

Submission received:

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Do you have any specific comments on Clauses 31A-31C of Schedule 1 to the Mining Amendment (Standard Conditions of Mining Leases - Rehabilitation) Regulation 2020?: no
Do you have any specific comments on Part 1 of Schedule 8A to the

Mining Amendment Regulation 2020?:

Do you have any specific comments on Part 2 of Schedule 8A to the Mining Amendment Regulation 2020?:

2,(1): The lease holder must take all reasonable measures to prevent or, if that is not reasonably practicable, to minimise, harm to the environment caused by activities under the mining lease. The use of "minimise" in this context is problematic as it means "reduce to the lowest possible level". The only way to achieve this is to not undertake any mining activity. We suggest the second part of the above sentence is not needed.

Do you have any specific comments on Part 3 of Schedule 8A to the Mining Amendment Regulation 2020?:

4, (1): The lease holder must ensure that rehabilitation of the mining area achieves the final land use for the mining area. "Ensure" means a definitive outcome. In some circumstances, such as where the final land use is a development, approval from other authorities will be required to achieve the outcome. As the lease holder can not guarantee these approvals, they can not ensure such a final land use outcome. 4, (2): The lease holder must identify and record any reasonably foreseeable hazard that presents a risk to the lease holder's ability to comply with subclause (1). What is reasonably foreseeable is a function of the knowledge and experience of the individuals involved in hazard identification. The identification of many hazards is an area of specialist knowledge that the lease holder or regulator may not possess.

Do you have any specific comments on Part 4 of Schedule 8A to the Mining Amendment Regulation 2020?:

no

Do you have any specific comments on Part 5 of Schedule 8A to the Mining Amendment Regulation 2020?:

no

Do you have any specific comments on Part 6 of Schedule 8A to the Mining Amendment Regulation 2020?:

no

Do you have any specific comments on Part 7 of Schedule 8A to the Mining Amendment Regulation 2020?:

no

Do you have any specific comments on Part 8 of Schedule 8A to the Mining Amendment Regulation 2020?:

no

Do you have any specific comments on Part 9 of Schedule 8A to the Mining Amendment Regulation 2020?:

no

Do you have any general comments?:

I recommend the terminology around hazards and risk assessments be consistent with Australian Standard ISO 31000:2018 and that the risk assessment guidelines being developed also be subject to public comment.