

Monday, 14 September 2020

EXPLORATION COMPANIES CONVICTED AND FINED FOR MINING OFFENCES NEAR BROKEN HILL

Mining exploration companies AU Exploration Pty Ltd (AU Exploration) and NBH Resources Pty Ltd (NBH Resources) will have to pay \$15,500 in fines and costs after being convicted of breaching the state's mining laws

On 11 September 2020, the Broken Hill Local Court convicted and fined both companies for offences under the Mining Act 1992 (the Act) in relation to unauthorised exploration drilling on two adjoining properties approximately 65km north of Broken Hill under Exploration Licences EL8296 (AU Exploration) and EL8533 (NBH Resources).

The Court upheld the Regulator's view that the titleholders had breached section 378D(1) of the Act for failing to comply with activity approval conditions granted under section 23A of the Act.

The Resources Regulator's Director of Compliance Steve Orr said the NSW Resources Regulator's investigation found that AU Exploration and NBH Resources drilled exploration holes in unapproved locations.

On 24 June 2019, the Regulator issued penalty notices to AU Exploration and NBH Resources in the amounts of \$2,500 for each breaching section 378D of the Act – contravention of condition of authorisation.

The titleholders elected to have the two penalty notices determined by the Court.

Following the hearing, the Court convicted and fined AU Exploration \$3,000 and NBH Resources \$6,000 and ordered the companies to pay the prosecutor's costs of \$6,500.

"NSW has strict laws in place that require specified exploration activities such as drilling to be approved by the Resources Regulator prior to being carried out. These applications are rigorously assessed by the Regulator to ensure that all potential environmental impacts are considered," Mr Orr said.

"In these instances, the companies undertook drilling activities outside of the approved locations.

"The court's judgment should send a very strong and clear message - the government and community expect compliance with the State's mining laws and the Resources Regulator will actively pursue those that disregard the laws."