



27th March 2017

Department of State Development
The Executive Director
Mineral Resources Division
Level 7
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SUBMISSION
THE MINING ACT 1971 REVIEW

The Act is presently defined as:

"An Act to regulate and control mining operations, and for other purposes".

The Review needs to be done by an independent body and in a timely, carefully considered manner. There must be an independent Regulator for the Mining Act.

DSD, The Department of State Development cannot be the Regulators and the Administrators of the Mining Act. There is a massive conflict of interest.

Local knowledge is required and the landowners are always the last to be considered.

There should be NO mining on agricultural land as Agriculture and Mining CANNOT co-exist.

A careful definition needs to be made of 'Exempt Land' and 'Cultivated Land'. Farming practices have changed greatly since 1971, with 'No Till' and 'One Pass' methods of protecting sustainable agricultural land. 'Exempt Land' has been rightly afforded special protection for over 145 years. Our founding pioneers and parliamentarians knew and understood this.

Mining and its' infrastructure destroys agricultural land.

'Exempt Land' should also include 'Land from which a Commercial Agricultural Income is derived'.

There needs to be much improved consultation with Landowners and a clearly defined process is required. There has been massive negative responses from the communities at all the mining consultation meetings which I have attended, regarding proposed mining in sustainable agricultural land. Yet, despite having NO Social Licence to proceed, the exploration and mining attitude has been, 'the boxes have been ticked, move on to the next issue'.

Leading Practice Mining Acts Review, Mining Act 1971 and Regulations, Discussion Paper December 2016, (which landowners only were aware of in late February) Page 22, shows South Australia's Arable Land (defined in Yellow).

This is land which feeds our people, and earns export income for South Australia. Overseas tourists come for the purity and beauty of our country; to taste and enjoy delicious produce, wines and seafood at which South Australians excel in producing in a clean, green environment.

There needs to be a precise and carefully considered interpretation of the Mining Act, with clear sighted consideration of the long term benefits for the land, as once destroyed, it will produce NO INCOME. And condemnation by those generations which are to follow.

A Department of State Development (DSD) Response Document from the submissions needs to be made available to the public before being presented to Parliament.

The Exploration Program for Environment Protection and Rehabilitation (PEPR) must be supplied with all access forms from initial contact.

The cost of the Wardens Court and Environment, Resources and Development Court must to be at Exploration and Mining Companies expense.

This is our environment, our resource and our present, as well as our future development that is under threat. We rely on this land from day to day. It is irreplaceable. The very air we breathe, the water we drink and the food we produce is at irreversible risk.

This is our home, a place to protect and nurture our families and ourselves. This is our workplace and our farming business. We have put our lives into, and know that we are stewards of the land.

It is our heritage and our future, and can be for others for hundreds of years. This land has produced income for over 100 years.

I love where we live and our community, they need to be protected and cared for. Farmers are a state and national asset.

It is very important to community members that they are consulted and their views are considered and respected, and that they have access to all relevant and detailed information in an appropriate time frame, AND are given sufficient response periods, not at Seeding or Harvest times, school holiday periods, which is what happens now.

I query the timing of this Mining Act Review and also the very short time frame allowed for responses to be submitted. Why now and why such a rush?

Open cut mines with tailings dams and waste rock piles do not protect agricultural land and after a few short years will leave it devastated.

Who presently holds any Security Bonds, who pays them, are they held in trust and how is the rate or amount of payment arrived at?

I refer to the statement "No landowner, pastoralist or native title holder has ever exercised their rights under the Mining Act to object to the use of declared equipment as set out in a notice" Page 33 Dec 2016 DSD. Have they ever known about this right?

The process of the Act needs to be clearer and easier to understand

I believe that an Independent Mining Ombudsman is required in South Australia.

WD Schneider
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