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Proposed Mining Lease 70/1385 Yoondadadup Lake Jasper

We are writing to you in regards to an urgent situation that we discovered recently. Our investigations uncovered an application for a Mining Lease by Strategic Sands P/L a wholly owned subsidiary of Strategic Energy Resources Ltd. The proposal is for a mineral sands mine in the Gingilup-Jasper Wetlands on the banks of Yoondadadup Lake Jasper, southwest WA's largest permanent freshwater lake and a significant Aboriginal heritage site.

Mining Lease ML70/1385 was considered by the Mining Warden's Court September 2018 and having received no objections and the proponent complying with the Mining Act it was recommended a mining lease be granted but pending. The proponent must complete further requirements.

We are not sure if you know the history of this area so we have provided a brief outline.

This site has been the focus of major social, cultural and environmental conflict since 1988 when the then WA state government decided to excise land from D'Entrecasteaux National Park to facilitate exploration and a potential mine on the banks of Yoondadadup Lake Jasper.

To quote WA Parks and Wildlife Service "Explore Parks WA" Site:

"Yoondadadup Lake Jasper is the largest fresh water lake in South Western Australia, and together with Lake Wilson and Lake Smith forms part of an important wetland system. This pristine lake is situated amongst vegetated dunes and fed by an underground water supply.

Yoondadadup Lake Jasper has been recognised as one of the five most important wetlands for waterbirds in the southwest, and bird watchers will be able to see many species here. If you are lucky, you could be rewarded with a glimpse of the endangered little bittern "

The WA Museum has completed a study of Australia's only known underwater prehistoric Aboriginal site, Yoondadadup Lake Jasper, dated at up to six thousand years old. Again, according to the "Explore Parks WA" Site: "Erosion of sand dunes within the park has revealed numerous stone artefacts, two fish traps, two quarry sites, one mythological site and one burial site. The majority of these are located around the Yoondadadup Lake Jasper/Meerup Dunes area, an area of particular archeological and cultural significance to the Nyoongar people. Artefacts have been found 10 meters below Yoondadadup Lake Jaspers current water levels, indicating a number of major campsites existed here when the lake was a prehistoric forest"

After exploration licences were granted (back in 1988), major mineral sand mining companies such as Cable Sands and Bemax Mining tried to get a mine in operation on the banks and catchment zone of Yoondadadup Lake Jasper but did not proceed. Then in 2010 the last mining proponent withdrew their application due to the Acid Sulfate Soils (ASS) issues

of the area adjacent to the Lake and within the Gingilup-Jasper Wetlands’.

This ASS issue only began to be recognised by the WA State Government as a serious issue in the early 2000’s. Much of the D’Entrecasteaux Park and some adjoining areas including the Scott River Plain area in general are identified as having fragile soils prone to releasing damaging and dangerous sulfuric acid when disturbed and hence should not be disturbed by mining or other activities. Disturbed soils can also affect ground water supplies for agricultural and human consumption. See WA Department of Water Report no HG24 Degens and Wallace-Bell Acid Sulfate Soil Scott Coastal Plain. This shows a map and descriptions of ASS areas on the coastal plain including Lake Jasper. Also see National Strategy for the Management of Coastal Acid Sulfate Soils 2000

Beenup was a nearby titanium mine near Augusta that BHP closed due to ASS contamination of the Scott River water shed and technical issues relating to ASS and mining equipment used in the dredge pond. Environmental damage and health concerns are still an issue today at Beenup with acid sulfates leaching into the water system. Reference Hansard May 27 1998 P3238 -3244.

So despite a history of community concerns and with no apparent community consultation the Mining Warden has provisionally recommended that a mining lease be granted (pending) to Strategic Sands, a wholly owned subsidiary of Strategic Energy Resources. We are not aware of any consultation with or notification of past stakeholders, local community, indigenous community, environmental groups, local tourism associations, or Landcare groups about revisiting this major contentious environmental issue.

With a history of many mining court hearings, 100s of past mine objections, contentious state government policy changes (excising National park land), related High court decisions and Government commitments (return mine lease to National Park) - it seems unbelievable this mining application was allowed.

In 1996 the Minister for Mines Norman Moore (Liberal) promised that if Cable Sands did not proceed with a mine the excised land should be returned to its National Park tenure – (ref: Hon Norman Moore – Hansard – 25May 1996). The Minister also demanded that CSIRO do a detailed hydrological study and that the EPA do an environmental assessment of the proposal to mine. The Reserve Bill 36996 states that the land swap areas are to be tenured as National Park (ref: Reserve Act 1996 No 32 - Reserve No. 36996 (D’Entrecasteaux National Park). The Minister restated all these points again in May 1998 (ref: Hon Norman Moore – Hansard – 27May 1998 page 3237).

This is a complex and historic issue. Since the mining application was withdrawn in 2010 we believed that the government was working towards its promised objectives of returning the status quo – national park tenure. We were wrong. We were initially unsure as to the reasons why the excised area was not returned to D’Entrecasteaux National Park. Recent questions in Parliament by Diane Evers ML to the Minister for the Environment **Stephen Dawson stated: In 2009–10, when the company decided not to proceed with the mining proposal, the previous government chose not to reinstate this area into the national park. Changing the purpose or class of existing reserves requires a process that addresses a range of considerations, including native title and stakeholder input.** Further answers to questions resulted in some Good news. Consideration of mining lease application suspended until return of the area to National Park is considered.

Extract from Hansard [COUNCIL — Tuesday, 4 December 2018] p9086b-9087a Hon Diane Evers; Hon Stephen Dawson MINING — GINGILUP–JASPER WETLAND SYSTEM 1299. Hon DIANE EVERS to the Minister for Environment: I refer to the response by the Minister for Mines and Petroleum to my question on 28 November 2018, referring to the “agreement, understanding or consideration that if the company did not proceed with an application to mine, any land formerly within D’Entrecasteaux National Park would be reinstated into the park”. (1) Did this occur? (2) If yes to (1), when did this occur and why is it no longer part of the national park? (3) If no to (1), why has this not occurred? (4) If no to (1), will the minister commit to honouring the previous agreement and reinstate this land into the national park? (5) If no to (4), why not? Hon STEPHEN DAWSON replied: I thank the honourable member for some notice of the question. (1) No. The land in question is reserved under section 5(1) (g) of the Conservation and Land Management Act 1984 and is being managed by the Department of Biodiversity, Conservation and Attractions. (2) Not applicable. (3) In 2009–10, when the company

decided not to proceed with the mining proposal, the previous government chose not to reinstate this area into the national park. Changing the purpose or class of existing reserves requires a process that addresses a range of considerations, including native title and stakeholder input. (4) I have written to the Minister for Mines and Petroleum, seeking his agreement to suspend consideration of grant of the current application for a tenement over this area until the government can fully consider the implications of mining. Once I have the necessary information, I will consider the return of the area to national park. (5) Not applicable.

Then on December 7, 2018 Diane Evers MLC received the following email from Minister for Mines and Petroleum Hon Bill Johnston: "The Government is aware of the environmental and community concerns regarding proposed mining near Lake Jasper and has suspended the processing of the mining lease application while a greater understanding of the issues is obtained."

We will have to wait and see the outcome of both ministers' considerations.

Nothing has changed since Cable Sands (BeMax) withdrew the mining lease application. The excised area becomes inundated during winter. There are Acid Sulfate Soils in the area.

Points to be aware of:

- a mining lease - M70/1385 - has been lodged over a part of the Gingilup-Jasper Wetland System;
- there are 13 tenements between Augusta and Donnelly River;
- many of these tenements are within the Scott River catchment;
- acid sulfate soils have been identified within the Scott Coastal Plain and adjacent to Lake Jasper (Degens);
- the mining lease is only 300 metres from the summer shore of Lake Jasper within the D'Entrecasteaux National Estate;
- there was an agreement, or understanding, that if the previous mining proposal in this area did not proceed with its mine proposal that the land formerly within the D'Entrecasteaux National Park would be returned to this Park;
- Lake Jasper is one of Western Australia's few large freshwater lakes that is relatively undamaged by human activity, a breeding ground to 25 species of waterbird, a major nursery area for freshwater fishes and frogs under threat of extinction, and harbouring a unique array of plant species;
- there are obvious implications to the flora and fauna of this conservation area from the invasive dieback fungus spreading due to any mining activities;
- the Shannon and D'Entrecasteaux National Parks Management Plan 2012 notes that areas of high scenic quality such as Lake Jasper are of greatest concern in terms of visual landscape management and are the most sensitive to alteration;
- the Lake Jasper and the Gingilup-Jasper Wetland System area has been identified as having extensive acid sulfate soils, with the potential for acidification of the lake and a sulfuric acid groundwater plume due to mining disturbance;
- past mining attempts on the Scott Coastal Plain have floundered because of environmental risks, in particular the impact of disturbing acid sulfate soils.

Given this situation, the question remains why the general public was not made aware of the submission period related to the lease application, and in any case, why this area is not protected from such a venture.

This approval has to be readdressed, it has taken the issue back 20 years to square one. This fragile and culturally significant land, the Gingilup- Jasper Wetlands and the banks of Yoondadadup Lake Jasper has to be returned to the D'Entrecasteaux National Park as was promised.