**Stavely Block 3 Ground Release Information Sessions**

**Questions and answers**

**Q.**  **Is Stavely Minerals aware that the north-west corner north of the Maroona-Glenthompson Road is an endangered species habitat plus has cultural heritage significance. What processes will be put in place to safeguard these?**

**A.** Stavely Minerals has been made aware of the significance of these areas.

Several State and Commonwealth Acts provide safeguards to threatened species of flora and fauna and their habitats, including the [*Flora and Fauna Guarantee Act 1988*](https://www.legislation.vic.gov.au/in-force/acts/flora-and-fauna-guarantee-act-1988/046), [*Environment Protection and Biodiversity Conservation Act 1999*](http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/cth/consol_act/epabca1999588/) and the [*Wildlife Act 1975*](http://classic.austlii.edu.au/au/legis/vic/consol_act/wa197593/) with additional safeguards provided under the *MRSDA.*

Licensees must adhere to the [*Aboriginal Heritage Act 2006*](http://www5.austlii.edu.au/au/legis/vic/consol_act/aha2006164/) and, in some instances, must obtain an approved Cultural Heritage Management Plan (or a Cultural Heritage Permit).

**Q. What happens if you have ancient trees in the vicinity of the mine? Are they protected?**

**A.**  Ancient trees may be protected by the *Flora and Fauna Guarantee Act 1988*, the *Commonwealth Environment Protection and Biodiversity Act 1999* or by Council heritage laws. Minerals exploration licensees will require an approved Work Plan from Earth Resources Regulation within the Department of Jobs, Precincts and Regions if their exploration activities extend beyond what is considered low impact.

As part of its Work Plan the licensee is required to describe the strategies it will use to safeguard the environment and other features, which might be vulnerable to exploration activities.

Earth Resources Regulation can refer these Work Plans to the Department of Environment, Land, Water and Planning (DELWP), water authorities and others for consideration against the [*Flora and Fauna Guarantee Act 1988*](https://www.legislation.vic.gov.au/in-force/acts/flora-and-fauna-guarantee-act-1988/046), the [*Commonwealth Environment Protection and Biodiversity Act 1999*](http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/cth/consol_act/epabca1999588/)*,* [*Water Act 1989*](https://content.legislation.vic.gov.au/sites/default/files/2021-06/89-80aa133%20authorised.pdf).

Referral agencies can request a change in the Work Plan prior to it being approved.

**Q.** **What are Stavely Minerals hoping to find?**

**A.** The region has a long history of continuous exploration for minerals.

New geoscientific research indicates there is potential for discoveries of copper, other base metals, and gold to be made in western Victoria.

Under its exploration licence, Stavely Minerals is permitted to explore for base metals ([copper](https://earthresources.vic.gov.au/geology-exploration/minerals/metals/copper)/[lead](https://earthresources.vic.gov.au/geology-exploration/minerals/metals/lead)/[zinc](https://earthresources.vic.gov.au/geology-exploration/minerals/metals/zinc)), [gold](https://earthresources.vic.gov.au/geology-exploration/minerals/metals/gold), and [molybdenum](https://earthresources.vic.gov.au/geology-exploration/minerals/metals/molydenum).

Stavely Minerals is primarily exploring for porphyry copper and gold deposits.

**Q.** **If you find copper, how do you mine it? What size could it be?**

**A.**  It is very hard to know what type of mine would likely occur early in an exploration program.

Exploration activities and analysis over the coming years will provide the company with further information needed to firstly determine if there is economically viable resource and, if so, how that could be extracted. Further geological and related studies may then be required to better understand the type and nature of any potential mining activity.

**Q.**  **If you establish a mine, who owns the mine?**

**A.**  Any mineral deposit found by an exploration company is owned by the Crown up to the point of the company being issued two things – a mining licence and a planning permit to build a mine.

While the mining company takes ownership of the deposit (and the mine) when issued with a mining licence and planning permit, the Crown recoups payment through a tax (a royalty) paid by the mining company. The royalty is levied on the amount of resource that is extracted and therefore is a continuous stream of revenue to the State until the mine ceases operation.

The development of a mine and mining activity is subject to government approval. Holding a mining licence doesn’t mean a company can start mining.

Applications for mining activities involve detailed, stringent planning approvals and regulatory controls. Studies are undertaken to assess potential environmental, social, and economic impacts, how these will be managed, and extensive consultation with communities. This process can take between 10 years and 20 years from the commencement of exploration to approving a commercially viable minerals development project.

**Q.**  **If there is a new mine, who would own it? How much money does the government make out of it?**

**A.** Holders of mining licences must pay royalties according to the value of the resources they extract.

From 1 January 2020, gold produced under a mining licence in Victoria is subject to a 2.75 per cent royalty of its net market value. The royalty only applies to gold produced in a financial year in excess of 2,500 ounces.

More information about the gold royalty can be found [here](https://earthresources.vic.gov.au/__data/assets/pdf_file/0006/555828/Gold-Royalty-Information-Sheet.pdf).

**Q. How many hours per day is drilling going to occur?**

**A.** Stavely Minerals advises an air-core rig might operate 10 hours a day, during daytime hours, while diamond drilling may continue for 24 hours a day (provided the location of the rig is not close too properties).

Under the [*Code of Practice for Mineral Exploration*](https://earthresources.vic.gov.au/__data/assets/pdf_file/0016/456100/Code-of-practice-for-mineral-exploration.pdf), operating hours should be restricted to times that will not unduly annoy or disturb others in the area and in line with noise limits for rural areas specified in the Environmental Protection Authority’s (EPA) Publication 1411: [Noise from industry in Regional Victoria](https://www.epa.vic.gov.au/about-epa/publications/1411) (2011).

Noise emissions from exploration work sites and associated facilities must comply with limits set in the relevant State Environment Protection Policies, including those relating to the [control of noise from commerce, industry and trade activities](https://www.epa.vic.gov.au/about-epa/publications/1411). Exposure to noise in and around sites should be managed in accordance with requirements of the [*Occupational Health and Safety Act 2004*](https://content.legislation.vic.gov.au/sites/default/files/2021-09/04-107aa037%20authorised.pdf) and the [*Environment Protection Act 2017*](https://content.legislation.vic.gov.au/sites/default/files/c14db06c-ee53-3924-8f92-6da83676aed2_17-51aa004%20authorised.pdf).

**Q.** **Does this exploration activity deliver any benefits to our region, even if they find nothing and leave? Or is it all downside?**

**A.** Since 2013, Stavely Minerals states it has spent AUD$43 million on exploration in western Victoria. It buys fuel and accommodation in the region for staff and contractors and employs local people and contractors.

[Stavely Minerals’ community page](https://www.stavely.com.au/community) includes a report by Deloitte about the benefits that exploration brings to the region, as well as the benefits that mining activity, if it were to proceed, would bring.

**Q. Will these slides and presentations be made available later for people who could not attend today?**

**A.** Recordings from the two presentations (which include the PowerPoint presentations) can be found on the [Earth Resources website](https://earthresources.vic.gov.au/projects/stavely/communities/information-sessions).

**Q. What’s the level of legal rights we have over our land, and can we refuse access?**

**A.**  As the Crown owns the minerals, landowners and occupiers do not have the absolute power to control access to the ground beneath their land. In Victoria, like all other states in Australia, the Crown owns the minerals on behalf of all the people.

An Act of Parliament gives the government the right to grant licences to companies to search for minerals.

Victoria’s minerals law allows access to freehold land for exploration activity with the prior consent of the landholder and/or occupier, including compensation, if applicable. If agreement cannot be reached, landholders and exploration companies can seek mediation through the Mining Warden.

If mediation does not achieve an outcome and the landholder does not provide consent and/or an appropriate amount of compensation cannot be agreed, then either party may refer to the Victorian Civil and Administrative Tribunal (VCAT) or the Supreme Court.

VCAT or the Supreme Court will determine how much compensation you are entitled to, not whether the licensee has the right to search for minerals on your property. Landholders are encouraged to seek their own legal advice on these matters.

Once compensation has been determined by VCAT or the Supreme Court, exploration may be undertaken on the landholders’ property.

**Q. What is the effect of exploration and mining on local wetlands including the smaller ephemeral wetlands? How will groundwater, hydrology and surface water quality be affected?**

**A.** Water is subject to a very robust regulatory framework that considers impacts on the environment and a variety of uses. The [*Code of Practice for Mineral Exploration*](https://earthresources.vic.gov.au/__data/assets/pdf_file/0016/456100/Code-of-practice-for-mineral-exploration.pdf) sets out the recommended practices for drill operation and bore construction, managing aquifers, operating sumps, and decommissioning drill holes. Once sampling and testing activities have been completed, drill holes are to be decommissioned in accordance with Victoria’s [guidelines for environmental management in exploration and mining](https://earthresources.vic.gov.au/community-and-land-use/environment).

It is a condition of their exploration licence that licensees must prevent contamination of aquifers through drilling operations. Causing groundwater to be polluted is also an offence under the [*Environment Protection Act 2017*](https://content.legislation.vic.gov.au/sites/default/files/c14db06c-ee53-3924-8f92-6da83676aed2_17-51aa004%20authorised.pdf)*.*

Many environmentally significant areas are located near waterways and such, named streams, rivers, and lakes are safeguarded. For example, a minerals explorer cannot undertake exploration activity within 200 metres of a named waterway without first submitting a Work Plana Work Plan.

A Work Plan automatically triggers a higher level of regulatory oversight. The explorer would have to submit a plan identifying all environmental risks that its proposed activities might pose and the planned mitigation strategies. Earth Resources Regulation will refer the work plan to DELWP, the local catchment management authority and water authority.

Earth Resources Regulation will not approve the work plan until DELWP, the water authority and/or the local water authority or others determine the mitigation strategies proposed by the explorer are sufficient to ensure they comply with the [*Water Act 1989*](https://content.legislation.vic.gov.au/sites/default/files/2021-06/89-80aa133%20authorised.pdf) and other related environmental acts.

Ephemeral waterways and wetlands may be safeguarded through other laws such as the *Flora and Fauna Guarantee Act* if they provide habitat to listed species.

 During access negotiations, landholders should raise these issues and concerns. For example, if you have a wetland or an area of environmental significance in your area, make these known to the explorer.

**Q. Will Stavely Minerals be exploring any of the townships located in Block 3, specifically within town limits?**

**A.** Minerals exploration is permissible within townships. However, not all areas within a township are accessible. Stavely Minerals stated during the information session that the MRSDA states that we can’t drill within 100 metres of a dwelling, and that’s an existing dwelling. They can seek special permission from the owner but that’s only at a landholder’s explicit consent.

For example, a licensee must not do any work under the licence (e.g. drilling, trenching, mining) within 100 metres laterally of, or within 100 metres below, a dwelling that existed before an approved work plan was registered in respect of the licence or within 100 metres of a property boundary if that property is less than 0.4 of a hectare. Written consent from the property owner, however, may allow such work to proceed.