

Standing Committee on Legislation - inquiry into the Mining Legislation Amendment Bill 2015



SUBMISSION TITLE

COSTLY LEGISLATIVE SOLUTIONS TO NON-EXISTANT ENVIRONMENTAL PROBLEMS

Submission by

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I am an active prospector and have been prospecting either part time or full time for well over 35 years

General background to this submission

The purpose of this submission is to highlight the pointlessness of the Department of Mines and Resources (DMP), insistence of extending draconian environmental conditions over ground, where by on their own admission, there is a 97% environmental compliance rate (a near perfect performance).

The proposed environmental provisions contained within the Mining Act Amendments legislation 2015, will have serious unintended adverse economic and compliance consequences for the smaller professional operator while achieving no worthwhile benefit.

The case supporting this submission

By the DMP's own admission (see below) there is a 97% environmental compliance rate (a near perfect performance) for the mining industry. It is difficult therefore to imagine that any additional costly, onerous compliance requirements, documentation, reporting and/or performance conditions are going to achieve any additional environmental benefit (at best only an additional 3% is achievable).

The "law of diminishing returns" states that incremental improvement is possible beyond this level only at exorbitant cost and effort, which far exceed the benefit gained. In the case of professional prospectors and small miners, with minimal ground disturbing activities over very small areas, the benefits to be gained would be insignificant. In other words it is a completely wasted exercise, involving substantial cost, requiring an inordinate effort, for virtually no material gain.

Supporting evidence

An extract from the DMP Budget Papers 2015 – Page 533.

Outcomes and Key Effectiveness Indicators ^(a)

	2013-14 Actual	2014-15 Budget	2014-15 Estimated Actual	2015-16 Budget Target	Note
Outcome: Responsible development of mineral and energy resources and protection of the community from the risk of dangerous goods:					
Percentage of compliance with regulated environment conditions	97%	93%	95%	95%	

Conclusion

In this instance environmental measures as proposed will be entirely futile and any significant effort or expenditure a complete waste. If it is not broke (which in this case it demonstrably isn't), don't fix it, and certainly don't mandate futile processes to address it in legislation. This is particularly the case for the small miner where the environmental footprint is small, but may very well also apply to many larger mining operations which are also registering above 95% environmental compliance.

In the Mining Amendments Legislation 2015, the DMP is apparently trying to solve, by its own admission, a non-existent problem with a substantial slew of complicated, onerous and largely unnecessary legislation.

Prospectors and small miners do not have the resources of the larger companies and would find both the cost and compliance with the proposed bill to be the beginning of the end of a small but lucrative industry that supports remote communities.

Signed _____ . Date 20/3/2016 .