Feedback Form

** Required field*

Contact details

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Organisation

Are you an individual representing at organisation?	☒ Yes ☐ No
If yes, please provide the organisation's name:	RW Corkery & Co Pty Limited

Privacy

☒ * In making this submission I acknowledge the submission will be published by the Resources Regulator, including my identity.	
(If applicable) I provide the following reason/s to request my identity be **excluded** when the submission is published:	

Feedback

DO YOU HAVE ANY COMMENTS ON THE QUESTIONS BELOW?	
Do you have any specific comments on Clauses 31A-31C of Schedule 1 to the Mining Amendment (Standard Conditions of Mining Leases - Rehabilitation) Regulation 2020?	———No
Do you have any specific comments on Part 1 of Schedule 8A to the Mining Amendment Regulation 2020?	Definitions - Final land use - the definition should specify that the final land use must be permissible without further consent, namely, it must be permissible without consent under the the relevant Local Environment Plan or development consent must have been obtained. - Large mine - this definition is fundamentally flawed. The proposed criteria for a large mine will capture the following. - Small, regional quarries that extract limestone, chert, quartzite, gypsum, feldspathic minerals, diatomite or clay/shale that have a total disturbance area of more than 4ha. RW Corkery & Co have very many clients who through a quirk of the Mining Act are required to hold a Mining Lease, but their primary business is producing and selling extractive materials, including road bases, aggregates and general fill. An example includes Metromix at Marrangeroo. Other clients such as Westlime at Nellungaloo and Canowindra and Arumpo Bentonite at Arumpo produce limestone and bentonite products respectively for the agricultural market. These operators do not view their operations as "mines" and are often competing against other operators who are producing similar products but are classified as extractive industries. - ———Small gold mines that are disturb more than 1ha. We have Clients who operates businesses that primarially supply quartz pebble and road base from deposits that have traces of alluvial gold. One Client in particular sells less than 10,000tpa of road base, and in some years sells

	nothing. The Client does not own a computer, is not functionally literate and has little to no capability to pay consultants to undertake the requirements under the proposed regulations for a Large Mine Our suggestion is that the EPL trigger should apply to only Group 1, 9 or 10 minerals and that an alternative criteria apply for the remaining groups. An alternative trigger for consideration may be a production rate of 500,000tpa or a total resources of more than 5Mt consistent with the SSD criteria for extractive industries. Alternatively, the definition of Small Mine could be amended to permit flexiability for the Minister or their delegate to declare a Mine to be a Small Mine. In this instance, there would need to be guidance in relation to the matters to be considered when making the decision
Do you have any specific comments on Part 2 of Schedule 8A to the Mining Amendment Regulation 2020?	———500,000tpaNo
Do you have any specific comments on Part 3 of Schedule 8A to the Mining Amendment Regulation 2020?	———Clause 3 should be reworded to reference "as soon as reasonably practicable after an area is no longer required for mining purposes." Some areas of mines may be disturbed at the outset, but will not be able to be rehabilitated until the end of the life of the mine. Alternatively, some areas may be disturbed, reshaped but will be used later for some mining-related purpose and will therefore not be rehabilitated immediately.
Do you have any specific comments on Part 4 of Schedule 8A to the Mining Amendment Regulation 2020?	———No
Do you have any specific comments on Part 5 of Schedule 8A to the Mining Amendment Regulation 2020?	———No
Do you have any specific comments on Part 6 of Schedule 8A to the Mining Amendment Regulation 2020?	———No

Do you have any specific comments on Part 7 of Schedule 8A to the Mining Amendment Regulation 2020?	———No
Do you have any specific comments on Part 8 of Schedule 8A to the Mining Amendment Regulation 2020?	———No
Do you have any specific comments on Part 9 of Schedule 8A to the Mining Amendment Regulation 2020?	———Clause 12 duplicates and is not consistent with Section 4.47(2) of the EP&A Act. Any application for development consent, including a modification of any consent, that relates to mining for minerals, is integrated development under Clause 4.46 of the Act. Clause 4.47(2) requires to consent authority to "obtain from each relevant approval body the general terms of any approval proposed to be granted by the approval body in relation to the development." The effect of Section 4.47(2) imposes an obligation on the consent authority to consult with the Resources Regulator (and Mining, Explorarion and Geoscience) in relation to any mining-related application for development consent or modification of that consent. That typically occurs on submission of the application at the commencement of the exhibition period. Clause 12 by contrast requires the title holder to notify the Secretary with 10 days of making the application, after the Consent Autority would have already notified the Secretary, in which case the Secretary would already be aware of the application.
Do you have any general comments?	———RW Corkery & Co is generally supportive of the proposed reforms, however, the reforms as currently drafted have the potential to substantially increase the regulatory burden on small operators whose operations would not, in the minds of the lay person or operator of the site, be a "large mine." RWC recieves regular feedback from the operators of small quarries with a mining lease that the Resourcfes Regulator is attempting to apply a "one size fits all" approach. Classifying a small, regional quarry with a mining lease as a "Large Mine" is unlikely to be viewed as equitable or reasonable.