



**Mining Act Review
13 August 2009**

In her submission to the Mining (Miscellaneous) Amendment Bill 2009 Member for Flinders Mrs Liz Penfold made numerous suggestions for improvements to the Mining Act to assist farmers who find themselves negotiating with mining companies.

Mrs. Penfold said it is vitally important that we embrace mining as it will provide jobs and opportunities for regional communities, many of whom have been experiencing significant down turns and loss of population.

But she warned, like any new industry in the region, care must be taken to ensure it is fair and equitable and that it will leave local communities with tangible benefits into the future.

Mining is rapidly becoming a reality in farming areas of the State rather than pastoral lands. As a result many farmers have to negotiate directly with mining companies and some feel disadvantaged in the process.

"Minerals belong to the crown, which means that they belong to the people of South Australia. They are managed on our behalf by the government of the day," Mrs Penfold said.

"I am sure that none of us want farmers to be put under more stress than they are already experiencing in their farming businesses."

"In my submission I have suggested that

- an Independent Arbitrator is appointed,
- counsellors are made available,
- legal aid is provided where necessary,
- notice for right of entry is extended from 21 days to 60 days notice,
- an Environmental Bond is required,
- acquisitions laws are made similar to the government compulsory acquisition laws, and
- a Community Benefit fund is set up from the commencement of mining so that educational scholarships, value adding industries and infrastructure are put in place to ensure that the local communities affected are not left abandoned when mining is completed."

Mrs Penfold said the current Code of Conduct for Landholders and Mineral and Energy Explorers in South Australia is inadequate and she was pleased the Bill is being amended.

“We have the opportunity to improve the Bill and to give it powers to enforce the Code of Conduct to ensure a win win situation for the mining industry, landowners and our communities as mining comes online,” she said.

ENDS