



MINING ACTS REVIEW

To whom it may concern

I would like to take this opportunity to provide you with my typed public submission;  
however, I would request that my name not be attached to the document.

Kind regards

[REDACTED]

We are farmers who have lived in a proposed Mining Lease for the past 5 years. We welcome this review of the Mining Act. We do question the timing of your review with the majority of the response time being during the busy harvest period for a lot of farmers. We would have preferred this to be an independent review, rather than by the agents of the Mining Act.

As there is only 4.6% of the state available for cropping and farmers are contributing positively to the state budget, we believe that agricultural land needs to be protected from invasive exploration and mining. Mining is a short term solution to the state budget, but it is an exhaustible resource. Agriculture is a permanent, sustainable long-term solution to the state government's budget and this needs to be acknowledged.

Exempt Land must mean "exempt from all mining operations" as per the original intent of the current Mining Act. For this to happen effectively Section 9AA needs to be removed from the Mining Act as it defeats the purpose of having Exempt Land in the first place.

The current Mining Act is very short of detail as to what farmers will be compensated for and for what amounts. This has caused inconvenience, stress, hardship, mental health issues and financial issues. We have gone from running a successful business to "what happens if our land is needed for mining". We have had issues borrowing against our land within the proposed Mining Lease, we have lost our future direction, lost our ability to build permanent structures (as there is no clarity in the Mining Act as to what you will be compensated for) and lost precious moments of our children's childhood through being too stressed by the whole process.

As a starting point for land acquisition we believe a minimum of 3 times market value is required by the Mining Company. They should have this money available even before exploration begins, so if the project does proceed, the landholders will not be waiting for them to organise their finances.

DSD needs to be split into two separate sections being regulation and approvals. All Forms ie Form 21 etc need to be checked and verified by DSD that they are legal and with end dates and provide all the necessary information to the landholder.

A PEPR must be supplied to all landholders before any exploration begins and provided together with Form 21's etc. All expenses should be paid up front by the Mining Company as part of their goodwill.

The 21 days for a response when a Form 21 etc. is provided is not enough time. If you are busy running a business, a trip to Adelaide to see a lawyer or having one flown over to see you is virtually impossible to be conducted in such a short period. Even with email and phone there is nothing better than talking to someone face to face as it is a lot to take in.

These decisions that a landholder makes with Form 21's etc are life changing and the landholder only gets one chance. No Notices should be given passed the 1<sup>st</sup> of December as most lawyers do go on holidays themselves by the 24<sup>th</sup> of December and the landholder shouldn't have to make a rushed decision at such a busy time that of harvest and Christmas.

The Act needs to recognise personal and mental health issues when they provide Notices of entry and/or other documentation as the landholder may need allowances made.

DSD needs to do more spot checks of exploration and not pre-arranged visits with the exploration/mining companies. Fines of a substantial momentary value should be enforceable and they should be made publicly accountable for their misdemeanours.

The areas the various government agencies are responsible for whom are involved in exploration/mining should be made available at the beginning of all exploration activities by DSD and the Mining Company. This would have saved a lot of time when we were seeking clarity over the exploration activities.

The trend of moving towards guidelines eg Multiple Land Use Framework, Community Engagement Guidelines etc needs to be incorporated into the Mining Act as currently they are not legally enforceable as they are not part of the Act and as such carry no weight. Social Licence needs clarification as this is a very grey area. How is this measured? Why is this not given an interpretation by a judge in a court?

Personally, I believe end dates (with no extensions) for all documentation and processes needs to be established and made law and be enforceable. The agricultural sector impacted through exploration/mining activities needs to have certainty of projects proceeding and/or not proceeding by a certain date so they can make long term plans for their business. To give an example stakeholders are given 21 days to respond to Form 21 etc documents. For a response to a Mining Lease Proposal document there is an end date for a stakeholder, but the Mining Company can take as long as they like to do their response document. The stakeholder does not get to respond to what the Mining Company stated in their response document either. The Mining Company has two turns of conveying their information but the stakeholder only gets one. Mining companies can also get extensions for Exploration leases and PEPR's.

Please consider my thoughts. Living with the impacts of this Act has been soul destroying and it is out of date with today's farming practices and society's expectations.

We welcome the opportunity to review any drafts of proposed changes to the Mining Act.

