

Statement of Reasons

This statement of reasons is provided in relation to the decision to grant the Application (6M/2021) for a Lease for Storage and Other Purposes made by MMG Australia Limited.

Background

Applicant:	MMG Australia Limited
Decision Maker:	Hon. Guy Barnett, Minister for Resources
Decision:	The decision is made under s 106 of the <i>Mineral Resources Development Act 1995</i> . For the reasons set out below, I have decided to grant the application.
Date of decision:	31 January 2022

The Applicant applied in an approved form under section 106 of the *Mineral Resources Development Act 1995* ('the Act') for a lease for storage and other purposes, in the Rosebery area. The application was lodged with Mineral Resources Tasmania (MRT) on 21 September 2021. At my request, MRT provided me with an assessment of the application in line with existing relevant processes for Applications for Mining Leases. On 31 January 2022, having considered the information available including the recommendations of the Director of Mines, I granted the application under section 106 (3)(a) of the Act. I determined that rent will be commensurate with prescribed rates of rent for a mining lease issued under s. 81, being at \$24.96 per hectare per annum currently.

Relevant legislation

I made my decision under s. 106(3)(a) of the Act and applying s. 106(1)(b) and (c) of the Act.

Material considered in making findings of fact:

- The relevant legislation (as summarised in the Minute of 31 January 2022) on the Grant of Application for Lease for Storage and Other Purposes 6M/2021 to MMG Australia Limited from the Director of Mines);
- The Application of 16 September 2021 (as detailed and summarised in the Assessment by MRT);
- The information, opinions and assessment contained in the Assessment by MRT of 27 October 2021; and
- The recommendation provided by the Director of Mines in the Minute of 31 January 2022 on the Grant of Application for Lease for Storage and Other Purposes 6M/2021 to MMG Australia Limited.

Findings of fact and reasons for decision

In making my decision I found the following:

1. I was satisfied that the applicant met the criteria in section 106(1)(b) of the Act. (b) — *to enable the land to be used to enable the applicant to access land to which a lease relates;*

The applicant has requested that this application be considered to allow access to land to which Mining Lease ML 6M/2008 relates. The application area comprises the only existing access route to that lease land, and I consider this to be the most suitable access route that minimises additional environmental disturbance in allowing the Applicant to access its existing Mining Lease ML 6M/2008.

2. I was further satisfied that the applicant met the criteria in section 106(1)(c) of the Act.

c) — *to enable work associated with mining on other land to be carried out;*

The applicant has an existing Work Program Approval for work associated with mining on adjoining Mining Lease ML 6M/2008. This application is directly associated with those approved activities.

Other relevant matters

In making my decision under s 106 of the Act, I turned my mind to those other relevant matters required for the assessment of applications and granting of mineral tenements under the Act. I have taken into account the matters set out in s. 78A(1)(c), (f) and (g) as relevant considerations.

Those relevant matters included:

- The applicant's existing good standing in relation to their obligations under the Act, and their continuing compliance with the Act;
- The Applicant has demonstrated to me the existence of valid and current public liability insurance cover; and
- The Applicant has provided a security deposit for the specific purposes of this application area.

I am further satisfied that the area applied for is reasonable for the intended purposes.

- The lease width of 200 metres provides future flexibility for the applicant to implement engineering measures for any required and approved upgrades of Helilog Road to facilitate access to Mining Lease ML 6M/2008 site during assessment and potential construction of the proposed Tailings Storage Facility (TSF).

The applicant is required to undertake works within the adjoining Mining Lease ML 6M/2008 to ascertain the suitability of the site for a proposed TSF. The application area provides the applicant with the security of access and control of the access route to allow for the effective and efficient undertaking of mining operations to be conducted under the permissions of that lease.

If found to be a suitable site, the proposed TSF will provide for the long-term operational viability of the Rosebery Mine. The Rosebery Mine is one of Tasmania's longest running, having recently celebrated 85 years of continuous operation. Over that time, the mine has contributed significant royalty payments and fees to the

Government and has continuously supported the socioeconomic fabric of the west coast of Tasmania.

This lease will facilitate access to the applicant's current preferred TSF site at South Marionoak on Mining Lease ML 6M/2008.

The Proposed South Marionoak TSF will facilitate ongoing operation of the Rosebery Mine on the adjacent Mining Lease ML 28M/1993.

I have found no compelling reason not to grant this lease Application.

Upon consideration of the above material, and upon making the findings set out above, I decided to exercise my discretion to **grant** the application.

Dated this day 31 January 2022

A handwritten signature in black ink, appearing to read 'Guy Barnett', written over a horizontal dotted line.

Hon Guy Barnett MP.
Minister for Resources