



Lightning Ridge Miners' Association Ltd.

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Operational Rehabilitation Reforms
NSW Resources Regulator – Regulatory Programs
PO Box 344
Hunter Region Mail Centre NSW 2310

By email: rr.feedback@planning.nsw.gov.au

Dear Sir/Madam,

Re: Mining Amendment (Standard Conditions of Mining Leases-Rehabilitation) Regulation 2020

Thank you for the opportunity to comment on the draft regulation and the associated forms and way.

The Lightning Ridge Miners' Association Ltd (LRMA) notes that this reform is only applicable to mining leases where the security deposit required is more than the prescribed minimum deposit. There are 22 such Mining Leases in the Lightning Ridge area, 20 of which were granted under the 1973 Mining Act. It is unlikely that any new Mining Leases for opal processing will be applied for in the foreseeable future. The LRMA is awaiting for the grant of one lease that would fall under this new regulation however the disturbance on this area has already occurred.

The LRMA also notes the key aim of the reform is "to ensure the site is rehabilitated progressively throughout the life of the mine". This aim is not possible for opal processing sites. Every part of an opal processing site is necessary throughout the life of the title. Once the title is no longer required the whole area is rehabilitated over a short period of time.

The discovery and extraction of the resource opal is unpredictable and consequently the amount and timing of disturbance on an opal processing title is also unpredictable.

Mining Amendment (Standard Conditions of Mining Leases-Rehabilitation) Regulation 2020

Clause 31B(3) The opal industry cannot comply with this clause as there is no mining activity on its leases and no progressive rehabilitation. In regards to ancillary mining activity it is not possible to accurately provide a schedule of activity as it is unpredictable.

Schedule 8A, Clause 3 and clause 8(4). The opal industry trusts that 'reasonably practicable' will encompass the fact that on an opal processing site the disturbance is ongoing and can be intermittent.

Clause 7(3) and 8(3). It is highly unlikely that the proposed rehabilitation completion criteria will ever change throughout the life of the title. The only instance that it may change would be if the Secretary directs that it change.

Rehabilitation Objectives and Rehabilitation Completion Criteria for Small Mines

The LRMA requests it has input into the rehabilitation objective and rehabilitation completion criteria for small mines, particularly for opal processing. All are very similar and the LRMA believes an industry wide objective and completion criteria could be developed as a guide that could be easily adapted for most mining leases in the Lightning Ridge area.

The LRMA would also like input into the on-line form.

Annual Rehabilitation Report

The LRMA believes an annual rehabilitation report and forward program would be pointless for the opal mining industry. As pointed out previously it is not possible to undertake progressive rehabilitation therefore the annual rehabilitation report and the forward program would be very similar each year.

The LRMA suggests that in the first year the holder of a mining lease for opal processing simply advises the Resources Regulator of the surface disturbance to date and then when the time comes advise when it is planning on rehabilitating the lease and provide an updated rehabilitation criteria if necessary.

The LRMA notes that the majority of the prescribed form and way for an annual rehabilitation report and forward program for small mines appears to relate to mining not to ancillary mining activities such as opal processing.

The LRMA would also like input into the on-line forms for the annual rehabilitation report and forward program.

1.4 In most cases there would be very little surface disturbance, if any, other than what has already occurred; there would be no rehabilitation management and minimal maintenance; and a material production schedule is not applicable.

1.5 In regards to Table 3 - the total disturbance footprint would be the same as total active disturbance; there is no underground mining and reporting categories C to F in relation to progressive rehabilitation is not applicable to opal processing.

Forward Program for Small Mines

The majority of disturbance for the 22 Mining Leases for opal processing has already occurred. On most leases for opal processing the claystone silt (tailings) has already reached the bund wall (containment wall) and the main change is to the depth of silt.

The LRMA has two processing facilities that would be captured by these rehabilitation reforms. Individual members rent a site to process their potential opal bearing clay. There are approximately 75 sites available across these two facilities. It is not possible to predict what processing sites may change hands and what construction activities may occur over a three year period and where on the mining lease it may occur. Construction activities generally consist of an individual member building or maintaining earth ramps which then contain an agitator and conveyor or cleaning out their individual silt bay to enable the silt to free flow.

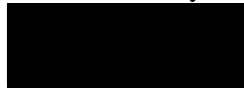
The overall tailings facilities rarely change. Exploration activities are not applicable. Table 4 does not appear to be applicable to opal processing and if it does then estimates would be a guess at best.

As there is no progressive rehabilitation it would not be possible to complete the three year rehabilitation section. In regards to a rehabilitation cost estimate the environmental section of the Resources Regulator has a table to estimate the cost of rehabilitation based on the total area of disturbance which they use to assess the security deposit.

Following are aerial images of the two LRMA processing facilities.

The LRMA looks forward to further consultation and collaboration with the Resources Regulator.

Yours sincerely,



Maxine O'Brien
Secretary/Manager



LRMA Tank 4 with 36 available sites for individual members



LRMA Tank 5 with 39 available sites for individual members