



From: [REDACTED]
Sent: Friday, 10 March 2017 4:41 PM
To: DSD: Mining Act Review
Subject: Submission - Leading Practice Mining Acts Review

Hi Melissa,

Please find my submission below. Thanks again for the extension of time.

RE: SUBMISSION ON LEADING PRACTICE MINING ACTS REVIEW

I appreciate the opportunity to make a submission on the above review and provide the following comments for consideration.

Whilst the importance of all of the aspects of the legislation currently under review are not underestimated, this submission has primarily focused on a handful of key issues deemed of particular importance to both my Council and the community which it services.

Access to highly valuable farm land

The Eyre Peninsula is widely known as one of the best primary production areas in the State, with the Lower Eyre Peninsula region encompassing a large portion of the more highly producing thus valuable arable farm land.

The majority of landowners (for the purposes of this submission I am referring to farmers) have spent decades and in many cases generations improving and caring for their land by undertaking sustainable land management practices. The farmers do this because they know that they need to look after their land in order to sustain their very existence.

After decades of caring for their land, it is difficult for many farmers to face the prospect of having their freehold land effectively 'taken' from them in order for a mining operator (and the State Government) to get a short term financial gain.

On page 24 of the Review Discussion Paper it states "a landowner may be unnecessarily distressed if they assume that the operator is a 'miner' with a right to 'mine' in their area." Whilst the discussion paper attempts to downplay the distinction between an 'explorer' and an actual 'miner', some level of practicality also needs to be acknowledged in that exploration can lead to mining, hence why many farmers object to the explorers entering their land as this is seen as 'opening the door' for subsequent mining (should any resource be found).

Court process

Whilst an appeal process is available to landowners under the Mining Act, it is unfortunate that the landowner gets dragged into such a process and has to incur the costs of doing so when they are already busy running their farms and caring for their land.

The ability of a mining operator to appeal a refusal of access by a landowner should be removed entirely from the Mining Act and thus resulting in arable land being truly 'exempt' from mining.

However, if that ability is to stay then additional clauses should be added into the legislation to require the mining operator to cover 'all reasonable costs' associated with the landowners valid appeal regardless of the outcome of the Court process. This would at least result in the landowner who has had this imposition forced upon them not being directly out of pocket as part of that process.

Impact on underground water resources

Whilst it is acknowledged that environmental impact studies are undertaken as part of any mining application process, serious consideration should be given to exempting those areas of the State that have known aquifers located beneath them.

These aquifers, in many cases, are relied upon for a region's water supply and allowing mining operations that potentially open up and impact upon the aquifers could have a long term and irreversible effect on that water resource and the viability of the region that relies upon it.

The cost of locating and providing an alternate water supply for many of these regions could far exceed any royalties that the State Government may receive from a short term mining venture.

Summary

All highly valued arable agricultural land should be exempt from mining and no provision should exist in the relevant legislation for that exemption to be waived.

Whilst it is acknowledged that the royalties from mining are sought after by the State Government, those 'short term' royalties should not come at the expense of highly valuable food producing land. Nor should it come at the expense of the farming families and their communities that rely on that land.

There are vast areas across Australia that are readily available for mining of various minerals and where the resource has already been identified, quantified and extraction operations established. It is these areas that should be exhausted prior to allowing highly valued agricultural land to be dug up and the nation's food production put at risk.

Agriculture remains a vital contributor to the South Australian economy and will continue to do so well into the future and as such the State Government is urged to not ignore an industry that has had a substantial and long running input into this State's economy.

Should you have any queries in relation to any of the above please do not hesitate to contact the undersigned.

Yours faithfully

LEITH BLACKER
MANAGER DEVELOPMENT & ENVIRONMENTAL SERVICES
DISTRICT COUNCIL OF LOWER EYRE PENINSULA

From: DSD:Mining Act Review [mailto:DSD.MiningActReview@sa.gov.au]
Sent: Friday, 24 February 2017 12:55 PM
To: Leith Blacker
Subject: RE: Request for extension of time

Hi Leith

No worries, I confirm that an extension has been granted to 10 March 2017 for lodgement of your submission.

We look forward to receiving your submission.

Regards
Melissa

From: Leith Blacker [mailto:leith.blacker@sa.gov.au]
Sent: Friday, 24 February 2017 12:42 PM