Public Health Association of Australia submission on the Better Mine Rehabilitation for Queensland discussion paper

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Introduction

The Public Health Association of Australia

The Public Health Association of Australia (PHAA) is recognised as the principal non-government organisation for public health in Australia working to promote the health and well-being of all Australians. It is the pre-eminent voice for the public’s health in Australia. The PHAA works to ensure that the public’s health is improved through sustained and determined efforts of the Board, the National Office, the State and Territory Branches, the Special Interest Groups and members.

The efforts of the PHAA are enhanced by our vision for a healthy Australia and by engaging with like-minded stakeholders in order to build coalitions of interest that influence public opinion, the media, political parties and governments.

Health is a human right, a vital resource for everyday life, and key factor in sustainability. Health equity and inequity do not exist in isolation from the conditions that underpin people’s health. The health status of all people is impacted by the social, cultural, political, environmental and economic determinants of health. Specific focus on these determinants is necessary to reduce the unfair and unjust effects of conditions of living that cause poor health and disease. These determinants underpin the strategic direction of the Association.

PHAA recognises the foundational role of the Earth’s ecosystems to human civilisation, prosperity, health and wellbeing, the nature of humanity’s inextricable relationships with the ecosystem of which we are a part. PHAA recognises, in this context, that these ecological determinants of health (an Eco-social viewpoint) are entwined with health and wellbeing along with socially determined influences. PHAA will act and call for action for the promotion and protection of the health of the ecosystems in a concerted manner in its policy development and implementation.

All members of the Association are committed to better health outcomes based on these principles.

Vision for a healthy population

A healthy region, a healthy nation, healthy people: living in an equitable society underpinned by a well-functioning ecosystem and a healthy environment, improving and promoting health for all.

Mission for the Public Health Association of Australia

As the leading national peak body for public health representation and advocacy, to drive better health outcomes through increased knowledge, better access and equity, evidence informed policy and effective population-based practice in public health.
Preamble

PHAA welcomes the opportunity to provide input to the consultation on the Better Mine Rehabilitation for Queensland discussion paper. The reduction of social and health inequities should be an over-arching goal of national policy and recognised as a key measure of our progress as a society. The Australian Government, in collaboration with the States/Territories, should outline a comprehensive national cross-government framework on reducing health inequities. All public health activities and related government policy should be directed towards reducing social and health inequity nationally and, where possible, internationally.

PHAA response to the discussion paper

Proposed policy statement for mine-site rehabilitation in Queensland

The PHAA supports the overall intention of the proposed policy statement, to ensure that all mined land is rehabilitated. There are multiple social, environmental and health impacts of inadequate rehabilitation including to water, soil and air quality, and links to health inequities, with people of low socioeconomic status being more likely to live in contaminated communities. The effective rehabilitation of mining and resources projects is therefore essential to protecting the health of the Australian population.

Under what criteria could it be acceptable for an area of mined land to remain unrehabilitated?

Some areas of contradiction within the policy are noted. Firstly, the statements “All mined land should be rehabilitated so it is able to support another use” and “There are limited circumstances where it may not be possible or preferable to rehabilitate some areas of a mine site to sustain a future post-mining land use” are incompatible and contradictory. The limited circumstances identified include where “rehabilitating the area would pose a greater environmental risk than not rehabilitating”. While PHAA accepts that this situation may occur, there is some concern that it may be used by mining companies as a loophole to avoid accepting responsibility for environmental damage caused by their mining operations. All efforts must be made during the planning of new mines, and the operation of current mines, to minimise environmental damage and risk.

Another circumstance identified in the policy is where “the environmental risks from the area are localised and the cost of rehabilitation would be so excessive as to be not in the public interest”. PHAA does not support the inclusion of this in the proposed policy. As acknowledged by the Australian Minerals Institute, state rehabilitation bonds are often insufficient for the actual costs of rehabilitation. The financial cost of rehabilitating mine sites should be borne by the mining company, not the public. The life-of-mine plans and approval conditions should explicitly include that developers fund independent and ongoing monitoring of how well the developers are meeting their approval conditions. The approval conditions should include the cost of the monitoring system during the life of the mine and its associated rehabilitation, with the power to increase the funding provided if the cost of monitoring compliance exceeds estimates.

Therefore, the amount of rehabilitation cost is not a matter for the public interest. Further, regardless of who bears it, the financial cost of rehabilitation should not be an allowable reason for not doing the rehabilitation.
Performance based incentives
The PHAA supports the inclusion of incentives for companies to manage rehabilitation well, and
disincentives for poor management. For such incentives and disincentives to change rehabilitation practices
of mining companies, there needs to be significant and tangible benefit to avoiding the disincentives. For
example, the penalties for substantial non-compliance should be greater than the cost of compliance.
PHAA supports past rehabilitation performance being considered when granting tenure. Going further than
ensuring the good rehabilitation performers are not put at a competitive disadvantage compared with poor
performers, there should be a competitive advantage.

Good quality data to inform policy and regulatory implementation
A recent report highlighted that there is little data available on the rehabilitation of mining sites, with few
positive examples out of the more than 60,000 sites across Australia². This strongly suggests the need for
increased transparency around these processes.
PHAA supports the implementation of mandatory standardised data, publically available, from all mining
sites in Queensland. Ideally, such data would be standardised across the whole of Australia, to allow for
comparisons to be made not only among different mines, but among different jurisdictions.

Conclusion
PHAA supports the broad directions of the Better Mine Rehabilitation for Queensland discussion paper.
However, we are keen to ensure full responsibility for rehabilitation of mining sites is taken by mining
companies in line with this submission. We are particularly keen that the following points are highlighted:

- Mining companies should be responsible for paying the cost of the rehabilitation of their project;
- Funding must be adequate, and with provision for meeting increased costs should the need arise; and
- Past rehabilitation performance should be considered when granting tenure.

The PHAA appreciates the opportunity to make this submission and the opportunity to comment on the
rehabilitation of mining and resources projects in Queensland.
Please do not hesitate to contact us should you require additional information or have any queries in
relation to this submission.

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References
