



Government of **Western Australia**
Department of **Mines and Petroleum**
Environment



Abandoned Mines Policy For Stakeholder Comment

RESPONSE TO SUBMISSIONS

October 2015

Background

Since 2010, the Department of Mines and Petroleum (DMP) has been implementing a number of environmental reforms. Some of the key areas of reform include:

- improving the planning arrangements for mine closure (all mine sites under the *Mining Act 1978* now require a mine closure plan)
- establishing adequate financial assurance for when mine sites are abandoned through the introduction of the *Mining Rehabilitation Fund Act 2012*
- developing appropriate policy and guidance material for managing and rehabilitating mine sites once they are abandoned.

The Mining Rehabilitation Fund (MRF) became compulsory on 30 June 2014. Levies paid into the fund can be used to rehabilitate abandoned mine sites when all other avenues have been exhausted. Interest earned on the levies can be used to rehabilitate legacy abandoned mine sites.

Stakeholder Feedback on the Policy

The Geological Survey of Western Australia, a division within DMP, has mapped in excess of 11,000 abandoned mine sites across Western Australia (WA), with many more yet to be formally recorded.

It is important that a robust framework is in place to support decisions regarding the prioritisation, management and/or rehabilitation of abandoned mine sites. Stakeholders were recently invited to comment on a draft abandoned mines policy which describes this framework. The policy ensures a consistent approach for the:

- collection of abandoned mine site information
- prioritisation of sites for gazetting
- management and/or rehabilitation of abandoned mine sites.

The consultation period for the policy attracted feedback from a broad cross-section of interested parties. Overall the policy was well received and supported.

This document is a collation of feedback received and was used as the basis for development of the final version of the policy, which was published on the DMP website in January 2016.

For additional information please email abandonedmines@dmp.wa.gov.au

SUBMISSION	COMMENT	RESPONSE
POLICY OBJECTIVES		
Kerryl Bradshaw, Advisian	Suggested wording change: 2. Significant risks to the community and the environment are identified and contribute towards the overall priority to rehabilitate and manage the abandoned mine site.	Objective 2 in the policy has been amended to ensure consistent use of terminology: <i>Significant risks to the community and the environment are identified and contribute towards the overall priority to manage and/or rehabilitate an abandoned mine site</i>
Kerryl Bradshaw, Advisian	Suggested wording change: 5. An efficient, repeatable and transparent methodology is used to rehabilitate or manage abandoned mine sites.	Refer to Principle 15 in the policy regarding public access to Abandoned Mine Site Rehabilitation Programme information. Abandoned Mine Site Rehabilitation Programme information will be made available consistent with the department's transparency policy.
Kerryl Bradshaw, Advisian	Suggested new objective: Available funds are applied in a manner which maximises risk reduction and maximises community and economic value.	Refer to Principles 16 and 17 in the policy regarding fund management responsibilities.
Dr Jeff Taylor	A key issue is the basis for prioritising each site.	The final criteria used to determine the priority of an abandoned mine site once the risk assessment has taken place is currently in development. DMP is undertaking further analysis and awaiting the outcomes of the pilot abandoned mine site rehabilitation projects before making a decision on the criteria to be used for prioritisation. The policy is therefore intentionally non-prescriptive to allow flexibility in the criteria as the need arises. Each version of a set of prioritisation criteria will go through a formal approval process including endorsement from the Mining Rehabilitation Advisory Panel (MRAP) before being applied. The Policy principles sub-heading 'Risk assessment' has been amended to 'Risk assessment and prioritisation'. Principle 1 in the policy has been amended to the following: <i>A risk-based approach focussed on community safety and environmental impact should form the basis for abandoned mine site management and/or rehabilitation prioritisation.</i> A new Principle 2 has been created in the policy: <i>Risk assessment outcomes will be combined with a range of other considerations such as likelihood of success, beneficial land use, cost effectiveness and potential for long term benefit to determine an overall site priority.</i>
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	Largely in agreement; however if continual improvement is required then a repeatable method needs to include the continual improvement loop.	The following paragraph has been added to the Policy measures introduction to highlight the continuous improvement approach of the overall Abandoned Mine Site Rehabilitation Programme: <i>All major project activities will be reviewed once complete to ensure they are optimised, relevant and add value.</i>

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<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>In regards to objective 1, what are the agreed criteria for prioritising abandoned mines for rehabilitation? The Prioritisation assessment paragraph under the Policy measure descriptions section hints at some criteria. These criteria should be discussed with stakeholders, reviewed by people with some experience in prioritisation of projects and then set out formally.</p>	<p>The final criteria used to determine the priority of an abandoned mine site once the risk assessment has taken place is currently in development. DMP is undertaking further analysis and awaiting the outcomes of the pilot abandoned mine site rehabilitation projects before making a decision on the criteria to be used for prioritisation. The policy is therefore intentionally non-prescriptive to allow flexibility in the criteria as the need arises.</p> <p>Each version of a set of prioritisation criteria will go through a formal approval process including endorsement from MRAP before being applied.</p> <p>The Policy principles sub-heading 'Risk assessment' has been amended to 'Risk assessment and prioritisation'.</p> <p>Principle 1 in the policy has been amended to the following:</p> <p><i>A risk-based approach focussed on community safety and environmental impact should form the basis for abandoned mine site management and/or rehabilitation prioritisation.</i></p> <p>A new Principle 2 has been created in the policy:</p> <p><i>Risk assessment outcomes will be combined with a range of other considerations such as likelihood of success, beneficial land use, cost effectiveness and potential for long term benefit to determine an overall site priority.</i></p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>Also, the draft policy will benefit from addressing how responsibility associated with the long term management of sites will be addressed - this is not currently included in the objectives.</p>	<p>It is agreed that long term management responsibilities do need to be identified and agreed during the establishment of rehabilitation partnerships.</p> <p>The Rehabilitation partnerships policy measure description has been updated to the following:</p> <p><i>Industry, other government bodies, research organisations and community groups who are best positioned to contribute and benefit from a successful rehabilitation outcome and/or assume long term management responsibilities of a site will have the opportunity to partner with the department.</i></p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>Additionally a communication objective to share learnings across jurisdictions could be included to enhance the convergence desired by the SF (MCMPPR/MCA, 2010).</p>	<p>Communication is regarded as a principle rather than a policy objective specific to WA abandoned mine sites.</p> <p>Refer to Principles 13, 14 and 15 in the policy regarding information sharing.</p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>Additional objectives which reflect the objectives of other policies in the resource governance area would be beneficial, such as the incorporation of ecologically sustainable development. This would enhance the consistency of this policy with the suite of other laws and policies related to minerals extraction and protection of the environment, and would also provide principles to guide decision making and implementation under the policy.</p>	<p>All work will be consistent with legislative requirements and government policy.</p> <p>A new Objective 6 has been created in the policy:</p> <p><i>outcomes of managed and/or rehabilitated abandoned mine sites are consistent with DMP's Mine Closure Plan objectives ie. abandoned mines sites to be managed or rehabilitated to be (physically) safe to humans and animals, (geo-technically) stable, (geo-chemically) non-polluting/non-contaminating, and capable of sustaining an agreed post-mining land use.</i></p>

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Lindsay Stockdale	I am in favour with the principles of the objectives but I can't state that I agree to anything until I see the final proposed Legislation and the same applies to the whole Policy Proposal.	The Abandoned Mines Policy is consistent with the <i>Mining Act 1978</i> , <i>Mining Rehabilitation Fund Act 2012</i> and all other legislation and is not stand alone legislation.
Kim Knight, URS Australia Pty Ltd	# 3: potential value within abandoned mine site is identified and protected. I suggest that this objective is inclusive of "or managed as appropriate to develop towards site specific objectives".	The purpose of Objective 3 is to ensure any potential value for a given site is considered when developing a management or rehabilitation solution. These will form part of the site specific objectives by default.
Philip Nolan, Highscore Pty Ltd	Presumably 4. above refers to 'abandoned' mines. If so, this should be made clear in the question. What is the definition of an abandoned mine?	The reference to 'mine site' in Objective 4 has been changed to: <i>'abandoned mine site'</i> The policy has been amended to include 'Abandoned mine sites' and 'Abandoned mine site features' in the Definitions list: <i>"Abandoned mine sites", for the purpose of this policy, are areas of land impacted by former mining activities for which no individual, company or organisation can be held responsible for rehabilitation.</i> <i>An abandoned mine site may comprise of multiple areas of land or site features (eg. mine shafts, waste dumps, abandoned equipment) that may or may not be adjacent to each other.</i> <i>"Abandoned mine site features" are things such as shafts, dumps and buildings that are commonly found at sites of historical mine production.</i>
The Australasian Institute of Mining and Metallurgy (AusIMM)	While the AusIMM believes the overall objectives are broadly appropriate, they can be further strengthened. In general, AusIMM questions the extent to which due consideration has been given to developing all elements of this policy consistent with Australia's 2010 Strategic Framework for Managing Abandoned Mines (MCMPR/MCA, 2010). For example, we note page 7 of the 2010 framework states: <i>"The framework will promote convergence of these approaches across jurisdictions, to address issues such as:</i> <ul style="list-style-type: none"> • <i>site inventories and site data management</i> • <i>improved understanding of liability and risk relating to abandoned mines.</i> • <i>Improved performance reporting</i> • <i>The standardisation of processes and methodologies</i> • <i>Knowledge and skill sharing across jurisdictions"</i>. 	Refer to Principles 13, 14 and 15 in the policy regarding information sharing and leading 'best practice'. Abandoned Mine Site Rehabilitation Programme information will be made available consistent with the department's transparency policy. A new Principle 14 has been added to the Policy: <i>The project management methodology should be reviewed regularly and adjusted as required as part of an overall continuous improvement approach.</i>
The Australasian Institute of Mining and Metallurgy (AusIMM)	AusIMM recommends consideration is given to a separate or integrated policy objective highlighting the commitment to shared learning across jurisdictions to further pursue convergence.	Refer to Principles 13, 14 and 15 in the policy regarding information sharing and leading 'best practice'. Abandoned Mine Site Rehabilitation Programme information will be made available consistent with the department's transparency policy.

SUBMISSION	COMMENT	RESPONSE
The Australasian Institute of Mining and Metallurgy (AusIMM)	AusIMM recommends consideration is given to creating a separate or integrated policy objective highlighting the importance of addressing the ownership and responsibility associated with long term management of sites.	<p>It is agreed that long term management responsibilities do need to be identified and agreed during the establishment of rehabilitation partnerships.</p> <p>The Rehabilitation partnerships policy measure description has been updated to the following:</p> <p><i>Industry, other government bodies, research organisations and community groups who are best positioned to contribute and benefit from a successful rehabilitation outcome and/or assume long term management responsibilities of a site will have the opportunity to partner with the department.</i></p>
The Australasian Institute of Mining and Metallurgy (AusIMM)	AusIMM recommends consideration be given to amending policy objective two to ‘...significant risks and opportunities for the ...’ in order to ensure the opportunities such as building economic development associated with remediation/management of abandoned mines are considered.	<p>The focus of Objective 2 in the policy is intentionally on risk.</p> <p>Refer to Objective 3 and Principles 4, 5 and 6 for details regarding abandoned mine site opportunities.</p> <p>Refer to the Prioritisation assessment policy measure description for an explanation of how potential benefits will influence project prioritisation.</p>
The Australasian Institute of Mining and Metallurgy (AusIMM)	AusIMM recommends consideration be given to amending policy objective three to ‘values’ (rather than value) on the basis of the broad number and range of value that can be identified and protected (eg. future economic resources, specific environmental values, indigenous use, tourism use etc.).	<p>‘Value’ refers to one or more improvement opportunities that can be identified, protected and developed at an abandoned mine site.</p> <p>Refer to Principle 4 (previously Principle 3) for a list of potential values associated with an abandoned mine site.</p> <p>The policy has been amended to include ‘Potential value’ in the Definitions list:</p> <p><i>“Potential value” refers to the potential historical, cultural, social, environmental, educational or economic value of an abandoned mine site that may be realised as a result of management or rehabilitation activities.</i></p> <p><i>This may also include the potential for future mining at the site.</i></p>

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The Australasian Institute of Mining and Metallurgy (AusIMM)	AusIMM recommends consideration be given to amending policy objective five to emphasise the role of continuous improvement “an efficient, transparent and repeatable methodology subject to continuous improvement processes is used to rehabilitate or manage abandoned mine sites.” This would set a clear expectation that WA Government is looking beyond ‘high’ to ‘highest’ standards. In addition, inclusion of the word, ‘transparent’ would strengthen the objective and emphasise the important role that openness plays in achieving the highest outcomes for the community and environment.	<p>Abandoned Mine Site Rehabilitation Programme information will be made available consistent with the department’s transparency policy.</p> <p>Refer to Principles 13, 14 and 15 for details regarding information sharing and leading ‘best practice’.</p> <p>The Policy measures introduction has been amended to emphasise the Abandoned Mine Site Rehabilitation Programme’s focus on continuous improvement:</p> <p><i>The following diagram outlines the activities that will be undertaken in the implementation of this policy.</i></p> <p><i>For simplicity, the process depicts a linear approach. In practice, it is likely that preliminary and concurrent processes will need to be incorporated in order to maximise the timeliness of risk reduction and value preservation.</i></p> <p><i>All major project activities will be reviewed once complete to ensure they are optimised, relevant and add value.</i></p> <p><i>It is anticipated that industry rehabilitation standards will continue to improve through development of a continuous improvement culture and ongoing commitment to transparency and stakeholder engagement.</i></p> <p>A new Principle 14 has been added to the policy:</p> <p><i>The project management methodology should be reviewed regularly and adjusted as required as part of an overall continuous improvement approach.</i></p>
Amanda Hoppmann	Supported and agreed	No response required.
POLICY PRINCIPLES		
Kerryl Bradshaw, Advisian	<p>Risk Assessment</p> <p>1. The risk based approach should also focus on heritage (European and Aboriginal) values.</p>	<p>A risk assessment based on community safety and environmental concerns will determine whether an abandoned mine site is low risk or high risk. Prioritisation will be finalised once additional criteria such as the examples provided in Principle 2 have been examined.</p> <p>The potential values of a site listed in Principle 4 will be referred to when identifying a management and/or rehabilitation solution for a given prioritised abandoned mine site.</p> <p>‘Cultural value’ mentioned in Principle 4 is intended to include Heritage value.</p>
Kerryl Bradshaw, Advisian	<p>Valuing abandoned mine sites. Suggested change to wording:</p> <p>4. There should be clear community and/or environmental benefit with any management and/or rehabilitation work.</p>	<p>The purpose of Principle 5 (previously Principle 4) is to emphasise the need for any management or rehabilitation effort to ideally generate long term benefits for the local community.</p> <p>Consideration for Environmental risks and potential value is included in Principles 1 and 4.</p>
Kerryl Bradshaw, Advisian	<p>Data Collection and Management</p> <p>6. Data collection should include all dimensions of an abandoned site relative to program objectives.</p>	<p>Note Principle 6 is now Principle 7 in the policy.</p> <p>A standard data set shall be recorded for all abandoned mine sites to meet the requirements of Principle 8. Additional site specific data shall be captured where it is deemed beneficial for the achievement of a given site’s management and/or rehabilitation objectives.</p>

SUBMISSION	COMMENT	RESPONSE
Kerryl Bradshaw, Advisian	Data Collection and Management. Suggested change: 7. Data management should allow comparative analysis and reporting of information and should be structured in such a way as to be readily available and arranged to provide all relevant stakeholders with easy access.	<p>Note Principle 7 is now Principle 8 in the policy.</p> <p>Abandoned mine site data is currently available via the Mines and Mineral Deposits (MINEDEX) system on the DMP website and will continue to be publically available.</p> <p>Data collection and management activities will be based on existing DMP data management and storage policies, procedures and tools.</p> <p>Adjustments will be made to data collection and management activities within the Abandoned Mine Site Rehabilitation Programme following ongoing continuous improvement reviews if changes are required in order to meet best practice standards.</p> <p>DMP is aware of the broad range of stakeholders with an interest in the Abandoned Mine Site Rehabilitation Programme and will package all information to be accessible and relevant for all interested parties.</p>
Kerryl Bradshaw, Advisian	Resourcing and Partnership Opportunities. Suggested change: 9. Management and/or rehabilitation partnerships with other government bodies, community groups and businesses should be encouraged in order to maximise data gathering, risk reduction and value capture from the program.	<p>The purpose of Principle 10 (previously Principle 9) is to emphasise that partnerships are encouraged to maximise the achievement of objectives. There are a range of benefits to be realised through such an arrangement.</p>
Kerryl Bradshaw, Advisian	Information Sharing and 'Leading Best Practice' Add - Learnings and outcomes should be shared to build an efficient model and framework of approach to assist in the ongoing rehabilitation program.	<p>Abandoned Mine Site Rehabilitation Programme information will be made available consistent with the department's transparency policy.</p> <p>The Policy measures introduction has been amended to emphasise the Abandoned Mine Site Rehabilitation Programme's focus on continuous improvement:</p> <p><i>The following diagram outlines the activities that will be undertaken in the implementation of this policy.</i></p> <p><i>For simplicity, the process depicts a linear approach. In practice, it is likely that preliminary and concurrent processes will need to be incorporated in order to maximise the timeliness of risk reduction and value preservation.</i></p> <p><i>All major project activities will be reviewed once complete to ensure they are optimised, relevant and add value.</i></p> <p><i>It is anticipated that industry rehabilitation standards will continue to improve through development of a continuous improvement culture and ongoing commitment to transparency and stakeholder engagement.</i></p> <p>A new Principle 14 has been added to the policy:</p> <p><i>The project management methodology should be reviewed regularly and adjusted as required as part of an overall continuous improvement approach.</i></p>

SUBMISSION	COMMENT	RESPONSE
Kerryl Bradshaw, Advisian	Governance. Suggested changes: 14. A formal, transparent governance structure should exist to support funding prioritisation for management and/or rehabilitation and data gathering, track spending and clearly define responsibilities.	Note Principle 14 is now Principle 16 in the policy. Refer to the Principle measure description 'Confirm site priority via preliminary analysis' for details regarding information submitted to the Mining Rehabilitation Advisory Panel and DMP CEO prior to project approval. Once the project is approved, a full project plan will be developed to support all project stages identified in Diagram 1: Abandoned Mines Policy measures. The project plan will also be presented to the Mining Rehabilitation Advisory Panel for independent review.
Kerryl Bradshaw, Advisian	15. Management and/or rehabilitation of abandoned mine sites should be timely, relative to risk , and cost-effective.	The focus of Principle 17 (previously Principle 15) is intentionally on cost effectiveness, which timeliness will influence.
Kerryl Bradshaw, Advisian	Add – Realistic, achievable timeframes should be set through the governance process.	A well-defined, consistent project management methodology adjusted as required to reflect a given abandoned mine site's characteristics will ensure suitable time is allocated to planning, analysis, rehabilitation and other project activities. The project plan will be presented to the Mining Rehabilitation Advisory Panel for independent review.
Kerryl Bradshaw, Advisian	Add – Program governance should develop a strategy for balancing priorities between expenditure on data gathering and analysis, risk and value identification and quantification, and actions to directly reduce risk and preserve value.	A well-defined, consistent project management methodology adjusted as required to reflect a given abandoned mine site's characteristics will ensure suitable time is allocated to planning, analysis, rehabilitation and other project activities. The project plan will be presented to Mining Rehabilitation Advisory Panel for independent review.
Dr Jeff Taylor	The success of the preliminary screening and risk assessment is of vital importance. All of the following stages will be unsuccessful if the preliminary screening process and risk matrix are not comprehensive and relevant to key risk issues (ie. surface and groundwater quality [acid and metalliferous drainage, neutral metalliferous drainage, saline drainage], radioactivity, fibres, suspended sediment).	The department recognises the importance of this activity and is allowing suitable time and effort to ensure the highest risk sites are correctly identified. The Safety and Environmental Risk Matrix will be presented to the Mining Rehabilitation Advisory Panel for independent review.
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	They appear to be all relevant to the Strategic Framework and good practices.	No response required.
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	Full liability accounting should also be included in line with accrual accounting requirements as part of the governance structure.	The Abandoned Mine Site Rehabilitation Programme will adhere to standard WA government project accounting principles and practices.

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<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>p33 Clarifying ownership and responsibility was identified as a priority in the 2011 WA Auditor General's audit, so this should be included in the WA Abandoned Mines Policy document. http://www.parliament.wa.gov.au/publications/tables/papers.nsf/displaypaper/3813977aad2c4c5a241f590d4825791900165c81/\$file/3977.pdf</p>	<p>It is agreed that long term management responsibilities do need to be identified and agreed during the establishment of rehabilitation partnerships. The Rehabilitation partnerships policy measure description has been updated to the following: <i>Industry, other government bodies, research organisations and community groups who are best positioned to contribute and benefit from a successful rehabilitation outcome and/or assume long term management responsibilities of a site will have the opportunity to partner with the department.</i></p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>Item 3 refers to a range of values but Item 4 refers only to community benefit; environmental benefit should be included here as well as any activity should not result in a reduction in environmental quality in pursuit of community benefit.</p>	<p>Note Principle 3 is now Principle 4 and Principle 4 is now Principle 5 in the policy. The purpose of Principle 5 is to emphasise the desire for any management or rehabilitation effort to generate long term benefits for the local community. Consideration for Environmental risks and potential value is included in Principles 1 and 4.</p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>It is unclear what "clear community benefit" means in principle 4. Is it public vs private benefit (as suggested by principle 5) or people vs environment? Is there clear community benefit to rehabilitating a site where the impacts are only on the environment rather than on people's health or the economy?</p>	<p>Note Principle 4 is now Principle 5 and Principle 5 is now Principle 6 in the policy. Risk profiling will identify environmental and safety considerations and inform the potential management and/or rehabilitation focus areas. Ongoing engagement with local community stakeholders will lead to the identification of key benefits (or potential value) that need to be reflected in the project objectives.</p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>Principle 5 relates to equitable distribution of justice. Where a rehabilitation activity will largely lead to private benefit, and no rehabilitation creates privately held risk, other factors, such as the distribution of the benefits to parties from the initial resource exploitation, should be considered when determining how costs for rehabilitation will be distributed.</p>	<p>Note Principle 5 is now Principle 6 in the policy. Where there is a private benefit, the department has an expectation that the party who would benefit would be party to and contribute to the costs of the project. The policy has been amended to include 'Cost sharing arrangement' in the Definitions list: <i>"Cost sharing arrangement" is an arrangement between the WA government and an interested third party (or parties) to jointly contribute funding and/or resources to manage and/or rehabilitate an abandoned mine site.</i> <i>The level of input contributed by each party should reflect the anticipated proportion of benefit expected to be realised by each party as a result of the management and/or rehabilitation effort.</i></p>

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<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>Principles 6 &7 - are rather broad, more specifics regarding data management would be useful. Proper data collection and management can make or break a policy initiative. Additional policies that would be helpful include having a person/department responsible for the collection and management of data, with adequate enforcement powers. For example, if a mining company or any other entity is obliged to report to government regarding abandoned sites on their tenement, then the agency responsible must also have the power to ensure that the data provided to them is:</p> <ul style="list-style-type: none"> • accurate, • timely, • provided in a consistent format, • errors in data submission are rectified by the company, • sufficient metadata is provided to be able to judge the quality of the information. 	<p>Note Principles 6 and 7 in the policy are now Principles 7 and 8 respectively.</p> <p>Data collection and management activities will be based on existing DMP data management and storage policies, procedures and tools.</p> <p>Adjustments will be made to data collection and management activities within the Abandoned Mine Site Rehabilitation Programme following ongoing continuous improvement reviews if changes are required in order to meet best practice standards.</p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>Data collected must be relevant and useful for achieving rehabilitation of the site as well as the overall objectives of the policy, eg. useful in review of policy.</p> <p>There is an equal obligation on government to preserve the data in a form that is accessible at any time. For example, there is continual evolution of data storage methods and incompatibility between different generations of storage media and formats destroys much of the value of the original data.</p>	<p>Data collection and management activities will be based on existing DMP data management and storage policies, procedures and tools.</p> <p>Adjustments will be made to data collection and management activities within the Abandoned Mine Site Rehabilitation Programme following ongoing continuous improvement reviews if changes are required in order to meet best practice standards.</p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>In order to properly achieve Principle 12 you need an established mechanism for reporting these learnings. Each rehabilitation project will need a set of identified objectives, mechanisms for collecting and data, monitoring and evaluating the project to determine whether the objectives are being met and identified steps that will be taken if objectives are not being met. All this information needs a specific, centralised repository so that all projects can be compared and so people working in the area can access the information. There should also be support for other more formal learning mechanisms such as the ability (time and financial support) to publish in peer reviewed journals and for practitioners to get together and talk about it at conferences etc.</p>	<p>Principle 12 is now Principle 13.</p> <p>Abandoned Mine Site Rehabilitation Programme information will be made available consistent with the department's transparency policy.</p> <p>Data collection and management activities will be based on existing DMP data management and storage policies, procedures and tools.</p> <p>Adjustments will be made to data collection and management activities within the Abandoned Mine Site Rehabilitation Programme following ongoing continuous improvement reviews if changes are required in order to meet best practice standards.</p>
<p>Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland</p>	<p>In Principle 14, the ability to track spending is very important but very difficult. To know details like how much money was spent on earth works and tree planting is necessary in order to ensure the measures adopted are cost-effective (Principle 15). Tracking how much is spent to this level of detail is however difficult and time-consuming. Determining the level of detail at which spending is tracked will be a difficult balancing act.</p>	<p>Principles 14 and 15 in the policy are now Principles 15 and 17 respectively.</p> <p>The Abandoned Mine Site Rehabilitation Programme will adhere to standard WA government project accounting principles and practices.</p>

SUBMISSION	COMMENT	RESPONSE
Terence Moylan	I firmly suggest that for Resourcing and Partnership opportunities in the management and/or rehabilitation that the partnerships with interested community groups and businesses should be in favour of the traditional owners and their businesses and that this should be stated in the policy. There are enough traditional owner operated businesses for this to be conducted by open tender.	Government has an obligation to find the optimal management/ rehabilitation solution and will encourage partnerships with local communities including indigenous groups.
Kim Knight, URS Australia Pty Ltd	#2: Risks associated with site opportunities should be identified and analysed to inform the management and/or rehabilitation... I suggest that instead of solution decision this refers to the "rehabilitation site specific objectives".	Principle 3 (previously Principle 2) in the policy has been amended to the following: <i>Risks associated with potential abandoned mine site management and/or rehabilitation options should be identified and analysed to inform selection of the solution that best meets the project objectives.</i>
Kim Knight, URS Australia Pty Ltd	#5: What is the definition of a "cost sharing arrangement?"	The policy has been amended to include 'Cost sharing arrangement' in the Definitions list: <i>"Cost sharing arrangement" is an arrangement between the WA government and an interested third party (or parties) to jointly contribute funding and/or resources to manage and/or rehabilitate an abandoned mine site.</i> <i>The level of input contributed by each party should reflect the anticipated proportion of benefit expected to be realised by each party as a result of the management and/or rehabilitation effort.</i>
Philip Nolan, Highscore Pty Ltd	It is not clear what is meant by 'economic' in item 3 above. Any consideration of rehabilitation of 'abandoned' mines should recognise the potential for future mining at the site. Old mines often have significant potential value should demand and price for commodities rise. I would not like to see a situation whereby rehabilitation under the 'abandoned' umbrella causes mining to be excluded at the site in the future.	Note Principle 3 is now Principle 4 in the policy. 'Economic value' mentioned in Principle 4 is intended to include potential for future mining. The policy has been amended to include 'Potential value' in the Definitions list: <i>"Potential value" refers to the potential historical, cultural, social, environmental, educational or economic value of an abandoned mine site that may be realised as a result of management or rehabilitation activities.</i> <i>This may also include the potential for future mining at the site.</i>

SUBMISSION	COMMENT	RESPONSE
Association of Mining and Exploration Companies (AMEC)	Page 6 – Risk assessment, states that community safety and environmental impact should be assessed when determining priority for active management. As funding availability is limited, AMEC considers that ‘location’ is another determining factor. Clarity should also be provided on the definition of ‘environmental impact’.	<p>A risk assessment based on community safety and environmental concerns will form the basis of the prioritisation of an abandoned mine site. The definition of ‘environmental impact’ will become clear once the Safety and Environmental Risk Matrix which is currently in development is finalised. Other criteria will then be considered to determine the overall order of priority for high risk sites. The final criteria used to determine the priority of an abandoned mine site once the risk assessment has taken place is currently in development. DMP is undertaking further analysis and awaiting the outcomes of the pilot abandoned mine site rehabilitation projects before making a decision on the criteria to be used for prioritisation. The policy is therefore intentionally non-prescriptive to allow flexibility in the criteria as the need arises.</p> <p>The following changes have been made to the ‘Risk assessment’ Policy measures description:</p> <p><i>A ‘course grain’ filter of abandoned mine sites to identify those sites that present the highest safety and environmental risks based on criteria defined in the WA government safety and environmental risk matrix (under development). High risk sites will progress to prioritisation assessment.</i></p> <p>A new Principle 2 has been added to the policy:</p> <p><i>Risk assessment outcomes will be combined with a range of other considerations such as likelihood of success, beneficial land use, cost effectiveness and potential for long term benefit to determine an overall site priority.</i></p>
Association of Mining and Exploration Companies (AMEC)	Page 6 – Valuing abandoned mine sites. As described in point 3, AMEC agrees that potential historical, cultural, social, environmental, educational or economic values are crucial. However, ‘geological’ values are also considered to be extremely important.	<p>Note Principle 3 is now Principle 4 in the policy.</p> <p>It is assumed that the main reason to preserve geological value is to allow for potential future mining opportunities. ‘Economic value’ mentioned in Principle 4 is therefore intended to include geological value.</p> <p>The policy has been amended to include ‘Potential value’ in the Definitions list:</p> <p><i>“Potential value” refers to the potential historical, cultural, social, environmental, educational or economic value of an abandoned mine site that may be realised as a result of management or rehabilitation activities.</i></p> <p><i>This may also include the potential for future mining at the abandoned mine site.</i></p>
Association of Mining and Exploration Companies (AMEC)	Page 6 – Valuing abandoned mine sites. Reference is made to ‘community benefit’ in point 4. No explanation is provided on what that means or how it will be considered.	<p>Note Principle 4 is now Principle 5 in the policy.</p> <p>Ongoing engagement with local community stakeholders will lead to the identification of key benefits (or potential value) that need to be reflected in the project objectives.</p>

SUBMISSION	COMMENT	RESPONSE
Association of Mining and Exploration Companies (AMEC)	Page 6 – Valuing abandoned mine sites. Point 5 refers to ‘private benefit’ and ‘cost sharing arrangement’. This statement requires clarification on what is ‘private benefit’, who determines the beneficiary, and how will DMP negotiate the cost sharing and what rights each party has.	<p>Note Principle 5 is now Principle 6 in the policy.</p> <p>The policy has been amended to include ‘Cost sharing arrangement’ in the Definitions list:</p> <p><i>“Cost sharing arrangement” is an arrangement between the WA government and an interested third party (or parties) to jointly contribute funding and/or resources to manage and/or rehabilitate an abandoned mine site.</i></p> <p><i>The level of input contributed by each party should reflect the anticipated proportion of benefit expected to be realised by each party as a result of the management and/or rehabilitation effort.</i></p>
Association of Mining and Exploration Companies (AMEC)	Page 7 – Information sharing and ‘leading best practice’. Point 12 refers to site management and rehabilitation learnings and outcomes should be reviewed ‘regularly’. AMEC considers that this review should occur annually, or earlier if the circumstances require it.	<p>Note Principle 12 is now Principle 13 in the policy.</p> <p>All activities, particularly during the pilot projects but also as an ongoing feature of the Abandoned Mine Site Rehabilitation Programme, will be reviewed following completion of each to identify improvement opportunities for the project management functions as well as managing and/or rehabilitating future abandoned mine sites.</p> <p>The following paragraph has been added to the Policy measures introduction to highlight the continuous improvement approach of the overall Abandoned Mine Site Rehabilitation Programme:</p> <p>All major project activities will be reviewed once complete to ensure they are optimised, relevant and add value.</p> <p>Formal notification of learnings and outcomes will be provided in line with the department’s transparency policy.</p>
The Australasian Institute of Mining and Metallurgy (AusIMM)	<p>While the AusIMM believes the policy principles are broadly appropriate and in line with Australia’s 2010 Strategic Framework for Managing Abandoned Mines, they can be further strengthened.</p> <p>AusIMM recommends that full liability accounting be included in line with accrual account requirements as part of the governance structure.</p>	The Abandoned Mine Site Rehabilitation Programme will adhere to standard WA government project accounting principles and practices.
The Australasian Institute of Mining and Metallurgy (AusIMM)	AusIMM notes that the Western Australian Auditor General indemnified the clarification of ownership and responsibility as a priority in the Report (page 33) ‘ Ensuring Compliances with Conditions on Mining ’ (September 2011). While implicit in point 14, AusIMM believes this could be further strengthened.	<p>It is agreed that long term management responsibilities need to be identified and agreed during the establishment of rehabilitation partnerships.</p> <p>The Rehabilitation partnerships policy measure description has been updated to the following:</p> <p><i>Industry, other government bodies, research organisations and community groups who are best positioned to contribute and benefit from a successful rehabilitation outcome and/or assume long term management responsibilities of a site will have the opportunity to partner with the department.</i></p>
The Australasian Institute of Mining and Metallurgy (AusIMM)	AusIMM recommends that to maintain appropriate emphasis on environmental benefit, point 4 be amended to “There should be clear community and/or environmental benefit ...”	<p>The purpose of Principle 5 (previously Principle 4) in the policy is to specifically acknowledge the need for any management or rehabilitation effort to ideally generate long term benefits for the local community.</p> <p>Consideration for Environmental risks and potential value is included in Principles 1 and 4.</p>

SUBMISSION	COMMENT	RESPONSE
<p>The Chamber of Minerals and Energy of Western Australia (CME)</p>	<p>The linkage between the policy principles and DMP's closure objectives outlined in the joint DMP/Environmental Protection Authority Guidelines for Preparing Mine Closure Plans lacks clarity. DMP's principal closure objectives of the Mine Closure Plan guidelines is to ensure rehabilitated mines are (physically) safe to humans and animals, (geo-technically) stable, (geo-chemically) non-polluting/non-contaminating, and capable of sustaining an agreed post-mining land use. The foundation for managing and/or rehabilitating abandoned mines sites should be aligned to ensure consistency with the Department's policies. This will also establish the acceptable level to which abandoned mines shall be rehabilitated. While this is included later in the policy under the "policy measure descriptions", CME considers this a key principle to managing and/or rehabilitating abandoned mines sites.</p> <p>CME recommend the policy is updated to include a principle for "abandoned mines sites to be managed or rehabilitated to be (physically) safe to humans and animals, (geo-technically) stable, (geo-chemically) non-polluting/non-contaminating, and capable of sustaining an agreed post-mining land use."</p>	<p>A new Objective 6 has been created in the policy:</p> <p><i>Outcomes of managed and/or rehabilitated abandoned mine sites are consistent with DMP's Mine Closure Plan objectives ie. abandoned mines sites to be managed or rehabilitated to be (physically) safe to humans and animals, (geo-technically) stable, (geo-chemically) non-polluting/non-contaminating, and capable of sustaining an agreed post-mining land use.</i></p>
<p>The Chamber of Minerals and Energy of Western Australia (CME)</p>	<p>Information sharing and 'leading best practice'</p> <p>The DMP identified the need to improve performance reporting and public availability of information in October 2011 with the release of the Strategy Paper: Transparency in Environmental Regulatory Decision Making. CME support DMP's commitment to improving transparency with the inclusion of a principle in the policy for making information publicly accessible, including the identification, prioritisation management and/or rehabilitation.</p> <p>CME considers the principles should be expanded to include a commitment for DMP to annually report on the rehabilitation methodology, including financial information. This will ensure DMP remain accountable for the amount drawn from either the credit of the Fund or the investment income. Further, reporting on the rehabilitation methodology will increase the knowledge and information available for proponents with rehabilitation and closure obligations.</p> <p>CME recommend the principles for Information sharing and 'leading best practice' are expanded to state "Information on the rehabilitation project methodology, including financial information, should be reported annually."</p>	<p>All activities, particularly during the pilot projects but also as an ongoing feature of the Abandoned Mine Site Rehabilitation Programme, will be reviewed following completion of each to identify improvement opportunities for the project management functions as well as managing and/or rehabilitating future abandoned mine sites.</p> <p>The following paragraph has been added to the Policy measures introduction to highlight the continuous improvement approach of the overall Abandoned Mine Site Rehabilitation Programme:</p> <p><i>All major project activities will be reviewed once complete to ensure they are optimised, relevant and add value.</i></p> <p>Formal notification of learnings and outcomes will be provided in line with the department's transparency policy.</p>

SUBMISSION	COMMENT	RESPONSE
The Chamber of Minerals and Energy of Western Australia (CME)	<p>Governance</p> <p>The policy states “management and/or rehabilitation of abandoned mine sites should be cost-effective”. CME supports a cost-effective approach, however, considers lowest-cost to be more appropriate for the rehabilitation of abandoned mine sites, where practicable.</p> <p>In the interest of both the environment and the Western Australia community, DMP should ensure a cost/benefit analysis is completed for each abandoned mine site to be rehabilitated.</p> <p>CME recommend the policy principles are updated to state: “Management and/or rehabilitation of abandoned mine sites should be cost-effective. In doing so, a cost/benefit analysis will be completed and lowest-cost will be achieved where practicable”.</p>	<p>For each proposed solution in a management and/or rehabilitation project, a cost/benefit analysis will be undertaken in ‘Stage 3 – Risk Assessment and Solution Selection’ (refer to Diagram 1: Abandoned Mines Policy measures).</p> <p>The lowest-cost solution is preferred, however DMP requires the flexibility to recommend solutions to MRAP and DMP’s CEO that more closely meet the objectives of a given abandoned mine site, but perhaps at a higher cost than alternative solutions.</p>
The Chamber of Minerals and Energy of Western Australia (CME)	<p>The governance requirements outlined in the policy will ensure a formal and transparency structure to support funding decisions. This is supported by industry, however, CME consider an independent review by the MRF Advisory Panel should be included in the governance arrangements for circumstances where substantial funding is required for the management and/or rehabilitation of a single abandoned mine site.</p> <p>CME recommend the policy principles are updated to state: “A formal, transparent governance structure should exist to support the management and/or rehabilitation funding decisions. This will include an independent review by the MRF Advisory Panel for funding decisions above an agreed threshold”.</p>	<p>Abandoned mine sites identified as high priority will be subject to a formal review by MRAP before the DMP CEO provides approval to progress to the gazettal stage.</p> <p>The ‘Gazettal of abandoned mine site’ Policy measures description in the policy has been amended to the following:</p> <p><i>Abandoned mine sites confirmed as high priority following the preliminary analysis will be submitted to the Mining Rehabilitation Advisory Panel for review before forwarding to the DMP CEO for gazettal approval.</i></p> <p><i>If approved by the DMP CEO, land identified within the project boundary will be formally identified as an abandoned mine site for the purposes of the MRF and published in the Gazette, allowing funds from the MRF to be allocated for rehabilitation activities within the boundary.</i></p>
Amanda Hoppmann	Supported and agreed	No response required.
POLICY MEASURES		
Kerryl Bradshaw, Advisian	<p>Risk Assessment – Sites within the abandoned mines database will be assessed against the WA government safety, environmental and abandoned mine site value preservation criteria risk matrix (currently in development).</p>	<p>A risk assessment based on community safety and environmental concerns will form the basis of the prioritisation of an abandoned mine site.</p> <p>Prioritisation will be finalised once additional criteria such as the examples provided in Principle 2 have been examined.</p> <p>The potential values of a site listed in Principle 4 will be referred to when identifying a management and/or rehabilitation solution for a given prioritised abandoned mine site.</p>

SUBMISSION	COMMENT	RESPONSE
Kerryl Bradshaw, Advisian	Non-Priority Site Management – Title should be ‘Low’ Priority Site Management. Priority will be relative to the priorities of hazards at other sites. This relative priority is likely to change as more becomes known over the life of the program.	<p>Reference to ‘Non-Priority’ in Diagram 1: Abandoned mines policy measures has been removed.</p> <p>The following changes have been made to the ‘Risk assessment’ policy measures description:</p> <p><i>A ‘course grain’ filter of abandoned mine sites to identify those sites that present the highest safety and environmental risks based on criteria defined in the WA government safety and environmental risk matrix (under development). High risk sites will progress to prioritisation assessment.</i></p> <p><i>Low risk sites will remain in the abandoned mines database for future consideration, if/ when new information is made available to change the outcome of the original risk assessment.</i></p> <p><i>The DMP CEO will have the opportunity to seek advice from MRAP on matters where an abandoned mine site does not fall within the high priority risk assessment parameter, however significant benefits can be realised for the community, industry, best practice or government if the project was to proceed.</i></p>
Kerryl Bradshaw, Advisian	Diagram 1 – Abandoned Mines Policy Measures Overall the flow chart implies greater process linearity than the response to the abandoned mines challenge demands. It is likely preliminary and concurrent processes will need to be incorporated, in order to maximise the timeliness of risk reduction and value preservation.	<p>The following new paragraph has been inserted in the Policy Measures introduction:</p> <p><i>For simplicity, the process depicts a linear approach. In practice, it is likely that preliminary and concurrent processes will need to be incorporated in order to maximise the timeliness of risk reduction and value preservation.</i></p>
Kerryl Bradshaw, Advisian	<p>Preliminary Screening</p> <p>DMP might like to consider a rapid assessment of all currently available data (a triage process) to separate priorities for:</p> <ol style="list-style-type: none"> 1. “Immediate” Action 2. Further investigation 3. Actions taken in due course or as soon as funds allow <p>DMP should periodically rescreen the inventory of abandoned mine sites to incorporate newly listed abandoned sites and to respond to any new information. This is required to address any changes in environmental or safety priorities due to factors such as economic value, technical development, or indirect policy changes.</p>	<p>All abandoned mine sites will be screened for quality before undergoing a ‘course grain’ review to identify high risk sites. These high risk sites will then have a ‘fine grain’ filter applied to determine the order of priority for management and/or rehabilitation.</p> <p>The DMP CEO will have the opportunity to seek advice from MRAP on matters where an abandoned mine site does not fall within the high priority risk assessment parameter, however significant benefits can be realised for the community, industry, best practice or government if the project was to proceed.</p>
Kerryl Bradshaw, Advisian	Partnerships – The diagram should also incorporate the community, external stakeholders and independent expert advice into the process to ensure collaboration and impartiality.	Refer ‘Rehabilitation partnerships’ Policy measure description for examples of the kinds of partnerships anticipated. A complete stakeholder engagement plan will be developed once a project commences.

SUBMISSION	COMMENT	RESPONSE
Kerryl Bradshaw, Advisian	Ongoing Site Monitoring – Suggest the diagram illustrate a continuous improvement feedback loop.	<p>The following paragraph has been added to the Policy measures introduction to highlight the continuous improvement approach of the overall Abandoned Mine Site Rehabilitation Programme:</p> <p><i>All major project activities will be reviewed once complete to ensure they are optimised, relevant and add value.</i></p>
Dr Jeff Taylor	It is difficult to believe that a thorough risk assessment of key issues can be completed without some additional collection. Even rehabilitation specialists require specific data to help set remediation priorities for sites.	<p>Adequate data will be captured to enable screening, assessment, prioritisation and preliminary analysis activities.</p> <p>Once approval has been received to undertake management and/or rehabilitation of an abandoned mine site, detailed data collection will be captured to inform the management and/or rehabilitation objectives of the abandoned mine site.</p>
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	Appendix C provides a flow chart for high level and detailed assessment which should be reviewed in the context of methodology for implementation. It is not clear from the above the method the WA government will apply to those abandoned mines which need to be included on the contaminated land register/under the relevant legislation.	If an abandoned mine site has been identified as meeting the criteria of a contaminated site under the <i>Contaminated Sites Act 2003</i> , DMP will work with the Department of Environment Regulation to develop management options. Where conditions arise that have implications for other government agencies, DMP will work with those agencies to achieve mutually beneficial outcomes.
Lindsay Stockdale	I can see a huge bureaucratic cost burden on WA Tax Payers in this Policy Structure. There must be a simpler more cost effective way to manage such a policy.	The Abandoned Mine Site Rehabilitation Programme approach needs to be thorough and all activities held accountable. Best practice project management methodologies and rehabilitation activities will therefore be adopted while continually reviewing for opportunities to improve the efficiency and effectiveness of the Abandoned Mine Site Rehabilitation Programme. Public-Private Partnerships will be actively sought where possible to share responsibilities and optimise outcomes.
Terence Moylan	As per my previous comment on using traditional owner organisations for the Rehabilitation partnerships.	Government has an obligation to find the optimal management/ rehabilitation solution and will encourage partnerships with local communities including indigenous groups.
Kim Knight, URS Australia Pty Ltd	"#3 in Stages list: should be inclusive of ""Site specific objectives to be achieved"	<p>The 'Rehabilitation project' policy measure description has been changed to the following:</p> <p><i>An efficient, repeatable project methodology including objectives, implementation plan, budget, clearly defined processes and stage boundaries will guide and support all projects. The approach will be independently audited periodically to identify continuous improvement opportunities contributing to industry best practice.</i></p> <p><i>The agreed rehabilitation solution will be determined based on the abandoned mine site's unique characteristics and detailed stakeholder consultation and align with DMP's mine closure plan rehabilitation policy. Key goals will include ensuring sites are safe, stable, non-polluting, non-contaminating and able to support self-sustaining land use. Activities requiring external contracts will adhere to state government tender policy and procedures.</i></p> <p><i>Post project handover to end land users will indicate completion of the project.</i></p>

SUBMISSION	COMMENT	RESPONSE
Kim Knight, URS Australia Pty Ltd	It is important to ensure that any of these sites have a set of objectives prior to work being performed on them. A “solution” may not encourage a thorough thought process to achieve (a) suitable outcome/s, rather, a set of objectives requires thought towards the desired outcome/s.	All references to ‘solution’ in the Policy have been reviewed to ensure it is used in the context of achievement of agreed objectives.
Philip Nolan, Highscore Pty Ltd	"Broadly the policy measures are reasonable, however, as I have commented above, I would not like to see this process quarantine land from mining in the future.	<p>‘Economic value’ mentioned in Principle 4 of the policy is intended to include potential for future mining.</p> <p>The policy has been amended to include ‘Potential value’ in the Definitions list:</p> <p><i>“Potential value” refers to the potential historical, cultural, social, environmental, educational or economic value of an abandoned mine site that may be realised as a result of management or rehabilitation activities.</i></p> <p><i>This may also include the potential for future mining at the site.</i></p>
Association of Mining and Exploration Companies (AMEC)	<p>Page 9 – Policy measure descriptions.</p> <p>AMEC considers that there appears to be an overlap between ‘preliminary screening’ against environmental and safety risks, and the ‘risk assessment’ based on the Government’s safety and environmental risk matrix. AMEC considers that some examples of environmental risk should be included in the policy.</p>	<p>The ‘Preliminary screening’ policy measure description in the policy has been changed to the following:</p> <p><i>Desktop data quality assessments of all recorded abandoned mine sites to ensure the minimum information is available in each site to enable a risk assessment.</i></p> <p>The ‘Risk assessment’ policy measure description in the policy has been changed to the following:</p> <p><i>A ‘course grain’ filter of abandoned mine sites to identify those sites that present the highest safety and environmental risks based on criteria defined in the WA government safety and environmental risk matrix (under development). High risk sites will progress to prioritisation assessment.</i></p> <p><i>Low risk sites will remain in the abandoned mines database for future consideration, if/ when new information is made available to change the outcome of the original risk assessment.</i></p> <p><i>The DMP CEO will have the opportunity to seek advice from MRAP on matters where an abandoned mine site does not fall within the high priority risk assessment parameter, however significant benefits can be realised for the community, industry, best practice or government if the project was to proceed.</i></p>
Association of Mining and Exploration Companies (AMEC)	<p>Page 10 – Rehabilitation project.</p> <p>AMEC agrees that key goals should include ensuring sites are safe, stable, non-polluting, non-contaminating and able to support self-sustaining land use. AMEC considers that a statement should be added that these aspirational goals are only achievable’ wherever possible, practical and cost effective to do so’.</p>	<p>For each proposed solution in a management and/or rehabilitation project, a cost/benefit analysis will be undertaken in ‘Stage 3 – Risk Assessment and Solution Selection’ (refer to Diagram 1: Abandoned mines policy measures).</p> <p>The lowest-cost solution is preferred, however DMP requires the flexibility to recommend solutions to the MRAP and DMP’s CEO that more closely meet the objectives of a given abandoned mine site, but perhaps at a higher cost than alternative solutions.</p>

SUBMISSION	COMMENT	RESPONSE
The Australasian Institute of Mining and Metallurgy (AusIMM)	<p>AusIMM believes there is opportunity to further clarify and expand on the number of policy measure descriptions to address uncertainty or concerns that could arise. These include:</p> <ol style="list-style-type: none"> 1. Clarification about which legislation will be applied to setting the standard of site management (eg. will WA EPA regulate WA DMP activities as the implementation agency? Regulatory ambiguity in this regard is common in Australia). 	DMP is the lead agency on all activities relating to abandoned mines and will consult with other agencies where necessary.
The Australasian Institute of Mining and Metallurgy (AusIMM)	<ol style="list-style-type: none"> 2. Reference could be considered to national legislation with respect to the environment values and human health impacts assessment process (.e.g. ANZECC, 200) 	<p>The <i>Mining Act 1978</i> and <i>Mining Rehabilitation Fund Act 2012</i> are the state legislation within the policy scope.</p> <p>Cross jurisdiction collaboration will be explored as the Abandoned Mine Site Rehabilitation Programme matures.</p>
The Australasian Institute of Mining and Metallurgy (AusIMM)	<ol style="list-style-type: none"> 3. AusIMM understands the risk matrix is under development, and that each abandoned mine site or feature will have unique characteristics and requirements for assessment. There is concern, however, that the policy lacks scope for sufficient feasibility assessment with regard to environmental contamination and or economic potential of these features prior to the gazettal stage. 	A detailed site review will be undertaken during 'Confirm site priority via preliminary analysis', resulting in development of a comprehensive site summary paper. Refer to 'Confirm site priority via preliminary analysis' policy measure description for more information.

SUBMISSION

COMMENT

RESPONSE

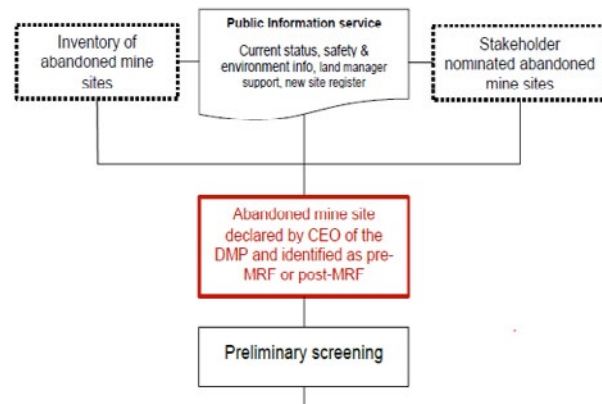
The Chamber of Minerals and Energy of Western Australia (CME)

Diagram 1 of the policy shows the inventory of abandoned mine sites, stakeholder nominated abandoned mine sites and public information service will inform the preliminary screening. In accordance with the *Mine Rehabilitation Fund Act 2012*, CME considers an abandoned mine site should be declared by the CEO of the DMP prior to the preliminary screening to determine if the site:

- Is, or has been, the subject of mining authorisations in respect of which the levy is, or has been, payable (ie. post MRF); or
- Has not been subject of mining authorisations in respect of which the MRF levy is, or has been, payable (ie. pre MRF).

CME considers this a critical step to ensuring the correct funds (ie. money standing to the credit of the Fund or consisting of investment income only) are used for the management and/or rehabilitation of the site.

CME recommend Diagram 1 is updated to determine whether the abandoned mine site is pre-MRF or post-MRF prior to the preliminary screening. Amendments are shown in red below:



Pre-MRF/post-MRF identification will occur during 'Confirm site priority via preliminary analysis' activities.

The 'Confirm site priority via preliminary analysis' policy measure description has been updated to the following:

A comprehensive site summary paper including pre-MRF/post-MRF identification, site history, risks, opportunities, cost indicators, site limitations, potential stakeholders and partnership opportunities will be developed that informs the final decision to proceed to gazettal.

The comprehensive site summary paper will be reviewed by MRAP and the CEO of the DMP when making a decision on whether to formally declare the site as an abandoned mine site for the purposes of the MRF.

The 'Gazettal of abandoned mine site' policy measure description has been updated to the following:

Abandoned mine sites confirmed as high priority following the preliminary analysis will be submitted to MRAP for review before forwarding to the DMP CEO for gazettal approval.

If approved by the DMP CEO, land identified within the project boundary will be formally identified as an abandoned mine site for the purposes of the MRF and published in the Gazette, allowing funds from the MRF to be allocated for rehabilitation activities within the boundary.

SUBMISSION	COMMENT	RESPONSE
The Chamber of Minerals and Energy of Western Australia (CME)	<p>The policy measures state “Sites will be monitored as required following management and/or rehabilitation efforts to ensure long term benefits continue to be realised”. CME supports ongoing monitoring and considers a ‘post-implementation review’ should be required as part of the project handover to assess the achievement of objectives, outcomes and outputs, and the performance regarding time, budget and benefits.</p> <p>CME recommend the policy measures are expanded to state: “The ongoing site monitoring will include the requirement for a post-implementation review to assess achievement of objectives, outcomes and outputs, and the performance regarding time, budget and benefits.”</p>	<p>Agree with the proposed wording. Ongoing site monitoring policy measure description amended to the following:</p> <p><i>Sites will be monitored as required following management and/or rehabilitation efforts to ensure long term benefits continue to be realised.</i></p> <p><i>Ongoing site monitoring will include the requirement for a post-implementation review to assess achievement of objectives, outcomes and outputs, and the performance regarding time, budget and benefits.</i></p> <p><i>Responsibilities for ongoing site monitoring will be determined during establishment of rehabilitation partnerships.</i></p>
Amanda Hoppmann	Supported and agreed	No response required.
GENERAL FEEDBACK		
Department of State Development	<p>The Department is supportive of this initiative and offers the following comments:</p> <p>The draft Abandoned Mines Policy provides a good high level policy framework, particularly, as it will inform the development of implementation guidelines in supplementary documents</p>	No response required.
Department of State Development	As this document will be used to inform the development of future guidelines, it is suggested that the title of the document be amended to “Rehabilitation of Abandoned Mines Framework”	The document’s primary purpose is outline the WA Government’s policy regarding the rehabilitation of abandoned mines.
Department of State Development	It is suggested that the AMP is more clearly linked to the broad objectives of the RER	The Foreword summarises the policy’s relationship to the recent reforms undertaken by DMP.
Department of State Development	The draft Abandoned Mines Policy would benefit by the addition of a glossary to provide clarity for terms used	A Definitions list has been added to the policy.
Department of State Development	The use of pilot sites will provide opportunities for DMP to work systematically with other regulatory agencies through the range of issues to be encountered in rehabilitating abandoned mine sites. The use of pilot sites will also inform the development of implementation guidelines which will be developed in accordance with the policy framework of the Abandoned Mines Policy	Four pilot sites have been identified and are scheduled for implementation between 2015-2017.
Department of State Development	The Department supports the establishment of a public register of abandoned mine sites as it is consistent with the Reforming Environmental Regulation (RER) objective to improve transparency by providing a quick publicly accessible reference source.	No response required.

SUBMISSION	COMMENT	RESPONSE
Kerryl Bradshaw, Advisian	<p>Suggested change to Foreword:</p> <p>The reality is that it is neither practical nor desirable to rehabilitate all abandoned mine sites in Western Australia. Availability of funds will result in the works being undertaken over many years.</p>	The Foreword in the policy has been amended as described.
Kerryl Bradshaw, Advisian	<p>Suggested change to Scope of Policy:</p> <p>The policy will apply to all identified abandoned mine sites and associated site features in Western Australia.</p> <p>Abandoned mine sites, for the purpose of this policy are areas of land impacted by former mining activities for which no individual, company or organisation can be held responsible, other than any residual obligations which fall to the state</p>	The suggested additional wording is not considered part of the abandoned mine sites definition for the purposes of this policy.
Kerryl Bradshaw, Advisian	<p>Policy Boundaries – Within the technical arena, the term “rehabilitation” usually limited to returning the landform to its original state. This may not be the most appropriate response to risk reduction at an abandoned mine site. A range of outcomes should be available to meet the objective of risk reduction and value preservation. From our technical perspective, these responses would be described as such actions as rehabilitation, remediation, containment and/or ongoing use (eg. commercial, recreational, pastoral etc.).</p>	<p>A new Objective 6 has been created in the policy:</p> <p><i>Outcomes of managed and/or rehabilitated abandoned mine sites are consistent with DMP’s Mine Closure Plan objectives ie. abandoned mines sites to be managed or rehabilitated to be (physically) safe to humans and animals, (geo-technically) stable, (geo-chemically) non-polluting/non-contaminating, and capable of sustaining an agreed post-mining land use.</i></p>
Kerryl Bradshaw, Advisian	<p>Regulatory Overlaps – DMP consultation may already have covered this point, however DMP might like to check whether the Draft Policy aligns with relevant provisions within the <i>Contaminated Sites Act (2003)</i> (CS Act), managed by the Department of Environment Regulation . In particular it might be helpful to align consideration of risks and prioritisation of abandoned mine sites for remediation with similar considerations in the CS Act. It could also be useful to align with CS Act inclusions risk toolsets etc. are developed.</p>	If an abandoned mine site has been identified as meeting the criteria of a contaminated site under the <i>Contaminated Sites Act 2003</i> , DMP will work with the Department of Environment Regulation to develop management options. Where conditions arise that have implications for other government agencies, DMP will work with those agencies to achieve mutually beneficial outcomes.
Kerryl Bradshaw, Advisian	<p>Comments on Implementation of the Policy</p> <p>Outlined below is additional commentary that Advisian suggests the DMP might like to consider in due course as the Policy is implemented.</p> <p>Some of this commentary reflects experience from Advisian’s relationships with other jurisdictions, including the Queensland (QLD) and Canadian Government Departments and similar studies Advisian has undertaken.</p> <p>Data Availability – Advisian recognises the need to balance the priority of MRF funds allocated to data collection with funding responses to the immediate risk reduction activities at abandoned mine sites. DMP could consider a data improvement program that runs concurrently with the project prioritisation and implementation program to ensure both aspects are given due consideration on an ongoing basis.</p>	<p>Data collection and management activities will be based on existing DMP data management and storage policies, procedures and tools.</p> <p>Adjustments will be made to data collection and management activities within the Abandoned Mine Site Rehabilitation Programme following ongoing continuous improvement reviews if changes are required in order to meet best practice standards.</p>

SUBMISSION	COMMENT	RESPONSE
Kerryl Bradshaw, Advisian	The public register outlined in the Draft Policy is welcomed and should be marketed to encourage and stimulate community involvement. Such an approach is likely to provide low cost means of data collection which will complement other more costly but better targeted data acquisition.	Agreed. No change required to the policy.
Kerryl Bradshaw, Advisian	Rehabilitation Project Requirements – Consideration should also be given to the activities required to efficiently execute the prioritised projects between Sub Phases 4 and 5 in the Rehabilitation Project. These include the appropriate design, procurement, works program (including set milestones and timeframes), resourcing and project management.	Once a project is approved by the DMP CEO, a full project plan will be developed to support all project stages identified in Diagram 1: Abandoned Mines Policy measures. The project plan will be presented to MRAP for independent review.
Kerryl Bradshaw, Advisian	Passive and/or Active Controls – Does the DMP intend to use passive controls in addition to active rehabilitation controls to manage the existing risk of Abandoned Mines? Given fund availability, passive controls (eg. land use planning and restrictions) may complement more capital and operationally intensive active rehabilitation options (eg. civil engineering, water treatment etc.).	References to ‘management and/or rehabilitation of abandoned mine sites’ throughout the policy is regarded as the equivalent of passive and/or active controls. The policy has been amended to include ‘Manage an abandoned mine site’ in the Definitions list: <i>“Manage an abandoned mine site” refers to the activities undertaken to ensure a declared abandoned mine site is made as safe to humans and the environment as possible e.g. through public education or restricting public access to the site, when full rehabilitation of the abandoned mine site is not an option e.g. due to a negative cost/benefit analysis associated with full rehabilitation.</i> The policy has been amended to include ‘Rehabilitate an abandoned mine site’ in the Definitions list: <i>“Rehabilitate an abandoned mine site” refers to the range of activities undertaken to physically rehabilitate an abandoned mine site or affected land in order to make a site safe to humans and the environment.</i>
Kerryl Bradshaw, Advisian	Abandoned Site Opportunities – As outlined in the Draft Policy, existing benefits of the Abandoned Mine and maximising the value of the potential end use needs to be considered in the prioritisation (eg. recreational, educational). This should extend to the potential commercially viable resource either stockpiled or available in an unmined geological formation. The preservation of any residual economic and societal value inherent in the abandoned site should be a consideration in addition to the reduction of risk.	‘Economic value’ mentioned in Principle 4 is intended to include potential for future mining. The policy has been amended to include ‘Potential value’ in the Definitions list: <i>“Potential value” refers to the potential historical, cultural, social, environmental, educational or economic value of an abandoned mine site that may be realised as a result of management or rehabilitation activities.</i> <i>This may also include the potential for future mining at the abandoned mine site.</i>

SUBMISSION	COMMENT	RESPONSE
Kerryl Bradshaw, Advisian	<p>Prioritisation Assessment – There are a range of methods available to prioritise possible projects depending on data availability and resources. Many rehabilitation projects will likely have ongoing management requirements beyond the upfront capital expense. Quantifying the financial and non-financial benefits, costs and risks through monetisation (Net Present Value with a Societal Discount Rate) may be useful in informing Abandoned Mine rehabilitation project decision making. Considering the costs and benefits over an extended timeframe will allow the DMP to demonstrate it has taken a long term perspective to help protect future-proof projects against future risks (costs). Applying a dynamic sensitivity analysis to evaluate and overcome uncertainties is also recommended.</p>	<p>The final criteria used to determine the priority of the abandoned mine site once the risk assessment has taken place is currently in development. DMP is undertaking further analysis and awaiting the outcomes of the pilot abandoned mine site rehabilitation projects before making a decision on the criteria to be used for prioritisation. The policy is therefore intentionally non-prescriptive to allow flexibility in the criteria as the need arises.</p> <p>Each version of a set of prioritisation criteria will go through a formal approval process including endorsement from MRAP before being applied.</p> <p>Policy Principles heading ‘Risk assessment’ amended to ‘Risk assessment and prioritisation’.</p> <p>Principle 1 amended to the following:</p> <p><i>A risk-based approach focussed on community safety and environmental impact should form the basis for abandoned mine site management and/or rehabilitation prioritisation.</i></p> <p>New Principle 2 created:</p> <p><i>Risk assessment outcomes will be combined with a range of other considerations such as likelihood of success, beneficial land use, cost effectiveness and potential for long term benefit to determine an overall site priority.</i></p>
Kerryl Bradshaw, Advisian	<p>In the absence of available quantitative data (especially in the context of social and environmental costs), a robust multi criteria assessment (inclusive of spatial analysis) engaging technical experts and relevant stakeholders should be done. The decision method and process selected needs to be robust and transparent to demonstrate to stakeholders that value has been maximised.</p>	<p>The ‘Confirm site priority via preliminary analysis’ policy measure description contains details of the types of information that will contribute towards the project approval decision by the DMP CEO:</p> <p><i>A comprehensive site summary paper including pre-MRF/post-MRF identification, site history, risks, opportunities, cost indicators, site limitations, potential stakeholders and partnership opportunities will be developed that informs the final decision to proceed to gazettal.</i></p> <p>The Safety and Environmental Risk Matrix and prioritisation assessment filter (both currently in development and outlined in the Policy measure descriptions), will enable robust, multi criteria assessment and ensure the highest risk sites are selected for management and/or rehabilitation.</p>
Kerryl Bradshaw, Advisian	<p>Community Complaints and Emergency Responses – The QLD Abandoned Mine Lands Program (AMLPL) has incorporated a Public Information Service to address community concerns and complaints and an Emergency First Response function into its program. This could also be considered by the DMP in its program.</p>	<p>A similar service will be considered for inclusion in the Abandoned Mine Site Rehabilitation Programme public portal where similar services do not currently exist.</p>
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	<p>This ranking of yes/no needs another category ‘partly’ or a graded response from ‘strongly agree’ to ‘strongly disagree’. It is not easy to respond to a yes/no answer in this way for a complex issue through a consultation process such as this.</p>	<p>Noted for consideration in future surveys.</p>

SUBMISSION	COMMENT	RESPONSE
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	We have attached a copy of what is considered (Appendix A) good governance and (Appendix B) a leading practice example of a policy for abandoned mine management (abandoned and orphaned mines are addressed under the Crown Contaminated Sites Program in BC, Canada) and (Appendix C) a maturity model research paper (Unger et al, J Res Policy, 2015) which explores web-accessible information on abandoned mine policies and programs in which WA and other jurisdictions in Australia are researched and compared with the BC CCSP.	Thank you. No response required.
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	<p>There are also a number of aspects which also need to be addressed if WA is to develop its policy consistent with Australia's Strategic Framework for managing abandoned mines (MCMPPR/MCA, 2010). Eg. p7 "The framework will promote convergence of these approaches across jurisdictions, to address issues such as:</p> <ul style="list-style-type: none"> • site inventories and site data management • improved understanding of liability and risk relating to abandoned mines • improved performance reporting • the standardisation of processes and methodologies • knowledge and skill sharing across jurisdictions". 	<p>Refer to Policy Principles – Information sharing and leading 'best practice' in the policy. Opportunities to collaborate across jurisdictions will present themselves as the Abandoned Mine Site Rehabilitation Programme matures.</p>
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	If the WA abandoned mine policy is to be consistent then there is a need to include understanding liabilities and also to address performance reporting.	The Abandoned Mine Site Rehabilitation Programme will adhere to standard WA Government project accounting and transparency principles and practices.
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	<p>Research will be required to address knowledge gaps to evaluate both the values and impacts of these sites in order to fully understand and manage the limited resources available. The rate at which rehabilitation is to be undertaken is not clear. While the MRF accumulates funds and the interest is available for works, it is not clear how or when funding will be available for actual research, prioritisation, planning, design and works. There is also an opportunity for PPGIS (Participatory Planning using GIS methods - refer to Dr Greg Brown's research (UQ) on this subject). I think there is value in investing in research to learn more from other successful programs and projects - eg. Savage River in Tasmania - Goldamere agreement.</p>	During consultation and development of the MRF, DMP indicated funding for Abandoned Mines from the interest component of the levy will be phased in over many years, the rate of which will be determined by available funding. Draws on the principle will affect the rate that the interest accrues.

SUBMISSION	COMMENT	RESPONSE
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	Connecting with other jurisdictions to support information sharing across jurisdictions. This could be formalised via a multi-stakeholder working group and national network based on the NOAMI model in Canada and discussed during the Managing Mining legacies forum at UQ in 2012. A secretariat can be established which would then report to the working group and undertake investigations/studies of common interest across jurisdictions in line with the national policy (Strategic framework for managing abandoned mines, (MCMPR/MCA 2010)	Refer to Principles 13, 14 and 15 of the policy for information sharing and leading 'best practice'. Abandoned Mine Site Rehabilitation Programme information will be made available consistent with the department's transparency policy.
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	There should be something built in to the overall governance and policy structure for determining whether the policy is working or not, and what the consequences will be if it is not working. Just as we need to be able to work out whether an individual rehabilitation project is successful and reaching its objectives, we need to be able to judge whether the overall policy is achieving its objectives.	Refer to the Policy Review section in the policy, where it states: <i>This policy will be reviewed every five years by DMP, in consultation with the Mining Rehabilitation Advisory Panel, industry and the community.</i>
Terence Moylan	You may have covered that collection of geological and geophysical data in the Policy Objectives 3 and 4 but I am just making sure that it is covered.	Agreed. No response required.
Kim Knight, URS Australia Pty Ltd	As the MRF is generated by industry, it may be pertinent to provide public access to identify projects that are receiving funding. This should include stage of works and funding allowance.	Abandoned Mine Site Rehabilitation Programme information will be made available consistent with the department's transparency policy.
Name not supplied	If some abandoned mines could be made safe, they could be used as tourist & historical attractions	Agreed. No response required.
Philip Nolan, Highscore Pty Ltd	As indicated above, consideration needs to be given the potential future economic value of the site.....for the purpose of conducting future mining.	'Economic value' mentioned in Principle 4 is intended to include potential for future mining. The policy has been amended to include 'Potential value' in the Definitions list: <i>"Potential value" refers to the potential historical, cultural, social, environmental, educational or economic value of an abandoned mine site that may be realised as a result of management or rehabilitation activities.</i> <i>This may also include the potential for future mining at the site.</i>
Kerryl Bradshaw, Advisian	We trust the commentary and observations provided are of value and assist the DMP to further develop this important policy. Thank you for the opportunity to provide this submission.	Thank you. No response required.
Dr Jeff Taylor	I am particularly interested in providing input to the early preliminary screening and risk assessment (environmental) stages. The content of these components will control the success of the entire process.	Noted. No response required.

SUBMISSION	COMMENT	RESPONSE
Corinne Unger and Alexandra Wolhuter, Environment Cluster, Sustainable Minerals Institute, The University of Queensland	<p>Please refer to the attachments. There are also examples of performance reports on the CCSP which provide a useful reference to enable this program to be publicly accountable. Clear public accountability will help to address the requirements of the WA Auditor General.</p> <p>http://www.agf.gov.bc.ca/clad/ccs/cabinet/reports/2014_CCSP_Biennial_Report.pdf</p> <p>This webpage is not currently connecting to the report, but it may work by the time you read this.</p>	Thank you. No response required.
Lindsay Stockdale	Only to be kept informed on the progress of this Policy. [Completed PDF submitted to the abandoned mines email address]	Noted. No response required.
Association of Mining and Exploration Companies (AMEC)	As the peak national industry body for the mining and mineral exploration sector, the Association of Mining and Exploration Companies (AMEC) supports the development of the policy.	Thank you. No response required.
Association of Mining and Exploration Companies (AMEC)	Page 3 – Foreword, refers to the planning arrangements for closure of mines under the Mining Act. No reference is made to any site that may be subject to a State Agreement Act.	State Agreements are not covered by the <i>Mining Rehabilitation Fund Act 2012</i> or Abandoned Mines Policy.
Association of Mining and Exploration Companies (AMEC)	Page 3 – Foreword, to avoid any doubt, liability for disturbance should be reliant upon the Mining Act rather than the MRF. The current draft is unclear of this issue.	The <i>Mining Rehabilitation Fund Act 2012</i> is provided to support circumstances where all other rehabilitation options through existing legislation have been exhausted.
Association of Mining and Exploration Companies (AMEC)	Page 3 – Foreword, states that the draft policy will be underpinned by a suite of products that DMP will be developing or updating over the next 12 months. There is no reference to what products are under consideration.	The Support Tools side box in Diagram 1: Abandoned Mines Policy measures, provides an overview of the products to be developed to support the Abandoned Mines Policy and Abandoned Mine Site Rehabilitation Programme.
Association of Mining and Exploration Companies (AMEC)	Page 4 – Introduction, refers to 190,000 abandoned mine site features. AMEC considers that the Introduction should provide some further clarity about what constitutes a ‘mine site feature’, the size of the features and their general location. It is understood that large proportion of the features are comparatively small and in remote locations in the Goldfields.	The policy has been amended to include ‘Abandoned mine site features’ in the Definitions list: <i>“Abandoned mine site features” are things such as shafts, dumps and buildings that are commonly found at sites of historical mine production</i>
Association of Mining and Exploration Companies (AMEC)	Page 4 – Introduction indicates that ‘land managers’ may have obligations relating to the management of abandoned mine sites. AMEC considers that ‘land owners and tenement holders’ should also be referenced in the policy. Where possible, current tenement holders should be involved in the decision making process, including notification to their registered address and advice on their right to consultation as a stakeholder and/or business (page 6, point 9). Such consultation with stakeholders and the tenement holder should continue through to post project handover (page 7, point 11).	Land managers may also include land owners and tenement holders. Each management and/or rehabilitation project’s stakeholder identification process will identify all interested parties for an abandoned mine site. The stakeholder engagement plan will outline the level of engagement required for each stakeholder. ‘Land manager’ has been added to the Definition list in the policy: <i>“Land manager” is a person or organisation that has either a legal obligation or direct interest in land affected by an abandoned mine site. Examples include land owners, tenement holders and operators.</i>

SUBMISSION	COMMENT	RESPONSE
The Australasian Institute of Mining and Metallurgy (AusIMM)	<p>In general , AusIMM believes that successful policy requires a focus on two key elements:</p> <p>Government must establish clear policy goals, underpinned by core principles, and supported by all stakeholders and the broader community. In particular, legislation be:</p> <ul style="list-style-type: none"> • outcome-and risk-oriented (specifying the goals to be achieved, rather than the steps businesses must take) • principle based • informed by leading global approaches and legislation – as may have been developed and adopted by other jurisdictions • subject to cost assessment to ensure that regulation delivers the expected community outcomes and benefits. 	Agreed. No response required.
The Australasian Institute of Mining and Metallurgy (AusIMM)	<p>Government must ensure appropriate investment in ensuring that new policies can be effectively administered and reviewed. In particular, Government should ensure that :</p> <ul style="list-style-type: none"> • regulators are properly resourced so they can effectively administer their responsibilities • stakeholders' regulatory obligations are communicated effectively • regulatory practices are inclusive (allowing genuine stakeholder engagement), dynamic (respond to changing environments) and transparent. 	Agreed. No response required.

SUBMISSION	COMMENT	RESPONSE
<p>The Chamber of Minerals and Energy of Western Australia (CME)</p>	<p>CME support the policy, however, recommends the consideration of several matters outlined below.</p> <p>The policy defines “abandoned mine sites” as “areas of land impacted by former mining activities for which no individual, company or organisation can be held responsible for rehabilitation.” CME considers this definition lacks alignment with the <i>Mining Rehabilitation Fund Act 2012</i> for an “abandoned mine site” which means “land declared to be an abandoned mine site under section 9(1)” and requires the abandoned mine site has to be declared by the Chief Executive Officer (CEO) following advice from the Mine Rehabilitation Fund (MRF) Advisory Panel.</p> <p>CME considers the policy is unclear as to whether it applies to abandoned mine sites which are, or have been, the subject of mining authorisations in respect of which the levy is, or has been, payable (and any affected land relating to those sites) for which money standing to the credit of the Fund may be used for rehabilitation.</p> <p>Or, if this policy only applies to abandoned mine sites (and any affected land relating to those sites) which have not been subject of mining authorisations in respect of which the levy is, or has been, payable and the money standing to the credit of the Fund consisting of investment income only.</p> <p>CME understands this policy is intended to apply to both and therefore, considers the Scope of the Policy should be updated to reflect this.</p> <p>CME recommend DMP align the definition of “abandoned mine sites” with the <i>Mining Rehabilitation Fund Act 2012</i> and update the <i>Scope of the Policy</i> to state:</p> <p><i>“Abandoned mine sites, for the purpose of this policy, are areas declared to be an abandoned mine site by the CEO of the DMP following advice by the MRF Advisory Panel.”</i></p> <p><i>“The policy will apply to all identified abandoned mine sites and affected land including:</i></p> <ul style="list-style-type: none"> • <i>Abandoned mine sites relating to those sites which are, or have been, the subject of mining authorisations in respect of which the levy is, or has been, payable; and</i> • <i>Abandoned mine sites relating to those sites which have not been subject of mining authorisations in respect of which the MRF levy is, or has been, payable.”</i> 	<p>Slightly different definitions exist to differentiate between abandoned mine sites before gazettal and abandoned mine sites that have been formally gazetted under the <i>Mining Rehabilitation Fund Act 2012</i> in order to allow MRF funds to be allocated for management and/or rehabilitation.</p>

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