

**Senate Standing Committee on Economics**

**ANSWERS TO QUESTIONS ON NOTICE**

Resources, Energy and Tourism Portfolio

Budget Estimates

28 May 2012

**Question:** BR28  
**Topic:** UNEP Global Binding Mercury Instrument  
**Proof Hansard Page:** Written

**Senator Heffernan asked:**

In 2010 your Department published the Australian Gold Resources Map of Australia which defines the extent of past and present gold mining activities in Australia.

This map indicates that approximately 32.6% of the Australian landmass has been subjected to gold mining activities since the late 1840s. This map also indicates that in excess of 470 historical gold mining areas exist across Australia.

Recent work carried out by Australia's only specialist mercury recovery company, indicates that a conservative 600,000+ tonnes of mercury was lost into the environment from gold mining operations in Australia, up to the period when widespread use of mercury in gold mining activities ended, in the early 1970s.

This extremely large tonnage of lost mercury indicates that vast areas of Australia could be heavily contaminated with mercury, to the detriment, health-wise, of local residents and the environment, in affected areas.

1. Could you please provide all of your departments risk assessments regarding all forms of mercury pollution existing across the Australian landmass that are either completed, presently underway, or still in the planning phase.
2. Can you also please provide your detailed explanation of why your Department has not been proactive in the rehabilitation of this the very first of the large scale Australian mining industry legacy issues.
3. Please provide your budget estimates allocated for mercury research and recovery for the next 10 years and the budget for construction of a National Mercury Permanent Containment Facility, which will be required under the finalised UNEP Binding Mercury Instrument? If not, why not, please provide details

**Answer:**

1. Management of mines is a state/territory jurisdictional responsibility. Regulation focuses on ensuring that tailings management, including storage facilities, are safe, stable and non-polluting. While requirements vary between jurisdictions, common principles apply. In all jurisdictions, regulatory responsibility:
  - for tailings rests with the mining department or environmental protection agency;
  - for pollution control and tailings storage facility water discharge regulation rests with the environment protection agency; and

- in NSW lies with the Dams Safety Committee which oversees tailings containment under the Dams Safety Act 1978.

In WA strict mine closure guidelines are in place to ensure that any hazardous material, including mercury, that could pose a risk to human health or the environment is managed.

Where matters of national environment significance are triggered under the *Environmental Protection and Biodiversity Conservation Act 1999*, the Department of Sustainability, Environment, Water, Population and Communities (SEWPAC) is responsible.

2. As per question 1 above, management of mines is a state/territory jurisdictional responsibility. The Department of Resources, Energy and Tourism is a member of the inter-jurisdictional Abandoned Mines Working Group. This group developed the Strategic Framework for Managing Abandoned Mines which promotes a strategic approach to managing abandoned mines.
3. The Australian Government (through SEWPAC) is involved in international work under the United Nations Environment Program for a global legally binding instrument on mercury. These negotiations are underway. When negotiations are completed Australia will undertake the treaty ratification process including a Regulatory Impact Statement which will assess the costs and benefits to Australia of becoming a Party to the treaty. It would be premature to do a costing for a national facility.