



Environmental Protection Authority

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Mr Max Ji
Chief Executive Officer
Minjar Gold Pty Ltd
PO Box 115
WEST PERTH WA 6005

Our Ref A612523
Enquiries Tim Gentle
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Dear Mr Ji

NOTICE UNDER SECTION 39A(3) *Environmental Protection Act 1986*

PROPOSAL: Minjar Gold Recommencement and Expansion
LOCATION: 70 km south-east of Yalgoo
LOCALITY: Shire of Yalgoo
PROPONENT: Minjar Gold Pty Ltd
DECISION: Not Assessed – Public Advice Given

Thank you for your letter referring the above matter to the Environmental Protection Authority (EPA).

This proposal raises a number of environmental issues. However, the EPA has decided not to subject this proposal to the environmental impact assessment process and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986* (EP Act). Nevertheless, the staff of the Office of the EPA has provided the attached advice to you as the proponent, and other relevant authorities on the environmental aspects of the proposal.

The EPA's decision to not assess the proposal is open to appeal. There is a 14-day period, closing 6 May 2013. Information on the appeals process is available through the Office of the Appeals Convenor's website, www.appealsconvenor.wa.gov.au, or by telephoning 6467 5190.

Yours sincerely

Anthony Sutton
Director
Assessment and Compliance Division

22 April 2013

Encl

**PUBLIC ADVICE UNDER SECTION 39A(7)
Environmental Protection Act 1986**

**MINJAR GOLD RECOMMENCEMENT AND EXPANSION PROJECT BY
MINJAR GOLD PTY LTD**

Summary

The Environmental Protection Authority (EPA) has received a referral from Minjar Gold Pty Ltd on the proposal to recommence and expand mining at the existing Minjar Gold Mine situated in the Mid-West 70 kilometres (km) southeast of Yalgoo.

The project has an established Carbon in Leach processing facility and tailings storage facility and existing approvals to operate (Works Approval and approved Mining Proposals). Minjar Gold plans to produce gold from a chain of open pits extending over a 50 km strikeline. The proposal is to extend some existing pits and to create seven new pits and waste dumps plus an additional 16 kilometres of haul roads. The total new clearing associated with the proposal is approximately 374 hectares.

The proponent has submitted comprehensive fauna and flora surveys and a draft closure plan. The proponent has also submitted a summary of consultation activities with agencies and other stakeholders. The proponent has proposed environmental management measures, including measures to protect malleefowl negotiated with the Commonwealth Department of Sustainability, Water, Population and Communities. The proposal is to be situated on the flats (not on elevated areas or areas containing banded ironstone formation).

The EPA considers that the environmental factors associated with the proposal are:

- Terrestrial fauna
- Flora and vegetation
- Rehabilitation and closure

The EPA acknowledges a public comment which called for assessment at the level of Public Environmental Review and questioned whether the referral information provided is consistent with established environmental policies, guidelines and standards as required by EPA Guidance Statement 51. The commentator contended that inadequate regional information has been provided to allow an assessment of the regional significance particularly for vegetation. The commentator noted that the project is spread over a wide area with potential for secondary impacts like the spread of environmental

weeds. The commentator further noted that the proposal involves land which is in the process of being included in the conservation estate.

The EPA considers however that the information provided by the proponent in its referral information is adequate and that, although the proposal does potentially impact on the environmental factors identified above, it does not warrant formal assessment under the *Environmental Protection Act 1986* as the potential environmental impacts of the proposal can be adequately regulated and mitigated by other statutory decision - making processes to meet the EPA's objectives and principles as discussed below. This decision is consistent with Section 7(i) of the Environmental Impact Assessment (Part IV Division Land 2) Administrative Procedures 2012.

Terrestrial fauna

It is noted that Minjar Gold is currently liaising with Commonwealth authorities in relation to implementing the proposal in a "particular manner" to avoid impacts to the endangered malleefowl. It is also noted that Minjar Gold has made specific management commitments in relation to protecting malleefowl mounds and habitats of the western spiny tailed skink.

Potential impacts to habitat of the malleefowl (including mounds) and the spiny tailed skink will be assessed and managed under the *Environmental Protection Act 1986 (EP Act)* native vegetation clearing permit process administered by the Department of Mines and Petroleum (DMP).

It is important that appropriate vehicle speed restrictions be enforced to protect malleefowl. This can be made legally binding by the DMP through mining proposals required under the *Mining Act 1978*.

Flora and vegetation

Clearing of native vegetation will be assessed and regulated by the DMP under the EP Act native vegetation clearing permit process.

The EPA notes that the proposal footprint will avoid Priority Ecological Communities.

It is important that appropriate management measures be put in place for management of weeds (declared agricultural weeds and environmental weeds) and plant pathogens. These management measures can be made legally binding under the native vegetation clearing permit process and through mining proposals, both administered by the DMP.

Rehabilitation and closure

A draft mine closure plan has been provided with the referral document. Under the *Mining Act 1978*, the DMP will require the proponent to submit a full mine closure plan for approval before mining can commence. The mine closure plan will need to be prepared in accordance with the joint DMP/EPA (2011) *Guidelines for Preparing Mine Closure Plans*.

As part of the proposal is within a pastoral lease managed by the Department of Environment and Conservation (DEC) for conservation purposes, in preparing the mine closure plan the proponent will need to consult with the DEC as to DEC's requirements for closure and rehabilitation. This consultation will need to commence before the start of mining. It should be noted that the current management of the land for conservation purposes does not preclude mining within the pastoral lease.

Because mining will be carried out below the water table, it will be important that the mine closure plan addresses prediction, monitoring and proposed management of water quality in pit lakes which will form post-closure. Over time, the pit lake water quality may deteriorate because of acid drainage or metalliferous (non-acid drainage). In this case the proponent may be required to carry out remediation of the lake water to avoid the risk of ongoing impacts to wildlife or stock, or to people who may come in contact with the water. Alternatively, backfilling of pits may need to be considered. The matters can be addressed in the consideration of the mine closure plan required under the *Mining Act 1978*.

Abstraction of groundwater for processing associated with the proposal will be regulated by the Department of Water under the *Rights in Water and Irrigation Act 1914*. Disposal of water from pit dewatering will be regulated by the DEC under Part V of the under Part V of the *Environmental Protection Act 1986*.

General

The above advice does not remove the need to obtain any other approvals which may be required.

