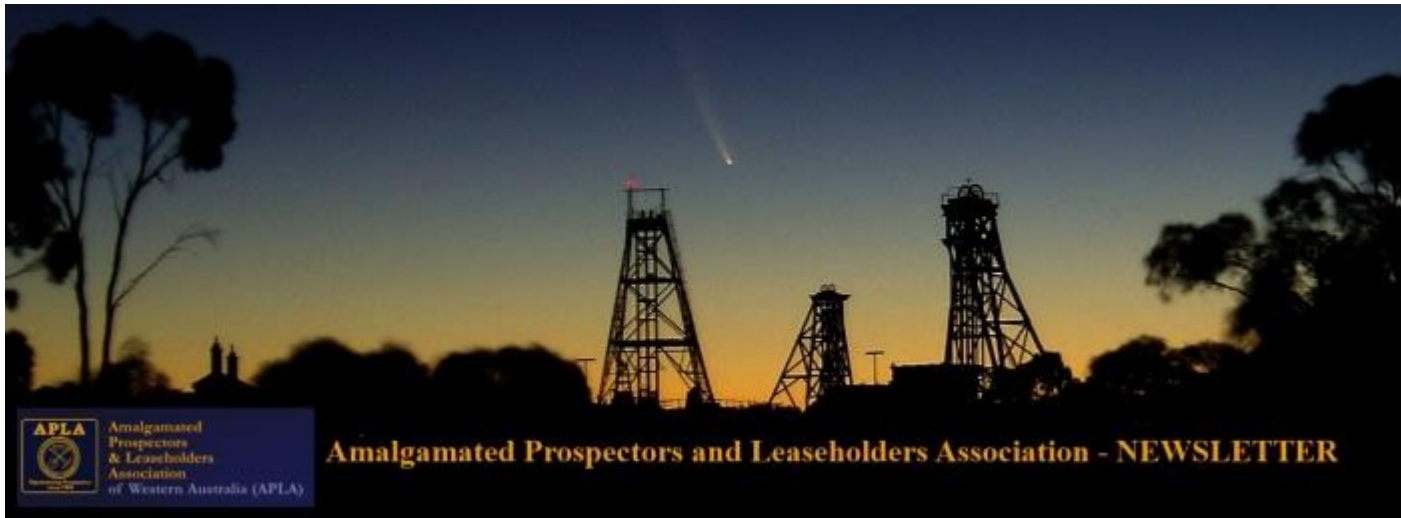


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Hi William

Dangerous Impacts Evident in the Amendments to the Mining Act

Members we need your support in forcing a review of the Mining Act Amendments that are currently before Parliament.

Politicians will not take action unless they feel they are threatened by the people power and voting intentions at the next election.

We want you to contact your local politician with some information requesting that they remove the Amendments to the Mining Act bill until it is reviewed by a Parliamentary Committee.

Why and How Will The Amendments to the Mining Act Changes Affect Small Miners?

* Cost of proposals (\$6950 small mine approval and \$590 POW) are excessive for something that previously had no cost.

A far more efficient and fair alternative would be to raise tenement rents by 3%, if revenue raising is the point of the exercise.

* A \$6950 fee for a 4 page mining proposal by a small miner is excessive and cannot be compared to the cost of assessing a major mine proposal of thousands of pages.

* Excessive New coercive powers

Big fines are proposed (\$10,000) and video interviews, powers that even the police do not have.

* Redefinition of Low Impact. (Low impact should not mean no-impact.) Impact is irrelevant if adequate rehabilitation follows (this is already a requirement).

* Onerous impractical Environmental requirements added.

Miners already have a 97% (DMP figures) compliance so this is unnecessary red tape compliance.

For example you are about to be required to build protective bunds around jerry cans at camping sites, and be hit

with \$10,000

finances for infringements that previously corrected with a warning and a request to correct the problem.

*** Unknown Impact of unwritten Mining Regulations but the power is given in the Act to change them at will.**

*The Mining Regulations to not give secure protection to prospectors & miners as can be changed at will with minimal input from stakeholders.

Fees can be raised and major conditions on leases changed.

* There will be serious unintended consequences in the future in the changes to the Act.

What Will the Likely Results be

* APLA is convinced the proposed amendments are unworkable for small miners and will drive them out of business .

* Additional Costs make small mining marginal economically so people will leave the industry and consequently small mining and prospecting will significantly decrease.

* Small Miners produce around 2 to 4 tonnes of gold \$100m to \$200m which will decline and the money will not be spent in regional areas.

* Small miners and prospectors are the backbone of Regional WA and make up 42% of all tenement holders their lost or decline would be devastating to the local communities e.g

- Tenement holders - They pay substantial shire rates on these tenements (the major source of rate income in many shires), and contribute at least around \$40/tenement hectare/year into the regional economy to meet the annual expenditure requirements the DMP levies on these tenements.

*Will severely increase the cost of any ground disturbing activity and increase regulatory burdens on miners.

- Estimates as increasing costs of \$10,000 per year, forcing many out of the industry with flow on effects to regional WA through

decreased use of downstream commercial services, small business, less local Shire rate income from tenements (causing increased rates on other and/or decreased services), entrepreneurial individuals and their capital and skill set leave regional WA.

* Decreasing population and employment, decreasing voters and political representation, a decreasing population and economic base causing an economic hollowing out of regional WA. Decrease governments service (closure of local State Government Offices including regional DMP offices), increased cost of living for decreasing local populations.

Increased FIFO as a source for mine workers.

*Fewer grass root new deposit discoveries following on from initial prospector activity.

*A loss of a proportion of the \$100 million+ injected annually into regional WA through prospector activity. Creating a mining industry based on bigger is best, get big or get out of mining.

What prospectors and small miners want in changes to the Act will not adversely affect what the big miners want from the proposed Act and will have minimal cost, but protect the millions of dollars currently contributed by prospectors and small miners to regional WA in particular and the whole State in general.

What we want parliamentarians to do is to send the Bill to a properly constituted committee for review.

Significant simple changes to accommodate the small miner (that would not compromise the wider industry) would be:

* Remove newly introduced excessive documentation and fees for POW's and Mining Proposals for work on small land areas (under 10 hectares).

* Recognise that the nature of ground disturbing work is immaterial when effective rehabilitation follows.

* Improve environmental standards by improving environmental understanding and general mining competency of all DMP personnel.

Professional small miners, many, if not most with 30+ years of successful operation, know far more about what works in specific circumstances than recent environmental graduates and more importantly better understand the environmental science and what is practical in terms of mining processes and economics.

SEND THE BILL TO A PROPERLY CONSTITUTED COMMITTEE FOR REVIEW -

Below are just some of the issues in the current Amendments which will impact small miners and prospectors and some suggested changes.

* remove stringent broad terminology like "may' Instead of "Likely to" for example in Section 40D(2)(c)i ...and may (current " which may be likely to") endanger the safety of any person or animal...

"May" is too broad and creates the opportunity for frivolous objections to Miners Right holders.

This change appears in a number of places throughout the Amendment bill.

*Section 103AC - Low impact is being wholly dealt with in the regulations rather than the act. This removes the stability given within the Act - allowing continual future amendment causing disruption for prospectors.

* Literal interpretation of Sub Section (2) and (3) in Section 103AE causes confusion as to what is an "allowable activity" thus anything not defined as a Low Impact Activity will require POW Application.

Low Impact Activities are defined in the regulations **which are not defined so how can agreement be reached on the proposed Amendment.** Agreement must be reached as to what Low Impact Activities before the Amendments are passed

*Section 103AF Subsection (1) Prospecting is not included with the definition of a relevant activity under mining Lease - Include that activity.

* Section 103AO(6) 103AP(6) Director General must not approve and activity if it has an "unacceptable Impact" in the environment. This is too ambiguous and open to interpretation - need to redefine the wording to allow for better control on what may be "unacceptable"

* Clause inserted for existing Prospecting Leases with an already approved low Impact or POW in place to be converted to a Mining Lease without the addition of Mining Proposal Fees.

*Section 8 to secure the rights of prospectors operation underground to allow the use of Machinery Underground.

*Section 103AM POW and Mining Proposal allows the Director General to approve onerous guidelines for Environmental accountability not suited to small scale activities.

We need a draft form showing how the format and completion these guidelines should occur before introduction.

*Section 103AZC requirement that an Environmental Management System be placed on Mining Leases - the form is unknown and could be onerous for small miners and prospectors we need a better understanding of the form and report show how a prospector would achieve this.

Just these few items show the poor wording and impacts that the Mining Act Amendments Bill will have - it must be reviewed by a properly constituted Committee with input from the small miner and prospector group to remove the unintended consequences that will arise if the Bill is passed in its current form.

We are talking about serious, full-time professionals prospector/miners here, dependent on mining for their families livelihoods, many with hundreds of thousands of dollars invested in equipment and infrastructure, and 20-30 years fulltime prospecting and mining experience.

We are not talking about amateur and weekend enthusiasts.

This may be the small end of mining but it is a crucial element facing an existential threat created by this legislation that will have widespread repercussions (unintended consequences) for regional WA.

The recognized problems could so easily be rectified and accommodated with further consultation and input for this effected sector.

Consultation that was sadly missing in the first instance in the preparations of this seriously flawed Bill .

MEMBERS WHAT DO WE WANT YOU TO DO?

We do not expect you to know everything and the changes to the ACT in detail, but there are serious concerns outlined above which will impact upon everyone.

We want you to use any of the information above and write to your local Parliamentary representative or email them outlining your concerns and indicating that the Review of the Amendments is a simple task which should occur before the Amendments Bill progresses and you oppose the Amendments as they stand.

Make sure you tell them that it will impact on how you vote in the election.

Suggested Email Letter to Politicians

EMAIL ADDRESSESS MLC's WA Parliament (Upper House)

Those likely to have the balance of power and to support the legislation going to a committee are the Nationals, Greens and Shooters & Fisher members, but Labor have suggested that the Bill has not gone far enough and will very likely vote with the Liberals in its favour. All the non-Liberal members must vote against the Bill and get Labor support for its defeat. Send an email of protests to all MLC members (even the Liberals) to get them to vote against the Bill.

To send an email to all the MLC MP's:

- 1. just copy the email addresses (collectively) and paste from this document directly into your email "To:" box,**
- 2. place "Mining Amendment Act Bill 2015" into the subject line,**
- 3. make a comment expressing your opposition,**
- 4. attach any supporting documentation,**
- 5. and "Send".**

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