

19 January 2022

Robert Walburn and Jedadiah Walburn convicted and fined for breaching mining laws

On 23 December 2021, Inverell Local Court convicted and fined Robert John Walburn (65 years old) and Jedadiah Blake Walburn (36 years old), both of Inverell, a total of \$60,000 each for three offences of mining without authorisation under section 5 of the *Mining Act 1992*.

The convictions are the result of an inspection conducted by Regulator staff on 16 November 2020 at a property on Rickey's Lane Sapphire (near Inverell) where it was suspected that illegal mining was taking place.

The inspection identified the two men on the property using earth-moving and screening equipment to extract sapphires. Inspectors identified a number of locations on the property where mining had occurred without a mining authorisation.

In delivering the sentence on 23 December 2021 the court ordered that:

- Robert John Walburn be convicted and fined a total of \$60,000
- Jedadiah Walburn be convicted and fined a total of \$60,000
- 50% moiety of the fine to be paid to the prosecutor, and
- \$5,000 be paid by each defendant for the prosecutor's legal costs.

On sentencing, the court emphasised the seriousness of the offences, the environmental harm caused by the offending and the need for deterring others in undertaking similar activities.

The Resources Regulator's Executive Director Peter Day said that mining must only take place when the activities have been appropriately assessed, approved and regulated.

"Undertaking mining without an authorisation and regulatory oversight places the environment and the State's resources at risk. The Regulator and the community expect compliance with the NSW mining laws. The convictions and fines send a strong message that unlawful mining will not be tolerated."

For further information about Resources Regulator, visit our [website](#).