

Reply to: Georgina Woods
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Submission: Integrated Mining Policy Round 2

Thanks for the opportunity to submit to this round of policies and guidelines.

Lock the Gate Alliance is strongly supportive of the Department's efforts to bring consistency and transparency to coal mining assessments and post-approval compliance and reporting. The policies exhibited in this second round of public consultation are important and welcome.

Specific comments on some of the documents are below.

Post-approval guideline – Annual review

We welcome the guideline for annual reviews of compliance with the conditions of development consents and mining titles, and the commitment that the Government is working to improve alignment with the Annual Review and Annual Returns submitted for Environment Protection Licences. We believe that Annual Returns for Environment Protection Licences should also be made public as these reviews are intended to be, and that the details of compliance and non-compliance with EPL conditions should be made available on the *Protection of the Environment Operations Act* register in a timely fashion.

Statement of compliance

We are strongly supportive of an upfront and simple yes/no statement of compliance with consent conditions being included in the annual reviews.

Title block

The proposed title block is useful. We suggest this section should also include the names of the companies that holding the relevant mining titles and development consents. These are not always the same and it can be difficult for the public to untangle. Some operations are managed as mining complexes, with multiple holding companies owning titles, and even multiple development consents. In this circumstance, it should be clear if the reviews are reviews against a development consent primarily and that a list of all the relevant mining titles, and the names of the companies that hold them, is provided, as well as a reference to any related development consent for which a separate review is lodged. We also suggest the title block includes summaries of other approvals, licences and permits held in relation to the consent: the development consent number, EPBC Act referral number, EPL number, any WALs held by the company and used for the operation, any Water Management Act approvals, Water Act licences, etc. We note that it's proposed these be listed in section 3, but suggest that having them together is useful. Note that these are required to be listed

in section 3, but inclusion in the list in the title block, along with the name of the company that holds the various approvals, will help the public.

Section 4: Operations summary

We are strongly supportive of this information being included in the annual review.

Section 6: Environmental performance

In general, we are concerned that this section is vaguer and less clear than others in the annual review guideline. The development consents require specific limits on many environmental matters, noise and air quality limits, blasting limits, water discharge limits, clearing limits and specific requirements of surveys and pre-clearing actions. Each of these must be tabulated as the others sections are, so that the standards, practices and thresholds required in the consent can be measured against performance. Many the environmental, social and heritage matters are dealt with by the creation of Management Plans. These must be listed in the annual review, and the companies must outline their status: are they complete, endorsed by the Secretary, under review, proposed for modification? It is often in these management plans that safeguards and protections for the community and the environment are established, such as specific restrictions on heavy vehicle use of local roads, seasonal clearing restrictions, operational actions to reduce noise and dust. At the risk of lengthening the review Section 6 should require the companies to list the key actions from the environmental management plans for water, biodiversity, heritage, noise, blasting and air quality and report against them.

For water management, the guideline should specify that companies provide a summary of all water monitoring results, discharges, salinity trading scheme credit use and any other matter outlined in the Water Management Plan, including provision of “compensatory water” to other users.

Section 7 Water take

We are strongly supportive of the inclusion of this section in the annual review. It might make more sense for all of the water management reporting to be in a single section, rather than having the water take separated from water management actions that are currently proposed for section 6.

The annual report should specifically be required to include any site water balance that is provided to DPI Water for reporting under the Water Management Act, and the guidelines for this should be detailed enough to ensure that the water balances produced for different mines are comparable. These water balances must specify the amount taken as part of any harvestable right claimed by the mine, evaporation, entrainment, the amount captured to prevent erosion and pollution, and the amount discharged.

There is currently no mention in the guidelines of discharges. A section must be added that summarises any discharges, and any water transfers to other mines, and provides consistent information about the quality of that water. Specific reporting against salinity trading scheme controls should also be included.

Similarly, there’s nowhere specified where companies will record the results of their groundwater monitoring. This is crucially important to understanding whether there are impacts being experienced beyond those foreshadowed in Environmental Impact Statements.

It is our preference that a summary of monitoring data be provided in the annual reviews and that full data sets for all environmental monitoring be made available to the public in user-friendly format as part of the web-based reporting guideline.

Section 8: Rehabilitation performance

We support the inclusion of this section, and propose that it should also specify the scale of any rehabilitation bond held by the Government for the operation under review.

Post-approval guideline – Web-based reporting

We are concerned that this guideline is framed only as an “encouragement” to the mining companies to make this information available to the public. We strongly suggest that every mining operation be required to make consistent and comparable information available, including all monitoring data, in a usable format.

We note that the Chief Scientist recommended a central data repository for all environmental data. We are strongly supportive of this, and hope that it will be delivered soon. Such a repository is crucial for public confidence in the management of mining impacts. We would be happy to provide input on the format and content of this if there were opportunity to do so, but note that we believe it is important that data be provided in a format that can be viewed online and downloaded in GIS spatial files.