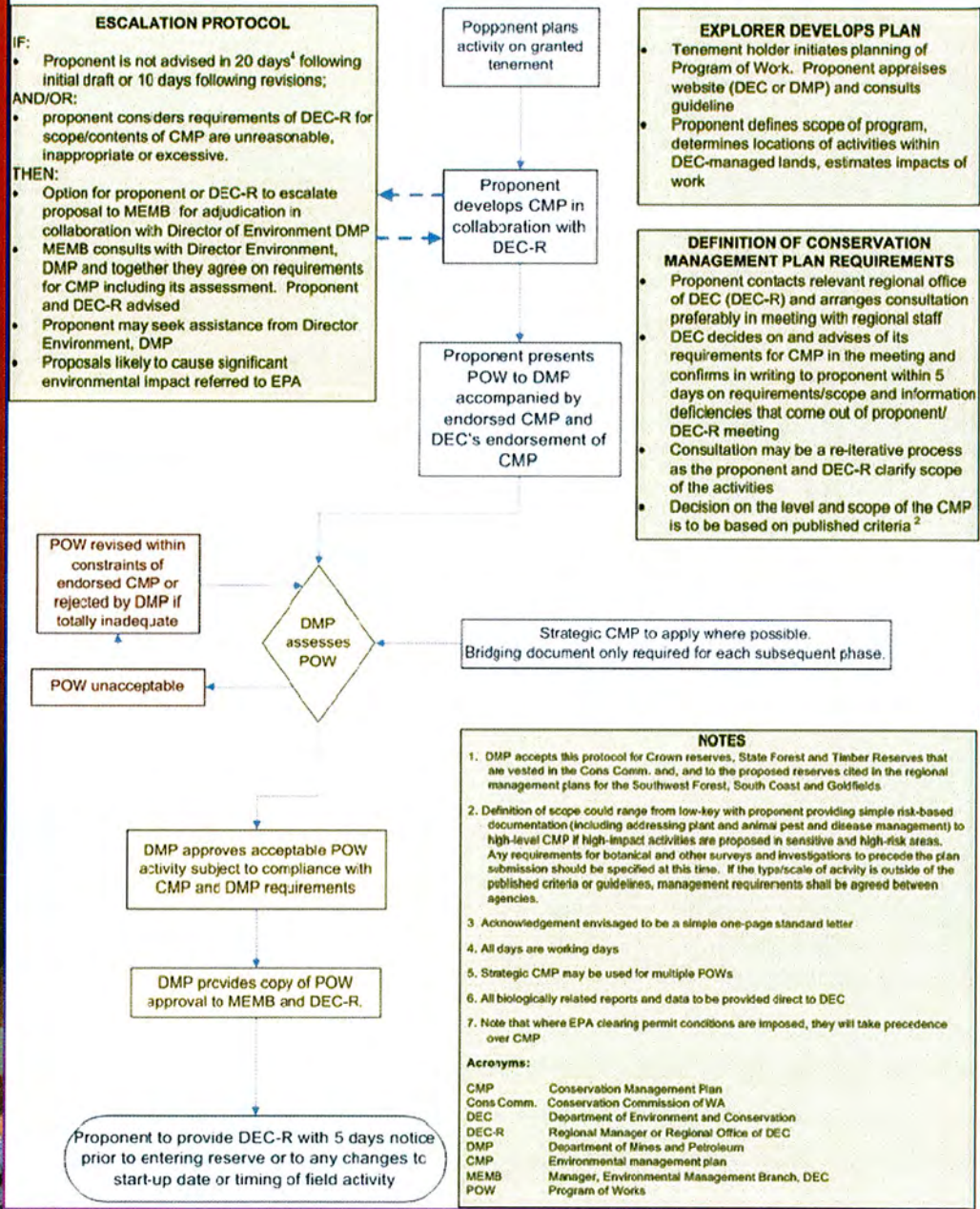
Clearer Process Adopted:

- Proponent to develop a CMP to manage impacts and specifically required to consult/agree with DEC prior to POW submission.
- CMP based on risk-based assessment of proposed activities (using guidelines and CMP examples)
- Assessment time-frame defined
- Defined escalation process



MINERAL EXPLORATION ACCESS TO CONSERVATION RESERVES

Mineral resource activities on lands managed by the Department of the Environment and Conservation (DEC)¹. Rationalized process for expediting approval of exploration programs in conservation reserves, State Forest, Timber Reserves and DMP-endorsed proposed reserves.



ESCALATION PROTOCOL

IF:

- Proponent is not advised in 20 days⁴ following initial draft or 10 days following revisions;

AND/OR:

- proponent considers requirements of DEC-R for scope/contents of CMP are unreasonable, inappropriate or excessive.

THEN:

- Option for proponent or DEC-R to escalate proposal to MEMB for adjudication in collaboration with Director of Environment DMP
- MEMB consults with Director Environment, DMP and together they agree on requirements for CMP including its assessment. Proponent and DEC-R advised
- Proponent may seek assistance from Director Environment, DMP
- Proposals likely to cause significant environmental impact referred to EPA

Proponent plans activity on granted tenement

Proponent develops CMP in collaboration with DEC-R

Proponent presents POW to DMP accompanied by endorsed CMP and DEC's endorsement of CMP

EXPLORER DEVELOPS PLAN

- Tenement holder initiates planning of Program of Work. Proponent appraises website (DEC or DMP) and consults guideline
- Proponent defines scope of program, determines locations of activities within DEC-managed lands, estimates impacts of work

DEFINITION OF CONSERVATION MANAGEMENT PLAN REQUIREMENTS

- Proponent contacts relevant regional office of DEC (DEC-R) and arranges consultation preferably in meeting with regional staff
- DEC decides on and advises of its requirements for CMP in the meeting and confirms in writing to proponent within 5 days on requirements/scope and information deficiencies that come out of proponent/DEC-R meeting
- Consultation may be a re-iterative process as the proponent and DEC-R clarify scope of the activities
- Decision on the level and scope of the CMP is to be based on published criteria²

POW revised within constraints of endorsed CMP or rejected by DMP if totally inadequate

POW unacceptable

DMP assesses POW

Strategic CMP to apply where possible. Bridging document only required for each subsequent phase.

DMP approves acceptable POW activity subject to compliance with CMP and DMP requirements

DMP provides copy of POW approval to MEMB and DEC-R.

Proponent to provide DEC-R with 5 days notice prior to entering reserve or to any changes to start-up date or timing of field activity

NOTES

- DMP accepts this protocol for Crown reserves, State Forest and Timber Reserves that are vested in the Cons Comm. and, to the proposed reserves cited in the regional management plans for the Southwest Forest, South Coast and Goldfields.
- Definition of scope could range from low-key with proponent providing simple risk-based documentation (including addressing plant and animal pest and disease management) to high-level CMP if high-impact activities are proposed in sensitive and high-risk areas. Any requirements for botanical and other surveys and investigations to precede the plan submission should be specified at this time. If the type/scale of activity is outside of the published criteria or guidelines, management requirements shall be agreed between agencies.
- Acknowledgement envisaged to be a simple one-page standard letter
- All days are working days
- Strategic CMP may be used for multiple POWs
- All biologically related reports and data to be provided direct to DEC
- Note that where EPA clearing permit conditions are imposed, they will take precedence over CMP

Acronyms:

CMP	Conservation Management Plan
Cons Comm.	Conservation Commission of WA
DEC	Department of Environment and Conservation
DEC-R	Regional Manager or Regional Office of DEC
DMP	Department of Mines and Petroleum
CMP	Environmental management plan
MEMB	Manager, Environmental Management Branch, DEC
POW	Program of Works

PROPOSED NEW EXPLORATION TENEMENT CONDITIONS

CONSERVATION MANAGEMENT PLAN (CMP)

The CMP process will be supported by Guidelines and worked CMP examples.
Opportunity for a Strategic CMP to support sequential POWs

Proposed Condition wording:

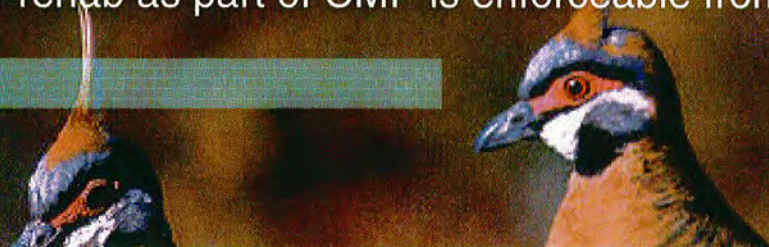
- *Prior to lodgement of a Program of Work (POW), the licensee/lessee preparing a Conservation Management Plan (CMP) to address the conservation impacts of the proposed activities and submitting the CMP to the relevant Regional Manager of the Department of Environment and Conservation (DEC). This CMP shall be prepared pursuant to DEC-prepared guidelines to meet the requirements of the Minister for Environment for acceptable impacts to conservation reserves. A copy of the CMP and of DEC's endorsement as to its acceptability under the guidelines is to accompany the lodgement of the POW application with the Department of Mines and Petroleum.*

Outstanding Issues requiring further consideration:

Need for a condition stating:

The tenement holder shall implement and adhere to all environmental management plans or other plans prepared in accordance with the conditions of this tenement.

And whether rehab as part of CMP is enforceable from DEC's perspective.

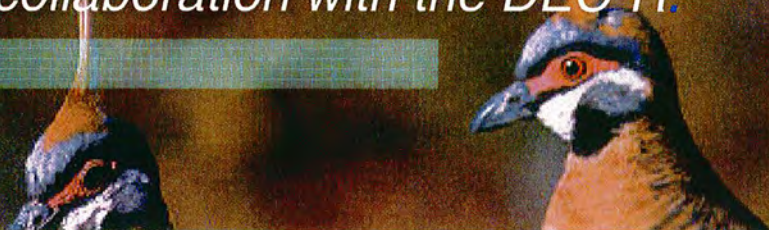


REPORTING CONDITION

A requirement in the tenement conditions for the holder to provide annual environmental reports.

Condition wording:

- *The lessee submitting to the Director of Environment, Department of Mines and Petroleum (DMP), and the relevant Regional Manager, Department of the Environment and Conservation (DEC-R) in {month} of each year, a brief annual report outlining the project rehabilitation work undertaken in the previous 12 months and the proposed operations, Conservation Management Plans and rehabilitation programs for the next 12 months. Following receipt of the annual report a site inspection by DMP's Environmental Officer may be arranged in collaboration with the DEC-R.*



PRE-ACTIVITY NOTIFICATION CONDITION

A requirement in the tenement holder to provide annual environmental reports.

Condition wording:

At least five working days prior to accessing the reserve, unless otherwise agreed with the relevant Regional Manager of the Department of the Environment and Conservation (DEC-R), the holder providing the Regional Manager, DEC with an itinerary and program of the locations of operations on the licence/lease area and informed at least five working days in advance of any changes to that itinerary All activities and movements shall comply with reasonable access and travel requirements of the DEC-R regarding seasonal/ground conditions



POST-ACTIVITY NOTIFICATION CONDITION

DMP to be notified and will be required to invite DEC to attend on a joint site visit in order to have joint visit and avoid double notifications/visits and allow all parties to agree on outcomes together.

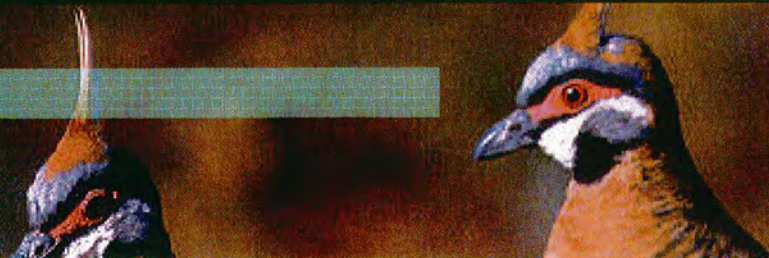
Condition wording:

- *The licensee/lessee notifying the Environmental Officer, Department of Mines and Petroleum, on the cessation of all approved activities.*



Next Steps

- Complete guidelines – consult Commission
- Minister Env & Mines and Petroleum
- DMP/DEC to consult with CME/AMEC/PLA etc
- Develop DEC/Commission Protocols for audit



DEPARTMENT OF MINES AND PETROLEUM AND DEPARTMENT OF ENVIRONMENT AND CONSERVATION
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