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31 March 2017

Review Team  
Mineral Resources Division  
Department of State Development  
Level 7, 101 Grenfell Street  
Adelaide SA 5001

By email: [DSD.miningactreview@sa.gov.au](mailto:DSD.miningactreview@sa.gov.au)

Dear Sir/Madam

Thank you for the opportunity to provide feedback with regard to the Mining Acts Review.

We are third generation farmers at Sandilands on the Yorke Peninsula. We live and farm here with our young sons, Harrison and Nicholas.

A comprehensive submission is being put forward by the Yorke Peninsula Landowners Group (YPLOG) and Grain Producers SA of which we are members. We would like to acknowledge that we fully support both of these submissions. Detailed information within those submissions will provide supporting evidence for our summarised information below.

1. Lack of Impartial and Independent Review Process

The internal process by which the review has been conducted is not likely to deliver a credible, independent and objective outcome. Department of State Development (DSD) and the Mineral Resources Division report directly to the Minister for Mineral Resources and Energy.

When the submissions have been collated, an independent body should be appointed to conduct this review in line with the process followed in Queensland.

There is a strong case for the appointment of a Mining Ombudsman. It is inappropriate that complaints and company breaches are managed internally by DSD. DSD has failed in its role as Regulator on many occasions, including recent examples of a Mining Company breaching court orders, with no repercussions.

## 2. Lack of Definition of Mining Methodology and Types of Extractive Minerals/Resources

The current Labor Government and the Discussion Paper broadly suggest that “mining and farming can co-exist”. The Multiple Land Use Framework delivered by the Government and DSD in 2016 also advocates this proposition. This has shown to be possible on Yorke Peninsula where we currently have operational dolomite and sand mines, essentially mining innocuous resources. The Discussion Paper does not provide any differentiation between the mining of innocuous materials and the mining of heavy metals such as copper and iron ore. Nor does it address the difference between underground mining operations or open-cut operations, nor the size and scale of mining proposals. These factors are critical to fully assess the impacts that mining has upon farming. Simply stating “mining” without clear definition does not accurately reflect the potential impacts to farming and this needs to be rectified.

## 3. Protection of Agricultural Land

For some years PIRSA had been undertaking a land and soil mapping process for various areas of the State. The Fleurieu Peninsula, The Barossa and The Limestone Coast have been mapped to accurately outline soil types, topography, geology, vegetation, land use and climate. This process may have been stalled due to the drastic reduction in staffing numbers at PIRSA over the past few years. Yorke Peninsula was due to be mapped in 2014, but to our knowledge this has not been completed.

By utilising land and soil mapping information throughout the State, the Government and DSD would be able to develop legislative changes, and undertake planning and policy development with due consideration of the productivity and value of the land.

The Mining Act fails to recognise the protection of Agricultural land. The South Australian Government should have a mandate to provide protection for valuable agricultural land and the environment. Agricultural sustainability and food security should be prioritised when considering the placement of any industrial development. Removing Section 9AA of the Mining Act will ensure that Agricultural land is exempt.

Yorke Peninsula is one of South Australia’s prime agricultural areas. It is responsible for at least half of the contribution to the states grain production and income.

Mining should not impact, nor compromise agricultural production and farming practices. Adopting mining practices on non-arable, sparsely populated areas will avoid negative impacts to the agricultural industry.

#### 4. Inadequate Rehabilitation Requirements

Regulatory guidelines have already been “watered down” without consultation. A change to the guidelines from;

2011 “...return...land to a stable, productive...condition after taking into account the beneficial uses of the site and surrounding land”;

To 2012 “...return the land...to a state in which no third party impacts are likely to occur indefinitely...”

These changes provide no level of comfort for farming communities in highly productive agricultural areas. When a change such as this is made without consultation it provides no confidence in the Regulator (DSD) who are meant to be protecting farming and environmental interests.

We are well aware that as part of the Leading Practice Mining Acts Review the South Australian Chamber of Mines and Energy are seeking to streamline the mining approvals process, along with “improving” access to land. Mineral Resources and Energy Minister and Treasurer, Tom Koutsantonis, is desperately seeking opportunities to revive the disastrous economic situation that he and his Labor Government have created in this State. We sincerely hope, that by the stroke of a pen, he does not ignore the significant contribution that agriculture makes to this State, which is exponentially more than minerals.

Compromising our agricultural industry and our strong reputation for producing clean, green food in favour of mining will be another regressive step by the Labor Government. The Mining Act has not been reviewed since 1971, coming up 46 years. Our agricultural industry has developed enormously over this time, benefiting from significant improvements in technology, farming practices, machinery, grain varieties and animal genetics. We must ensure that any proposed changes to the Mining Act and Regulations are reflective of the developments that we have seen in our industry. The Mining Act and Regulations must protect our agricultural industry that is the economic backbone of this State. Proposed changes must be independently reviewed and fully considered with adequate public consultation. This process should not be fast-tracked to coincide with the “political cycle”. South Australia cannot afford for agriculture to be compromised.

Yours faithfully

Geoff and Tania Stock

