

COMPLIANCE WITH MINING ENVIRONMENTAL CONDITIONS REPORT

1303. Hon Dr Brad Pettitt to the parliamentary secretary representing the Minister for Mines and Petroleum:

I refer to the recent Auditor General's report, *Compliance with Mining Environmental Conditions* (audit.wa.gov.au/wp-content/uploads/2022/12/Report-11_Compliance-with-Mining-Environmental-Conditions.pdf) and the report's case study, which states that "DMIRS took no action on multiple breaches over 2021–22 by an established operator. Non-compliances included disturbing land outside of approved areas, improper construction of retaining walls, not burying hazardous material within 24 hours and not cleaning oil spills in a timely manner. DMIRS issued a letter of education to the operator for drilling under an expired approval and a warning for drilling in an unapproved area." I ask:

- (a) which company was issued with the letter of education and warning;
- (b) what is the location of the non-compliant site or sites;
- (c) is the company still operating at this site;
- (d) why has the Department of Mines, Industry Regulation Safety (DMIRS) not taken any financial penalty or prosecution action against the company;
- (e) has the company corrected and rehabilitated the identified non-compliances, including the improper retaining wall, exposed hazardous material and oil spills;
- (f) if yes to (e), when was this work completed; and
- (g) is DMIRS monitoring this operator to ensure it does not conduct further non-compliant and environmentally damaging activities?

Hon Matthew Swinbourn replied:

- (a) FMG Pilbara Pty Ltd.
- (b) Exploration Licence 47/1832, E47/1333, Mining Lease 47/1523 and M47/1524 in the East Pilbara.
- (c) Yes.
- (d) The non-compliances were considered minor in scale and impact. The Department of Mines, Industry Regulation and Safety did not consider that forfeiture action was appropriate.
- (e) Yes.
- (f) April 2022.
- (g) Yes.