

D'Entrecasteaux Coalition

Historical Information

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The D'Entrecasteaux Coalition was established over 16 years ago to raise public awareness regarding the proposed mineral sand mine adjacent to Lake Jasper. Lake Jasper is the largest natural freshwater lake in Western Australia and is in near pristine condition.

Apart from destroying a large area of wetlands adjacent to Lake Jasper, the proposed mine poses a serious [pollution threat](#) to the lake itself.

In 1996, 368ha of the Jasper-Gingilup wetlands, west of Lake Jasper, was excised from the D'Entrecasteaux National Park by the then State Liberal Government to allow for mining by the Japanese owned company Cable Sands (now owned by Bemax). The proposed mine will effectively cut the wetland area in half ([MAP](#)). The potential adverse effect on the fauna and flora of the entire wetland ecosystem from mining this area can not be underestimated.

The D'Entrecasteaux Coalition is committed to overseeing the return of this area to it's National Park status, protecting it from both industrial and agricultural exploitation.

The D'Entrecasteaux Coalition has been established for over 15 years to raise public awareness about the proposed mineral sand mine adjacent to Lake Jasper within D'Entrecasteaux National Park.

We are a society of nearly 50 community groups from throughout WA.

Our Head Office is located at Denmark Western Australia.

Our actions include:

Public outreach programs aimed at disseminating information about the ecological magnificence of the D'Entrecasteaux National Park and the likely impacts of the proposed mine.

Establishing liaison with Aboriginal groups and Cable Sand's executives in regards to mining in the D'Entrecasteaux National Park.

Researching and preparing submissions to relevant bodies detailing the scientific, cultural and moral foundations of our opposition to the proposed



<http://pandora.nla.gov.au/pan/36731/20030728-0000/lakejasper.hostwa.com.au/index.html>

D'Entrecasteaux National Park mine and other mine in National Parks Australia Wide.

Campaigning on the broader issue of mining in National Parks.

Fundraising to finance these activities.

There is much to be done so if you require more information or would like to get involved to save our national Parks please contact our office.

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To send an email please click on the frog below.



Or write to lake_jasper@dodo.com.au

IMPORTANT!



"Actual Acid SulfateSoils"- at Cable Sands - Jangardup.

Photograph courtesy of Neil Dixon, Senior Environmental Officer, Cable Sands (WA) Pty Ltd.

Neil Dixon said "the photograph was taken July 2002 in a low-lying area".

Neil Dixon presented a paper titled 'Managing hydrological impacts of Mineral Sands Mining - a case study of groundwater and sulfate management' at the "Best Practice Environmental Management in Mineral Sands Mining", Busselton 28-30 October 2002. Where he spoke about the existing Jangardup mineral sands mine and the issues of acid sulfate soils.

Currently we are involved in the D'Entrecasteaux National Park

This project aims to cease sand mining in the D'Entrecasteaux National Park

In South Western Western Australia.

Membership Drive Project.

We are seeking to increase our membership and thus awareness of the work of The D'Entrecasteaux Coalition.

The D'Entrecasteaux National Park is situated in the south-western corner of Western Australia. It encompasses a 130 km long coastline of spectacular limestone cliffs rising above vast untouched beaches, extensive woodlands, dramatic granite outcrops and a system of wetlands including the perched freshwater Lake Jasper. The Park harbours rare species of fauna and flora and provides habitat for quokkas and woylies.

It is also the locale of an ancient cultural landscape, with Aboriginal quarries and chipping floor sites dating back 6000 years. Many of these are now submerged, indicating that Lake Jasper was once an inhabited woodland. The South West Coalition of Aboriginal Corporations and Custodians of Traditional Lands has lodged a native title claim over the area.

Lake Jasper is the largest freshwater lake in the south-west of Western Australia. It is part of an outstanding example of a near-pristine, extensive system of freshwater lakes, marshes and shrub swamps, the Gingilup-Jasper Wetland System.

About 10 metres deep, Lake Jasper covers 440 hectares, and its associated swamps 80 hectares. However, the total wetlands area may be

30-50% greater in early spring. The water is fresh and clear. It appears that most of the lake's water supply comes from groundwater.

Of the 27 species of waterbirds recorded in the Gingilup-Jasper Wetland System, 25 were at Lake Jasper. Among the 27 South Coast Wetlands, Lake Jasper was ranked third for the number of species recorded, the number of individuals recorded in the summer survey 1991-92. In overall importance it came second.

There are 10 freshwater fish species in the south-west of WA, eight of them endemic. Lake Jasper is a major nursery area for the native freshwater fishes. Seven of the nine fishes known from the Gingilup-Jasper Wetland System occur at Lake Jasper, which also supports eight wetland frogs.

Lake Jasper is one of Western Australia's few large freshwater lakes that is undamaged by human activity. As a near pristine component of the Gingilup-Jasper Wetland system of freshwater lakes, marshes and shrub-swamps, it is a breeding ground to 25 species of waterbird, a major nursery area for freshwater fishes and frogs and harbours a unique array of plant species. Scientific surveys of the area have ranked Lake Jasper third among the 27 south coast wetlands for species diversity and abundance.

The national significance of D'Entrecasteaux National Park has been recognised by the Australian Heritage Commission, which has placed the Park on the Register of the National Estate. D'Entrecasteaux National Park and Lake Jasper are the jewels in the crown of wilderness areas in the South West and provide tourism that is vital to south coast communities.

The State Government of Western Australia has been facilitating attempts by mining company Cable Sands (WA) P/L, a wholly owned subsidiary of Nissho Iwai, Japan's largest trading company, to mine mineral sands in the South West and has recently legislated to excise 368 hectares from the Park to allow sand mining immediately adjacent to Lake Jasper. The proposed mine is within the winter-spring flooding zone of the lake and is within 300m of the lake's summer shoreline.

Cable Sands has exploration licences to the west of Lake Jasper near Lake Quitijup and in the Gingilup Swamps which are all part of the Jasper-Gingilup Wetlands System.

A recent report by the Department of Environmental Protection reveals that Cable Sands has, for three consecutive years, failed to audit its rehabilitation efforts and to meet statutory environmental requirements in relation to its current Jangardup mine. Cable Sands has thus failed to demonstrate that its environmental performance can be trusted.

If not stopped Cable Sands may cause irreversible damage to this world cla

Letter to Minister for the Environment

Re: Important environmental issues of an urgent nature

Hon Dr J M Edwards
Minister for the Environment

29th Floor, Allendale Square
77 St Georges Terrace
Perth 6000

Dear Minister

On behalf of the Denmark Environment Centre management committee, we have a number of urgent environmental issues on which we wish to comment and seek your response. They are:

1. DEP's failure on Acid Sulphate Soils, eg Balcatta and Beenup
2. Cable Sands Jangardup Mineral Sand Mine - discharge of wastewater into the natural environment
3. Cable Sands Jangardup Mineral Sand Mine - weakening of rehabilitation reporting.

1. Soil and Ground Water Acidity - Acid Sulphate Soils

Statement by Minister for the Environment and Heritage

We have concerns regarding your statement in Parliament on Wednesday 10 April 2002. You are quoted as saying, "Until recently, acid sulphate soils have not been a significant issue in Western Australia, but the episode in Stirling provides a serious wake-up call to lift the profile of the issue and our capacity to respond to it".

The environmental assessment of the former BHP Beenup mineral sands mine generated a great deal of discussion on Acid Sulphate Soils (ASS). Conservation organisations warned of the danger of ASS in the area of the Beenup mine and the impacts on the mine operation and the environment. Both BHP and the DEP minimised the problems and impacts of ASS in that case. Subsequently much of the western south coast has been identified as having ASS potential. The issue of ASS in Western Australia has been around for sometime.

At this stage in WA, the sampling remains the responsibility of the proponent. The proponent is not the proper party to decide the sampling regime required for the adequate assessment of the extent of ASS on site. At Beenup, there was a huge discrepancy between the extent to which ASS was present in the initial sampling program, and the extent to which it was present when mining commenced.

The BHP press statement on the Beenup closure stated that the extent of ASS was only realised when the operation began commercial rates of production.

Despite the DEP downplaying the problem, sulphate acid waste has entered the natural environment at Beenup (Question on Notice 322, 12 December 2001).

At the Balcatta site, ASS was identified by the DEP and WRC. However, both organisations were inadequate to the task of proper assessment and protection. People's health were put at risk in this case.

The State Government received its wake-up call some years prior to the City of Stirling matter. The National Strategy on Acid Sulphate Soils was adopted by the State Government in August 1999. A working group was established by the State Government to address the roles and responsibilities for the State Government as set out in the national strategy.

What were the recommendations of the working party and when did they present them and to whom?

What actions did the State Government put in place to ensure that expertise and training is available through the DEP or WRC to identify and manage ASS issues since adopting the National Strategy, 6 August 1999?

What independent authorities have been engaged by the State to increase understanding of ASS in this state?

2. Cable Sands Jangardup Mineral Sand Mine - discharge of wastewater

You will be aware that the Cable Sands Jangardup mine recently discharged large quantities of mine wastewater into the natural environment. This is clearly a breach of their mine conditions.

The environmentally sensitive Gingilup-Jasper wetlands adjacent to the mine are threatened by this discharge of wastewater.

Reports by visitors to D'Entrecasteaux National Park, that large quantities of waste water from the Jangardup minesite was flooding across Black Point Road, towards the Gingilup Swamp Nature Reserve came to our attention after the Easter long weekend.

A Bunbury based Water & Rivers Commission officer confirmed the discharge was coming from the existing Cable Sands Jangardup mineral sands mine.

This waste discharge also had an immediate impact on tourism in the region over the Easter long weekend, with access to the popular surfing and bush walking area, Black Point in D'Entrecasteaux National Park, being closed.

We are deeply concerned that Cable Sands continues to have environmental problems at its mine sites. The Jangardup mine should be closed until the company fixes the current wastewater discharge problem. Our understanding is that Cable Sands has breached the ERMP guidelines by discharging into the natural environment.

The ERMP states: "The excess water will be pumped to a small pond and recycled as much as possible. Water will also be recycled from the dumped mixture of sand and clay which remains after the heavy minerals have been separated out, and from the stockpile of Heavy Minerals Concentrate.

The excess water will be allowed to seep or drain from the ponds into the natural drainage. It will not be discharged as a surface flow into the state forest or the D'Entrecasteaux National Park."

Suggestions that the discharge was due to a fire, and a lack of transpiration, are spurious, as the fire (during late January) was 4km to the southwest of the mine. We would like to know what scientific information is it based on?

The State Government placed conditions on the Jangardup Mineral Sand Mine and Ministerial condition 3 states: "The proponent shall ensure that there are no environmentally significant detrimental effects from the mining operation on the vegetation or groundwater quality or levels within adjacent National Park, state forest and private lands."

The fact that the waste water discharge has gone on for sometime indicates a very poor attitude to the environment by Cable Sands and the DEP.

Cable Sands ERMP for Jangardup Mineral Sand Mine states "a monitoring programme will be established to measure changes in groundwater levels, quality of groundwater, and quality of surface water. This information will identify any trends of likely changes in water levels or quality, compare these trends with expected changes, draw attention specifically to the possible development of unacceptable changes, and recommend any actions to avoid harmful changes to the hydrology of the area".

Will the Minister obtain the above monitoring information prior to and during the waste water discharge and will the Minister make available the results to the Denmark Environment Centre?

We would like to know when did the discharge of water commence, and when did Cable Sands notify the Department of Conservation and Land Management, Department of Environment Protection and Water & Rivers Commission of this problem?

Cable Sands is pushing to be allowed to mine next to Lake Jasper, the largest freshwater lake in the southwest. If the quantity of wastewater being discharged at Jangardup were released from that proposed mine, it would put the ecology of Lake Jasper and adjacent Gingilup-Jasper Wetlands under threat

What action has the Minister taken on Cable Sands' discharge of mine wastewater into the natural environment?

We would also like to know what would have been the impacts for Lake Jasper and the Gingilup-Jasper Wetlands if the proposed Jangardup South mine had discharged such amounts of wastewater?

The discharge of waste water raises grave concerns for the proposed Jangardup South Mineral Sand Mine, which would be operating in the winter flood zone of Lake Jasper. There is the potential for an ecological catastrophe in the Gingilup-Jasper Wetlands if a similar discharge resulted.

Will the Minister refer this matter to Dr Jeffrey V. Turner, CSIRO Division of Water Resources who conducted the study into Groundwater - Lake Water interactions near Lake Jasper?

3. Cable Sands Jangardup Mineral Sand Mine - rehabilitation of pasture & weakening of reporting procedures

We have concerns about the ability of Cable Sands to adequately monitor and report on issues relating to rehabilitation of pasture on the landowners' property, especially considering the concerns raised by the landowner.

Parliamentary Question on Notice 517, 20 March 2002, highlights the behaviour of Cable Sands.

The response by Cable Sands to the unsatisfactory comments made by the landowner, through an agreed reporting procedure, on the poor quality rehabilitation of pasture was a request to remove this type of reporting requirement and procedure. We are very concerned with the way the DEP acquiesced to the request.

This is certainly not satisfactory for the landholder, the community or the government. Full reporting and an open manner of reporting should be the minimum standard accepted by your government.

It appears that proponents can set their own environmental reporting conditions with the active participation of the DEP.

Was this action supported by the Minister? Alternatively, was it a Ministerial directive?

It is difficult for the conservation movement to have confidence in the DEP to uphold the core business of environmental protection when this sort of activity takes place.

We look forward to your reply or to speaking to you on these matters.

Geoff Evans

Mark Hingston

Convenor

19/04/2002

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MEDIA RELEASE 1 June 2002

Cable Sands: From the Tuart Forest to Lake Jasper

Cable Sands recent outpouring in the media almost equals the waste water outflow from their existing Jangardup mineral sand mine into the surrounding environment.

If the strain of the tuart forest debate is causing some concerns for the Cable Sands CEO, Collis Thorp, just wait for the release of the environmental review management programme for the proposed Jangardup South mine, adjacent to Lake Jasper.

D'Entrecasteaux Coalition spokesperson expressed grave concerns for Lake Jasper area upon reading in the Busselton Margaret Times that "the [native title] agreement will allow the company to start its Jangardup south project."

There is a clearly defined process Cable Sands must go through and this includes EPA assessment and approval by the Minister for the Environment. Cable Sands have also yet to be granted a mining lease and this is a process via the Mining Wardens Court and the Minister for Resources Development.

The Native title agreement is only a single step in the process. So Cable Sands CEO should resist cracking the champagne because they will confront a very committed environmental campaign, which will not be bought off.

Geoff Evans (08) 9848 1644 work and (08) 9848 1035

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5th April 2002

Mining Blunder Closes Tourist destination in D'Entrecasteaux National Park important wetlands may be at risk

The D'Entrecasteaux Coalition expressed grave concern for the environmentally sensitive Gingilup-Jasper Wetlands after problems with the nearby Cable Sands' Jangardup minesite surfaced.

The D'Entrecasteaux Coalition was responding to the large quantities of waste water from the Jangardup minesite flooding across Black Point Road, D'Entrecasteaux National Park towards the Gingilup Swamp Nature Reserve.

A Bunbury based Water & Rivers Commission officer confirmed the discharge was coming from the existing Cable Sands Jangardup mineral sands mine.

This waste discharge had an immediate impact on tourism in the region over the Easter long weekend, with access to the popular surfing and bush walking area, Black Point in D'Entrecasteaux National Park, being closed. The potential impacts to the general environment and the Gingilup Wetlands also need to be considered.

" We are deeply concerned that Cable Sands continues to have environmental problems at its mine sites. The Jangardup mine should be closed until the company fixes the current waste water discharge problem. Our understanding is that Cable Sands has breached the ERMP guidelines by discharging into the natural environment," said spokesperson Geoff Evans.

Due to the potential impacts on the environment and potential breaches of mining guidelines, Mr Evans has called on the Minister for the Environment and the EPA to act quickly and decisively on this matter.

" The fact that the waste discharge has gone on for sometime indicates a very poor attitude to the environment by Cable Sands and government departments," he said.

" Cable Sands is pushing to be allowed to mine next to Lake Jasper, the largest freshwater lake in the southwest. If the quantity of waste water being discharged at Jangardup was released from that proposed mine it would put the ecology of the Lake and adjacent Gingilup-Jasper Wetlands under threat," he said.

The State Government must act immediately to ensure its policy of no mining in National Parks is enforced. Mining activity near important environmental areas must also be properly controlled and monitored. With the State Government promoting tourism and ecotourism, the potential conflicts with mining close to areas of significant wilderness values such as Black Point and Lake Jasper must be opposed," he said.

For more information contact: Geoff Evans (08) 9848 1644

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LEGISLATIVE COUNCIL

Question Without Notice

(of which some notice has been given)

Thursday, 3 May 2001

Page 138-9 of WA State Hansard

MINING LEASES, MUNDIJONG

27. Hon N.F. MOORE to the parliamentary secretary representing the Minister for State Development:

(1) In regard to the applications for mining leases in the Mundijong area by Iluka Resources Ltd, is it the intention of the minister to accept the warden's recommendations and not grant the tenements in full; and, if so, why?

(2) Does the Government accept that the Warden's Court is the appropriate forum for the determination of environmental

issues relating to mining activities on mineral tenements;
and, if so, why?

Hon KEN TRAVERS replied:

I thank the member for some notice of this question.

(1) Regarding Iluka's mining lease applications, the Minister for State Development has adopted the position announced by the former Minister for Mines that these applications will not be determined until a judgment has been handed down in respect of the Supreme Court challenge by the Serpentine Jarrahdale Residents and Ratepayers Association to the grant in December 1999 of two mining leases over a mineral sands deposit 15 kilometres from the Iluka applications. The outcome of this Supreme Court action will provide guidance in relation to the termination of Iluka's mining lease applications.

(2) The Warden's Court is an appropriate forum at present in which the public may raise environmental issues in order that these matters are brought to the attention of the appropriate decision-making authorities for determination.



Media Release:

Lake Jasper fears grow following Beenup disaster

Lake Jasper could face a similar environmental disaster to BHP's Beenup sandmine if the State Government allows mining adjacent to D'Entrecasteaux National Park. Cable Sands has made an application to mine within a few hundred metres of Lake Jasper in wetlands of the D'Entrecasteaux National Park.

"The Minister for the Environment recently confirmed that acid sulfates were present at the proposed minesite adjacent to Lake Jasper, as well as at Cable Sands current Jangardup operation 3km north of the lake" said spokesperson for the D'Entrecasteaux Coalition, James Gill.

BHP has had to close Beenup because of the companies inability to safely manage acid sulfate soils exposed during the mining process.

"BHP now face the task of preventing the acid destroying the Blackwood River and Scott National Park downstream from the site. The acid storage complex has a finite life which means that an acid leak is just a matter of time."

"The very latest technology and scientific expertise of BHP has been insufficient to guarantee environmental safety at Beenup. Claims by Cable Sands that acid sulfate soils can be overcome at Lake Jasper are ludicrous" said Mr Gill

The D'Entrecasteaux Coalition has called on the Minister for the Environment Cheryl Edwardes, to suspend all mining lease applications on the south coast until the Environmental Protection Authority establish stringent identification and management guidelines for acid sulfate soils.

"If the Minister allows mining to take place adjacent to Lake Jasper the potential for acid flushing through these wetlands is very real. This would cause significant degradation to the high conservation status Lake Jasper wetlands and destroy flora and fauna."

"These are among the last pristine wetlands in the south-west of WA. We do not want the Lake Jasper area to end up an environmental disaster area like Beenup" concluded Mr Gill.

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Media Release: Supreme Court backs communities right to object

The WA Full Supreme Court handed down a decision on December 21st which affirms the public right to raise environmental objections in the Mining Warden's Court. The full bench decided 4-1 in favour of the Denmark Environment Centre (DEC) in a decision that is vitally important to the conservation movement.

The DEC, represented by The Environmental Defenders Office of WA (EDO) successfully presented legal argument that the Mining Wardens Court is an appropriate place for the public to raise environmental concerns about mining proposals .

Multinational subsidiary Cable Sands had challenged the public's right to lodge environmental objections to mining proposals in the Mining Wardens Court. The case involves an application to mine next to Lake Jasper in the D'Entrecasteaux National Park, in the state's south west.

"Community groups objecting to the proposal detailed major environmental and social concerns, including the potentially destructive impact of disturbing acid sulfate soils on the ecological values of the adjacent National Park." said DEC convenor James Gill.

"This is a landmark decision in light of the State Government's agenda to open up the conservation estate to mining and exploration. The public's environmental concerns about this potentially disastrous mine are now set to be heard. ", said Mr Gill.

"This multinational subsidiary has attempted to reduce the community's right to scrutinise mining proposals and to reduce investigation of the mine proposal, but they have failed."

"The nearby BHP mineral sand mine at Beenup closed due to BHP's inability to manage acid sulfate soils. It is now obvious that any mining activity adjacent to Lake Jasper will pose a grave danger to the wetlands and associated wildlife. We do not want the stunning Lake Jasper area to end up with similar acid leachate problems as at Beenup," concluded Mr Gill.

As you know the application by Cable Sands to mine adjacent to and within D'Entrecasteaux National Park was before the Mining Warden's Court. The Denmark Environment Centre & 33 other groups and individuals objected on environmental or other community concerns. Cable Sands have applied to the Supreme Court to intervene on the grounds that these issues are not the domain of the Wardens Court under the Mining Act.

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Overview of the D'Entrecasteaux National Park

The D'Entrecasteaux National Park is situated in the south-western corner of Western Australia. It encompasses a 130km long coastline of spectacular limestone cliffs rising above vast untouched beaches, extensive woodlands, dramatic granite outcrops and a system of wetlands including the perched freshwater Lake Jasper. The Park harbours rare species of fauna and flora and provides habitat for quokkas and woylies.

It is also the locale of an ancient cultural landscape, with Aboriginal quarries and chipping floor sites dating back 6000 years. Many of these are now submerged, indicating that Lake Jasper was once an inhabited woodland. The South West Coalition of Aboriginal Corporations and

Custodians of Traditional Lands
has lodged a native title claim over the area.

With a surface area of 4 sq. km. Lake Jasper is one of Western Australia's few large freshwater lakes that is undamaged by human activity. As a near pristine component of the Gingilup-Jasper Wetland system of freshwater lakes, marshes and shrub-swamps, it is a breeding ground to 25 species of waterbird, a major nursery area for freshwaterfishes and frogs and harbours a unique array of plant species. Scientific surveys of the area have ranked Lake Jasper third among the 27 south coast wetlands for species diversity and abundance.

The national significance of D'Entrecasteaux National Park has been recognised by the Australian Heritage Commission, which has placed the Park on the Register of the National Estate. D'Entrecasteaux National Park and Lake Jasper are the jewels in the crown of wilderness areas in the South West and provide tourism that is vital to south coast communities.

The State Government of Western Australia has been facilitating attempts by mining company Cable Sands (WA) P/L, a wholly owned subsidiary of Nissho Iwai, Japan's largest trading company, to mine mineral sands in the South West and has recently legislated to excise 368 hectares from the Park to allow sand mining immediately adjacent to Lake Jasper. The proposed mine is within the winter-spring flood zone of the lake and is within 300m of the lake's summer shoreline.

The proposed mine will essentially cut the Gingilup-Jasper Wetland ecosystem in half. The waterflow and connectivity between the areas will be radically altered. Cable Sands has exploration licences to the west of Lake Jasper near Lake Quitijup and in the Gingilup Swamps which are all part of the Jasper-Gingilup Wetlands System. If these mines go ahead the last intact wetland ecosystem in the south-west will be permanently damaged. Over half of Australia's wetlands have been destroyed since European settlement.

If mineral sand mining proceeds, the environmental consequences within a few years of the initiation of mining will be severe. Sand mining involves the complete devastation of soils due to alteration of soil chemistry and the utter destruction of the soil profile. As vegetation and hence faunal habitat depend entirely on the nature of soils, the structure and species richness of flora and fauna communities will be forever altered, despite revegetation efforts. Rehabilitation of the ecosystem is impossible in the short term to medium term. Whether it can be in the long-term should not be experimented inside a national park or a conservation reserve. Cable

Sands WA has no experience in revegetating native flora such as is found in the excised zone.

The CSIRO report on the hydrology of the Lake Jasper area identified a connection between the groundwater, surrounding surface water and the lake. Lake Jasper's recharge area occurs to the north and west of the Lake Jasper corresponding with the proposed mine area. Likely impacts on the hydrology include the lowering of the water level of the lake and surrounding wetlands and contamination of surface or groundwater, which may have drastic effects on the aquatic ecosystem as well as breeding sites for the region's birdlife.

(Geoff Evans is the convenor for the D'Entrecasteaux Coalition, the umbrella organisation for this campaign, working closely with ACF & TWS in Australia).



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State Government's Keating Report Recommendations and Threats to Reduce Environmental Protection & Public Rights.

To whom it may concern

The D'Entrecasteaux Coalition has grave concerns about the direction of the Government on critical issues that impact upon the rights of landowners, local government and community groups in relation to environmental assessments.

The Government's Keating Report recommendations would have been an excellent opportunity for leadership in the critical area of environmental protection and to give a clear message to the mining lobby that the government cares for the rights of the community. Any reduction in community rights in relation to environmental protection will lead to more confrontation and uncertainty.

It appears the Government had taken little heed of conservation groups' submissions to the Keating Report last year. The Government recommendations have the stamp of industry interests all over it at the expense of community rights. Instead of using this opportunity to enshrine community and local government input and develop community/industry co-operation, the government is weakening environmental protection.

The D'Entrecasteaux Coalition is also concerned that the Government has failed to reject two Keating Report recommendations which attack community access to the Mining Wardens Court and eliminate landholder rights. They are:

Recommendation 28 – To restrict community organisation access to the Mining Wardens Court to object to mining proposals on the grounds of public interest and environmental issues.

Recommendation 31 - End landowners' rights to veto mining activity on their land.

In addition, the Government has not supported Recommendation 25. This recommendation would ensure that mining lease grants must await the environmental process.

The D'Entrecasteaux Coalition also draws your attention to the following Government recommendations:

Recommendation 10 - Remove from Local Government the right to individually assess environmental aspects of development proposals.

Recommendation 8 – Limit review of environmental issues of projects. This fails to take into account changing environmental circumstances or new public concerns.

Recommendation 47 – Only undertake strategic planning for development sites on a regional basis. This will limit the amount of essential site based assessment which is vital to proper environmental assessment.

Detailed Response to Recommendations 25, 28 & 31 where the Government has Made no Decision.

Government position - no decision recommendation 25 mining lease grant must await environmental process

D'Entrecasteaux Coalition supports the increased participation of the public in approvals assessment for projects. As the Keating Review committee notes, "the community needs to be confident that the process properly takes into account [...] the "triple bottom line" issues of economic, environmental and social impacts of a proposal" (p. 62).

Public confidence is crucial to the principle of responsible corporate and governmental conduct. Whether a project goes well or badly, the community must live with the consequences. Given that governments exist in our society for the sake of ensuring a reasonable quality of life for all citizens, then care for the community must rate as a primary consideration in any proposal.

For the public to have an adequate opportunity to respond to a Notice of Intent, time is required. By reducing the time available for public comment, the proponent is effectively neglecting the quality of life of the community.

Government position - NO DECISION recommendation 28: The Mining Warden should only deal with matters and objections that relate to the provisions of the Mining Act, and the Mining Act should be amended to make this explicit.

The Mining Warden does currently only deal with issues, matters and objections that relate to the Mining Act, it could not do otherwise.

It appears that two mining companies, which have had adverse judgements in the Mining Wardens Court, Cable Sands and Iluka Resources, are the most vocal against current community access to this court. It appears they want to reduce community access to this court for reasons other than simplifying the process.

Resourcing for the Warden's Court should be improved to enable community issues be more fully assessed in a timely manner, as suggested by the Review Committee.

The Warden's Court provides the public with the only formal mechanism by which it has the right to be heard regarding a specific proposal in an open forum and can comment on other submissions.

The recommendation to take away this community right is an affront to community organisations and flies in the face of a Supreme Court judgement.

Environmental, economic and social issues must be part of any assessment and should be included in the discussion of any grant of mining lease or mine.

The Mining Wardens Court is an appropriate place for this and resources to the Court should be increased so it can further facilitate these issues.

The EPA cannot assess mining proposals on social grounds; this leaves the Wardens Court available for this purpose on the grounds of "public interest". Contrary to some mining companies claims, there is no duplication on this issue with the EPA.

The amendment of the Mining Act to ensure that only technical and procedural matters are dealt with and environmental objections are not heard in the Wardens Court would cut off an essential avenue for the community to be heard in the approval process. Often the Mining Warden is able to assess social and environmental issues in the context of the technical and engineering aspects of the mining proposal, a process the EP Act appears unable or unwilling to carry out.

The Mining Act has an important role in the overall assessment of mining proposals, this includes reconciling social and environmental and mining interests. This avenue for public input must not be excluded; in fact, it should be strengthened.

As stated in the Interim Keating Report:

"The Warden's Court provides the public with the only formal mechanism by which it has the right to be heard regarding a specific proposal in an open forum and can comment on other submissions"

As further stated in the report:

There is no formal and transparent process that allows the community and decision-makers to simultaneously consider the economic, social and environmental issues associated with a proposal."

We consider the Mining Wardens Court fulfils this function. In addition, it provides a public hearing of the issues not available in the EPA process.

Government position - NO DECISION recommendation 31: It appears to us that the Committee has not considered the constitutional implications of reducing landowner rights. Providing greater access for exploration on private land would be a clear reduction in the rights of landowners to control activities on their land. We also do not believe that any proposed testing regime of miners access rights to private land can be done in a ' fair and open manner ' as suggested in the Keating Report. A mining company with access to substantial financial and legal resources will have a significant advantage over an individual landowner.

REVIEW OUTCOME

The Review Outcome section states that the review will consider decision-making " without reducing environmental or other standards". From our above discussion, it is clear that some of the recommendations will reduce community input and the scope of public oversight on development proposals. Those recommendations should be rejected.

The Government also handed down its response to the mining industry inspired Bowler Report on 18/07/2003. In that response the Government is also considering;

- Reducing community organisation access to the Mining Wardens Court (Recom. 20)
- Eliminating landowners right to veto mining on their land (Recom. 24)
- Giving the Minister for State Development "veto rights" over new conservation areas as well as limits on creation of new conservation zones (Recom. 25)
- Turn CALM into a mineral prospecting department (Recom. 26)

These recommendations should be rejected.

Yours sincerely

Geoff Evans
Mark Hingston
23/07/2003

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Minutes of the meeting of the EPA Board, DEP, CALM, independent scientists and members of the D'Entrecasteaux Coalition.

Karri Valley Resort, Thursday 18th March, 1999

Present:

Bernard Bowen (Chair, EPA)

Sally Robinson (Deputy Chair, EPA)

Guy Watson (DEP)

Warren Tacey (DEP environmental division)

Tim Gentle (DEP environmental division)

Graham Rundle (NPNCA)

Frank Batini (CALM, manager environ branch)

Graeme French, CALM

Mark Hingston (Convenor, D'Entrecasteaux Coalition)

Geoff Evans (Convenor, D'Entrecasteaux Coalition)

Glen Kelly (Manjimup Aboriginal Corporation)

James Gill (Convenor, Denmark Environment Centre)

Rachel Siewert (Coordinator, Conservation Council of WA)

Lyn Serventy (Leeuwin Conservation Group)

Charlie Dortch (Museum of WA)

Susan Morrison (Busselton Peace and Environment Group)

Andy Russell (Warren Environment Group and Pemberton Hiking Co. Tour Operator)

Michael Bennet (Solicitor, Environmental Defender's Office)

Pierre Horwitz (Director, Centre for Ecosystem Management, Edith Cowan University)

Jean-Paul Orsini (Conservation Biologist)

Paul Llewellyn (Convenor, Greens South West)

Chair of meeting: Paul Llewellyn

Mining in National Parks

Paul Llewellyn

An introduction to the issue of mining and exploration in National Parks, and the moral imperatives of conservation of biodiversity and wilderness values of these areas those members of the conservation and scientific community demand of the EPA. Cumulative impacts on the National Park by multiple mining and exploration operations. Exploration should not be allowed in conservation areas.

Visual Presentation

Video aerial footage of proposed mine site showing inundation of excised area during October 1996.

Slides of ground shots from Lake Jasper and the National Park.

Waterbird habitat and vegetation

Jean Paul Orsini

RAOU survey (Jaensch) Lake Jasper ranked second of 27 wetlands of the south coast in a study from Cape Naturaliste to Albany, in terms of waterbird habitat and population.

Jaensch noted that a drop of 30-50cm in the Lake's surface would lead to extensive drying of habitat rendering them unfit for breeding for the Little Bittern in spring to early summer.

Flora

Arthur Weston reports that 17 species of priority flora and 1 declared rare flora species are located within the greater Lake Jasper area.

Dieback

A priority problem given that the proposal involves extensive soil movement in wet conditions. Cable Sands documents state that there is a high level of dieback present which raises concerns about the spread of dieback in that area and throughout the south west by the transport of machinery. There is no reliable means of control under these conditions.

Biodiversity and potential impacts

Pierre Horwitz

The heterogeneous wetlands adjacent to Lake Jasper are likely to contain Gondwanan relics and locally endemic species. From one wetland to another, there is a high beta diversity, significant changes in species between localised wetlands. That certain aspects of these wetland vegetation complexes are likely to be represented nowhere else.

A regional assessment of these wetlands is required.

Lake Jasper has a higher pH, is larger and clearer in colour than the surrounding lakes. This means that it should be preserved for its unique water chemistry.

Rehabilitation following mining could never return the area to anything like its original ecological composition.

Mining is incongruous with the high degree of tourist visitation to the Lake. The tourism appeal of the Lake is similar to Lake Pedder before it being damned.

Mining could potentially spread disease into the Gingilup Jasper wetland system.

Where the environmental hazard is high and the public outrage is high, the risk is extreme.

Recommendations

An independent scientific review panel, credible to all stakeholders, must assess the proposal.

The null hypothesis from which the assessment of the proposal should start should be that the impact of proposed mining and associated activities would constitute an unacceptable impact on the ecology of these wetlands. The onus should be on the proponent to disprove this hypothesis rather than on the conservation/ scientific groups to prove it.

Archaeological Values of Lake Jasper area

Charlie Dortch

The Lake's floor contains the only submerged prehistoric evidence of human habitation (4000 years old) from a woodland and wetland landscape and has Protected Area status under the Aboriginal Heritage act.

The south east corner of Lake Jasper contains extensive peat deposits and should be a site for coring of sediments for pollen core analysis. The scientific and conservation values of this site may be greatly compromised by the proposed mine.

Since the use of powerboats on Lake Jasper the scientific values have already been somewhat compromised. CALM will probably stop this activity with the new Management Plan for the Park.

Aboriginal Heritage Values

Glen Kelly

The spiritual significance to the Noongar people of this system of wetlands and permanent lakes is enormous. This area is our lifeblood. The Noongar country has been knackered by clearing and rising salt. The Lake Jasper area is an integral part of what is left for us.

If mining goes ahead, it would be like destroying a cathedral for Noongar people.

Bernard Bowen

Is it the mining of the excision zone and landswap area per se or is it the possibility of impacts on Lake Jasper that is the problem?

Glen Kelly

It is not only Lake Jasper but also all of the surrounding area, the flora and fauna; it is all-important to Noongar people.

Impacts on Tourism

Andy Russell

Even loggers say that National Parks are sacred and should be left alone. Lake Jasper is the largest freshwater lake in the state and the current mine (Jangardup) already impacts on the values of the area, with the 24 hours a day hum of diesel generators and the glow of the mining operation obvious from the southern edge of Lake Jasper. If the mine adjacent to Lake Jasper went ahead and you sat on Devil's Hill, you would see the mine clearly within a few hundred metres of the Lake.

My tours rely on the wilderness values of the area, these may be destroyed by the proposed mine.

Acid sulfate soils (ASS)

Lyn Serventy

Various extractive industries in the eastern states, NSW and Qld have disturbed ASS. The disturbance of ASS has led to extensive fish deaths, impacts on breeding grounds and aquatic organisms. A pH of just over 4 has led to dissolved aluminium and other heavy metal concentrations causing widespread fish and oyster deaths. Arsenic in aquifers is also a problem encountered in the east because of mineral sand mining.

Methodology has been developed by the National Working Party on ASS; Draft National Strategy requires mapping of ASS occurrence and details appropriate landuse. WA should adopt these guidelines immediately. The guidelines also provide for the trial of untested technology (such as used at Beenup) before the technology is accepted.

Lake Jasper is a perched lake, and mining may result in changes to hydrology.

James Gill

CSIRO report on hydrology of Lake Jasper area states clearly that groundwater and surfacewater flows from the north west of the lake into Lake Jasper. Whatever the impacts in terms of ground and surface water flows and quality in the proposed mining area, such will effectively be the impacts on Lake Jasper. The excision zone is within the winter/spring margin of Lake Jasper. They are not separate.

Minister for the Environment has confirmed the proposed Lake Jasper mine (Jangardup South) has the potential to disturb ASS, so ASS must be present. This is confirmed by Dr Jeffrey Turner.

EPA and DEP must adopt the Draft National Strategy for the Management of ASS. The Strategy details specific sampling regimes for development, which have the potential to disturb ASS.

At this stage in WA, the sampling remains the responsibility of the proponent. The proponent is not the proper party to decide the sampling regime required for the adequate assessment of the extent of ASS on site. At Beenup, there was a huge discrepancy between the extent to which ASS was present in the initial sampling program, and the extent to which it was present when mining commenced. The BHP press statement on the Beenup closure stated that the extent of ASS was only realised when the operation began commercial rates of production.

It is crucial that the issue of Acid Sulfate Soils adjacent to Lake Jasper are comprehensively mapped and identified prior to the granting of a mining lease.

Recommendation: That the EPA and DEP adopt the Draft National Strategy for the Management of ASS immediately, prior to the assessment of any mining proposals.

Discussion

Strategic assessment Section 16e Environment Protection Act

Rachel Siewert

We request that the EPA conduct a strategic assessment of the extent of ASS on the south coast of WA. This is essential background information, which must be sought before any mining proposal can be adequately assessed.

We also request that the cumulative impacts of mining and exploration on the south coast of WA be assessed by the EPA prior to the assessment of the current proposal.

Frank Batini

The impacts of agriculture on ASS need to be assessed; this is the main cause of oxidation of ASS in the east.

Pierre Horwitz

The ASS assessment must include impacts from forecast climate change.

Bernard Bowen

You need to outline what the assessment would entail. Are you talking about an assessment 16e related to ASS or to impacts of mining on ASS?

James Gill

Eastern states studies have identified the extent of ASS in NSW state-wide and through the Draft National Strategy have proposed appropriate landuse, basically aiming at minimising the disturbance of ASS. That is what we are proposing the EPA should undertake.

Bernard Bowen

Are you suggesting that where ASS occurs we should not allow mining?

Lyn Serventy

That would be our advice. The technology employed at Beenup could not achieve BHP's outcome of resubmerging the ASS sediments without oxidation.

Bernard Bowen

The idea of a 16e document sounds plausible. Not sure of who would have the expertise to carry this assessment out. The 16e should provide useful scientific information with integrity and professional advice.

James Gill

The Denmark Environment Centre may be of some assistance to the EPA on this matter. We could recommend experts from NSW and the ACT such

as Professor Ian White and Associate Professor Mike Melville and others. Finding people with the expertise is not a problem.

Bernard Bowen

The Minister must recommend a 16e assessment for one to be carried out. The EPA could provide advice to the Minister on this subject.

Frank Batini

Is the data available to make this kind of strategic assessment of ASS? Costs?

Documentation and the assessment process

Tim Gentle

Guidelines not yet released for excised area, but will be made available for public comment. Both mining lease applications will be covered by the ERMP currently being prepared by the proponent.

Pierre Horwitz

CSIRO are conducting hydrological study of the area and the possible impacts of mining adjacent to Lake Jasper, when will this be made available to the public.

James Gill

Department of Environmental Protection revealed that Cable Sands has failed to audit its rehabilitation efforts in relation to its current Jangardup mine. Cable Sands has failed to demonstrate that it can be trusted, and the record of the proponent should be a consideration. Documentation referenced in the Section 46 document for the Jangardup extension had not been made publicly available by Cable Sands.

Glen Kelly

With reference to surveys conducted by Cable Sands for Aboriginal sites, he checked areas they had surveyed and found Aboriginal sites/evidence they had completely overlooked and questions the ability of Cable Sands' consultants to conduct scientific surveys.

Charlie Dortch

Confirmed that basic literature searches had not been carried out in the past by archaeological consultants. He questioned the independence of consultants working for Cable Sands.

Rehabilitation

Susan Morrison

That Cable Sands has not demonstrated its ability to return the excised area to its original condition as a National Park. The area Cable Sands refers to, as evidence is Minnipup Beach, which clearly demonstrates the inability of Cable Sands to revegetate.

Mark Hingston

Supported the comments by Susan Morrison and went onto say photographs of the mined area at Minnipup Beach were tabled during the Parliamentary debate and these proved that it was not revegetated.

James Gill

Scientific studies carried out by a UNSW team (Fox and Fox) conclude that rehabilitation of flora and fauna to pre-disturbance levels may take in excess of 25 years, if indeed it can be achieved at all. That makes the immediate impact of mining a long term impact on the conservation values of the excision and landswap area which are to be included in the national park following mining. This is intolerable.

The members in parliament who debated the Reserves Bill (1995) were under the belief that the national park was to be added to and the landswap fully rehabilitated, in fact Cable Sands will mine the landswap before returning it to the national park and will be required to revegetate only the area of the landswap affected by mining. Parliament was misinformed, see Minister for Mines Statement

Pierre Horwitz

The spread of dieback is relevant to the regional impacts and must be considered. The impacts of mining on the National Park are not acceptable.

Bernard Bowen

There will always be impacts. Rehabilitation can never result in ecology that is the exact nature of pre-mining ecology. The question is; is the impact within allowable limits.

Pierre Horwitz

If a mine impacts then it should not proceed.

Summary of recommendations

That the null hypothesis from which the assessment of the proposal should start should be that the impact of proposed mining and associated activities would constitute an unacceptable impact on the ecology of these wetlands. The onus should be on the proponent to disprove this hypothesis rather than on the conservation/ scientific groups to prove it.

That an independent scientific review panel, credible to all stakeholders, must assess the proposal.

That the cumulative impacts of mining and exploration on the south coast of WA be assessed by the EPA prior to the assessment of the current proposal.

That the EPA conducts a Strategic Assessment (Section 16e Environment Protection Act) of the extent of ASS on the south coast of WA. This is essential background information, which must be sought before any mining proposal can be adequately assessed.

That the EPA and DEP adopt the Draft National Strategy for the Management of ASS immediately, prior to the assessment of any mining proposals.

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**Re: Submission to the Bowler Report Inquiry into Greenfields
Exploration in WA**

Hon Clive Brown MLA
Minister for State Development
19th Floor

197 St George's Terrace
PERTH WA 6000

Dear Minister

Re: Submission to the Bowler Report Inquiry into Greenfields Exploration in WA

We write to you to comment on the Bowler report, " Submission to the Bowler Report Inquiry into Greenfields Exploration in WA ".

The Denmark Environment Centre is concerned that the Bowler Report recommendations are only in place to reinforce the Keating Report recommendations, which will actually restrict landowner, local government and community organisations rights and inputs into the mining and exploration process.

We are disappointed that this is the third report in which your department as failed to consult the wider conservation movement and representatives from Aboriginal communities. These reports need to be much more inclusive.

Bowler Report Inquiry page 5: 'The combination of the information gathered in this Inquiry, along with the thrust of the WA State Sustainability Strategy should, I believe, be used to develop a policy for the mining industry".

The report should have included input from the State Sustainability Policy unit in its deliberations and the broader community.

Yours sincerely

Geoff Evans
Convenor
15 December 2002

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Review of the Project Development Approvals System

29 May 2002

Hon Clive Brown MLA
Minister for State Development
19th Floor
197 St George's Terrace
PERTH WA 6000

Dear Minister

Review of the Project Development Approvals System

We write to you to comment on the recent report, " Review of the Project Development Approvals System". While the Denmark Environment Centre agrees with the concept of improving the environmental approvals system and departmental co-ordination, we do not believe that this needs to be done at the expense of public rights.

The Denmark Environment Centre is concerned that some of the Review Committee's recommendations will actually restrict landowner, local government and community organisations rights and input to the development approvals system. The Review Committee only offers vague and nebulous suggestions on improving community access to decision making on this matter.

The Review Committee reported in its letter to the Minister for State Development that,
"We have concluded that there is no significant regulatory requirement that is unnecessary. Each area of approval has been found to serve a proper public purpose." The Committee also claim in the letter that it has taken into account the public interest.

The Denmark Environment Centre has concluded that the above statements are incompatible with a number of its recommendations especially:

Recommendation 10 - Removing from Local Government the right to individually assess environmental aspects of development developments.

Recommendation 28 - Restricting community organisation access to the Mining Wardens Court to object to mining proposals on the grounds of public interest and environmental issues.

Recommendation 31 - Reducing landowners' rights to object to mining activity on their land via amendments to Section 29 (c) of the Mining Act.

Other important issues are commented on in our attached submission.

We find suggestions by the Review Committee that the development approval system is holding up investment incompatible with the Premier's recent comments recorded in Hansard, Wednesday 17 April 2002, that, "Western Australia has experienced business investment of 20.9% in the calendar year 2001 after three years of continuous decline." Economic cycles should not be used as an excuse to reduce community access and participation in the development approvals process.

The Committee also identified that of 24,000 mining tenement applications lodge over the last five years only 200 a year were objected to on environmental grounds.

Sustainability is discussed to some extent by the Review Committee. However, one basic principle of sustainability forgotten by the Committee is that requiring maximum public involvement in decisions. The Review Committee, at the behest of some mining companies, seeks to remove important public rights and access in environmental assessment.

Yours sincerely

Geoff Evans
Convenor

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Submission to the Review of Project Development Approvals System

28 February 2002

Dr Michael Keating AC
Chairman
Review of the Project Development Approvals System

PO Box 7606
Cloister Square
Perth 6850

Dear Dr Keating

SUBMISSION TO THE REVIEW OF THE PROJECT DEVELOPMENT APPROVALS SYSTEM

"Government, industry and the community all seek... an efficient predictable and transparent system that protects the public interest while facilitating investment in high quality and responsible industry"((North West Shelf Gas) Chapter 4, Review of Project Development Approvals System)

While we at the Denmark Environment Centre feel that this statement captures the essence of what an effective Project Development Scheme should encompass, we feel that the majority of recommendations from the review committee do not support this statement. The report relies heavily on assumptions from a mining and development project focus. A consequence of this is a number of recommendations that reduce community input and land owner rights.

As a concerned community organisation, we feel that any review of the current system should place an emphasis on a balanced opinion not just that of the proponent. The Interim Report has outlined the wants of a profit driven industry that wishes to distance itself from accountability to the general public.

An underlying theme of the review is the 'making easy' of the approval system. We believe that any application for industrial development should be comprehensive and complete, leaving no room for environmental or social degradation.

RESPONSE TO OPTIONS FOR CONSIDERATION (Chapter 5)

5.2.1 Ensuring Timeliness of Approvals

5.2.1.1 Approval legislation should be amended to include specific time periods for all actions under the legislation by agencies and Ministers and the action required to be deemed to have been completed if the timeline is not achieved.

Response:

The implementation of strict timeliness on government agencies and

Ministers is not an acceptable practice. Agencies and Ministers must retain the ability to consider all aspects of development proposals without conditions placed upon them. The first priority of Agencies and Ministers is to ensure the full compliance of the proponent, not to adhere to the proponents time schedual.

5.2.2 Removal of overlap and duplication

A system of checks and balances is absolutely necessary in ensuring a development proposal will not prove harmful to the environment or the community. Many overlaps within the present system allow for each government agency to fully understand the ramifications of the development approval.

5.2.2.6 Change the EP Act to allow DMAs to give approvals without waiting for completion of formal assessment of a project, but make it an offence to commence implementation of a proposal before Ministerial conditions are issued under the EP Act.

Response:

Changing the EP Act to allow DMA's to give approval without waiting for completion of a formal assessment would not allow for the social, economic and environmental ramifications of the project to be properly and fully assessed. The above recommendation appears to rule out appropriate checks and balances. This procedure would put the EPA under even greater pressure to give a project environmental approval if DMAs had already signed off for the development.

5.2.2.7 All environmental matters related to a project which is formally assessed under the EP Act should be conclusively determined under the processes of that Act and any other approvals should not include environmental conditions, other than where the EP Act conditions allow for such conditions to be imposed.

Response:

Not allowing any further assessment after the project is assessed under the EP Act would effectively ignore new environmental issues that may not have been present at the time of the initial EP Act approval. Considerable time may pass between an EP Act approval and commencement of activity at the site. Removing the possibility to assess new or significant information will impact on the effectiveness of the environmental assessment system.

5.2.2.8 The Mining Act should be amended to ensure that environmental objections are not heard in the Warden's Court.

Response:

The amendment of the Mining Act to ensure that environmental objections are not heard in the Wardens Court would cut off an essential avenue for the community to be heard in the approval process. Often the Mining Warden is able to assess social and environmental issues in the context of the technical and engineering aspects of the mining proposal, a process the EP Act appears inadequate to carry out.

The Mining Act has an important role in the overall assessment of mining proposals, this includes reconciling social and environmental and mining interests. This avenue for public input must not be excluded, in fact it should be strengthened.

As stated in the Interim Report:

"The Warden's Court provides the public with the only formal mechanism by which it has the right to be heard regarding a specific proposal in an open forum and can comment on other submissions"

Without this avenue to comment on proposed developments community access to the approval system will be significantly reduced.

As further stated in the report:

"This is a substantial weakness in the present approvals system. There is no formal and transparent process that allows the community and decision-makers to simultaneously consider the economic, social and environmental issues associated with a proposal."

We consider the Mining Wardens Court fulfils this function. In addition, it provides a public hearing of the issues not available in the EPA process.

The review committee proposes to take away an important avenue for the community to voice its concerns. All it has done is to suggest the possibility that there may be an informal framework for that voice to be heard. This is grossly unsatisfactory. In acknowledging the problem in the present system, we would think that the committee would recommend steps to repair those gaps rather than widening them. A formal framework for community consultation is imperative for the system to function properly and be accountable.

5.2.2.11 Where a project is to be formally assessed under the EP Act, and will also require a works approval and licence, then less detail should be

required in the formal assessment process in relation to matters that would be covered under a Works Approval and Licence. The proponent should be allowed to defer consideration of relevant issues that are raised in the assessment process until works approval and licence are required.

Response:

The recommendation to defer consideration of relevant issues that are raised in the assessment process until works approval and licence are required, does not allow for a complete assessment of the proposal under the EP Act.

5.2.2.12 Development approvals under Town Planning Schemes should not cover environmental aspects of projects that have been through the formal assessment processes under the EP Act or will need to receive a works approval and licence in order to construct and operate.

Response:

A projects approval in accordance with a town planning scheme is imperative. Environmental considerations are an intrinsic part of any such scheme. Too disempower a community to make decisions regarding its own environment is a complete disregard for the community and a democratic and accountable process. Local government has a right to make their own determination on projects. It is important that local government retain this right to judge projects which will have a direct impact on their local community. Often the formal EP Act assessment overlooks certain aspects relevant at a site specific local government area. The recommendation also removes the right of individuals to comment on local government deliberations.

5.2.2.14 Where a project has been through a formal assessment under Part IV of the EP Act there should be no requirement for the subsequent Works Approval and Licence issued under Part V of the EP Act to be subject to further comment by agencies or the public.

Response:

The removal of Part V assessments, as Recommendation No.14 calls for, will remove the consideration given to the length of time elapsed between a project gaining approval and actual start up. Despite being given a Part IV assessment, a period of time may elapse before a project actually begins production. Part V assessment allows for this time period to be taken into consideration and permits additional assessment if new information comes forth or environmental conditions

5.2.3.17 The State should move as quickly as possible to resolve all native title claims and establish the native title holders for particular areas and see that they are registered under the Native Title Act as the native title holders for the purposes of that Act. The recommendations of the Review

of the Native Title Claim Process in Western Australia and the Technical Taskforce are believed to provide a framework within which this can occur.

Response:

See attached report on the DEC response to the Technical Taskforce.

5.2.3.21 Further consideration should be given to the potential benefits of amending the Mining Act to facilitate low-impact prospecting and exploration.

Response:

The DEC has strong reservations regarding the effectiveness of a low-impact prospecting and exploration regime that may impact on the local community.

5.2.6 Integration of State and Commonwealth Approvals

5.2.6.29 The State should conclude a bilateral agreement with the Commonwealth so that environmental assessments can be completed by the State under both the EP Act and the EPBC Act.

Response:

Both the EP Act and the EPBC Act have an important role to play in ensuring that environmental conditions are met.

5.2.7 Sustainability and Social Responsibilities

The report needs to fully explain what is meant by sustainable development, the necessary steps that need to be in place to work towards that goal and how they will be incorporated into the development approval system. The community needs a formal framework put in place whereby sustainability issues may be raised.

Economic, cost/benefit analysis, social, and environmental aspects clearly need identification and consideration from the very beginning of the assessment process in an integrated manner. A framework for this needs to be developed with input from a wide range of stakeholders, not limited to the mining industry or traditional heavy industry.

An important part of a sustainable development approach is the realisation of a strategic State wide development policy. The project by project piecemeal approach to industrial development, often subsidised by the State, is not moving us towards sustainable development.

Social Impact Assessment

The report correctly identifies the need for social impact assessments of development proposals. We would suggest this should come under the Sustainable Policy Unit in the Ministry of Premier and Cabinet. This Unit can draw on relevant expertise when required. The Sustainable Policy Unit should play a major coordinating and assessment role. Social impact assessment must be independent of State Development portfolios.

5.3 Approvals for Minerals Exploration and Mining

5.3.33 Provision should be made for exploration licences to continue in existence while the holder can demonstrate that exploration work is being actively undertaken on the land.

Response:

A system needs to be in place whereby the holder of an exploration licence

has a definite timeframe to explore the area stipulated (see responses 5.2.1) The current term of exploration licenses allows a clearly defined period of time for genuine exploration to be conducted. This recommendation would allow large mining companies to sit on, and tie up, large areas with exploration licences while carrying out minimal exploration work.

Recommendation No. 33, (unlimited continuation of exploration licences), is far too vague. Just what falls within the definition of 'demonstrating that exploration work is being actively carried out' the report fails to define.

5.3.35 Government should consider ways of providing greater access for exploration on private land in the State without affecting the economic use of that land. This will require attention to the rights of the owner, and consideration could be given to setting up an informal system based on Codes of Conduct, as has apparently been successful in the Katanning area, or some mechanism where the refusal by an owner can be tested in a fair and open manner. Another option could be to change the Mining Act to differentiate between exploration and mining tenements such that exploration access is made easier compared to mining access.

Response:

It appears to us that the Committee has not considered the constitutional implications of reducing landowner rights. Providing greater access for exploration on private land would be a clear reduction in the rights of landowners to control activities on their land. We also do not believe that any proposed testing regime of a miners access rights to private land can be done in a 'fair and open manner' as suggested in the report. A mining

company with access to substantial financial and legal resources will have a significant advantage over an individual landowner.

5.3.38 The Mining Warden should only deal with matters and objections that relate to the provisions of the Mining Act, and the Mining Act should be amended to make this explicit.

Response:

Resourcing for the Warden's Court should be improved to enable community issues be more fully assessed.

The Warden's Court provides the public with the only formal mechanism by which it has the right to be heard regarding a specific proposal in an open forum and can comment on other submissions.

The recommendation to take away this community right is an affront to community organisations (See response 5.2.8).

The recommendation to take the only voice of the community away would prove grossly unsatisfactory if implemented.

Environmental and social issues should be included in the discussion of any grant of mining lease. The Mining Wardens Court is an appropriate place for this and resources to the Court should be increased so it can further facilitate these issues.

5.7 Planning for Development Sites

5.7.57 The broad environmental conditions, under which development of certain types of project can proceed or land for industry can be utilized, should be determined by a strategic-level EPA assessment initiated by the State Development portfolio or the Planning and Infrastructure portfolio, as appropriate.

Response:

Site based assessment is a vital part of environmental assessment. While a larger strategic level assessment of land use can be utilised it often does not take into account site specific issues within smaller parcels of land in the larger context. Circumstances may also change since the land was initially zoned and proponents may change the nature of their development in the interim. Site based assessments allow these aspects to be taken into account.

COMMUNITY PARTICIPATION

The report needs to develop guidelines for the provision of all relevant information to community organisations, local governments and others in

the development approvals system and ensure that this is provided at the beginning of the approvals process.

We support comments in the report that the community must have access to technical specialist advice at reasonable cost and that community organisations be properly resourced to participate in sustainability processes and project assessments.

It is important that there is a clear public input framework with information and views sought from local governments, community groups and individuals who are able to provide unique knowledge.

REVIEW OUTCOME

The Review Outcome section states that the review will consider decision-making " without reducing environmental or other standards". From our above discussion, it is clear that some of the recommendations will reduce community input and the scope of public oversight on development proposals. Those recommendations should be rejected.

The interim report fails to deliver a framework and a clear process for community involvement. Nor does it develop a framework for projects to be considered within a sustainable development process.

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Submission to the Technical Taskforce on Mineral Tenements and Land Title Applicants

Prepared by Geoff Evans & Mark Hingston

for Denmark Environment Centre

31st August 2001

Ms Ingrid Hebron
Executive Officer
"Technical Taskforce"
Governor Stirling Tower
26th Floor, 197 St Georges Terrace
PERTH WA 6000

Dear Ms Hebron

We are pleased to submit the following comments and questions for your consideration. We apologise for not having the submission in yesterday (31/8/2001) but trust you will accept this submission.

The objectives of the Technical Taskforce were to assess how mineral, petroleum and land title applications can be dealt with more effectively, while at the same time recognising and protecting the native title rights of indigenous people.

The Technical Taskforce identified critical issues that need to be addressed:

- Recognition that the protection of Aboriginal heritage is fundamental to advancing the processing of future acts within WA.
- Removal of the backlog of some 11,000 mineral tenement applications, which resulted from the enactment of the NTA and its interaction with the Mining Act 1978.
- Adequate resourcing for the process.

The recommendations to resolve this matter involve amendments to the Mining Act 1978.

Proposed Amendments to Mining Act 1978

The Technical Taskforce has recommended changes to the Mining Act 1978 to overcome perceived Native Title problems. If Native Title issues are the problem then it would seem more appropriate to deal with that through some other mechanism. Improving resources to the Native Title office would seem to be needed.

However, what are being proposed are amendments to the Mining Act 1978.

The implications of the proposed changes as suggested by the Technical Taskforce is that the amendments will ease the backlog of mineral lease and Native Title issues.

The backlog will only be cleared under this method if current exploration licences would fall under this proposed amendment. This would make it retrospective. It appears that the Technical Taskforce's discussion paper has not examined the full implications of this potential for retrospectivity.

It is our understanding that Native Title does not become an issue in relation to exploration/mining leases until groundbreaking activity takes place. It would be more appropriate that the Mining Industry enter into a Memorandum of Understanding with Native Title claimants that Native Title issues only need to be addressed if and when the groundbreaking activities actual need to take place. At the moment negotiations commence as soon as an exploration licence is granted.

It appears to us that the Government is using the Native Title issue as a backdoor method of introducing major amendments to the Mining Act 1978 to facilitate the wishes of the mining industry to unlimited exploration licences and mining.

We believe that other methods would be more effective in improving the Native Title backlog and conditions for Native Title representative bodies.

Implications for Conservation Areas

The proposed amendments to the Mining Act 1978 will entrench current exploration and mining leases over the conservation estate. The ALP has a policy of no mining/exploration in the conservation estate. The proposed amendments to the Mining Act 1978 will enable current exploration licences to be rolled over indefinitely. Existing mining leases in the conservation estate will be able to be downgraded to exploration licences. This leaves the potential that current licences will remain over the conservation estate indefinitely.

Recommendation

Our recommendation is for all existing mining leases and exploration licences in the conservation estate not to be renewed. This would see a gradual implementation of ALP policy of no mining and exploration in the conservation estate.

Implications for Freehold land

In potential eco-tourism areas, ie adjacent to National parks and nature reserves, where freehold land could be developed for tourism activities the implications of indefinite Exploration Licences and Mining Leases will have major impacts on development opportunities. The lack of a clearly defined

time period for either Exploration Licences or Mining Leases will cause uncertainty for nearby landholders and with landuse potential. This may stifle investment in large areas throughout the state.

Recommendation

Our recommendation is for all existing mining leases and exploration licences in freehold identified as tourism areas not to be renewed. This would see a gradual implementation of ALP eco-tourism policy.

Outstanding Concerns with Technical Taskforce Recommendations

Technical Taskforce page 47, 5.2 Recommendation for Progressing Prospecting and Exploration Licences. The Taskforce recommend Option 1 page 42.

Make legislative amendments to allow applications for new prospecting and exploration licences to continue in force until exploration activities are finalised without the need to convert to an application for a mining lease.

How will the proposed Mining Act 1978 amendments apply to all lands such as:

Conservation Estate?

Pastoral?

Freehold?

Leasehold?

Crownlands?

What impacts will indefinite terms for prospecting & exploration have on:

Conservation Estate?

Pastoral?

Freehold?

Leasehold?

Crownlands?

Technical Taskforce - Page 46 5.1 Recommendation for Progressing Mining Leases:

The Taskforce recommends Option 1 page 32 as a means to resolve the current backlog of mining lease applications.

The holder of an exploration/prospecting licence will NOT be forced to convert to an application for a mining lease, which will result in amendments to the Mining Act 1978.

Will the proposed changes to the Mining Act 1978 apply to all existing exploration/prospecting licence with applications pending for a mining lease?

What impacts will this process have on:

Conservation Estate?

Pastoral?

Freehold?

Leasehold?

Crownlands?

The proposed changes to the Mining Act will apply to all mining and exploration in the state?

That is in:

Conservation areas?

Pastoral?

Freehold?

Leasehold?

Crownland?

If not, what parts of any Act will prevent this?

Recommendations

The Mining Industry Liaison Committee to consult with:

Minister for the Environment and Water Resources

Minister for Agriculture

Conservation groups

CALM

WAMA

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Recommendation

That the proposed mineral sand mine adjacent to Lake Jasper within D'Entrecasteaux National Park be referred to the Commonwealth Minister for the Environment The Environmental Protection and Biodiversity Conservation Act 1999

The proposed mineral sand mine adjacent to Lake Jasper is an action to which the Act applies, that is:

An action which is likely to have a significant impact on a listed matter of national environmental significance. These are:

Listed threatened species and ecological communities;

Listed migratory species.

Action

The proposed mineral sand mine is an action that triggers the Act. An action is:

A project;

A development;

An undertaking;

An activity, or

An alteration to one of those things.

Significant Impact

The proposed mineral sand mine is an action that will have, or is likely to have, a significant impact on a matter of national environmental significance. Things that need to be taken into account include:

All on-site and off-site impacts;

All direct and indirect impacts;

The frequency and duration of the action;

The total impact which can be attributed to the action over the entire geographic area affected, and over time;

The sensitivity of the receiving environment, and

The degree of confidence with which the impacts of the action are known and understood.

Listed threatened species and ecological communities

Actions that have, will have, or are likely to have a significant impact upon:

A listed threatened species,
(that is extinct, endangered or vulnerable species); or
A listed threatened ecological community
(that is, critically endangered or endangered, not vulnerable)
The proposed mineral sand mine will have a significant impact
and includes things that are likely to:

Lead to a long-term decrease in the size of the population, or
Reduce the area of occupancy of the species, or
Fragment an existing population into two or more populations, or
Adversely affect the habitat critical to the survival of the species, or
Disrupt the breeding cycle of a population.

Reference: The Environmental Protection and Biodiversity Conservation Act 1999 (Cth): The Guide - Environmental Defenders Office WA Inc

Mammals

A specimen of the Quenda or Southern Brown Bandicoot *Isodon obesulus* appears on the WA Museums database for specimens found in the Lake Jasper area in 1996 or 1997. The species is listed as declared threatened fauna and is on the Commonwealth endangered list.

A dead Quokka (*Setronix brachyurus*) was retrieved 12km west of the survey site and positively identified by the WA Museum. The species is on the Commonwealth vulnerable list.

Supporting information

A small mammal survey in the Lake Jasper area in May 1993 undertaken by CALM with support from Cable Sands P/L identified 4 native species. A further 4 species were identified as being present in the area from sightings or signs while 5 additional species were identified as possibly present due to suitable habitat and nearby populations.

A dead Quokka (*Setronix brachyurus*) was retrieved 12km west of the survey site and positively identified by the Perth Museum. Several sites were discovered in the survey area where what appeared to be small animal tunnels similar to those produced by Quokkas. The species is on the Commonwealth vulnerable list.

There was consideration given to the fact that suitable habitat is present for Ringtailed Possums, which is also declared endangered.

The report recommended that a further expanded survey is carried out in the area for these additional species. (Lake Jasper Small Mammal Survey - Beck, 1993).

A further survey was commissioned by Cable Sands P/L between December 1996 and January 1998 Jangardup South Fauna Survey - Halpern Glick Maunsell. (See list of native species below - p.17).

Tachyglossus aculeatus Echidna

Cercartetus concinnus Western Pygmy-possum

Sminthopsis griseoventer Grey-bellied Dunnart

Isodon obesulus Southern Brown bandicoot

Trichosaurus vulpecula Common Brushtail Possum

Tarsipes rostratus Honey Possum

Macropus fuliginosus Western Grey Kangaroo

Hydromys chrysogaster Water Rat

Rattus fuscipes Bush Rat

Various introduced species (7).

Adversely affect the habitat critical to the survival of the species

Halpern Glick Maunsell made the following observations:

(Conservation Significance)

All of the habitats of the study area represent largely intact vegetation in good condition, supporting apparently stable, species rich vertebrate communities.

The ridge landforms that form part of this habitat unit also have ecological importance as seasonal refugia for many species.

The frog fauna of the study area represents one of the highest tallies recorded for a single area in the south of the state.

Conclusions

This pattern of seasonal change highlights the significance of the elevated sandridge habitats as important wet season refugia for most of the significant mammals occurring in the area.

There is some degree of endemism present in the mammal fauna at the subspecies level, with the Southern brown Bandicoot and Brushtail Possum populations from the region being regarded as distinct from those in other parts of the country.

Recommendations

6. An effort should be made to avoid impacting permanent core wetland areas (as identified) not directly in contact with Lake Jasper where possible due to their likely ecological role as local refugia for wetland dependent fauna species (including native fish) during summer months.
3. An effort should be made to minimise the clearing of Jarrah woodland dune ridge habitats due to their relatively small area of representation and local ecological significance.

Jangardup South Fauna Survey - Halpern Glick Maunsell

Birds

With a surface area of 4 sq. km. Lake Jasper is one of Western Australia's few large freshwater lakes that is undamaged by human activity. As a near pristine component of the Gingilup-Jasper Wetland system of freshwater lakes, marshes and shrub-swamps, Lake Jasper is rated fifth for waterbird usage out of the 27 south coast wetlands (Jaensch, 1992b). It is a breeding ground to 25 species of waterbird, many of which are listed in either the Japan Australia Migratory Birds Agreement or the China Australia Migratory Birds Agreement

EPBC Migratory Species

Peregrine Falcon, *Falco peregrinus* (CALM 23rd January 1997);

Red-necked Stint *Calidris ruficollis* (RAOU 17.10.96 order0277, ref 0162)

Caspian Tern *Hydroprogne caspia* (RAOU 17.10.96 order0313, ref 0112)

Greenshank *Tringa nebularia* (Roger P. Jaensch, February 1992)

(EPBC vulnerable) Threatened species listing

Baudin's Cockatoo *Calyptorhynchus baudinii* (RAOU 17.10.96 order0361, ref 1266)

The above information is indicative of the rich biodiversity of D'Entrecasteaux National Park and the Gingilup-Jasper Wetland system. With the progress of the Environmental Review Management Programme, prepared by Cable Sands P/L and released for peer review, it is imperative that the proposed mineral sand mine be referred to:

Commonwealth Minister for the Environment

The Environmental Protection and Biodiversity Conservation Act 1999



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Action Plan for the Lake Jasper Defence



Reclaim Lake Jasper

Cable Sands' proposal to place a mineral sand mine adjacent to Lake Jasper in D'Entrecasteaux National Park on the south coast highlights the lack of protection given to our conservation estate in Western Australia.

The Minister Mines has recently admitted that there are currently mining leases or exploration licences over 17 National Parks and hundreds of Nature Reserves.

Of course, the proposed mineral sand mine at Lake Jasper does not show up in these figures, as the mine area has been excised from D'Entrecasteaux Nation Park.

Too Magnificent To Mine

Cable Sands' mining proposal lies within an area that should have remained National Park rather than be excised for the purpose of exploration and mining.

The area lies within the winter flooding zone of Lake Jasper, Western Australia's largest natural freshwater lake, and is part of the Gingilup-Jasper wetland system. Lake Jasper and the Gingilup-Jasper wetland system represent outstanding and important ecosystems, and are recognised as such by their listing in the Register of the National Estate. It is 'perched' above the surrounding groundwater levels. A similar perched lake on Stradbroke Island was drained after mineral sand mining nearby. Lake Jasper also represents an Aboriginal archaeological site of worldwide significance containing Australia's only underwater prehistoric site of human habitation.

The proposed mineral sand mine poses great risks for the Lake and would set an unacceptable precedent for mining in National Parks.

Acid sulfate soils have been discovered at the proposed mine site and the pollution potential of any mining is bound to be greatly increased by their presence.

The impact of draining or excavating these soils is devastating to the environment. Acid sulfate soils release sulfuric acid into the water table when exposed to the atmosphere. The presence of these soils at BHP's Beenup mineral sands mine near Augusta lead to its closure and caused a massive plume of sulfuric acid to be released into the surrounding groundwater.

The D'Entrecasteaux Coalition have been successful in ensuring that the EPA and DEP adopt the National Strategy for the Management of Acid Sulfate Soils as part of the assessment of mining proposals. Acid sulfate soils are likely to be one of the main issues in relation to the Lake Jasper proposal.

Have your say

Cable Sands are due to release the Environmental Review and Management Programme (ERMP) for the proposed Lake Jasper (Jangardup South) mine within the coming months. This will be a critical time for the community to express its opposition to mining such a special and unique place.

Individuals and groups are encouraged to make submissions on the draft ERMP to the EPA when the time comes, and to start putting pressure on the Government and EPA by taking part in the letter writing campaign (contact your local environment centres for letters and postcards).

CRUNCH-TIME APPROACHES FOR LAKE JASPER: THE FUTURE OF THIS WETLAND WILDERNESS LIES IN ALL OF OUR HANDS. IT IS TIME TO ACTIVATE.

Contact Justin or Geoff for details.



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SMALL MAMMAL SURVEY - LAKE JASPER

A recently conducted small mammal survey in the Lake Jasper area of D'Entrecasteaux National Park with the support of the Department of Conservation and Land Management.

The initial survey has been very successful, but more work is needed to give us a better idea of what is happening in the area.

The Lake Jasper region has seen a tremendous increase in activity by the extractive industries since 1993 and any impacts this may have caused to the National Park and the surrounding area have yet to be fully understood. We are particularly interested in non-direct impacts that areas of high activity would have on the surrounding region.

We are looking to explore funding options for putting together an intensive one-year project to encompass any seasonal variations in mammal populations.

With additional areas under consideration for further mineral sand mining and exploration, we need to identify any problems that may have further repercussions for our National Parks.

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MINING IN NATIONAL PARKS AND NATURE RESERVES

Readers may be interested in the following extract from Hansard for the Legislative Assembly of WA.

QUESTION 345.

Dr EDWARDS to the Minister representing the Minister for Mines:

- (1) What National Parks and Nature Reserves in Western Australia currently have mining leases, exploration leases, and /or temporary reserves over them, and by which companies?
- (2) Which National Parks and Nature Reserves in Western Australia are being considered for (or have applications) for mining or exploration leases?
- (3) Is it the intent of the Government to allow continued exploration in National Parks in Western Australia?
- (4) Will the Minister rule out allowing excisions, explorations or mining activities in any National Parks in this or the next term of Government?

Mr BARNETT replied:

- (1) As at 1 August 2000, the following National Parks and Nature Reserves are subject to granted mining leases, exploration licences and/or temporary reserves, and the tenement holders are as listed:

Collier Range National Park, Oldcity Nominees Pty Ltd

Drysdale River National Park, Australian Kimberley Diamonds NL

Drysdale River National Park, Beta Creek Diamond Exploration NL Rio Tinto Exploration Pty Ltd

Fitzgerald River National Park, Minorco Australia Ltd, Tectonic Resources NL

Goongarrie National Park, Centaur Mining And Exploration Ltd, Defiance Mining NL, Heron Resources NL, Wingate Resources Pty Ltd

Hassell National Park, Minorco Australia Ltd

Hidden Valley National Park, Guerinoni Carmillo

Karijini National Park, BHP Iron Pty Ltd, CI Minerals Australia P/L, Goldfields Exploration P/L Hamersley Exploration Pty Ltd, Hamersley Iron Pty Ltd, Hamersley Resources Ltd, Nippon Steel Australia Pty Ltd, Westraint Resources Pty Ltd, Winterfall Pty Ltd

Lesueur National Park, Eustace Reginald R

Moore River National Park, Iluka Resources Ltd

Porongurup National Park, Minorco Australia Ltd

Rudall River National Park, Cameco Australia Pty Ltd, Rio Tinto Exploration Pty Ltd

Tuart Forest National Park, Iluka Resources Ltd

Tunnel Creek National Park, Reddingius Gerardus

Watheroo National Park, Normandy Industrial Minerals Ltd

Windjana Gorge National Park, Tudor Rose Holdings Pty Ltd

NATURE RESERVE TENEMENT HOLDERS

Bampanup Nature Reserve, Iluka Resources Ltd

Bartletts Well Nature Reserve, Iluka Resources Ltd

Basil Road Nature Reserve, Minorco Australia Ltd

Beekeepers Nature Reserves, Chopping Maurice, Cockburn Cement Ltd, Haggarty Arnold, Manna Enterprises Pty Ltd, Mega-Min Resources NI, Quantum Holdings Pty Ltd, Royce Maxwell, Smith Ronald, Westdeen Holdings Pty Ltd, Westlime (WA) Ltd, Woods Peter

Benger Swamp Nature Reserve, Cable Sands (WA) Pty Ltd

Binaronca Nature Reserve, Resolute Ltd

Blue Gum Creek Nature Reserve, Regaldove Pty Ltd

Boonanarring Nature Reserve, Iluka Resources Ltd

Boundain Nature Reserve, Rio Tinto Exploration Pty Ltd

Capamauro Nature Reserve, WMC Resources Ltd

Cardunia Rocks Nature Reserve, Equs Ltd

Carnac Island Nature Reserve, Cockburn Cement Ltd

Chandala Nature Reserve, Iluka Resources Ltd

Chillinup Nature Reserve, Minorco Australia Ltd

Chinocup Nature Reserve, Patterson Wendy Diane

Claypit Nature Reserve, Rio Tinto Exploration Pty Ltd

Clear And Muddy Lakes NR Ida Gold Pty Ltd

Cobertup Nature Reserve, Minorco Australia Ltd

Cobline Nature Reserve, Dominion Gold Operations Pty Ltd, Garreg Pty Ltd

Coomelberrup Nature Reserve, Dominion Gold Operations Pty Ltd

Cronin Nature Reserve, Dominion Gold Operations Pty Ltd

Crooks Nature Reserve, Australian Gold Resources Ltd

Dead Mans Swamp Nature Reserve, Garreg Pty Ltd

Dolphin Island Nature Reserve, Ministerial

Dookanooka Nature Reserve, Falx Pty Ltd

Down Road Nature Reserve, BHP Minerals Pty Ltd

Dumbleyung Lake Nature Reserve, Dominion Gold Operations Pty Ltd

Dundas Nature Reserve, Apec Power & Energy Pty Ltd, BHP Minerals Pty Ltd, Geographe Resources Ltd, Gutnick Resources NL, Helix Resources NL

East Naemup Nature Reserve, Resolute Ltd

Emu Hill Nature Reserve, Dominion Gold Operations Pty Ltd

Faunadale Nature Reserve, Creasy Mark Garet

Gingilup Swamps Nature Reserve, Cable Sands (WA) Pty Ltd

Granite Hill Nature Reserve, Minorco Australia Ltd

Great Sandy Island Nature Reserve, Mineralogy Pty Ltd

Gunyidi Nature Reserve, Normandy Industrial Minerals Ltd

Harris Nature Reserve, Australian Gold Resources Ltd

Hill River Nature Reserve, Iluka Resources Ltd, Tific Pty Ltd

Jilbadji Nature Reserve, Forrestania Gold NL, Gemini Mining Pty Ltd, My Casino Ltd, Orion Resources NL, Outokumpu Mining Australia Pty Ltd, Petroleum Securities Mining Co. Pty Ltd, Roebuck Resources NL (Now Known As Swiftel Ltd), Taylor Pamela Mar

Johns Well Nature Reserve, Garreg Pty Ltd

Kadathinni Nature Reserve, Falx Pty Ltd

Kalgan Plains Nature Reserve, Supersorb Minerals NL

Kambalda Nature Reserve, Central Kalgoorlie Gold Mines NL, Defiance Mining NL, Newcrest Mining Ltd, WMC Resources Ltd

Karroun Hill Nature Reserve, Stockdale Prospecting Ltd

Kondinin Salt Marsh Nature Reserve, Cusack Brian John

Kundip Nature Reserve, Homestake Gold of Australia Ltd, Tectonic Resources NL

Kurrawang Nature Reserve, Mount Manning Resources Ltd, Tribune Resources NL

Lake Champion Nature Reserve, RC Sadleir Pty Ltd

Lake Cronin Nature Reserve, Forrestania Gold NL, Outokumpu Mining Australia Pty Ltd

Lake King Nature Reserve, Green Keith, Kidman Gordon, Kidman Josephine, McLean Trevor

Lake Logue Nature Reserve, Renison Ltd

Lake Muir Nature Reserve, Minorco Australia Ltd

McGlinn Nature Reserve, Australian Gold Resources Ltd

Mettler Lake Nature Reserve, Minorco Australia Ltd

Mill Brook Nature Reserve, BHP Minerals Pty Ltd

Moojebing Nature Reserve, Garreg Pty Ltd

Mount Manning Nature Reserve, Stockdale Prospecting Ltd, Tectonic Resources NL, Wingate Resources Pty Ltd

Munglinup Nature Reserve, Resolute Ltd

Namming Nature Reserve, Iluka Resources Ltd

Napier Nature Reserve, BHP Minerals Pty Ltd, Minorco Australia Ltd

Niagara Dam Nature Reserve, Kookynie Resources NL, Money Mining NL

Noobijup Nature Reserve, Minorco Australia Ltd

North Sister Nature Reserve, BHP Minerals Pty Ltd

North Tarin Rock Nature Reserve, McNab Brian Alex

North Yilliminning Nature Reserve, Rio Tinto Exploration Pty Ltd

Nuytsland Nature Reserve, Millennium Minerals (Operations) Pty Ltd

Oakabella Nature Reserve, Australian Metallic Resources NL

Oakley Nature Reserve, Rio Tinto Exploration Pty Ltd

Overshot Hill Nature Reserve, Homestake Gold Of Australia Ltd

Paperbark Nature Reserve, My Casino Ltd

Phillips Brook Nature Reserve, BHP Minerals Pty Ltd

Pingaring Nature Reserve, Elward Nominees Pty Ltd

Plumridge Lakes Nature Reserve, Arotinco Resources NL, Gutnick Resources NL, Topsfield Pty Ltd

Queen Victoria Spring Arotinco Resources NL, Paladin Energy Minerals NL

Quindinup Nature Reserve, Minorco Australia Ltd

Randell Road Nature Reserve, Geotech International Pty Ltd

Riverdale Nature Reserve, Iluka Resources Ltd

Sleeman Creek Nature Reserve, Regaldove Pty Ltd

Sloss Nature Reserve, Resource Exploration NL

South Eneabba Nature Reserve, Eustace Reginald, Iluka Midwest Ltd

South Sister Nature Reserve, BHP Minerals Pty Ltd

South Stirling Nature Reserve, Minorco Australia Ltd

Southern Beekeepers NR Department Of Marine And Harbours, Drew Mervyn, Westdeen Holdings Pty Ltd

Strathmore Hill NR Garreg Pty Ltd

Sweetman Nature Reserve, Falx Pty Ltd

Takenup Road Nature Reserve, Minorco Australia Ltd

Tinkelelup Nature Reserve, Minorco Australia Ltd

Toolonga Nature Reserve, Stockdale Prospecting Ltd

Tootanellup Nature Reserve, Minorco Australia Ltd

Truslove Townsite NR Wesfarmers Coal Ltd

Urawa Nature Reserve, Kingstream Steel Ltd

Walbarra Nature Reserve, Iluka Resources Ltd

Wanagarren Nature Reserve, Mineral Sand Mining And Development Pty Ltd

Wanjarri Nature Reserve, Le Chem Pty Ltd, WMC Resources Ltd

Wardering Lake NR Garreg Pty Ltd

Wedge Island Nature Reserve, Mineral Sand Mining And Development Pty Ltd

Welsh Nature Reserve, Desertstone NL, Resource Exploration NL

Wingedyne Nature Reserve, Garreg Pty Ltd

Wongamine Nature Reserve, Comet Resources NL

Wongonderrah NR Yalgoo Minerals Pty Ltd

Woodanilling Nature Reserve, Garreg Pty Ltd

Woorgabup Nature Reserve, Amcom Telecommunications Ltd

Yeal Nature Reserve, Hines Richard

Yellowdine Nature Reserve, Aarex Resources NL, Arrow Resources Management Pty Ltd

Yeo Lake Nature Reserve, Stockdale Prospecting Ltd

Yilliminning Nature Reserve, Rio Tinto Exploration Pty Ltd

Zuytdorp Nature Reserve, Gunson Resources Ltd

15121, Amcom Telecommunications Ltd

16000, Swan Resources Pty Ltd

16945, Amcom Telecommunications Ltd

18584, Swan Resources Pty Ltd

19075, Amcom Telecommunications Ltd

19098, BHP Minerals Pty Ltd
21543, Geotech International Pty Ltd
23012, Iluka Resources Ltd
23923, BHP Minerals Pty Ltd
25495, Iluka Midwest Ltd, Western Titanium Ltd
25705, Minorco Australia Ltd
25801, Broken Hill Metals NL, Sons Of Gwalia Ltd
26662, Pan Australian Exploration Pty Ltd
27177, Homestake Gold Of Australia Ltd
27993, Iluka Finance Ltd, Iluka Midwest Ltd
33113, Pan Australian Exploration Pty Ltd
36913, Ministerial
36915, Ministerial
37289, Desertstone NL
38578, Dominion Gold Operations Pty Ltd
39202 Ministerial
39744, Iluka Midwest Ltd, Renison Ltd
40035, Amcom Telecommunications Ltd
42481, Eustace Reginald
42943, Pan Australian Exploration Pty Ltd
43060, Homestake Gold Of Australia Ltd, South Coast Metals Pty Ltd
43219, Troy Resources NL
43464, Dominion Gold Operations Pty Ltd

5339, Garreg Pty Ltd

(2) As at 1 August 2000, the following National Parks and Nature Reserves have applications for mining leases or exploration licences:

NATIONAL PARKS

Cape Arid National Park

Collier Range National Park

D'Entrecasteaux National Park

Drovers Cave National Park

Drysdale River National Park

Fitzgerald River National Park

Francois Peron National Park

Frank Hann National Park

Goongarrie National Park

Hassell National Park

Kennedy Range National Park

Lesueur National Park

Moore River National Park

Nambung National Park

Peak Charles National Park

Purnululu National Park

Rudall River National Park

Scott National Park

Stirling Range National Park

Tuart Forest National Park

Watheroo National Park

Yanchep National Park

NATURE RESERVES

Alco Nature Reserve

Anderson Lake Nature Reserve

Arthur River Nature Reserve

Baladjie Lake Nature Reserve

Balicup Lake Nature Reserve

Ballast Pit Nature Reserve

Barlee Range Nature Reserve

Beaumont Nature Reserve

Beejenup Nature Reserve

Beekeepers Nature Reserve

Bella Vista Nature Reserve

Binaronca Nature Reserve

Bindoon Spring Nature Reserve

Birdwhistle Nature Reserve

Bockaring Nature Reserve

Bokan Nature Reserve

Boonadgin Nature Reserve

Boonanarring Nature Reserve

Boyagin Nature Reserve

Buchanan Nature Reserve

Bullsbrook Nature Reserve
Camel Lake Nature Reserve
Cardunia Rocks Nature Reserve
Carlyarn Nature Reserve
Carmody Nature Reserve
Carrabin Nature Reserve
Cheadanup Nature Reserve
Chinocup Nature Reserve
Chirelillup Nature Reserve
Clear And Muddy Lakes Nature Reserve
Cobline Nature Reserve
Commodine Nature Reserve
Concaring Nature Reserve
Condarnin Rock Nature Reserve
Corneecup Nature Reserve
Cowerup Nature Reserve
Coyrecup Nature Reserve
Cronin Nature Reserve
Damnosa Nature Reserve
Danjinning Nature Reserve
Dattening Nature Reserve
Dongolocking Nature Reserve
Donnelly River Nature Reserve

Duladgin Nature Reserve

Dumbleyung Lake Nature Reserve

Dundas Nature Reserve

East Collanilling Nature Reserve

East Yornaning Nature Reserve

Eneminga Nature Reserve

Formby Nature Reserve

Geekabee Hill Nature Reserve

Gibson Desert Nature Reserve

Gingilup Swamps Nature Reserve

Gnarkaryelling Nature Reserve

Great Sandy Island Nature Reserve

Great Victoria Desert Nature Reserve

Gundaring Lake Nature Reserve

Gunyidi Nature Reserve

Hill River Nature Reserve

Hobart Road Nature Reserve

Hotham River Nature Reserve

Howatharra Nature Reserve

Hurdle Creek Nature Reserve

Ibis Lake Nature Reserve

Jaloran Nature Reserve

Jebarjup Nature Reserve

Jerdacuttup Lakes Nature Reserve

Jilbadji Nature Reserve

Johns Well Nature Reserve

Kambalda Nature Reserve

Karroun Hill Nature Reserve

Kathleen Nature Reserve

Keaginine Nature Reserve

Kodjinup Nature Reserve

Kurrawang Nature Reserve

Kwolyinine Nature Reserve

Kwornicup Nature Reserve

Lake Champion Nature Reserve

Lake Cronin Nature Reserve

Lake Dumbleyung Nature Reserve

Lake King Nature Reserve

Lake Logue Nature Reserve

Lake Muir Nature Reserve

Lake Shaster Nature Reserve

Lipfert, Milligan, Etc Islands Nature Reserve

Mailalup Nature Reserve

Mallee Plain Nature Reserve

McDougall Nature Reserve

Moganmoganing Nature Reserve

Moomagul Nature Reserve

Moondyne Nature Reserve

Moore River Nature Reserve

Moornaming Nature Reserve

Mount Manning Nature Reserve

Mount Ney Nature Reserve

Mount Pleasant Nature Reserve

Mount Ridley Nature Reserve

Mungaroon Range Nature Reserve

Nallian Nature Reserve

Namming Nature Reserve

Napping Nature Reserve

Niagara Dam Nature Reserve

Nilgen Nature Reserve

Nilligarri Nature Reserve

North Sister Nature Reserve

North Yilliminning Nature Reserve

Nuytsland Nature Reserve

Oakajee Nature Reserve

Oakley Nature Reserve

Orchid Nature Reserve

Ord River Nature Reserve

Pallarup Nature Reserve

Pindicup Nature Reserve

Pinjarrega Nature Reserve

Plumridge Lakes Nature Reserve

Protheroe Nature Reserve

Queen Victoria Spring Nature Reserve

Quongunnerunding Nature Reserve

Ridley North Nature Reserve

Ridley South Nature Reserve

Rock Hole Dam Nature Reserve

Sabina Nature Reserve

Salt Lake Nature Reserve

Sandford Rocks Nature Reserve

South Eneabba Nature Reserve

South Mimegarra Nature Reserve

Southern Beekeepers Nature Reserve

Taarblin Lake Nature Reserve

Tenterden Nature Reserve

Three Swamps Nature Reserve

Toolonga Nature Reserve

Truslove Townsite Nature Reserve

Twongkup Nature Reserve

Unicup Nature Reserve

Urawa Nature Reserve

Utcha Well Nature Reserve

Walbyring Nature Reserve

Wanagarren Nature Reserve

Wandi Nature Reserve

Wanjarri Nature Reserve

Warrenup Nature Reserve

Whin Bin Rock Nature Reserve

Wilgarup Nature Reserve

Wokatherra Nature Reserve

Woondowing Nature Reserve

Yardanogo Nature Reserve

Yellowdine Nature Reserve

Yeo Lake Nature Reserve

Yornaning Nature Reserve

Zuytdorp Nature Reserve

(3) Yes. This is in accordance with the Mining Act 1978 which provides for the concurrence of the Minister for the Environment before any exploration activities can occur in a National Park.

(4) No. Each case will be considered on its merits. It is a requirement of the Mining Act 1978 that any grant of a mining lease within a National Park requires the agreement of both Houses of Parliament.

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OTHER MINING ISSUES

Mining Lease, Exploration & Retention Licence application north of William Bay National Park

There has been little activity in this area since this matter was referred to the

EPA under Section 38 of the EP Act, 5 February 2002. The proponents have to

provide a detailed environmental impacts statement for the proposed area.

There have been a number of Mining Wardens Court hearings and the Environmental Defenders Office and Bart Lebbing represented the DCS. All of the above matters have been adjourned until August 2003, pending EPA

resolution of Section 38 of the EP Act. Presentation to the William Bay National Parks Association AGM and The Wolery management committee on the above matter.

A number of inserts about the proposed mineral sands prospecting were arranged with the Denmark Bulletin and many more signatories and statements

collected opposed to the proposal. With representatives from various conservation groups (WWF, CCWA, FoE, and WS) met with the Chamber of Minerals and Energy, regarding proposed changes to the Mining Act and potential impacts on the conservation estate.

Submissions prepared ie Keating and Ripper submissions. With Rob Versluis, Mark Hingston and Jean Webb met with the Minister for the Environment, The Hon Dr Judy Edwards re Walpole Wilderness Area, national parks, NRM, catchment management and changes to the Mining Act Attendance at the Fifth International Acid Sulfate Soils Conference, with part financial assistance from DCS.

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**COMMENTS ON PROPOSAL BY CABLE SANDS TO REHABILITATE
RESERVE LAND IN NELSON LOCATION 13471 AFTER MINING IN A
PROPOSED EXTENSION TO
THE EXISTING JANGARDUP HEAVY MINERALS MINE**

With reference to EPA Bulletin 932 (1999) and Minninup Beach Six monthly Environmental Reports (Vol. 1) Numbers 9 and 10 (1993)

By A. S. Weston, PhD (Botany)

Cable Sands has apparently argued (in Cable Sands 1998) that because the company successfully rehabilitated and revegetated foredunes and primary dunes at Minninup after mining them, it can carry out successful rehabilitation and revegetation of the Jangardup Extension area.

Scepticism about the validity of this argument is expressed in two places in Bulletin 932, by the EPA on p. 19 of the report and in the submission in Section 2.2.4 of Appendix 6. The reasons given for the scepticism are, essentially, that:

Minninup Beach is a coastal environment, but the Jangardup Extension area is not,

The company has limited experience in rehabilitating native vegetation in an area intended (unlike Minninup Beach) to be incorporated into the D'Entrecasteaux National Park.

Cable Sands has no experience, no examples and no expertise in rehabilitating native vegetation to National Park status, and Completion criteria, rehabilitation objectives and regulatory conditions for Minninup Beach rehabilitation were set too low, even for an area not intended to be incorporated into a national park.

The company avoids addressing any of these concerns in its responses to submissions.

According to the Minninup Beach Environmental Reports Numbers 9 and 10. "The project area contained no rare or endangered vegetation or flora, or any other notable botanical species."

The Jangardup Extension area does, and

the species in the Jangardup Extension area undoubtedly have more specific and restricted habitat requirements than the coastal, Minninup Beach species,

many, if not most or all, of the Jangardup Extension area native species are less common and widespread than the Minninup Beach species, and a large proportion of the Minninup Beach native plant species are pioneer or colonising species more easily rehabilitated, while only a small proportion of the Jangardup Extension area natives would be colonising species and would, consequently, be less easily rehabilitated.

'The Minninup Beach Environmental Reports Numbers 9 and 10 list, in their Table 4, 54 species of flowering plants which were recorded on the primary dune system at Minninup prior to mining. Twenty of the 54 species are aliens (weeds, exotics, introduced plants.) Some of the aliens are so well established and have been so successful at replacing native plants that they are apparently regarded by the authors of the reports as being native.

The reports' Table 5 lists plant species recorded on rehabilitated primary and foredunes in April and September 1993. The September list has 61 species, of which 24 are aliens. Six of the seven species that occurred in nine or more plots in any of the four series of plots are well established aliens.

Many of the Table 5 species are not on the Table 4 list, and many of the Table 4 list species are not on the Table 5 list.

Why, if the baseline flora surveys carried out prior to mining were comprehensive (they should have been), did they not record more of the native species listed in Table 5?

How successful in terms of specific species and their cover, abundance and frequency were the company's attempts to re-establish the flora that was there prior to mining?

Section 3.2.1 of the reports gives details of the end-points for rehabilitation of restored landforms as:

- "Foredune: 10 plants, of any combination of the species in section(a). This includes

monostands."

- "Primary dune: any 10 plants listed ... from section (b) and at least any two plants from section (c), or up to 12 from section (c) and none from section (b)."

Section (a) comprises five foredune species, of which three are established aliens.

Section (b) comprises eight primary dune grasses, sedges and ground covers of which three are established aliens. Two of the established aliens are also Section (a) species.

Section (c) comprises six primary dune shrubs, none of which is alien in another section.

The three sections, (a), (b) and (c), list only 13 species of native plants (and 4 aliens), and the rehabilitation end-points can apparently be satisfied by representation in the plots of a minimum of only one native species.

These rehabilitation end-points were inadequate for Minninup Beach they should in particular have been more rigorous and specific regarding native species representation and richness. Such end-points would be grossly inadequate for the Jangardup Extension area.

Relevant references referred to in Appendix 6, viz. Martinick and Associates (1994), ESM (1996) are apparently not even anywhere in the Bulletin.

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ACID SULFATE SOILS OUTLINE

The Coalition has been liaising with state government for over six years regarding the issue of Acid Sulfate Soils. This finally resulted in the adoption of the Acid Sulfate Soils Management Guidelines and the formation of the WA Acid Sulfate Soils Management Committee.

Acid Sulfate Soil (ASS) is the name given to sediment and soil containing iron sulfides (principally contain iron pyrite or iron di-sulfide). The relatively restricted conditions under which ASS are formed limit their formation to low-lying parts of coastal flood plains, rivers and creeks. This will include areas with saline or brackish water such as deltas, coastal flats, back swamps and seasonal or permanent freshwater swamps which were formerly brackish. Pyrite sediment may be found at any depth in the soil layer in suitable coastal sediments usually beneath the water table.

The exposure of pyrite in these soils to oxygen by drainage or excavation, leads to the generation of sulfuric acid. Acidic leachate can dissolve clay and release toxic concentrations of aluminum, iron and other metals into waterbodies. Drainage waters

from areas of ASS will affect water quality and can lead to the death or disease of aquatic organisms.

Acid Sulfate threatens wetlands in National Parks

As surface water pollutants, the ASS products released into surface waters can degrade water supplies for stock, birds and humans, severely modify and change vegetation, clog aquifers and degrade potable water. Marked impacts on estuarine receiving habitats have included major fish kills, probable displacement of fish population, degradation and destruction of benthic food chains, and changes in riverine and estuarine planktonic structures. Such degradation of estuary ecosystems has far-reaching implications directly on food chains, for such biota as estuarine and coastal sea birds, and indirectly on coastal habitats and fisheries resources. Concrete and steel pipes and other engineering infrastructure are susceptible to acid attack.

The DEP recently confirmed that potential acid sulfate soils exist at the proposed mine site adjacent to Lake Jasper.

What will this mean for the Lake Jasper wetlands if mining proceeds?

BHP closed their Beenup mineral sands mine near Augusta after experiencing enormous problems with ASS, which is close to Scott National Park, Scott River, Blackwood River & Hardy Inlet. BHP have not been able to stop acid leachate from entering the groundwater adjacent to the mine!

Further mining exploration permits exist for the Scott National Park & the Gingilup Conservation Reserve, which adjoin the D'Entrecasteaux National Park.



Lake Jasper too Magnificent to mine.

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FIFTH INTERNATIONAL ACID SULFATE SOILS CONFERENCE

Attended by Geoff Evans

What are acid sulfate soils?

Acid sulfate soils is the common name given to naturally occurring soil and sediment containing iron sulfides (commonly known as iron pyrites).

In Australia, the acid sulfate soils of most concern are those that formed in the Holocene geological period (the last 10,000 years) after the last major sea level rise.

During the sea level rise new coastal landscapes were created as a result of rapid sedimentation, and acid sulfate soils were created when bacteria in these organically rich waterlogged sediments converted the sulfate from the seawater and iron from the sediments into iron sulfides.

These naturally occurring sulfides are generally found in a layer of waterlogged soil or sediment, and are benign in their natural state. When disturbed and exposed to air, however, they undergo a series of chemical reactions and ultimately produce sulfuric acid. While the soil itself can neutralise some of the sulfuric acid, the remaining acid moves through it and acidifies the soil water, groundwater and surface water it comes into contact with. This, in turn, dissolves metals such as aluminum, iron and arsenic from the soil.

Why are acid sulfate soils a planning issue?

Release of acid and metals as a result of the disturbance of acid sulfate soils can cause significant harm to the environment and infrastructure.

The principal environmental, social and economic impacts of acid sulfate soils have been documented as follows:

- adverse changes to soils and water quality;
- deterioration of ecosystems and the ecosystem services associated with soils, groundwater, wetlands, watercourses and estuarine environments;
- local and regional loss of biodiversity in areas affected by acid sulfate soils leachate;
- loss of groundwater and surface water resources used for irrigation and other purposes;
- reduction in opportunities for agriculture and aquaculture;

human health concerns particularly from arsenic contamination of groundwater in areas affected by acid sulfate soils;

corrosion of engineering works and infrastructure such as bridges, culverts, floodgates, weirs, drainage pipes and sewerage lines;
conflict between activities that depend on healthy surface and groundwater regimes (eg. commercial fishing, recreation and tourism) and activities that may have resulted in disturbance to acid sulfate soils (eg. agriculture and urban development);

loss of visual amenity from plant deaths, weed growth and invasion by acid tolerant waterplants and algae; and costs to the community in terms of financial outlays and the community's and government's time and effort in minimising impacts and rehabilitating disturbed areas.

In Western Australia the main impacts associated with acid sulfate soils to date have been:

wetlands degradation;
localised reduction in habitat and biodiversity;
deterioration of surface and groundwater quality;
loss of groundwater for irrigation;
increased health risks associated with arsenic and heavy metals contamination in surface and groundwater, and acid dust;
risk of long-term infrastructure damage through corrosion of sub-surface pipes and foundations by acid water; and invasion by acid tolerant waterplants and dominance of acid tolerant plankton species.

The presence of acid sulfate soils is, therefore, a planning issue that should be taken into account in planning decision-making.

Types of development that may cause acid sulfate soil problems

The types of development that may disturb acid sulfate soils typically involve large-scale drainage and excavation works, which expose these, soils to air, and may include:

coastal developments such as residential estates (including canal estates), marinas, tourist developments and golf courses;
large-scale dewatering and drainage works associated with the development of residential estates;
developments involving disturbance to wetlands, mangrove swamps, salt marshes, lakes and waterways;
infrastructure projects such as bridges, port facilities, flood gates, dames, dredging, railways and roads;

mining and quarrying operations;
rural drainage, which lowers the water table; and
flood mitigation works including construction of levees.

Location of acid sulfate soils

Acid sulfate soils occur throughout Australia, but have only recently come to prominence in land use planning as a result of the detrimental environmental consequences that can arise from disturbing them.

The Australia-wide distribution of acid sulfate soils is largely unknown, although extensive mapping programs have recently been undertaken in Queensland, New South Wales and South Australia.

In Western Australia acid sulfate soils are likely to be found in, though not limited to, the following locations:

the south west of the State, between Perth and Busselton, in estuarine, floodplain and wetland areas;

the northern parts of the State's coastline including the Pilbara and Kimberley coastlines;

the Scott River Plain on the south coast and extending to Albany; and

some parts of the Wheatbelt where land salinisation has occurred Katanning.

At these locations, there could be a risk of disturbing acid sulfate soils in the following areas:

Areas identified as acid sulfate soil areas or acid sulfate soil risk areas on government agency mapping, or on mapping from any other reputable source.

Areas depicted in the Environmental Geology maps published by the Department of Mineral and Petroleum Resources as Holocene Swamp, Tidal and Estuarine Deposits, or Marshes and Floodplains.

Areas depicted in:

the Land System and Soil-Landscape System mapping by Agriculture WA; or soil, geology or geomorphological mapping, that indicate geologically recent shallow tidal, estuarine, marine, wetland, floodplain or waterlogged areas where deposition of fine sediments may have occurred or may be occurring.

Areas depicted in vegetation mapping as mangroves, or wetland dependent vegetation such as reeds and paperbarks.

Areas identified in geological descriptions or in maps as bearing acid sulfide minerals or former marine or estuarine shales and sediments, or mineral sand deposits.

Coastal areas where the following pre-disposing factors exist:

areas known to contain peat or a build up of organic material;

areas near bores in which peat or other organic deposits have been recorded as part of the stratigraphy;

permanently inundated wetlands;

seasonally or occasionally saturated or inundated floodplains and sumplands;

shallow estuarine areas receiving alluvium;

mangrove areas;

tidal swamps, wetlands and shallow estuarine areas receiving alluvium;

artificial lakes excavated in peaty material;

sites known or believed to contain carbonaceous or pyritic material, such as:

sites containing fill;

existing or former municipal waste disposal sites;
industrial sites;
food industry waste disposal areas;
animal-based waste disposal areas;
areas where the highest known water table level is within three (3) metres of the surface; and
areas where the pH of the soil or water is less than 5.
Any areas in Western Australia (including inland areas) where a combination of all the following pre-disposing factors exist:
organic matter;
iron minerals;
waterlogged conditions or a high water table;
sulfides.

Any areas where field tests, visual signs and other methodologies indicate that there is a likelihood of acid sulfate soils being present.
Increasing community awareness about the problems associated with acid sulfate soils, together with the lack of detailed knowledge as to the location of these soils, has resulted in the State Government allocating funding for a detailed State-wide acid sulfate soils risk mapping program which will be undertaken over the next two years.

Planning Guidelines for Acid Sulfate Soils

While the presence or possible presence of acid sulfate soils is a development constraint that should be subject to an appropriately rigorous risk assessment, the current lack of detailed knowledge as to the location of acid sulfate soils in Western Australia makes it difficult to provide a comprehensive planning response to the issue.

Nevertheless developers, planners and the community need to be aware of the implications of the presence of acid sulfate soils and, perhaps more importantly, the management processes required to avoid their potential adverse effects on the environment and infrastructure.

Until such time as the State Government's acid sulfate soils risk mapping is completed, the following general guidelines should be used in the assessment of town planning scheme amendments, subdivision and strata applications and applications for planning approval where there is evidence of a significant risk of disturbing acid sulfate soils.

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The D'Entrecasteaux Coalition Photo Gallery



Images of Lake Jasper

Photographs by Mark Hingston & Simon Neville
Grant Wardell-Johnson, Peter Ewing, Jiri Lochman, Craig Chappelle,
Paul Hatton and Ian Maley.





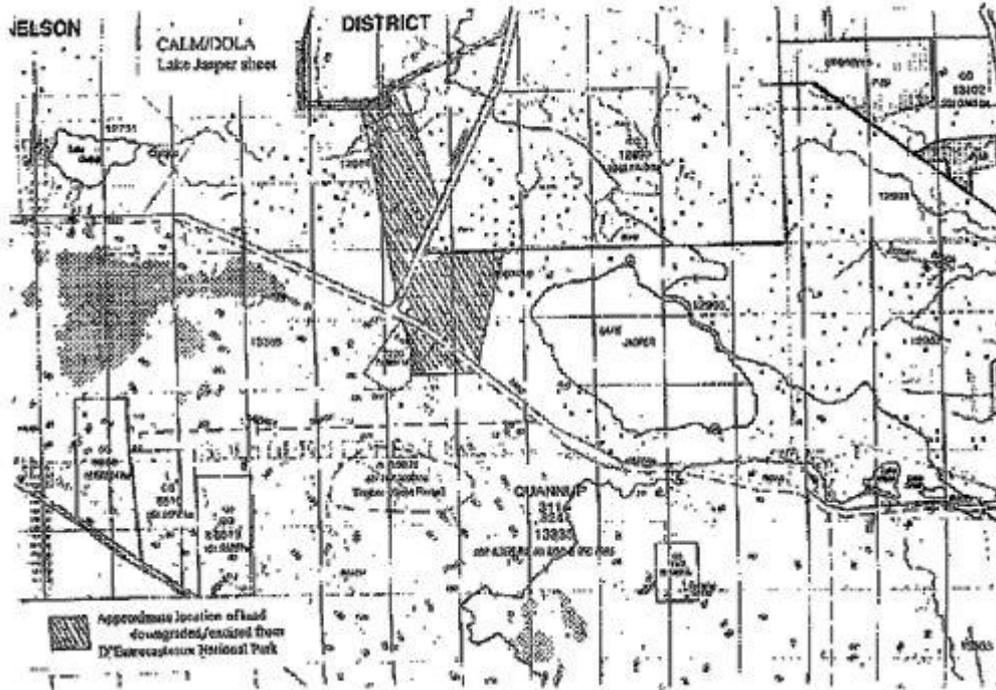




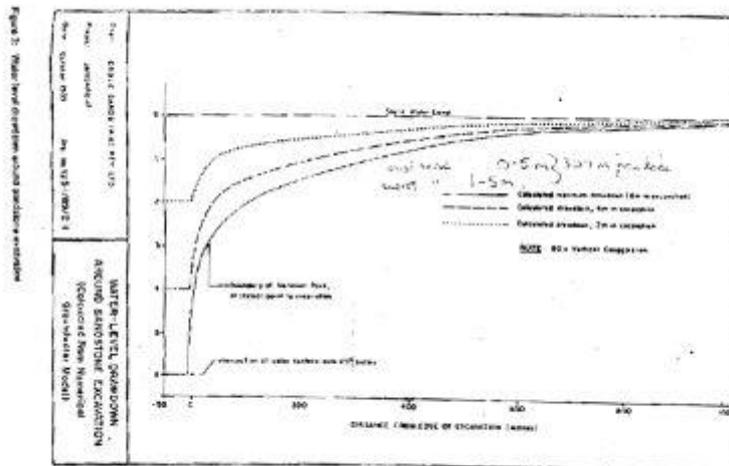
Existing Jangardup Mine

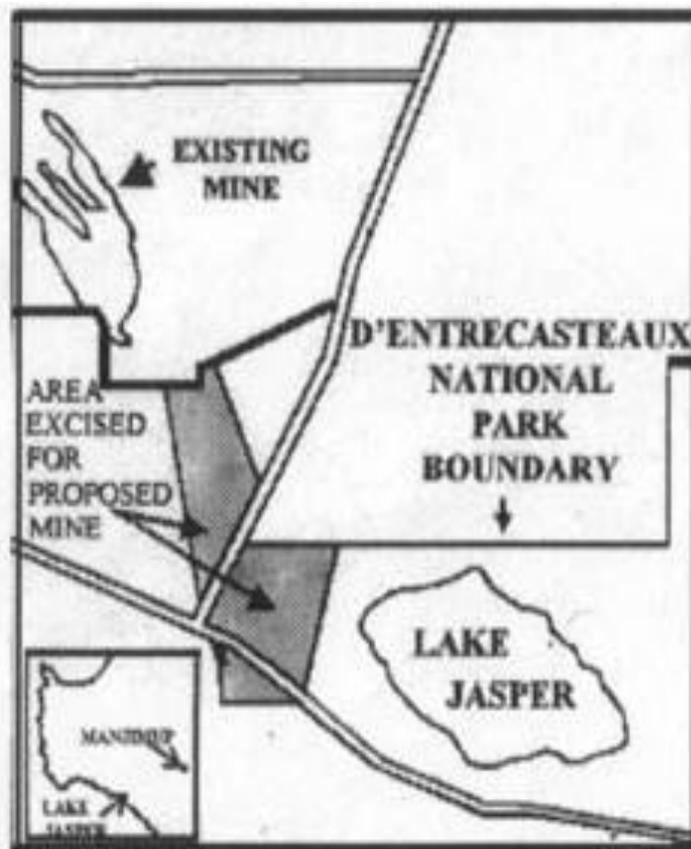
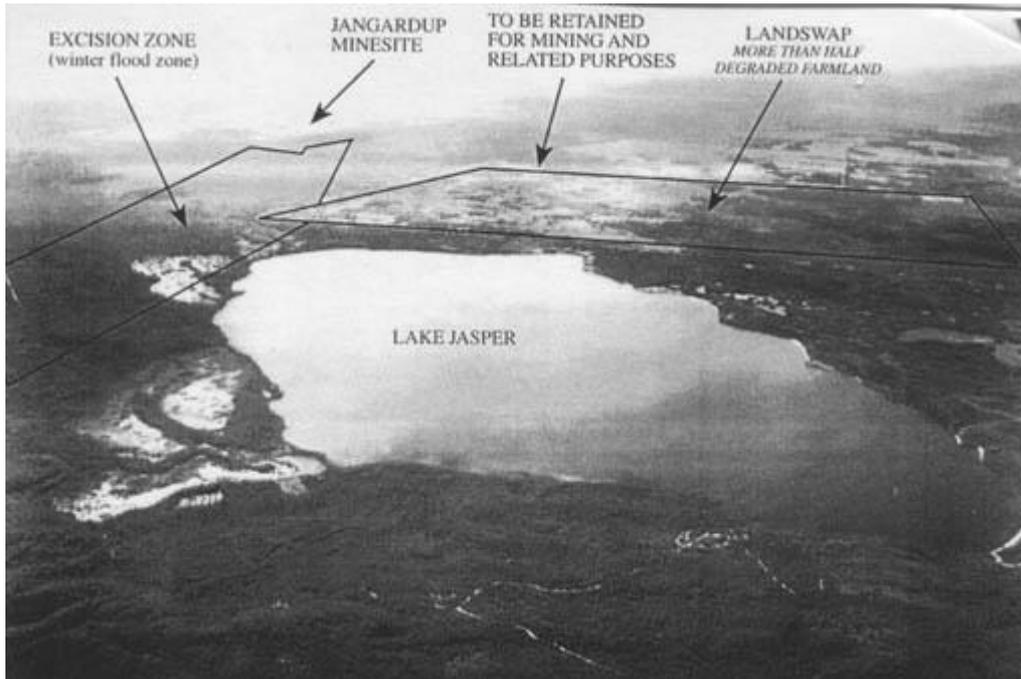


Proposed mining adjacent to Lake Jasper in the Gingilup-Jasper Wetlands



Drawdown of existing operation



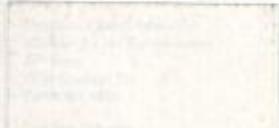


The location of the proposed mine, perilously close to Lake Jasper.

Lake Jasper *D'Entrecasteaux National Park, WA*



TOO MAGNIFICENT TO MINE!



I am deeply concerned about Cable Sands' proposed Jangakup South sandmine adjacent to Lake Jasper in the D'Entrecasteaux National Park. I am entirely opposed to mining and associated activities being permitted within the Gingilup-Jasper wetland system adjacent to Lake Jasper.

I request that you act to dismiss this proposal in order to protect this wetland system for conservation and tourism purposes, and for the preservation of local biodiversity. Please act on my behalf by doing all within your power to prevent this and any future attempts to mine within this precious wetland ecosystem. I believe the excised area should be returned to National Park status immediately.

Hon Judy Edwards MLA
Minister for the Environment
29th Floor, 77 St Georges Terrace
Perth 6000

For more information contact:
D'Entrecasteaux Coalition, PO Box 142 Denmark 6333. Phone (08) 9848 1644















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