

Application for Prospecting Licence 74/116 - Kundip, Ravensthorpe Range

Clive Daw

**Report and recommendation of the
Environmental Protection Authority**

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1. Introduction

Clive Daw, the proponent, has applied for Prospecting Licence 74/116 which is located within Ravensthorpe Range, just north of Kundip (Figure 1). The application was referred to the Environmental Protection Authority by the Department of Mines because it is part of an Environmental Protection Authority Red Book recommendation (Ravensthorpe Range Nature Reserve, Environmental Protection Authority Red Book recommendation 3.8) and lies within an existing C Class reserve (C16119, which has a purpose of Common). The Environmental Protection Authority is assessing the proposal to grant the prospecting licence, not the exploration activity which may ensue if the title is granted.

In the South Coast Region Draft Management Plan, the Department of Conservation and Land Management proposes that the Ravensthorpe Range be managed under Section 5g of the Conservation and Land Management Act allowing for multiple use to occur; this land use proposal has not yet been endorsed by the Government. The current tenure of the land under application is as an unvested reserve and the current management of the land is by the Department of Land Administration.

Ravensthorpe Range is an active mining exploration centre and is either covered by mining tenements or is continually subjected to mining tenement applications. Prospecting Licence application 74/116 covers a previous mining tenement on which exploration occurred, some of which is still visible as cleared grid lines.

2. The proposal

The proposal is to grant a Prospecting Licence (described in Part IV, Sections 40 to 56 of the Mining Act 1978) which allows the licensee to explore for all minerals in or under the land. The granting of the licence by the Minister for Mines provides the holder of the licence with security of tenure for two years and the right to enter the licence area to conduct exploration in accordance with conditions placed on the licence. On the grant of the licence, the Department of Mines has regulatory power and obtains a security or a bond to ensure that rehabilitation is completed to an acceptable standard.

3. Existing environment

Ravensthorpe Range consists of a series of low hills of Precambrian granite, migmatite gneiss and greenstones. The Range has a very rocky surface, which is dissected by many gullies, and the vegetation varies from low woodland with a sparse understorey to dense mallee and scrub.

The flora of the Ravensthorpe Range and its immediate vicinity is quite well known. It contains many species not known from the surrounding country; some are endemic, others are common here but rare elsewhere. The Department of Conservation and Land Management has indicated that no declared rare flora are currently recorded within the licence application area.

4. Assessment and recommendation

The Environmental Protection Authority has assessed the proposal to grant Prospecting Licence 74/116 because it impinges upon a proposed conservation reserve. The assessment process focusses, firstly, on whether there are environmental issues which would prohibit the grant of the licence and, secondly, on whether there are environmentally-sensitive areas within the application area which require protection. If there are no issues which would prohibit the grant of title, the Environmental Protection Authority considers that the licence may be granted first with provision for more specific assessment of the actual exploration programme over any environmentally-sensitive areas, at a later date.

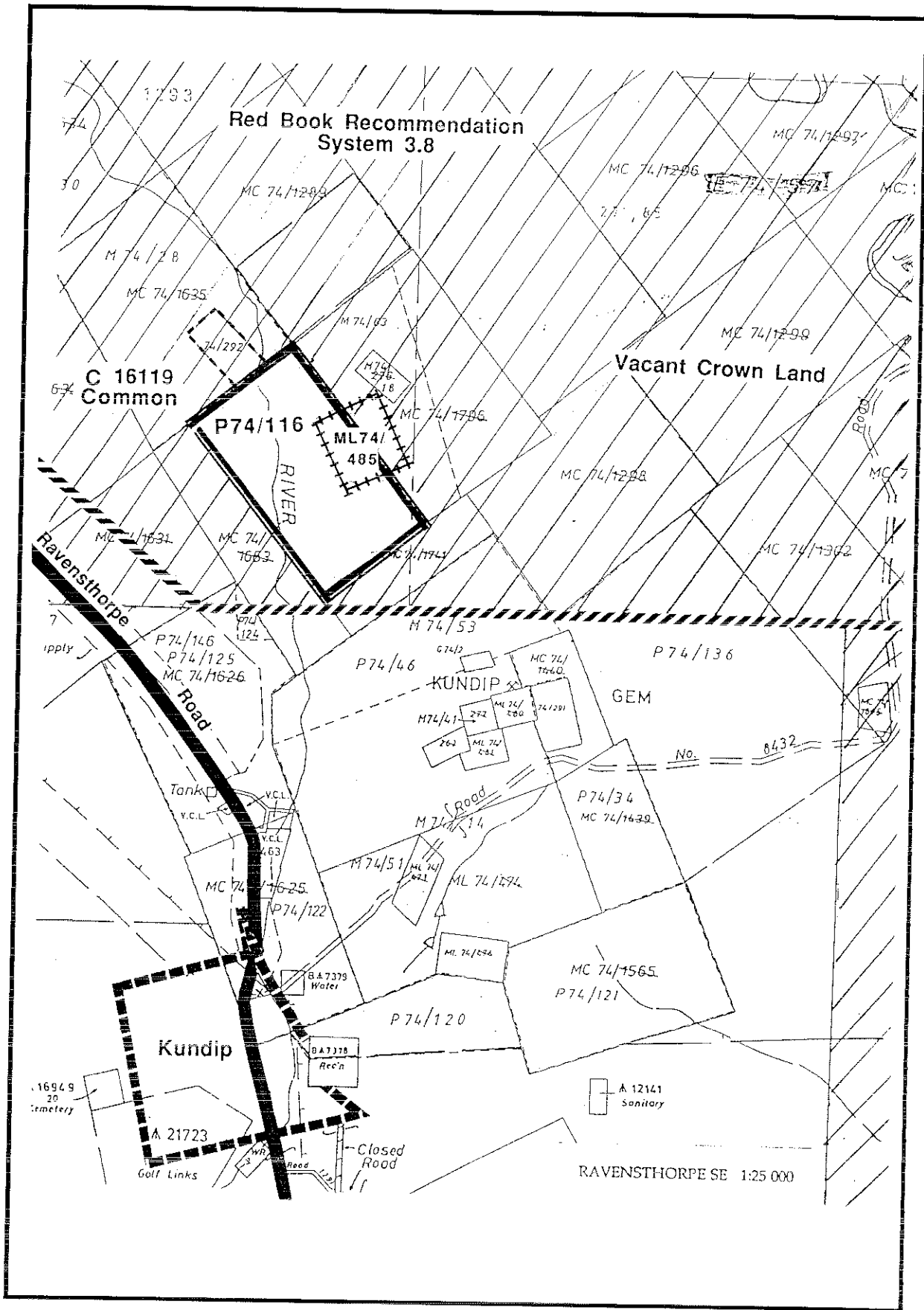


Figure 1: Location of prospecting licence application 74/116

No environmental issues likely to prevent the granting of the licence have been identified, following consultation with various public and government agencies (Table 1), but the whole of the licence area is regarded as being environmentally-sensitive.

Table 1: Agencies consulted

Ravensthorpe Shire
Western Australian Museum
The Wilderness Society
Australian Conservation Foundation
Conservation Council of Western Australia Inc.
National Parks and Nature Conservation Authority
Department of Conservation and Land Management

The key environmental issues identified relate to dieback disease control, floral surveys prior to any disturbance to vegetation, fire management, rehabilitation and reporting. The Department of Mines proposes to place a schedule of conditions on the licence (Appendix 1), which incorporates the Department of Conservation and Land Management's Conditions for Exploration in Conservation Lands despite the fact that the land is not yet under their management. These conditions require that no vegetation-disturbing exploration occurs until the approval of the Regional Mining Engineer, Department of Mines, is obtained in agreement with the Regional Manager, Department of Conservation and Land Management, and the Environmental Protection Authority. In addition, the conditions require that the standard of rehabilitation be to the satisfaction of the District Mining Engineer, Department of Mines, in agreement with the Regional Manager, Department of Conservation and Land Management, and the Environmental Protection Authority.

The proposed conditions address the key environmental issues and the Environmental Protection Authority considers that the proposal to grant the title is environmentally acceptable. The only factor not adequately addressed is the unresolved status of the land and, until the tenure of the land is vested with the National Parks and Nature Conservation Authority, the Environmental Protection Authority considers that approval for any ground-disturbing exploration activity should rest with the Minister for the Environment.

Recommendation 1

The Environmental Protection Authority concludes that the proposal to grant Prospecting Licence 74/116 is environmentally acceptable subject to no ground-disturbing activity occurring until such activity is referred to the Environmental Protection Authority by the proponent and approved by the Minister for the Environment. In reaching this conclusion, the Environmental Protection Authority notes that the key environmental issues relate to dieback disease control, floral surveys, fire management, rehabilitation and reporting and that, in respect of the grant of title, they have been adequately addressed by the schedule of conditions to be imposed by the Department of Mines at grant of title.

Appendix 1

Department of Mines

**Proposed Schedule of Conditions for
Prospecting Licence 74/116**

1. Compliance with the provisions of the Aboriginal Heritage Act, 1972, to ensure that no action is taken which would interfere with or damage any Aboriginal site.
2. All surface holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.
3. 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 six months after excavation unless otherwise approved in writing by the District Mining Engineer.
4. All waste material, rubbish, plastic sample bags, abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration programme.
5. Unless the written approval of the District Mining Engineer, Department of Mines, is first obtained, the use of scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface clearing 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.
6. The complete excision of any portion encroaching on exploration licence 74/41 and gold mining lease 74/292.
7. Prior to any disturbance to vegetation, the licensee preparing a detailed programme for each phase of proposed exploration for approval of the Regional Mining Engineer in agreement with the Regional Manager, Department of Conservation and Land Management and the Environmental Protection Authority. 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. 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.
8. The licensee, at his expense, rehabilitating all areas cleared or otherwise disturbed during the term of the licence to the satisfaction of the District Mining Engineer in agreement with the Regional Manager, Department of Conservation and Land Management and the Environmental Protection Authority.
9. Prior to the cessation of the exploration/prospecting activity, the licensee notifying the District Mining Engineer and the Regional Manager, Department of Conservation and Land Management, and arranging an inspection as required.
10. 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 programme.

11. The licensee complying with and ensuring that all persons under its control operating in the licence area are aware of and comply with the provisions of:
 - i) the *Conservation and Land Management Act, 1984*, and the Regulations thereunder;
 - ii) the *Bush Fires Act, 1954-77*, 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 non-compliance occurs as an unavoidable incident or reasonable consequence in the performance of the approved exploration programme).
12. The licensee ensuring that, where required by the Regional/District Manager, Department of Conservation and Land Management, all vehicles and equipment entering the reserve are washed down to remove soil and plant propagules and adhering to such conditions specified by the Regional/District Manager, Department of Conservation and Land Management, for the prevention of the spread of soil-borne diseases.
13. The Regional/District Manager, Department of Conservation and Land Management, being supplied with an itinerary and programme of the locations of operations on the licence area and informed at least seven days in advance of any changes to that itinerary.
14. The licensee making provisions 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.
15. No soap, detergent or other foaming agent being used in any watercourse or rockhole nor any rubbish or other polluting material being deposited in any watercourse or rockhole.
16. Domestic animals or firearms not being taken onto the Reserve.
17. Such further conditions for protection of the land environment and rehabilitation of the land as the Minister for Mines may from time to time impose.
18. 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.
19. 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 Regional Manager, Department of Conservation and Land Management.
20. Access to and from and the movement of vehicles within the licence area being restricted to roads and tracks approved under the programme or otherwise agreed by the Regional Manager, Department of Conservation and Land Management.
21. The licensee, at his expense, rehabilitating specified areas disturbed by previous mining activity to the satisfaction of the Regional Mining Engineer in consultation with the Regional Manager, Department of Conservation and Land Management.