

Mineral Lease Tenement Document

Yorke Peninsula Land Owners' Group: Critique of conditions imposed

REHABILITATION

Failure to demand major changes to Rex's Rehabilitation Plans

- *There are **NO** conditions that require Rex to change, or even modify, its original rehabilitation plans.*
- *This omission means the Government has fully accepted Rex's inadequate and minimalist approach as outlined in its original MLP.*
- Rex is **not** required to backfill the open pit.
 - The company has told us that it cannot afford to backfill the pit to properly rehabilitate the site: the project would be uneconomic under this condition.
 - The Government has decided to allow Rex to proceed and leave a permanently degraded landscape that will have no value and may ultimately be a long-term source of pollution, like other base-metal mines around Australia.
 - The local community will be left with a massive hole 2.4 square kms in area and 450 metres deep which will remain in the landscape in perpetuity.
- Rex is **not** required to return contaminated tailings, residual high level radioactive material and other toxic waste to the pit for safe encapsulation.
 - Instead, these will be interred within waste rock dumps, thereby increasing long term risks of contamination to surrounding farmland, Gulf St Vincent and the health of local residents.
- Rex is **not** required to noticeably reduce the size of the three massive waste rock dumps.
 - These will remain an ugly anomaly completely out of context with the original landscape and thus geomorphically quite unstable.
- The Government has failed to adhere to its own guidelines and impose adequate standards for mine closure and rehabilitation that take account of
 - the concerns of the local community that the land be returned as near as possible to the conditions that existed pre-mining, and
 - the fact Hillside is not located in a remote area but in prime cropping land, close to residential settlements and St Vincent's Gulf.

What faith can South Australian communities have in Government regulation of industries like mining?

What conditions are imposed on Rex?

The conditions in the Mining Lease Tenement document that do relate to mine closure and rehabilitation do nothing more than 'tinker around the edges'.

- In relation to the 2.4 square km open pit, Rex must ensure a final landform design that "addresses" the risk of falling, drowning, vehicle incidents/accidents and ground instability.
This is a trivial requirement compared with the community's demand that the pit be filled in.
- Final landforms left at Hillside must be "visually softened to blend in with the surrounding landscape".
But how can a massive open hole and WRDs 80+ metres tall be made to 'blend in'?
- The WRDs and tailings must be 'physically stable' and water seepage from them must not result in 'adverse impacts on land use'.
But in the ensuing decades, who will be responsible for monitoring this and paying to fix any problems before they become local disasters? Certainly not Rex who will be long gone!
- Post-mine closure, Rex must demonstrate that risks to the health and safety of the public ... are as low **as reasonably practicable**.
But what is considered 'reasonably practicable' and by whose standards?
- In the event of imminent cessation of mining, or if operations have substantially ceased for two years or more, Rex must submit a Decommissioning and Rehabilitation Plan to Government.
Does this mean that if mining operations all but stagnate but do not totally cease, Rex still have two years before the Government expects them to do something about rehabilitation?
- At post-mine completion, Rex is required to **"develop mechanisms to ensure effective transfer and responsibility for any maintenance of the site and control of any future development"**.
This is a nonsense requirement.
 - If Rex does not (or cannot) extract the maximum from the project, it is likely that any future purchaser of the site will be a lower level 'junior' with very little money to undertake adequate rehabilitation. .
 - Experience of the mining industry around Australia shows that larger companies increasingly offload their environmental and other responsibilities as they sell up non-profitable ventures.
 - The Government must know this but chooses a short-term view knowing that the long-term problems will be addressed (or not) by some others in the future.

Will the community be left with the consequences of Rex's adherence to minimalist rehabilitation strategies?

Broken promises?

- Rex has, it seems, broken its promise to rehabilitate the land in accordance with community expectations. Its stated reason? To do so is **"Unachievable economically and practically"**.

- This 'justification' has apparently been accepted by the Dept of State Development (formerly DMITRE) even though the rehabilitation plans appear to contravene its own regulatory guidelines. These guidelines require a site to be progressively rehabilitated "*to a stable condition and use consistent with land use at the time mining operations commenced or to a post-mining land use as agreed with stakeholders*".

This endorsement by Government of Rex's rehabilitation plans is totally unacceptable. The community has consistently demanded that the pit be backfilled and the land returned as closely as possible to its original condition.

If rehabilitating the mine site to leading practice standards would, as Rex claims, "*jeopardize..the economic benefits of the Project*" the mine should not proceed.

The community should not be left with a devastated landscape in perpetuity

**YPLOG Committee
30th Sept 2014**