

Legislation Committee Mining Legislation Amendment Bill

Dear Parliamentary Committee Members,

I was never consulted with the formulation of this Mining Amendment Bill

I am not a member of APLA or Goldfields First

I was born into the mining industry and have worked full time for 40 years and 30 of that as a small gold producer/pro prospector

I attach some examples of problems I have had with the DMP environmental division and these people should not be given any further powers as envisaged with the Mining Bill This is only just some of the examples I have. They show a complete lack of understanding towards my operations on a Mining lease and even clearing ie vegetation being driven over is really just being unrealistic to what happens every day, even outside of the Mining Industry when people drive over vegetation.

I have worked hard to maintain a good environmental record which is realistic and practical to the mineral field where there has been over 100 years of historical mining

I would like to give further evidence when you are apparently coming to Kalgoorlie concerning the bill and the DMP generally.

I remain strongly opposed to this Mining Amendment Bill as I have no input nor consultation and it seriously affects my capacity to even exist in the Mining Industry as I believe I will be put to unnecessary substantial costs which will essentially result in myself being forced out of the industry.

I predict and believe if this Mining Amendment Bill is passed in its current form it will be the death of the small gold producers/prospectors in the industry and by that I don't mean the recreational fossickers who basically conduct metal detecting. I wish to record my submission and the examples as being made public

Yours sincerely

Christopher Potts

24 March 2016

Subject:

FW: Programme of Works application-Further information required

Christopher Potts

Begin forwarded message:

From: "WILSON, Karissa"**Date:** 20 November 2013 4:57:02 PM AWST**To:** 'Christopher Potts'**Subject:** RE: Programme of Works application-Further information required

Hi Christopher,

As you have indicated that you will not be undertaking any clearing, in this instance I will approve the PoW with no disturbance recorded.

But please keep in mind that clearing under the definition of the *Environmental Protection Act 1986* (EP ACT) is:

- The killing or destruction of;
- The removal of;
- The severing or ringbarking of trunks or stems of; or
- The doing of any other substantial damage to, some or all of the native vegetation in an area, and includes the draining, flooding or burning of vegetation, grazing of stock or any other activity.

Therefore destruction or damage to native vegetation during the vehicle route (e.g. vegetation is driven over) is considered 'clearing' under the *Environmental Protection Act 1986* (EP ACT) and it is therefore up to you to ensure you comply with the above definitions of the act.

Please note for future applications, that the precautionary approach to recording amounts of clearing does not mean that you then have to carry out all of this clearing. It is always expected that where possible proponents will endeavour to minimise disturbance to vegetation (hence why it is a tick box on the PoW application form).

You can expect to receive your approval letter in the mail by early next week.

Regards,

Karissa Wilson | Environmental Officer (Consultant/Contractor) | Operations, Environment**Department of Mines and Petroleum**www.dmp.wa.gov.au**From:** Christopher Potts**Sent:** Wednesday, 20 November 2013 2:49 PM

To: WILSON, Karissa; Christopher Potts

Subject: Re: Programme of Works application-Further information required

Dear Ms Wilson,

Thank you for your email.

If you carefully take the time to read my POW which I lodged I clearly stated "No clearing of trees or bush is required as all drilling can be done around them. Drill lines are approximate and drill hole spacing are at random"

With your approach it seems that the DMP with previous emails wants people to maximize the environmental disturbance, not minimize which quite frankly disturbs me and no common sense is being used.

It almost seems that you are making it as difficult as possible to undertake drilling in which I have told you no clearing of trees or bush is required to effectively put a stop to me conducting any form of exploration and mining on this tenement. This tenement is a mining lease and I pay substantial fees in Mining Rents and Rates to the City of Kalgoorlie Boulder. The area of the mining lease has over 100 years history of mining with previous historical disturbance.

Incidentally in case you haven't realized we have record levels of unemployment in the goldfields and the gold mining industry is experiencing a significant down turn. I find it quite disturbing that your approach with my POW is focused not on assisting the industry exercising common sense, but rather taking a extreme precautionary approach focused on extreme environmental activism, which has not been used in the last 10 years that I am aware of.

Can you please process and approve my programme of work.

Yours Sincerely,

Christopher Potts

On 18/11/2013, at 3:05 PM, "WILSON, Karissa"

wrote:

Hi Christopher,

Thank you for confirming that you commit to 20 metre spacing in your proposed drilling activities and for confirming that you will maintain vehicle hygiene.

The Department understands that it is often hard to anticipate where resources will be found until you are on site. Therefore if you ensure that your drill points are an average of 20 metre spacing and no more across the tenement, i.e. if you find gold in one area, which is 10 metres from an adjacent hole but then the next one is spaced at 30 metres, then this would be acceptable.

In relation to native vegetation clearing on the tenement, the Department only expects **raised** blade clearing (not low blade clearing) to be undertaken if that **whole track or a particular patch** of land needs to be cleared. In your case, if you believe that this is unnecessary and that you can avoid most vegetation then this is perfectly acceptable and a better environmental outcome.

The department needs to keep a record of the quantity of clearing, even **incidental** damages to bushes etc. As it is hard to anticipate which patches of vegetation may be **incidentally** damaged (cleared), it is a precautionary principle to document the total areas, which are not existing tracks that you will need to drive on in order to drill your proposed holes. I am happy to help you by calculating the amount of clearing based on the lines you indicated on your original map and alter this in the EARS system so it reflects the amount of precautionary clearing, as opposed to you having to do so.

If you can confirm that you are happy for me to do the above I can progress your Programme of Works application.

Kind Regards,

Karissa Wilson | Environmental Officer (Consultant/Contractor) | Operations,
Environment

Department of Mines and Petroleum

www.dmp.wa.gov.au

From: Christopher Potts
Sent: Friday, 15 November 2013 6:14 AM
To: WILSON, Karissa; Christopher Potts
Subject: Re: Programme of Works application-Further information required

Dear Ms Karissa,

Thanks for your responded email and I can respond to all your 7 points.

1. Thanks for your understanding that it is hard to predict the mineralization under the ground and a polygon could be used. Once a geological area of interest is discovered, often one may need to drill down plunge from the last hole, (ie sideways) Especially if this approval to drill is for possibly 4 years.
2. I understand that your department will not approve drilling at 5 metre spacings, even though I said it would only be in some instances. I will therefore confirm that I will only drill in your allowed 20m spacings.
3. I will confirm that I will undertake drilling as you mentioned under my already approved REG ID 17332.
4. I will confirm that I will drill on 20 metre spacings as you said this would not be approved if I didn't.

5. I acknowledge that you understand some of my holes will be drilled with RC (reverse circulation)
and some with RAB (rotary air blast) as per our phone conversation. My drill rig will do both and from a surface
disturbance point of view, it would be the same thing.
6. The building on the lease contains the underground hoisting system and I will not be disturbing it
as it is a very large capital expense and it will be used again.
7. I can confirm that I will be maintaining vehicle hygiene, they will be cleanly maintained to prevent spread of pathogens and or
invasive species.

In conclusion, I will abide by your request as you will not approve my drilling program if I don't.
I don't know what to do though, if I find some gold in a hole or two and your department won't
allow me to put a hole in nearby (under 20m) given that this approval is in place for 4 years.

My Geologist friend says that your department prefers total clearing (ie. lowered blade total destruction of the vegetation) to do closer space holes.
Would this be right? Surely it is better to drive over the occasional bush with a drill rig than to totally
destroy it in a much bigger path with a lowered blade. This would be totally frustrating as I would then
have a much bigger job of rehabilitation. I do not want to cause unnecessary destruction of the environment.

Would you please let me know what your requirements are if I need to drill a hole closer than 20m.

I look forward to your response and approval of this drilling program.

Yours Sincerely,

Christopher Potts

On 05/11/2013, at 11:47 AM, "WILSON, Karissa"
wrote:

Dear Christopher,

Further to our phone conversation on the 30th of October 2013, I understand the following and am able to provide the following subsequent advice:

1. The Department of Mines and Petroleum (the Department) understands that it is often hard to anticipate exactly where all drill holes will be instated. Therefore I can confirm that a polygon area can in some instances be approved without the specified locations of planned drill holes.

2. I understand that the 5 metre spacing originally proposed on your application may not be required, depending on the geological findings on site. However as you have stated this proximity of drilling of your application and in the instance in which you do find it necessary to undertake drilling of this proximity, I can confirm that the Department will not approve such tightly spaced drilling using the methods proposed in your programme under a programme of works application.

3. However, if you are proposing to undertake these activities within the approved mining footprint which exists on tenement M 26/605 (REG ID 17332 Lakewood tailing's: FIMTAILS lurgan) you may be able to undertake any works to support that mining activity.

4. The Department's reason for not approving the 5 metre spacing you have proposed in the remainder of the tenement, which is not covered by a mining proposal, is due to the fact that exploration programs must be low impact and transient in nature. If you can commit to spacing of approximately 20 metres in your proposed drilling program then this would be deemed by the department as appropriate for an exploration program.

Therefore are you able to confirm that you can commit to spacing of approximately 20 metres for your proposed drill points?

5. Although it is preferred that you provide the Department with an indication of which areas you will be undertaking your different drilling methods, we understand and accept that in this instance there is still some uncertainty around which methods are appropriate for different areas within the tenement.

6. I also understand that that the building on the property is vacant and is owned by yourself, therefore the proximity to your activities is not relevant.

7. In section 10 of your application form there were some environmental management techniques that appeared to be relevant to your activities that you did not select. I understand that some of these items are not relevant to your program. However one environmental management measure which is still relevant and required for all program of works application is; the commitment to maintaining vehicle hygiene to ensure that you prevent the spread of plant pathogens and/or invasive species.

Therefore can you please confirm that you will commit to vehicle hygiene management for the duration of your proposed activities?

In summary, exploration activities need to demonstrate they will be low impact and well managed. 5m spacing for a AC/RC/RAB/Auger drill programme with a maximum depth of 100 metres over a 9 hectare tenement is not considered to be a low impact activity. You will need to modify your programme and include relevant and appropriate environmental management techniques to avoid your programme being rejected.

If you require further information please contact me as per contact details below.

Kind Regards,

<image001.jpg>

Karissa Wilson | Environmental Officer (Consultant/Contractor)
Operations, Environment

Department of Mines and Petroleum
100 Plain Street East Perth WA 6004

www.dmp.wa.gov.au

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