

Application for mining leases 70/378 and 70/379, Yeal Swamp

Mr I Rule, Mr H Horton, Mr & Mrs Hines and Mr P Rule

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

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Introduction

This proposal is one of a group of applications for mineral production tenements for which a formal level of assessment was set by the Environmental Protection Authority under the Government's former policy (known as "Balancing the Scales", 1988) on mining in environmentally sensitive areas. The former policy has now been replaced by a new policy entitled "Resolution of Conflict - A Clear Policy for National Parks", 1990.

The Environmental Protection Authority is now in a position to process the proposal.

The proposal

The Environmental Protection Authority has assessed a proposal to grant mining leases 70/378 and 70/379 in the Yeal Swamp area. A mining lease (described in Part IV, Sections 71 - 85 of the Mining Act, 1978) allows the lessee to explore and mine the land for any minerals for an initial period of 21 years. The Minister for Mines may renew the lease for further periods of 21 years and may set conditions for the prevention of injury to the land and other matters related to mining activities.

On the grant of the lease the Department of Mines has regulatory power via conditions on the lease and usually requires a bond to ensure that rehabilitation is completed to an acceptable standard. Many of the conditions relate to environmental protection issues.

Assessment and recommendation

Mining leases 70/378 and 70/379 are within Red Book Recommendation M5 in an area of current and former mining activity. Recommendation M5 is for the land to be declared a class C reserve for conservation of flora and fauna and water. The leases are transitions from prospecting licences or mineral claims (under the former Mining Act, 1904). Recommendation M5 also recommends that access to the reserve (if created) be allowed for the exploration and evaluation of mineral deposits in such a way as to protect the area's conservation values.

The Environmental Protection Authority has concluded, following consultation with various public and government agencies, that mining leases 70/378 and 70/379 could be granted, subject to no significant ground-disturbing activity occurring, with provision for specific consideration of the plans for mining or other ground-disturbing activities at a later date.

Recommendation 1

The Environmental Protection Authority concludes that the proposal to grant mining leases 70/378 and 70/379 could be environmentally acceptable and recommends that the leases could be granted subject to the imposition of a no mining condition by the Minister for Mines. The proponent should not undertake any significant ground disturbing activity unless and until approval has been granted by the Minister for the Environment on the advice of the Environmental Protection Authority, the Departments of Mines and Conservation and Land Management and the National Parks and Nature Conservation Authority.