

COMPLIANCE WITH MINING ENVIRONMENTAL CONDITIONS REPORT

1301. Hon Dr Brad Pettitt to the parliamentary secretary representing the Minister for Environment:

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: "In April 2018, an operator asked DWER for permission to pump contaminated water from an overfull tailings dam to a storage reservoir. DWER advised that this can only be done in an emergency and must be reported immediately. Inspectors visited the mine in December 2018 and discovered it had become standard process to pump wastewater into a decoy pond intended to attract animals away from the tailings dam. DWER rated the matter high priority, but it remained unresolved at the time of audit." I ask:

- (a) which company was responsible for this high priority non-compliance;
- (b) what is the location of the tailings dam;
- (c) is the company still operating the tailings dam, storage reservoir and decoy pond;
- (d) why has the Department of Water and Environmental Regulation (DWER) chosen not to issue a financial penalty or prosecute the company;
- (e) is DWER monitoring the tailings dam, storage reservoir and decoy pond to ensure there are no further compliance failures or environmental harm and, if not, why not;
- (f) if yes, to (e), have any further compliance failures been identified;
- (g) will DWER allow the company to continue to operate in breach of its approval and/or environmental conditions; and
- (h) if yes to (g), why?

Hon Darren West replied:

- (a) Newmont Boddington Gold Pty Ltd.
- (b) Newmont Boddington Gold, Gold Mine Road, Boddington WA 6390.
- (c) Yes.
- (d)–(f) The investigation into the matter has not been finalised. The Department of Water and Environmental Regulation (DWER) is undertaking a site inspection as part of the 2022–2023 Compliance Program to determine if there have been any further compliance issues and whether there have been any environmental impacts associated with the non-compliance.
- (g) Any further compliance issues identified will be assessed and any action required determined in accordance with DWER's Compliance and Enforcement Policy.
- (h) Not applicable.