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Refuter: Red Robins

A Bill for an Act relating to Mining Sustainability
To be enacted by the YMCA Victoria Youth Parliament

Sustainability and Carbon Neutrality in Mining Bill 2022

A Bill for an Act to restrict the effects of Mining in state forests and public land.

This bill is devised to eliminate the threat of Mines disrupting the existing ecosystems and environments as we believe Mines play a major factor in global warming and this bill is the next step in protecting our land and cultures. Around roughly 1184km² of land area in Australian (excluding generators, waste supply, buffers and waste land) is needed for Mines to prosper, meaning 1184km² of Australian land that includes indigenous and Torres strait islander heritage and a positive ecosystem, is susceptible to the negative effects of mining inducing loss of biodiversity, soil erosion, and contamination of surface water, groundwater and soil.

The Bill establishes a Rehabilitation plan and an independent and unbiased board, aptly named "The Sustainable Mining Board". The Rehabilitation plan would ensure that land disruption due to Mines is minimized as much as possible and Mines that inhibit rehabilitation of land are faced with a large punishment. The 'Sustainable Mining Board' would observe and facilitate the implementation of licenses and lease approvals on the basis of environmental impacts. To ensure Mines holding standing licenses/leases are acting in accordance with the Following acts, "The Sustainable Mining Board" would regularly observe and monitor their actions.

PART I—Preliminary

Clause 1 Purpose

The main purposes of this act are—

- (a) To establish an independent government body capable of monitoring and observing both existing and newly developed mines. As well as overseeing and authorizing the approval of mining leases and licenses to set the standards for sustainable industrial extracting operations
- (b) To protect the existing environment from established and newly developed mines, through the encouragement and enforcement of sustainable practices.
- (c) To ensure that mine are sustainable for both employees, mine operators, and the environment

Clause 2 Commencement

This Bill shall commence upon receiving assent from the Youth Governor of Victoria.

Clause 3 Definitions

In this Bill, we define the following to mean-

- (a) **Mine(s)/Mining** shall mean any land on which the extraction of minerals is taking place under a license
- (b) **Lease/Licence** shall mean the necessary accreditation to extract minerals on land owned by the licensee.
- (c) **Direct Mining/Drilling** shall mean direct Mining/Drilling is the act of changing the geological landscape or ecosystem in the pursuit of extracting minerals from the earth's crust.
- (d) **Rehabilitation Plan** shall mean it is a set list of criteria and guidelines (outlined in clause 7 & 8), that a mine must meet in order to fully rehabilitate the land.
- (e) **Environment** shall mean the flora, fauna, ecological and geographical composition/land formation of all land within a 50Km radius of the mine site (Inc. Mine Site)
- (f) **Repairable Damage** shall mean damage to the Environment that can be reversed or counter acted with reasonable actions.
- (g) **Irreparable Damage** shall mean damage to the Environment that cannot be reversed or counter acted with reasonable means, resulting in the death or collapse of flora and fauna species and ecosystems.

- (h) **Instant Revocation** shall mean the instant removal of a licensee's mining lease of license, and their subsequent right to mine at the site in question, at the order of the 'Sustainable Mining Board'.
- (i) **Extractive Industrial Operations** shall mean the act of Mining.
- (j) **Environmental/Ecological Composition** shall mean any and all aspects, organisms and life forms that play an integral role in the composition of the environment.
- (k) **Re-Education** shall mean the act of a redundant mine worker acquiring new skills to pursue another career pathway.
- (l) **Reserved Funds** shall mean all revenue that is made up of funds sourced from mines, on account of the 'Sustainable Mine Board'. Not including donations.
- (m) **Newly Developed Mines** shall mean Mines that are awaiting approval of a license/lease, or have been in operation for no longer than 5 years.
- (o) **Carbon Neutral** shall mean a state of net-zero carbon dioxide emissions.

PART II—Establishment

Clause 4 Entity - Sustainable Mining Board

- 4.1 This act establishes the existence of an independent and unbiased board that observes and facilitates the implementation of licenses and lease approvals on the basis of environmental impacts. As well as, regularly monitoring all mines currently holding standing licenses/leases to ensure they are adhering to the outlined conditions of these acts.
- 4.2 The independent board established in this act shall be known as the "*Sustainable Mining Board*".
- 4.3 The 'Sustainable Mining Board' has the power to enter and observe any mine and all of its components and land at any point, to observe and monitor both announced and unannounced.
- 4.4 The 'Sustainable Mining Board' has the power to enter a potential mining site prior to the approval of a mine, and any pre-existing mine sites under the company/corporation banner that is seeking a new approval; in order to observe and help in the board's judgment of the pending approval.

- 4.5 The 'Sustainable Mining Board' has the power to enter any mining site and shut down any and all operations at the liberty of the board, both temporarily or permanently; if the board has sufficient means of deeming the Mine site in breach of the rehabilitation criteria.
- 4.6 The 'Sustainable Mining Board' must publish bi-monthly (meaning every two months) in a publicly accessible and free format:
- a) Any and all Mines currently under investigation, and why.
 - b) Most up-to-date and current financial reports, including both investiture, expenditure, revenue raised, and donations, at the current government financial standards.
 - c) Any and all Mines that are currently under the rehabilitation jurisdiction of the board, due to the board's instant revocation of a license in lieu of a breach of rehabilitation criteria.
- 4.7 The board must have a branch and team dedicated to public relations that can deal with calls any time within a standard business day, Monday - Friday. To answer all questions by both mine officials and the public.

Clause 5 Approval of Mining leases and licenses

- 5.1 The approval of a Lease and License must be primarily based on the notion that the 'Sustainable Mining Board' has the means - inc. monetary and workforce personal amount - to regularly supervise and regulate each mine's ability to achieve the Rehabilitation Plan.
- 5.2 The approval of Mining leases and Licenses is presided upon by the 'Sustainable Mining Board' and adheres to the following regulations:
- a) The mining lease/license does not encroach or directly affect in any fashion; state forests by way of emissions, by-products or direct mining/drilling.
 - b) The approval of the lease does not damage or involve the relocation of any endangered species of Australian Animal, and does not involve the substantial removal of flora & fauna
 - c) The Sustainable Mining Board has ensured that the company seeking approval for mining lease/license has the sufficient means - inc. monetary and workforce personal amount - to achieve the Rehabilitation plan in a timely and logistical fashion.
 - d) The 'Sustainable Mining Board' has ensured that the Rehabilitation plan can restore the land leased and land of licensee, to a point it was at in terms of flora and fauna, prior to the mine's initiation.
- 5.3 The mine in question agrees to the 'Sustainable Mining Board's' criteria for redevelopment and rehabilitation post de-commision of said mine.

Clause 6 Breach of Mining License Approval Condition(s) and/or Breach of Rehabilitation Plan Condition(s)

- 6.1 Any and all accusations brought forth upon any mine regarding the breach of Mining lease/license approval condition(s) or rehabilitation plan condition(s) is to be investigated in full; by the 'Sustainable Mining Board'.
- 6.2 For any and all breaches that result in reparable damage to the environment, a minimum fine of 1100 Penalty units is permissible at the liberty of the 'Sustainable Mining Board'.
- 6.3 For any and all breaches that result in irreparable damage to the environment, an instant revocation of the mining lease and license is at the liberty of the 'Sustainable Mining Board', and the further cost of Rehabilitation is at the monetary discretion of the mine in question.

Clause 7 Rehabilitation Plans

- 7.1 All rehabilitation plans are to be approved by the 'Sustainable Mining Board', prior to the approval of mining lease/license.
- 7.2 All decisions regarding rehabilitation plans shall be at the sole discretion of the 'Sustainable Mining Board.'
- 7.3 All rehabilitation plans shall be extended to a minimum of 10 years after the conclusion of extractive industrial operations.
 - a) Mines are required to be carbon neutral by the end of Rehabilitation period
 - b) The designation of carbon neutral is at the sole discretion of the 'Sustainable Mining Board' following an extensive survey of the site.
 - c) The 'Sustainable Mining Board' reserves the right to extend the Rehabilitation period if they deem the Rehabilitation criteria has not been met
- 7.4 All Rehabilitation plans need be funded by the lease tenant work with 'Sustainable Mining Board' to institute a Rehabilitation plan as determined prior to lease.

Clause 8 Rehabilitation guidelines

- 8.1 All rehabilitation plans must ensure that at the termination of the lease/license, a healthy and sustainable ecosystem is in place that is consistent with the following
 - a) All landform design needs to match pre-existing ecosystems to minimize environmental disruption.
 - b) A compulsory consultation with traditional custodians to be held regarding native planting practices and their execution.
- 8.2 Topsoil and revegetation;
 - a) Environmental/ecological composition must match the surrounding region.
 - b) The Re-introduction of local species to encourage increased biodiversity of the rehabilitated area.

- c) The plant selection needs to match the intended future purpose?
- 8.3 Monitoring and evaluation;
 - a) All Mining leases and/or licenses approved under the guise of the 'Sustainable Mining Board', are to be constantly monitored and supervised by said board, to ensure that all mines are in according to the outlined criteria of the rehabilitation plan.
 - b) If a mine is found to be in breach of the criteria while under monitoring and supervision of the board the above penalties of clause 6 apply at the discretion of the 'Sustainable Mining Board'.

Clause 9 Re-education and Redundancies

- 9.1 15% of all revenue raised in lieu of extractive industrial operations is to be transferred to the 'Mining Sustainability Board' for the purposes of re-education and Rehabilitation of Mines and their subsequent workers.
- 9.2 The 'Sustainable Mining Board' has the right to use reserved funds to aid or pay in full; for a redundant workers re-education, and the investment of said funds for this specific purpose is at the discretion of the board, under the following conditions:
 - a) The applicant's most recent occupation was at a site of recent extractive industrial operations that has since ceased.
 - b) The applicant was an employee of a now decommissioned mining site in the last 10 years.
 - c) The Board can not refuse the Applicant if he or she was an employee of an active mine for more than 5 years.
 - d) The choice of re-education pathways is at the discretion of the applicant, however; those who choose to re-educate into a field that can further the rehabilitation of now decommissioned and newly developed mines take first preference.
- 9.3 Re-education opportunities to be related to years of service as determined by the 'Sustainable Mining Board.'
- 9.4 If the operation of the mine was to come into question either through review of the 'Sustainable Mining Board' or other unforeseen circumstances, all employees of the mine must be notified of the imminent delay in extractive operation and possible decommission.