

Howe, Mark (DMITRE)

From: Parnell [REDACTED]
Sent: Friday, 8 November 2013 2:19 PM
To: DMITRE: MiningRegRehab
Cc: MINEN: Minister Koutsantonis' Office
Subject: Submission: Rex Minerals Hillside Copper mine

Dear Minister Koutsantonis,

Rex Minerals Hillside Copper mine

I have examined this proposal, visited the site and talked to local landholders. In my assessment, this is an inappropriate development for this location.

I urge you to reject the proposal and encourage the proponent to seek mineral deposits outside prime farming areas.

I know that the mine has a short expected life – probably only around 15 years. You also know that carefully managed farming land can be productive for thousands of years (think of the Middle East and parts of Europe.) The question to be answered therefore is: “Why should we sacrifice the long-term food-growing potential of this land for short-term gain exploiting minerals that are abundant elsewhere?”

You told Annette Marner on ABC radio recently that your first principle in deciding whether or not to approve any particular mining proposal is “do no harm”. I would urge you to apply that philosophy to the overall long term impact of open cut mining in this location, as well as the short term environmental factors. Is it worth sterilizing thousands of hectares of high value productive farm land for 15 years of royalties? I think not.

In relation to the immediate impacts of the proposed mine on the local environment, I urge you to consider the submissions made by the Yorke Peninsula Land Owners' Group: <http://yplandowners.com.au/> and the submissions of individual local farmers who will be directly affected by the mine. Their concerns over groundwater impacts, dust, noise and the potential for harm to the marine environment are all well founded.

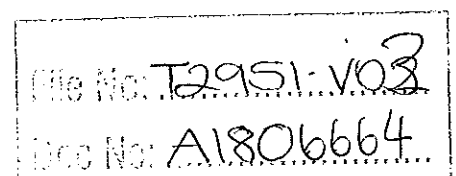
Lastly, I would urge the Government to support the amendments I have introduced to the Mining Act, which will be debated in the Legislative Council next week [see text below]. Under the Mining Act, land that is used for growing crops is supposed to be “exempt” from mining. Yet, as you know, that “exemption” means very little when the mining company can easily obtain a “waiver” by taking the matter to Court. The Court only considers the question of conditions and compensation – not whether the land should be protected from mining because it has a better long-term use as food producing land. Under my amendments, the Court would need to be satisfied that “exceptional circumstances” existed which warrant forcing a farmer to accept mining against their will. I seriously doubt whether the current Rex Minerals proposal would satisfy that test given that the mine is of a relatively short duration and the minerals sought are abundant and readily obtained in other parts of South Australia that are NOT in prime agricultural land.

I urge you to reject this proposal.

Yours faithfully,

Mark Parnell MLC

PS. I am happy for this submission to be published and I ask that you publish all submissions received on the DMITRE web site as is the practice for other Government public submission processes.



Legislative Council—Bill No 193

Amendments to be moved by the Hon Mark Parnell MLC [1]

South Australia

Mining (Royalties) Amendment Bill 2013

Amendment No 1 [Parnell-1]—

New clause, page 2, after line 9—

Insert:

3A—Amendment of section 9AA—Waiver of exemption (including cooling-off)

(1) Section 9AA(9)—delete subsection (9) and substitute:

(9) On an application, the ERD Court may—

(a) if the mining operator satisfies the Court that—

- (i) exceptional circumstances exist justifying the carrying on of mining operations on the exempt land; and
- (ii) the adverse effects of the proposed mining operations can be appropriately addressed by the imposition of conditions on the mining operator (including the payment of compensation to the respondent),

make an order waiving the benefit of the exemption for the respondent and imposing conditions on the mining operator; or

(b) if the Court is not so satisfied—refuse the application.

Mark Parnell MLC

THE
GREENS



Follow Mark on [Facebook](#) and [Twitter](#)

Mark Parnell, Member of the Legislative Council, parnell@parliament.sa.gov.au
Parliamentary leader, Greens SA
Parliament House, North Terrace, Adelaide SA 5000 Ph. 08 8237 9111
www.markparnell.org.au

The information in this e-mail may be confidential and/or legally privileged. If you are not the intended recipient, access to it is unauthorised and any disclosure, copying, distribution or action taken or omitted to be taken in reliance on it is prohibited and may be unlawful.