

## 2. Statutory Requirements

Environmental management of mining and mineral processing requires consideration of both State and Commonwealth legislation, although most minerals industry operations are subject only to State environmental law.

Legislation relevant to water issues within the mining industry is passed by both State and Commonwealth governments. These laws are usually enforced by the relevant State Environmental Protection Authority or Department, State Department of Mines or the Commonwealth Department of the Environment.

Typical State and Commonwealth environmental legislation relevant to water management in the Australian minerals industry is shown in Table 2.1

This legislation is frequently supported by regulations which provide more detail on how the legislation is to be implemented and complied with. For example, regulations under a Clean Waters Act may contain limits for physical, chemical and biological parameters which cannot be exceeded in effluents.

TABLE 2.1: Typical State and Commonwealth Legislation

<i>State Legislation</i>	<i>Commonwealth Legislation</i>
<ul style="list-style-type: none"> <li>• Mining Act</li> <li>• Environmental Protection Act</li> <li>• Local Government Act</li> <li>• Clean Waters Act</li> <li>• Groundwater Act</li> <li>• Pollution of Waters by Oil Act</li> <li>• Environmental Protection/Marine (Sea Dumping) Act</li> <li>• Marine and Harbours Act</li> <li>• Petroleum (Submerged Lands) Act</li> <li>• Coastal Protection Act</li> <li>• Soil Conservation Act</li> <li>• Dangerous Goods Act</li> <li>• Radiation Control Act</li> </ul>	<ul style="list-style-type: none"> <li>• Environment Protection (Sea Dumping) Act 1981</li> <li>• Great Barrier Reef Marine Park Act 1975</li> <li>• Petroleum (Submerged Lands) Act 1967</li> <li>• Protection of the Sea (Prevention of Pollution from Ships) Act 1983</li> <li>• Seas and Submerged Lands Act 1973</li> <li>• National Parks and Wildlife Conservation Act 1975</li> <li>• Environment Protection (Alligator Rivers Region) Act 1978</li> <li>• Environment Protection (Impact of Proposals) Act 1974</li> <li>• Industrial Chemicals (Notification and Assessment) Act 1989</li> <li>• World Heritage Properties Conservation Act 1983</li> </ul>

Most operations involving water, either supply or disposal, will be licensed under the relevant act. Licences are issued for a defined period, typically one year, and have conditions attached to them. These conditions may specify the monitoring which is required to ensure compliance, the limits which apply, and specific procedures which must be followed in order to reduce the environmental impact of the discharge.

As a minimum, every operation should ensure that its facility fully complies with the relevant State and Commonwealth acts, laws, regulations and licences. Therefore, systems need to be established and maintained to track compliance with these statutory requirements and to report this compliance on a regular basis.