



Stakeholder response to the
DISCUSSION PAPER: *Leading Practice Mining Acts Review*

Inverbrackie Creek Catchment Group

[REDACTED]

Below are our responses to the questions raised in the Discussion Paper.

p.25 What terms in the Act need clarifying?

The term "exempt land" is somewhat meaningless as exploration/mining companies can still force access *via* Wardens or ERD Court.

p.27 Access to documents and geological information

Documentation must be freely available in this democratic country. All economic, geological and hydrological data generated by explorers and miners must be readily available to all.

p.28 Entry to land process

Must be only with written permission, without coercion. Risk of unwanted stock movement, biosecurity (especially if proponent is visiting multiple properties), fires from vehicles and smokers. Clear times and dates of when entry is wanted is vital.

p.30 Clarifying exempt land

Exempt land must include all arable land (we are feeding the world).

Wardens & ERD Courts rarely rule in landholders favour, plus going to Court is a major cost for landowners whereas mining companies can afford to pay more court fees etc.

Grazing land should also be exempt, as there are a range of problems associated with access for exploration (holes for stock to fall into, traffic, biosecurity, gates left open, etc)

It is too easy for exploration/mining companies to obtain waivers over exempt land

Exempt should be at least one kilometre (not 400m as at present) from buildings, remembering that excavation can still occur under the so-called exempt land

p.34 Landholder versus explorer/miner

Landholders rights must be protected, and their ability to operate their business with minimum interference is paramount.

Landholders must receive information, requests, etc as early as possible to enable them to plan around intrusion.

Many landholders feel pressure from mining staff to not stand in the way of "progress" ("but all your neighbours have signed the paperwork"), and are verbally and physically intimidated and threatened. There are plenty of examples of explorers bullying landholders into complying with demands.

p.36 . . . and justice for all

For the landholder, Court process can be very expensive (\$10-25k) and time consuming, especially when the outcome is a *fait accompli* and compensation is never adequate.

p.40 Payments & fees

Yes, payments to landholders (e.g. compensation for access) and then to the Government must be the highest priority.

Explorers/miners must be financially viable and unencumbered before works commence.

p.41 Being Informed of changes

The landowner and immediate neighbours must be notified of all changes to operations, with the same level of detail as reported to DSD.

p.46 PEPR transparency

PEPR documents must be freely (i.e. without cost) available to the landholders, community and all other government departments.

Adjacent landholders (within 5km) must sign that they support the PEPR.

p.48 PEPR conditions

Explorers/miners must not be able to commence activities until bond is paid and PEPR is approved and published.

Must be some limit to the length that mines can be in "care and maintenance", to avoid mines remaining open indefinitely to save the companies the cost of closing and remediation (e.g. Angas mine at Strathalbyn).

The process must be open to public comment.

p.51 Transparency of documentation

All documentation regarding a proposed exploration or mining must be freely (i.e. at no cost) available to landholders and the community.

It is essential that operators have fulfilled all financial obligations before renewals and cancellations are permitted.

p.53 Rehabilitation of mines

Sufficient bonds must be paid by the miner to cover the cost of rehabilitation and remediation for 10+ years.

DSD must be able to extract required funds from bankrupt mining companies as a priority creditor.

p.58 Regulation of private mines

Private mines should be regulated in a similar manner to other mining activities, especially to ensure appropriate closure and rehabilitation procedures

p.59 EARF

Difficult to estimate the cost of mine rehabilitation (e.g. Brukunga), so the EARF needs to be generously funded by the mining industry.

p.61 Transfer of ownership & responsibility once mining ceases

Risk of miners abandoning a site and avoiding rehabilitation costs under the guise of offering the infrastructure to another interest.

p.67 Digitalisation of documentation

Makes it easier and faster to make information available for all stakeholders. Information needs to be clearly and freely available for all stakeholders.

p.73 Disclosure of Information

All data collected and all publications between DSD and exploration/mining companies must be available, to protect the interests of both landholders and company shareholders.

Restricting the flow of information and limiting transparency is unjust and un-Australian.

p.79 Consultation between Ministers

Essential to balance the view and concerns of all relevant Ministers and their Departments as early as possible and as often as needed.

p.85 ML for predicted life of mine

Can be difficult to predict the life of a mine, for example (a) commodity price may fall, meaning mine is no longer financially viable or (b) additional ore bodies may be located which are subsequently exploited well beyond life of initial mining area.

p.89 Changes in mining operations

Must be clearly and freely communicated, and the EPR must be amended before any changes in operations occur.

p.91 Suspension & cancellation of tenements

The Department must be able to suspend or cancel a tenement if the explorer or mining company fails to abide by any of the conditions of the operation

p.94 Departmental cost recovery

The mining branches of DSD must be entirely funded by fees and royalties obtained from mining companies.

p.97 Sharing of Information

Information generated by and for explorers/mining companies must be freely available to landowners, shareholders and the general community.

