

South Australia's Mineral Regulation Annual Report 2023-2024

Introduction

South Australia's major mineral resources include some of the best ore bodies in the world. As of 30 June 2024, there were 625 operating mines and quarries, which in this report are defined as those that have submitted a royalty return to the Department for Energy and Mining (DEM) in the past three years.

DEM is responsible for the the administration, assessment and regulation of South Australia's mineral resources industry.

The government recognises this sector's contribution to the state's current and future economic prosperity, through business investment, regional development, employment opportunities and skills growth. These factors must be balanced against appropriate environmental and social outcomes.



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Regulatory context

DEM's Minerals Regulation Branch regulates the full lifecycle of the mineral resource sector from exploration to mine closure.

Our regulation is outcomes-focused, aimed at ensuring that operations are regulated in accordance with specific, clear, measurable and enforceable approvals and conditions.

We make government expectations clear and take appropriate compliance and enforcement action where obligations are not met. This creates a regulatory approach that is transparent, consistent and fair for all stakeholders and in the public interest.

WE REGULATE THE:

Mining Act 1971

Mines and Works Inspection Act 1920

Offshore Minerals Act 2000

Roxby Downs (Indenture Ratification) Act 1982

Broken Hill Proprietary Company's Indenture Act 1937

Opal Mining Act 1995

Whyalla Steel Works Act 1958

OUR REGULATORY PRINCIPLES GUIDE OUR WORK:

Outcomes focused

Resources are proportionately allocated to achieve optimal regulatory outcomes and manage the regulatory risk.

Education-founded

We provide guidance and other tools to assist industry to meet their regulatory duties, obligations and requirements.

Effective, efficient and flexible

Our assessment and regulation ensures impacts from mineral activities are appropriately assessed, mitigated and reviewed. Our communication is clear, targeted, effective and efficient.

Proportionate

We ensure compliance and monitoring approaches are streamlined, coordinated, consistent, proportionate and in the public interest.

Aware of regulatory capture and conflicts of interest

Regulatory decisions are impartial and conflict of interests disclosed. We are aware of the potential for regulatory capture considering our joint roles of promoting economic growth and regulation responsibility.

Sharing outcomes and knowledge

We are open, ethical and transparent. We share compliance and enforcement outcomes to reinforce principles of general and specific deterrence for regulated entities.

Committed to continuous improvement

We measure our regulatory performance through the development and regular review of key performance indicators (KPIs). We prioritise regulatory training, learning and knowledge sharing. We actively contribute to the continuous improvement of our regulatory frameworks.

Regulatory framework

DEM's Exploration and Mining Regulation policy and Mining Act compliance and enforcement in South Australia policy detail the state's regulatory stewardship and compliance approach.

We deliver regulatory services in Adelaide, Port Augusta and Coober Pedy. Management of closed and former mines under state responsibility is carried out by staff in Adelaide and at the Adelaide Hills Brukunga former mine site.

DEM works closely with the Environment Protection Authority South Australia (EPA), SafeWork SA and the Department for Environment and Water (DEW) to co-regulate South Australia's mineral resources sector.

Mining and exploration regulatory system

DEM's new digital mining and exploration regulatory system (MERS) is due to be operational in 2025 and will streamline user interactions with the department. The Mining Register will also be accessed through MERS.

With MERS efficiencies in mind, DEM will review target timeframes for all assessment types and report on these new timeframes in the next annual report.

Annual regulation priorities

As part of our commitment to leading practice regulation and transparency, DEM will start publishing annually updated guidance on our priority focus areas and expectations for the coming year. This may include, for example, what we intend to focus on during inspections or audits, or process changes such as application review times.

FOR THE 2024-25 FINANCIAL YEAR (FY), DEM WILL BE PARTICULARLY FOCUSED ON THE FOLLOWING:

Up-to-date rehabilitation liability estimate and bond paid where required to do so.

Proactive approaches to management of nuisance issues such as dust or drag out.

Proactive approaches to social licence and community engagement, particularly complaints management and response.

Providing greater transparency on the DEM website, including updated pages for key sites and improved transparency of regulatory decisions, fact sheets and other key documentation.

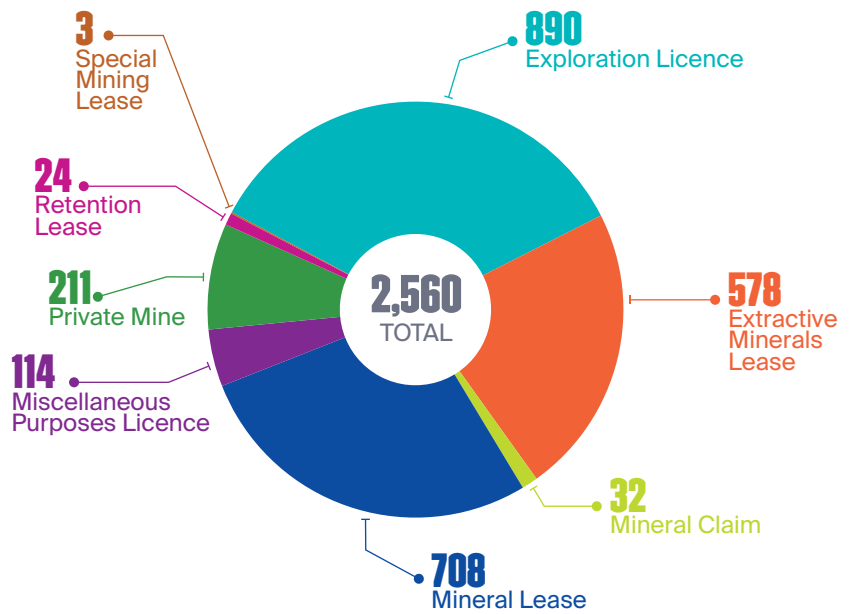
Mineral tenements overview

ACTIVE TENEMENTS OVERVIEW

At 30 June 2024, there were 2,560 active tenements in South Australia.

¹ The concept of lease classes (mineral leases and extractive mineral leases) was abolished by the 2021 legislative reforms of the Mining Act, replaced by a single tenure type, mining leases. For the purpose of this reporting, mining leases with extractive minerals as primary mineral is reported under Extractive Minerals Lease.

Active tenement count by type as at 30 June 2024¹

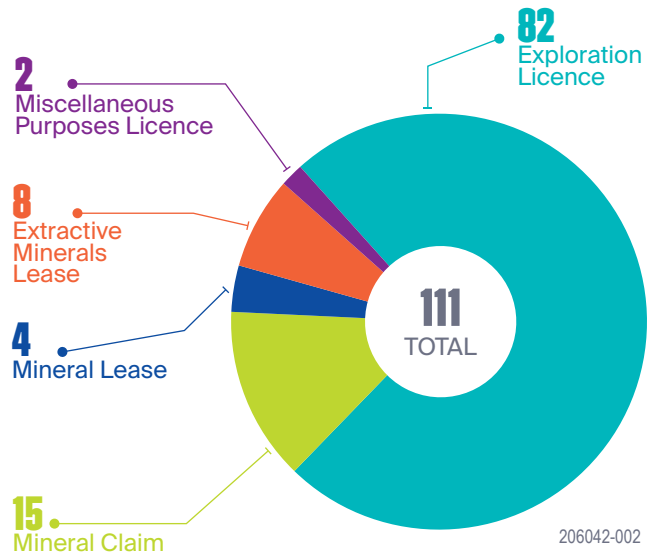


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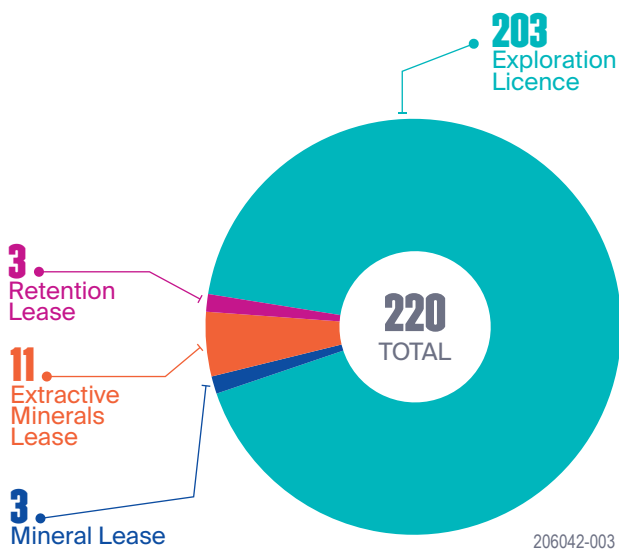
TENEMENTS PROCESSED

In total, 111 mineral tenements were granted, 220 mineral tenements renewed, 26 mineral tenements transferred, 57 mineral tenements surrendered, and 30 mineral tenements expired.

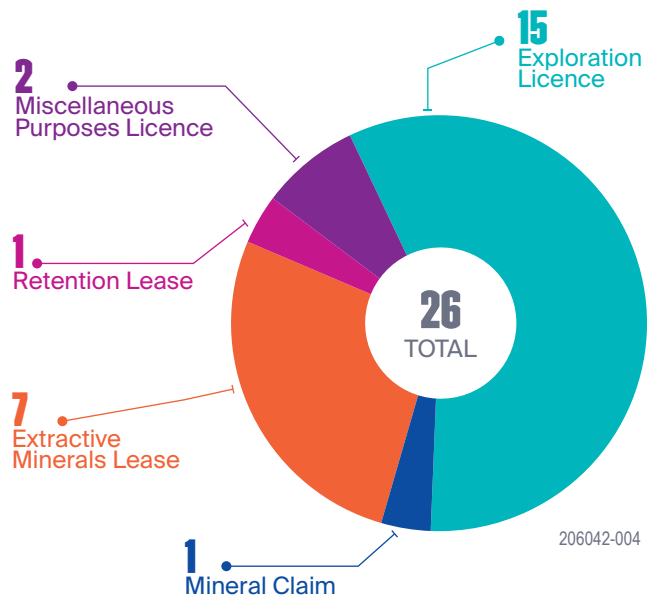
Tenements **GRANTED** for the period from 1 July 2023 to 30 June 2024



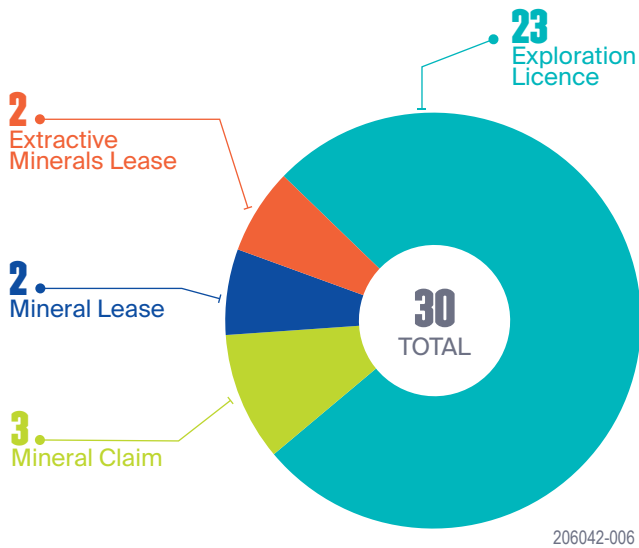
Tenements **RENEWED** for the period from 1 July 2023 to 30 June 2024



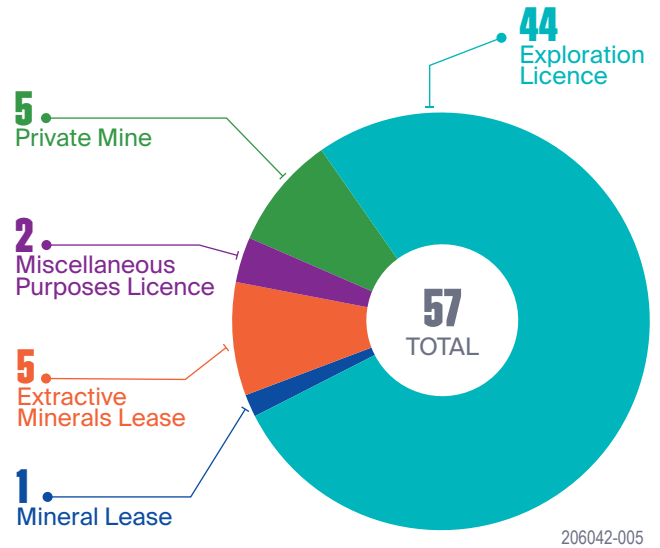
Tenements **TRANSFERRED** for the period from 1 July 2023 to 30 June 2024



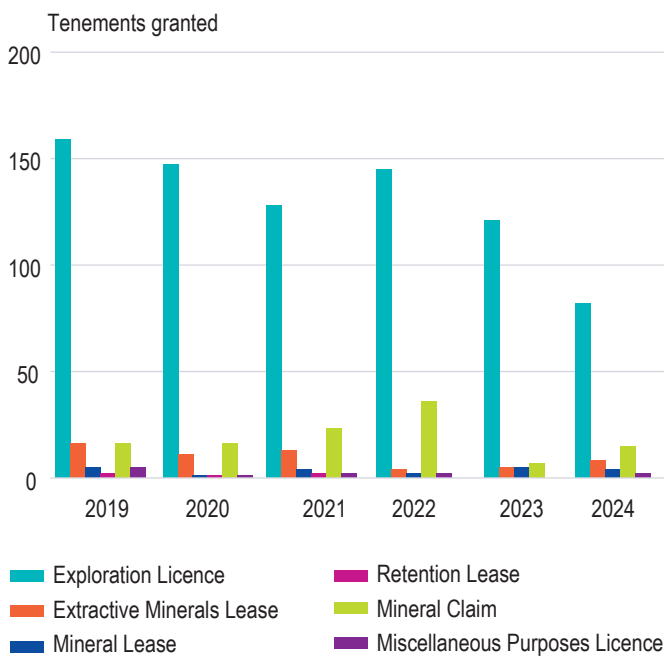
Tenements **EXPIRED** for the period from 1 July 2023 to 30 June 2024



Tenements **SURRENDERED** for the period from 1 July 2023 to 30 June 2024



Tenements processed by type FY 2018-19 to FY 2023-24



Over the past six FY the data shows a decrease in the number of exploration licences (EL) granted, with a 55% reduction in EL grants since FY 2021-22. The decrease is likely attributed to the softening of commodity prices during this period.

MINING REGISTER INSTRUMENTS

The Mining Register, established under Part 2A of the Mining Act, records any mineral tenements granted under the Mining Act, and their terms and conditions.

The Mining Register also includes, but is not limited to, instruments, agreements, determinations and dealings registered under the Mining Act.

The Mining Register and the Mining Native Title Register can be searched free of charge at tenementregister.sarig.sa.gov.au.

Instruments registered FY 2023-24

1,559 instruments were registered on the Mining Register during FY 2023-24. The volume of instruments registered in FY 2023-24 accounts for approximately 40% of the total instruments registered in the past 2.5 years.

Instruments by category on the mining register for the period from 1 July 2023 to 30 June 2024

SUB CATEGORY	COUNT OF INSTRUMENTS NO.
Completed Exploration and Expenditure	247
Renewal	219
Change to conditions	204
Deferment of variation of expenditure commitment	113
Entry	89
Approval (current)	85
Advanced exploration	63
Current	61
Exemption	57
Arrangement	43
Area reduction	39
Surrender	38
Returned	25
Change of address	24
Access to land (contracting out of NOE)	23
Amalgamated expenditure	20
Notice initiating negotiations under part 9B	17
Assessment report	16
Mining Native Title Agreement	16
Operator appointment	16
Waiver of exemption	16
Change of name	13
Transfer	13
Partial Surrender	8
Amendment to the register	7
Compliance	7
Retention status	7
Extractive minerals	6
Intention to apply for a mining lease	6
Transfer of interest	5
Agreement	4



SUB CATEGORY	COUNT OF INSTRUMENTS NO.
Mining Native Title Agreement-Additional Tenements	4
Approval to re-peg a mineral claim	3
Insolvency event	3
Private mine royalty liability	3
Rectification of boundary	3
Warden's court action commenced	3
Absolute	2
Change of operations	2
Environmental requirements met	2
Lapsed	2
Memorandum	2
Overlapping tenements	2
Private mine notification of relevant event	2
Registration (with consent)	2
Rights over a road, street or highway	2
Warden's court action determination	2
Withdrawal	2
Cancellation	1
Discharge	1
Division	1
Emergency	1
Emergency requirement met	1
Enforceable undertaking	1
Environmental	1
Forfeiture	1
Operator withdrawal	1
Other document	1
Royalty agreement	1
TOTAL	1559

Instruments registered from Jan 2021 to June 2024

In 2021- 24 a total of 3,930 instruments were registered on the Mining Register.

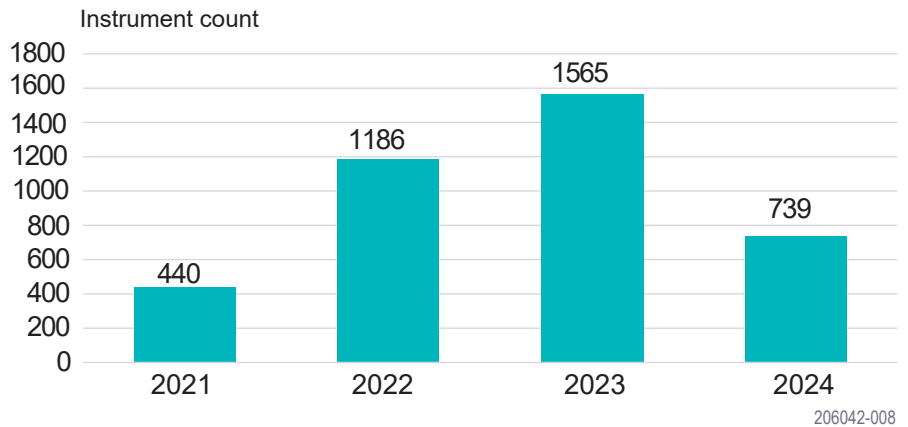
FINANCIAL ASSURANCE

DEM is responsible for ensuring financial liabilities from unrehabilitated mining and exploration activities do not become the state's responsibility.

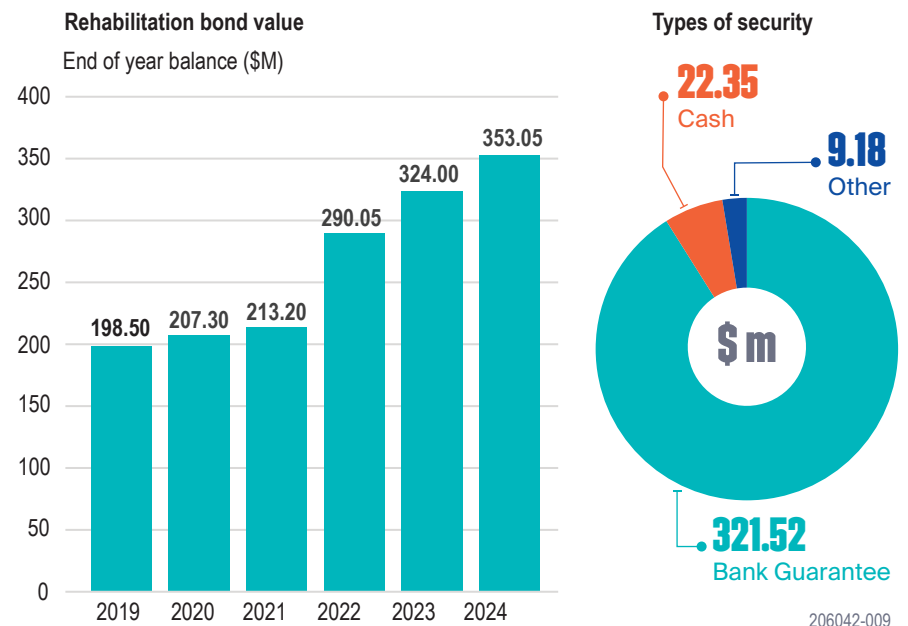
Rehabilitation bonds are required under the Mining Act to protect the state from assuming rehabilitation liabilities. As of 30 June 2024, the total amount of bonds held amounted to \$353.05 million.

More information on financial assurance can be found on the DEM website [here](#).

Instruments registration volume by year for the period from January 2021 to 30 June 2024



Rehabilitation bond value and types of security held by the state.





EXTRACTIVE AREAS REHABILITATION FUND FY 2023/24

The extractive areas rehabilitation fund (EARF) was established in 1971 to fund the rehabilitation of extractive mining operations. It has supported more than 1,000 projects since its inception.

Extractive operations generally do not require a rehabilitation bond. The EARF is a royalty-financed scheme that protects the state against operators who cannot meet their rehabilitation obligations due to financial disruption such as voluntary administration, liquidation, insolvency, or bankruptcy.

The EARF also provides funding to support regulatory officers who work on extractive minerals leases and extractive operations. The EARF is regularly reviewed by government to ensure adequate reserves are held to assure potential rehabilitation liabilities may be funded if required by government.

The closing balance of the EARF as of 30 June 2024 was \$37,550,088.00.

The DEM website has more information on [the EARF](#)

Case study Leigh Creek

LEIGH CREEK FACTS

560 km north of Adelaide

90km² with 50km of boundary fencing

Area of significance to Adnymathanha people, particularly through the story of Yurlu, the Kingfisher Man.

Began producing coal in the 1940s

Supplied 2-4 million tonnes per annum of sub-bituminous “brown coal” to the coal-fired power stations at Port Augusta

100 million tonnes of coal was mined to a depth of up to 200 metres.

Operations ceased in November 2015 .

Three-year mine closure process

Five-year Post-Completion Monitoring and Minor Works Program (PCMMWP)

Site transferred back to the South Australian Government on 1 January 2024.

DEM has management responsibility for a number of legacy mining sites in South Australia, including the former Leigh Creek Coalfield, a large and complex site where spontaneous combustion of remaining coal and high-energy shales create smoke that is visible from the Outback Highway and travels to nearby communities.

DEM has now assumed management responsibility for this large and complex site that also contains spontaneously combusting coal, multiple deep mining voids, ageing equipment, buildings and infrastructure, a closed cemetery and a large retention dam. Within the coalfield are a number of known Aboriginal heritage items.

DEM has implemented a program of works to address spontaneous combustion where it is safe to do so by:

removing heated material and replacing with inert cover

managing and manipulating surface water flow across the site to reduce erosion and exposure of heated areas to oxygen

monitoring air quality

controlling weeds, preventing unauthorised access and facilitating authorised access

providing a safe environment for workers, visitors and the community.

DEM also continues to develop its relationship with the community, engaging them on all matters relating to the former coalfield, through website updates, community bulletins, regular individual meetings and community information sessions.

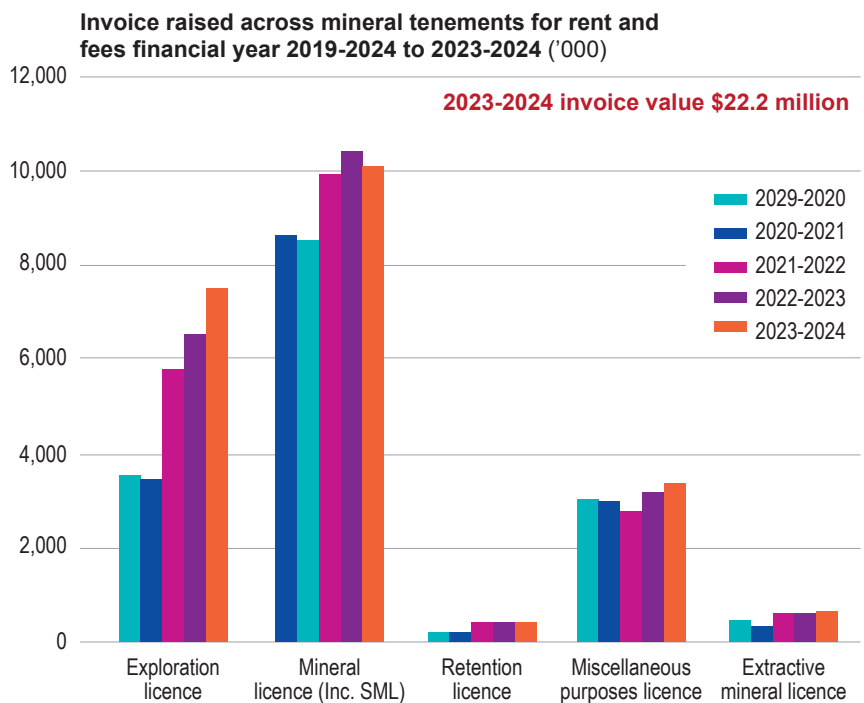
For more information visit the [Leigh Creek webpage](#).

MINERAL TENEMENTS INVOICING

DEM issues invoices for crown rent, freehold landowner rent, regulation and administration fees annually in advance for the next 12 months for each active tenement.

DEM raised a total value of \$22.2m in invoices across mineral tenements for rent and fees during FY 2023-24. This is a record number and represents a 4% increase on the previous high of \$21.3m for the prior year. The total value of invoices raised has been steadily increasing over the past five years from \$16.4m in 2019-20. This trend is expected to continue into the foreseeable future.

Invoices raised across mineral tenements for rent and fees from FY 2019 to 2024.



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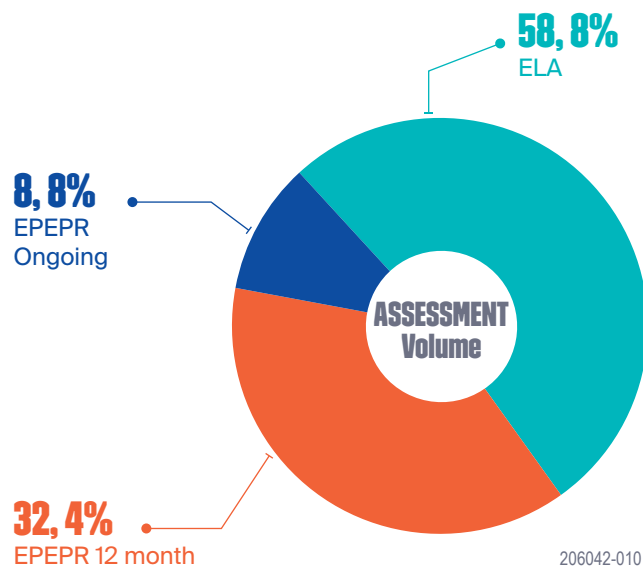
Exploration

EXPLORATION ASSESSMENTS

ELA and EPEPR assessments received

During the reporting period, the exploration assessment and exploration regulation teams received 136 exploration licence application (ELA) and exploration programs for environment protection and rehabilitation (EPEPRs) assessments. The majority of these were ELAs (58.8%), with the overall volume of assessments received consistent with FY 2022-23.

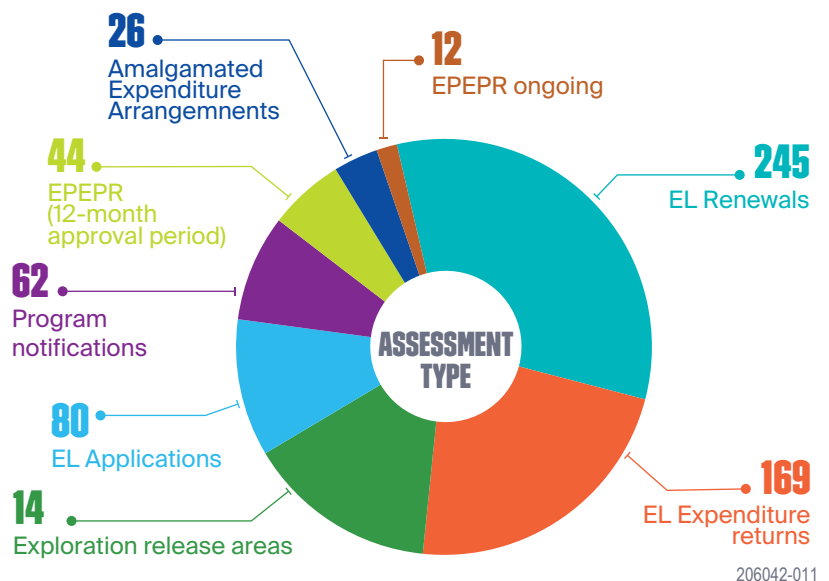
Volume of ELA and EPEPRs received during period.

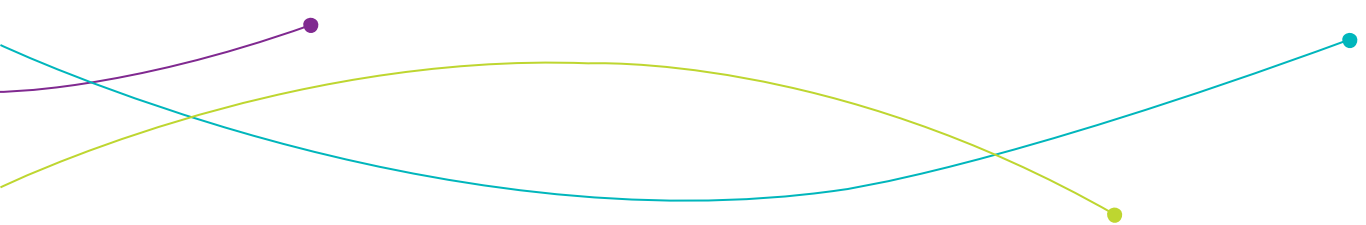


COMPLETED ASSESSMENTS

DEM received a total of 652 exploration assessments during the period. Most assessments (87%) were approved or granted. 13% were withdrawn, for reasons unknown, or rejected as the applicant did not meet the minimum terms of reference (TOR) or administrative requirements.

Completed exploration assessments.



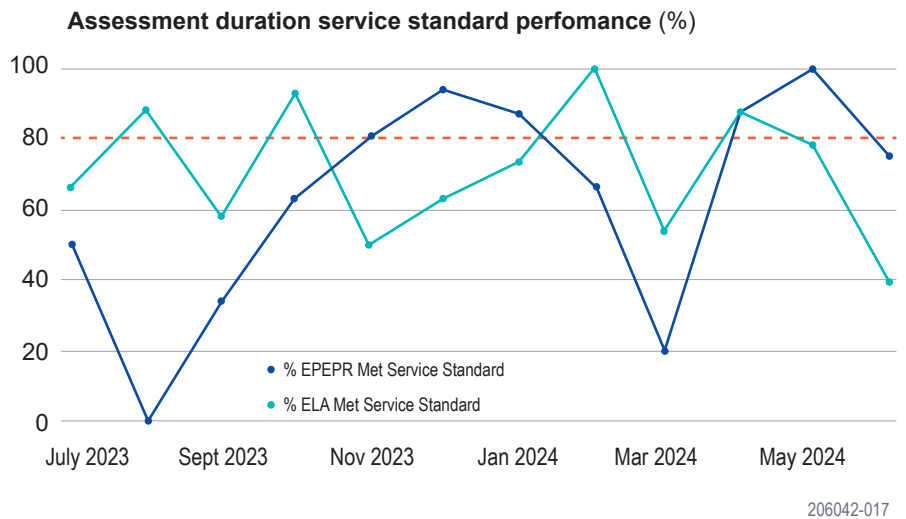


ASSESSMENT TIMEFRAMES

During FY 2023-24, DEM completed 80 ELA assessments, **with approximately 49%** meeting the target timeframe. This was impacted by some applications' technical complexity, staffing shortages and the considerable effort needed to address the backlog of EL renewals following 2021 Mining Act amendments.

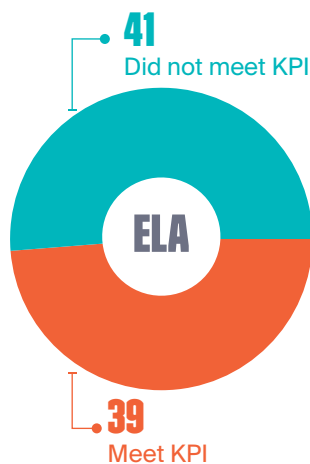
DEM completed 56 EPEPR assessments with 32 meeting the target assessment timeframes. Of the 24 that did not meet the target, 6 required consultations with other government departments and the remaining 18 required multiple requests for further information. Significant resources were required to assess programs for BHP's Oak Dam and Environmental Copper Recovery's Kapunda project, completed during this period.

Exploration (ELA and EPEPR) assessment timeframes against target.

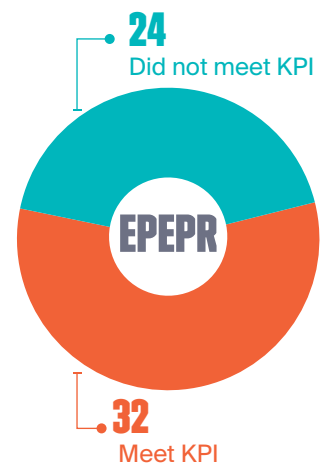


Exploration (ELA and EPEPR) assessments against target timeframes.

Assessments against KPI



Assessments against KPI



206042-012



EXPLORATION REPORTING AND DATA RELEASE

Exploration reporting FY 2023/24.

EXPLORATION REPORTING	NUMBER REVIEWED
Exploration licence annual expenditure reports	909
Exploration licence annual technical reports	334
Joint annual technical reports*	83
Exploration licence surrenders	50
Exploration licence partial surrenders	52
Total	1,428

*Reports cover multiple exploration licences

Open-file release of company exploration reports and associated data

The Mining Act requires exploration companies to provide DEM with the exploration data generated on an exploration licence, at the tenement's surrender or partial surrender. The data is made publicly available on the [South Australian Resources Information Gateway \(SARIG\)](#) as a central resource for the sector.

50 surrender and 52 partial surrender datasets were released during FY 2023-24, with a total of 28.4GB uploaded to SARIG for public access.

Sunset data release program

The Mining Act requires data and information generated through authorised exploration activity to be reported to DEM. This information is held by DEM for five years before it is publicly released.

There were 208 sunset data releases during FY 2023-24, comprising 562 exploration licences and a total 21.98 GB uploaded to SARIG for public access.

Mining

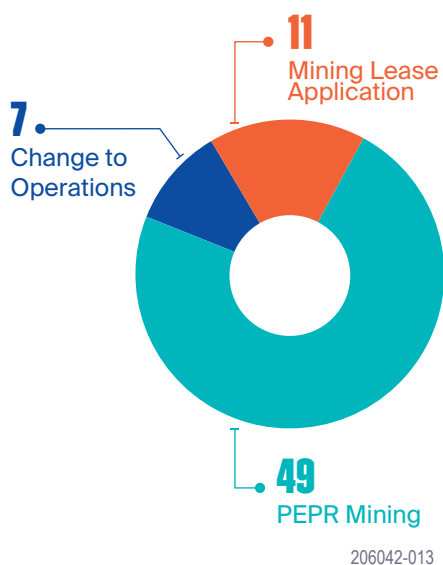
MINING ASSESSMENTS

Assessment volume received

DEM received 67 assessments during FY 2023-24. The majority of assessments received were programs. Many were transitional programs, meaning they are updating a historic approval type to the contemporary format. To do this they require a full impact assessment to determine appropriate environmental outcomes, controls and measurement criteria.

Transitional program assessments are more complex than those of contemporary programs and take longer to resolve, typically involving multiple requests for further information. DEM will continue to work towards its goal of all operational sites holding a contemporary PEPR or MOP with outcomes/objectives.

Volume of mining assessments received during FY 2023-24.



RECEIVED MONTH	CHANGE TO OPERATIONS	MINING LEASE APPLICATION	PEPR-MINING
July 2023		1	2
August 2023			4
September 2023			6
October 2023	1	1	7
November 2023	1		3
December 2023		3	5
January 2024	3	1	3
February 2024	1	1	1
March 2024	1		9
April 2024		1	
May 2024		2	6
June 2024		1	3

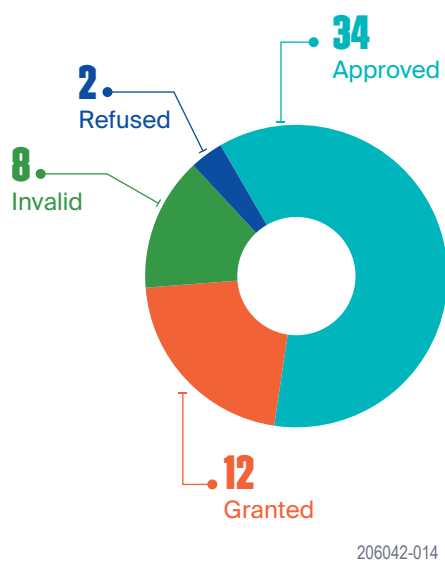
Scoping

In December 2023, DEM released the [scoping framework, tools and guideline](#). During FY 2023-24 DEM began the scoping process with three companies. In the next reporting period DEM expects that some scoped applications will be submitted. To measure the effectiveness of scoping-associated timeframes, DEM will report on quality and outcomes in the next period.

Assessments completed

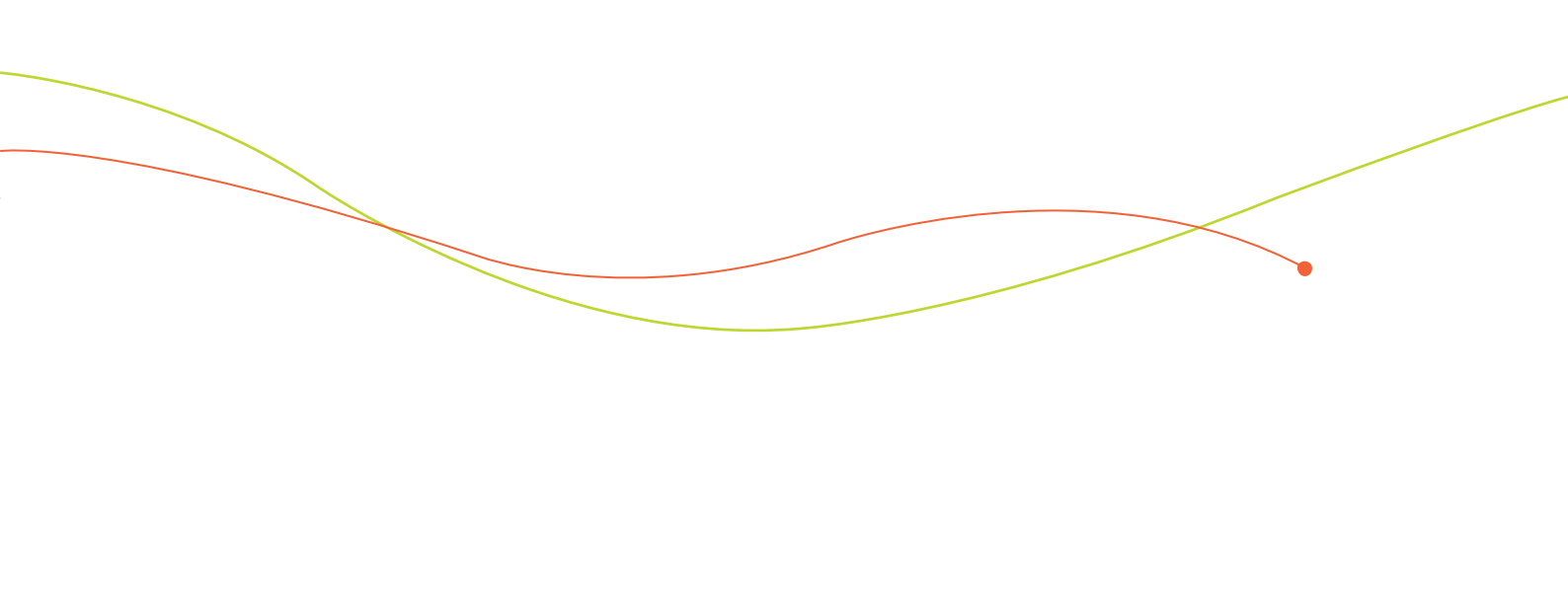
Programs formed the majority of completed assessments. These were mainly PEPR reviews and transitional PEPRs. Most (82%) assessments were approved or granted. 14% of assessments were invalid and sent back to the applicant or tenement holder as they did not meet the minimum requirements of either the relevant terms of reference or administrative requirements.

Volume of mining assessments completed by outcome during FY 2023-24.



COMPLETED MONTH	APPROVED	GRANTED	INVALID	REFUSED
July 2023	1	2		
August 2023	3	3	2	
September 2023	6			
October 2023	3	2	1	
November 2023	5	1		
December 2023	3	1	1	
January 2024	1	1		
February 2024	1	1	1	1
March 2024	4	1		1
April 2024	4			
May 2024	3		1	
June 2024			1	

Note: Granted refers to applications and approved refer to programs.

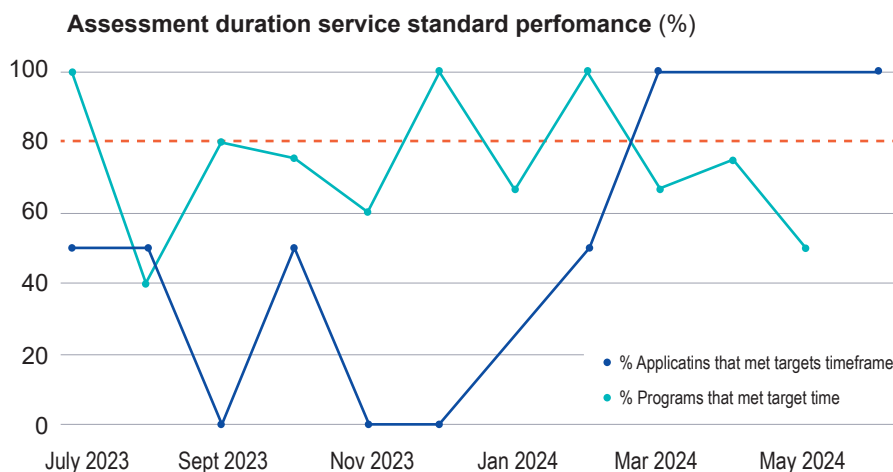


ASSESSMENT TIMEFRAMES

The time taken for DEM to assess applications and programs has been reported in the past against target timeframes of 6 months (183 days) for applications and 3 months (93 days) for programs. The data displayed in the below chart shows a large variance against these targets especially for programs, with some transitional PEPR and MOP assessments taking well over 12 months due to the technical complexity of conducting an impact assessment on an already operating mine or quarry. For this reason, DEM has changed its internal target timeframe for transitional PEPRs and MOPs to 6 months.

During FY 2023-24 DEM completed 11 application assessments with 50% meeting the 6-month target. Many of the assessments that did meet the target were well below the target, with one defined impact application taking 51 days. Assessments that did not meet the target timeframe did not go through the scoping process and received unexpected requests for further information when referred to government technical teams, resulting in more complex assessments.

Assessment timeframes for applications and programs against target.

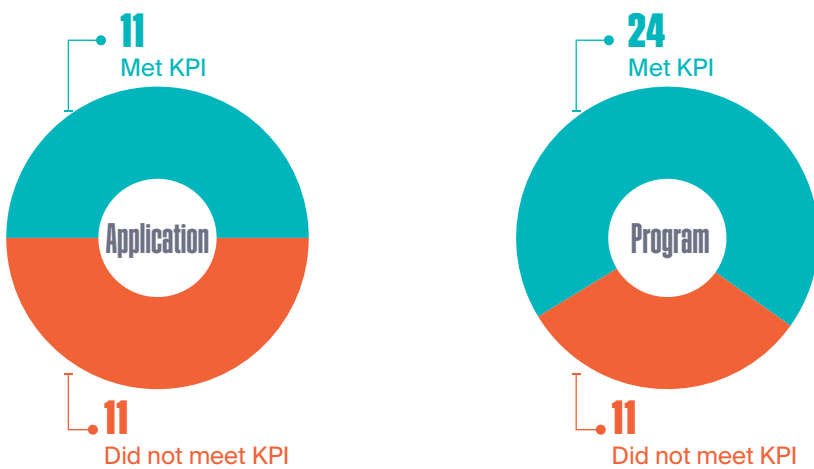


206042-016

DEM completed 35 program assessments during FY 2023-24, of which 24 met the target timeframe. Many of the assessments that met the target were well under the target, with 12 approved in less than half the target timeframe. Of the 11 that did not meet the target timeframes, 6 were transitional programs. Programs for SIMEC, Iron Knob and Honeymoon Uranium Mines were completed during this period, requiring the allocation of significant government resources to complete.

In addition to making approved programs available on the [Mining Register](#), DEM publishes all approved programs on the Minerals website ([Exploration Programs](#) and [Mining Programs](#)).

Completed mining application and program assessments that met target timeframes.



206042-015

All applications, change in operations and programs must include the minimum information required by the *Mining Act 1971* (Mining Act), Mining Regulations 2020, relevant Terms of Reference, any other relevant forms and prescribed fee to be accepted as a valid submission. Please note that, in the event that these requirements are not met, DEM will keep a portion of the fee to account for assessment time to determine validity. This is set out in the [fees and charges schedule](#).

Case study Energy and mining on the Limestone Coast

THE REPORT STATES



It is clear from the research findings that current approaches to information sharing and engagement in relation to some mining and energy activities on the Limestone Coast have left many community members feeling uncertain and concerned about the future of their region, and in some cases uncertain where to turn for assistance and reliable information.

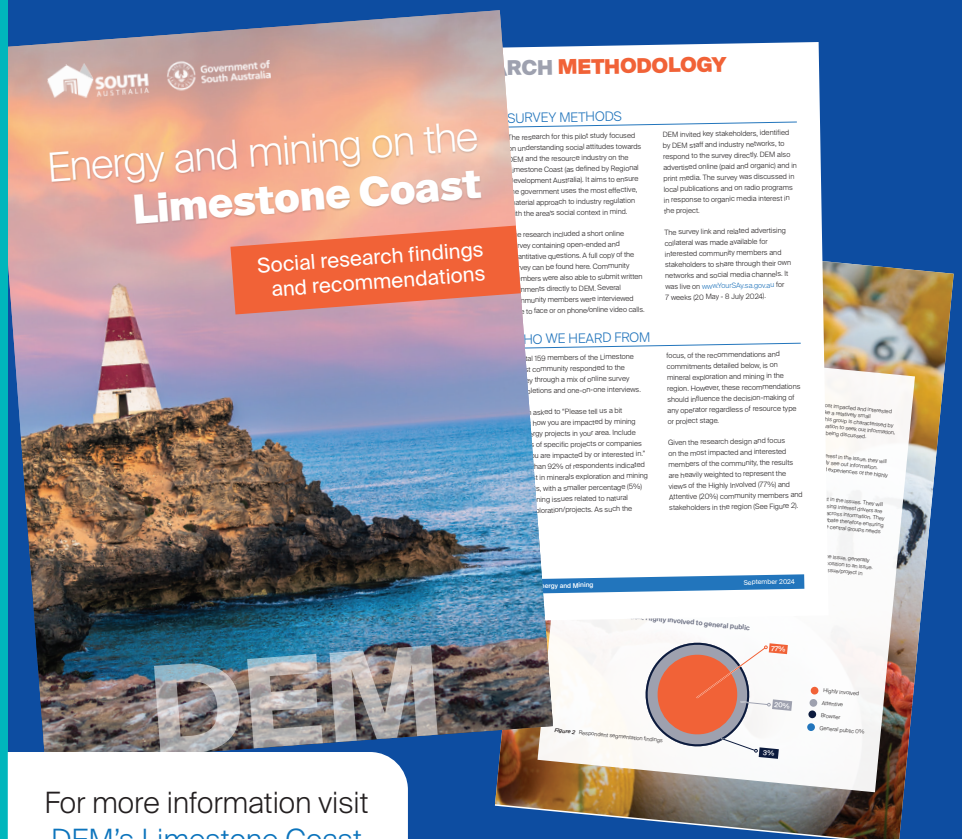
This report is the first step in our journey to be more proactive in relation to community engagement and ensure our communities feel heard, respected, and treated fairly.

Our belief is that the recommendations and commitments in this report will help to address the concerns we heard from the community and interested stakeholders.



In 2024, DEM undertook a research project investigating the impact of the increase in mining, quarrying and energy projects in the southeast of South Australia. This included surveying and interviewing local residents to further understand the impacts, and how DEM could approach information sharing and engagement on mining and energy activities on the Limestone Coast differently to achieve better outcomes.

The report, published on the DEM website, includes five recommendations, and a range of commitments by DEM in response.



For more information visit DEM's Limestone Coast webpage.

OLYMPIC DAM

The Olympic Dam mine operates under the *Roxby Downs (Indenture Ratification) Act 1982* and the Olympic Dam and Stuart Shelf Indenture (the Indenture), which is a schedule to the Act.

Many of the Olympic Dam referrals and approvals are coordinated by DEM.

Key Olympic Dam referrals and approvals, 1 July 2023 to 30 June 2024

PROJECT DESCRIPTION	DETAILS	TIMELINE
2023 Environmental Protection and Management Program	Operational plan	July 2023
Processing of copper concentrate from Prominent Hill mine	Limited quantities	November 2023
3.5 Mtpa Electric Limestone Crusher modifications	Hopper and conveyor	December 2023
Evaporation Pond 7 Cell A and B	Construction	January 2024
Processing of copper concentrate from Prominent Hill and Carrapateena mines	Limited quantities	March 2024
Underground ore handling upgrades	Ore bins, rail spurs and associated infrastructure	May 2024

COMPLIANCE AND ENFORCEMENT

While it is the tenement holder's responsibility to monitor their own compliance and demonstrate compliance to their stakeholders through public reporting, DEM staff conduct compliance activities to provide assurance to the government, industry, community and other stakeholders that statutory requirements under the relevant Acts, regulations and conditions of approval are being adhered to and regularly monitored.

EXPLORATION AND MINING COMPLIANCE REPORTING

Compliance reporting provides assurance to the the community, industry, government and other stakeholders that regulatory obligations are being met.

The Mining Act requires an annual compliance report to be submitted for authorised operations on an exploration licence, mineral claim, mining lease (authorised to produce extractive minerals or minerals), miscellaneous purpose licence and retention lease.

Compliance reports received.

COMPLIANCE REPORT	NUMBER
Exploration compliance report received	146
Mining compliance report received	135
TOTAL	281

EXPLORATION AND MINING INSPECTIONS

All major mines and other exploration and mining operations in South Australia are subject to regular scheduled and ad hoc site inspections. Inspections can be announced or unannounced, depending on the nature of the inspection and whether it was caused by an incident or from compliance concerns. DEM also conducts regular inspections with co-regulatory agencies such as the Environment Protection Authority or the Department for Environment and Water.

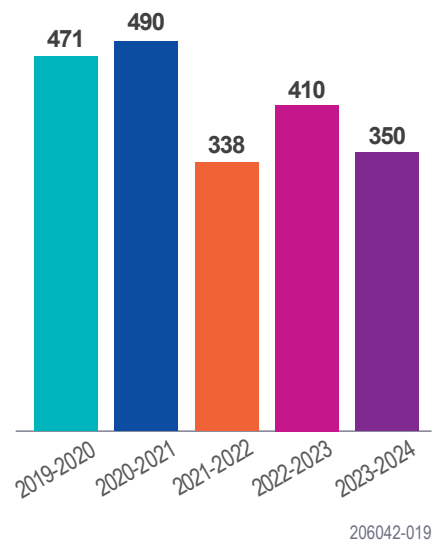
During FY 2023-24, 361 inspections were conducted with a majority (93%) relating to mining operations.

EXPLORATION AND MINING COMPLAINTS AND INCIDENTS

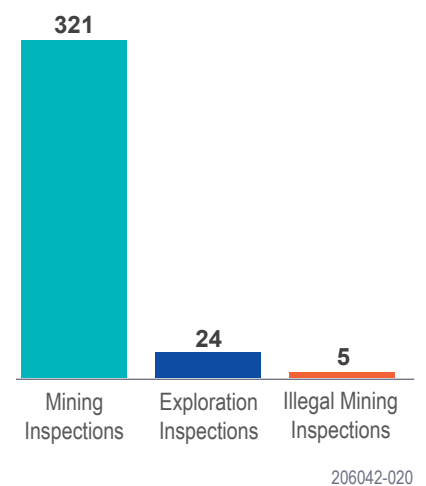
During FY 2023-24, DEM received 41 complaints with a majority (20) associated with dust issues in relation to compliance with the operators PEPR or lease conditions. Dust is primarily a concern during the summer months, where rain is scarce and conditions are dry. DEM officers monitor these issues closely with operators, and ensure directions are issued where mitigations are not adequate.

It should be noted that no complaints were received by DEM about exploration operations during FY 2023-24.

Number of inspections conducted during FY 2019-20 to FY 2023-24.

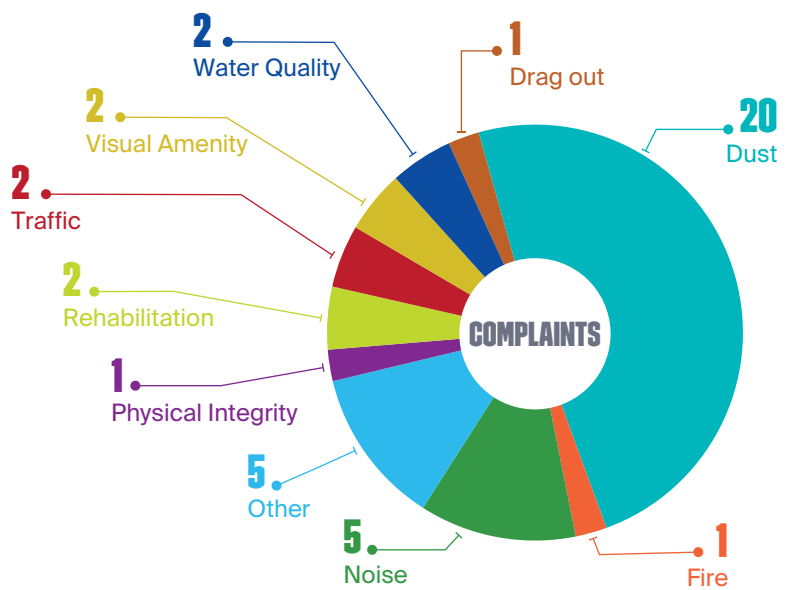


Number of inspections by type 2023-24



The main incidents reported during FY 2023-24 were unauthorised exploration operations and spills. More information about the types of incidents that must be reported, can be found on the Incident reporting page of the DEM website: [Incident reporting](#).

Complaints by type FY 2023-24



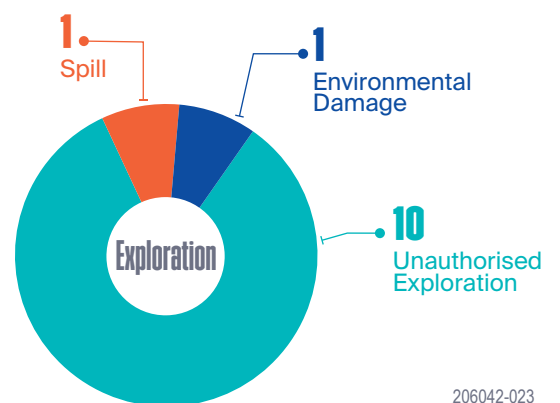
206042-021

Number of incidents by type - **MINING** FY 2023-24.

Number of incidents by type - **EXPLORATION** FY 2023-24.



206042-022



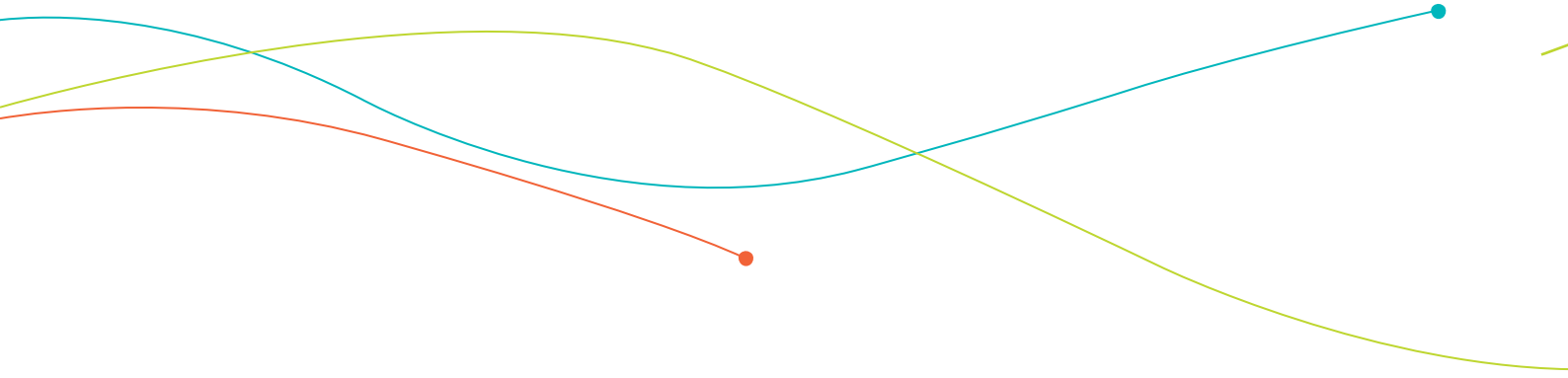
206042-023

COMPLIANCE AND ENFORCEMENT TOOLS ISSUED

Enforcement actions that remain ongoing and those that are completed are summarised in the below tables and are made publicly available in this report and on DEM's website to ensure transparency of the scope and scale of the DEM's enforcement activities. This also assists in delivering the important task of ensuring general and specific deterrence for the mining industry for offences under the relevant legislation, in accordance with the public interest.

Compliance and enforcement tools issued from 1 July 2023 – 30 June 2024 which remain ongoing

COMPANY	TENEMENT NUMBER	ENFORCEMENT TOOL	DATE ISSUED	OFFENCE
Clay & Mineral Sales Pty Ltd	EML 5906	Compliance Direction 70FA(1)(c)	24 June 2024	Failure to comply with the conditions of the approved program
SA Exploration Pty Ltd	ELs 6478, 6647	Compliance Direction 70FA	14/06/2024	Exceedance of maximum approved number of drill holes; exceedance of maximum approved drill hole depth
Michael John Wiseman	ML 6102	Compliance Direction 70FA	14/05/2024	Failure to ensure the mineral tenement area is clearly identified and mining outside of the lease boundary as recorded in the mining register
Eric William Ross and Maureen Dorothy Ross	EML 4493	Compliance Direction 70FA	14/03/2024	Operations outside the approved hours of operation
Mineral Holding Pty Ltd	EML 5784	Environmental Direction 70E	27/07/2023	Clearance of/damage to native vegetation; contaminated waste.
Demetallica Operations Pty Ltd	EL 6270	Environmental Direction 70E	06/06/2023	Leaking drillhole resulting in a risk to the environment and requiring monitoring.
Leigh Creek Copper Mine Pty Ltd	ML 5467	Prohibition Order 62(3) (a)	04/04/2023	Failure to enter into a bond.
Hanson Construction Materials Pty Ltd	PM 188	Compliance Order 731	20/05/2022	Failure to take reasonable measures to avoid undue damage to the environment. Failure to treat stormwater and silt; environmental harm.



COMPANY	TENEMENT NUMBER	ENFORCEMENT TOOL	DATE ISSUED	OFFENCE
Buckland Dry Creek Pty Ltd	ML's 234, 235, 237, 357, 358, 359, 360, 361, 389, 390, 391, 392, 404, 405, 406, 416, 417, 418, 421, 429, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 587, 600, 605, 606, 607, 608, 617, 618, 702, 5205, 5206, 5207, 5208, 5209, 5210, 5908, 6514 and PM's 199 and 248	Environmental Direction 70E(1)	24/12/2020	Remove brine and stop new brine entering Section 2 ponds, Dry Creek Salt Field.

Compliance and enforcement tools issued from 1 July 2023 – 30 June 2024 which have been closed out.

	COMPANY	TENEMENT NUMBER	ENFORCEMENT TOOL	DATE ISSUED	OFFENCE
1.	Tenement Holder(s)	Tenement(s)	Enforcement Tool	Date Issued	Non-compliance
2.	Clay & Mineral Sales Pty Ltd	EML 5906	Environmental Direction 70E	27/07/2023	Clearance of/damage to native vegetation; contaminated waste.
3.	Ark Energy Limited	EL6548	Cancellation	18/03/2024	Non-payment of annual fees
4.	Murray Zircon Pty Ltd	MLs 6137 and 6225	Varied Compliance Direction 70FA	22/01/2024	Mining west of Jacka Road; non-compliance with lease conditions; contravened or failed to comply with relevant PEPR.
5.	Consolidated Mining & Civil Pty Ltd	Nil Tenement	Civil Penalty 70HE	02/11/2023	Alleged illegal mining - Bindarra Station.
6.	SA Crushing & Minerals	MC 4536	Enforceable Voluntary Undertaking	11/10/2023	Illegal mining operations, sale and/or disposal of minerals recovered during those operations.
7.	Murray Zircon	MLs 6137, 6225	Compliance Direction 70FA	01/09/2023	Mining West of Jacka Road; non-compliance with lease conditions; contravened or failed to comply with relevant PEPR
8.	Mineral Holding Pty Ltd	EML 5784	Emergency Direction 70FB(3)	24/07/2023	Clearance of/damage to native vegetation; contaminated waste.
9.	Clay & Mineral Sales Pty Ltd	EML 5906	Emergency Direction 70F(3)	24/07/2023	Clearance of/damage to native vegetation; contaminated waste

Case study **Using the new Mining Act tools**

IMPLEMENTATION OF THE CIVIL PENALTY PROCEDURE

Section 70HE of the Mining Act provides for a civil penalty regime that allows the Director of Mines to pursue civil penalties in lieu of criminal penalties.

DEM's [Calculation of Negotiated Civil Penalties Policy](#) provides detailed guidance to tenement holders about the procedure. If satisfied that a person has committed an offence by contravening a provision of the Mining Act, the Director may – as an alternative to criminal proceedings – recover an amount as a civil penalty.

The amount may be negotiated, with the maximum amount limited to the relevant criminal penalty or \$150,000 (whichever is the lesser), which will be paid into the Mining Rehabilitation Fund.

Negotiated civil penalty

Consolidated Mining and Civil Pty Ltd agreed, as an alternative to prosecution, to enter into civil penalty negotiations with DEM. Consolidated Mining and Civil Pty Ltd had undertaken unauthorised mining, which constitutes an offence in terms of section 70HC(1)(a) of the *Mining Act 1971 SA* (the Act). This section directs that *a person who carries out authorised operations without being duly authorised by or under this Act... is guilty of an offence*. The maximum penalty prescribed for this contravention is \$250 000 or imprisonment for two years.

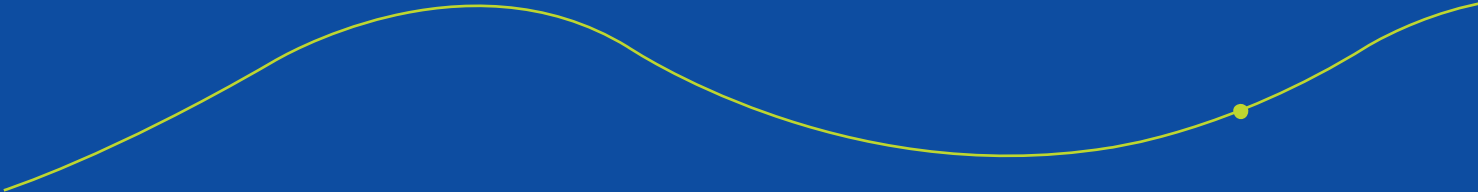
Following the negotiation process, Consolidated Mining and Civil Pty Ltd paid \$35 000.00 into the Mining rehabilitation Fund.

Court-imposed civil penalty

Where the civil penalty is not negotiated but is based on an application to the ERD Court, the court may order the payment of the penalty, limited to the amount of the relevant criminal penalty.

In the following case study, Lucas Total Contract Solutions Pty Ltd had contravened the Act by mining 3,800-4,000 tonnes of sand without authorisation in Port Augusta West, constituting an offence of illegal mining in terms of section 70HC(1)(a) of the Act.

Paul De lonno, a delegate of the Director of Mines, sought an order for Lucas Total Contract Solutions Pty Ltd to pay a civil penalty of up to \$250,000 as well as DEM's costs in relation to the application.



The Court considered the following in determining the civil penalty, which are also outlined in the Act and elaborated upon in the Calculation of Negotiated Civil Penalties Policy:

the nature and extent of the contravention

any detriment to the public interest resulting from the contravention

any financial saving or other benefit Lucas Total Contract Solutions Pty Ltd stood to gain by committing the contravention

and any other relevant matter.

The Court ordered Lucas to pay a civil penalty of \$30,000 as well as DEM's costs in the amount of \$3,000.

Enforceable voluntary undertaking process

Section 74AA of the Mining Act provides that DEM may accept, by written notice, a written undertaking given by a person regarding a contravention or alleged contravention by the person. This does not constitute an admission of guilt by the person. A person may vary or withdraw the undertaking at any time, with the written agreement of DEM, but must not contravene the undertaking. A maximum penalty of \$50,000 applies.

DEM may accept an undertaking in relation to a contravention or alleged contravention before any proceedings concerning the matter have been finalised. DEM must then take all reasonable steps to have the proceedings stayed and/or discontinued as soon as possible.

SA Crushing and Minerals Pty Ltd disturbed approximately 8.3 hectares of land without being authorised to do so. In addition, SA Crushing and Minerals Pty Ltd undertook unauthorised mining operations and sold or disposed of the minerals, which were acquired as a result of the unauthorised mining operations. These actions constitute an offence in terms of section 70HC(1)(a) of the Act.

Consequently, SA Crushing and Minerals Pty Ltd made an Enforceable Voluntary Undertaking to pay \$15,987.48 into the Mining Rehabilitation Fund as well as rehabilitate 5.3 hectares of the disturbed areas for a minimum cost of \$15,000.00.

Opal mining

OPAL FIELDS PROGRAM FY 2023-24

Opal mining in South Australia is administered by DEM in accordance with the *Opal Mining Act 1995* (Opal Mining Act). DEM's Opal Fields Program is based in Coober Pedy, with regional services provided to Andamooka and Mintabie.

There are three main opal fields in South Australia:

Coober Pedy – 5,000 sq/km.

Andamooka – 260 sq/km.

Mintabie – 215 sq/km.

OPAL CLAIMS BY LOCATION

Active Claims as of 30th June 2024:

Andamooka – 165

Coober Pedy – 462

Mintabie – 11

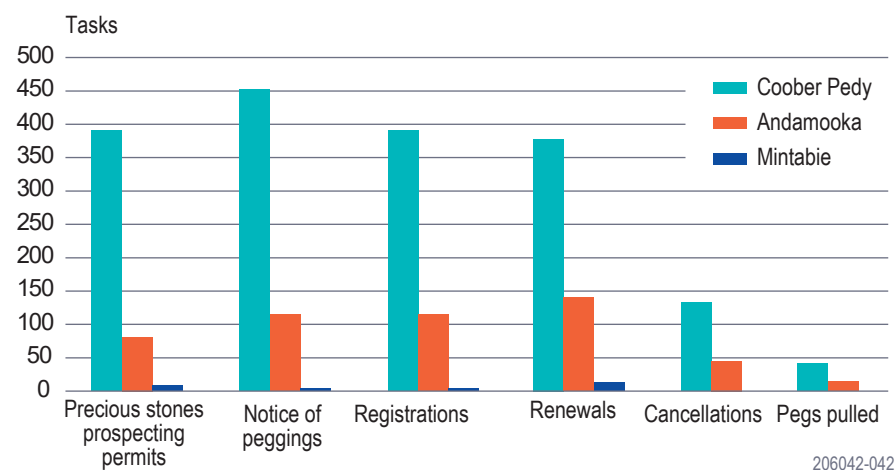
Stuart Creek – 1

Active claims continue to grow year by year showing a strengthening interest in the opal mining industry. A significant interest has been due to the **Outback Opal Hunters TV program, with season 9 contracted for 2025 filming in the Coober Pedy & Andamooka Opal Fields.**

The DEM Opal Fields Program is responsible for regulating opal mining tenements, with physical inspections carried out by the Coober Pedy and Port Augusta compliance officers.

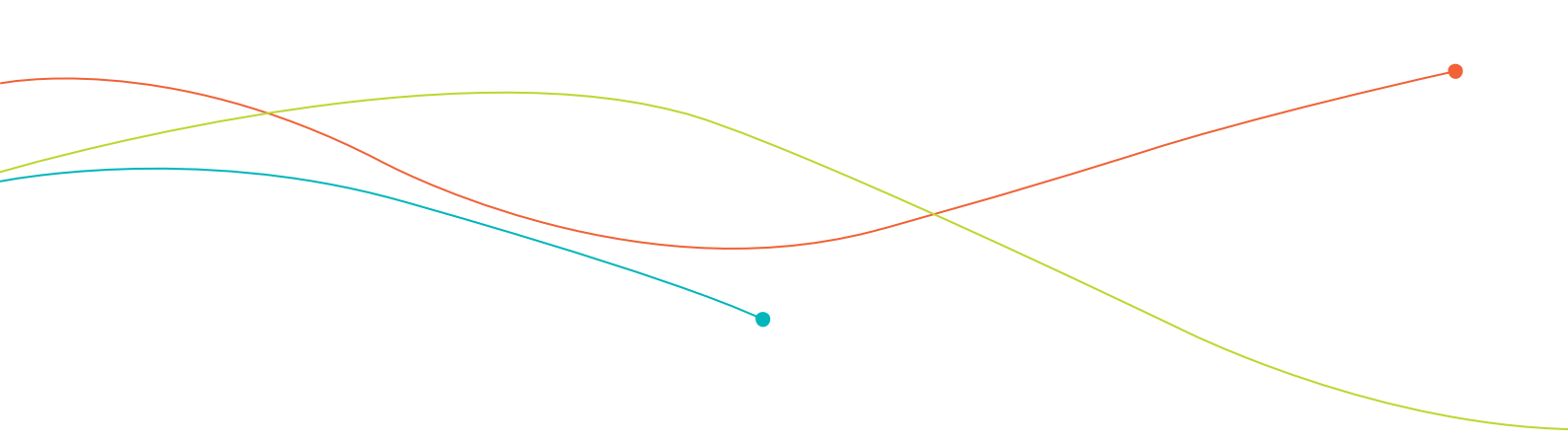
Revenue has continued to rise each year driven by an increase in claim registrations and tenement fees. The fee increases align with current CPI plus margin for cost recovery within reason.

Categories of opal field administrative tasks undertaken by regional office 2023-24



Opal mining revenue raised 2023-24.

Coober Pedy	\$230,919
Andamooka	\$55,631
Mintabie	\$2,980
iApply - Aust Post	\$1,229
TOTAL REVENUE	\$ 290,759



OPAL MINING COMPLIANCE

DEM conducts compliance activities to provide assurance to the government, opal miners and community stakeholders that opal mining activities are complying with the appropriate Acts and regulations. Noncompliance identified through surveillance, complaints, incidents and alleged breaches was investigated from **955 claim inspections** (first and second inspections).

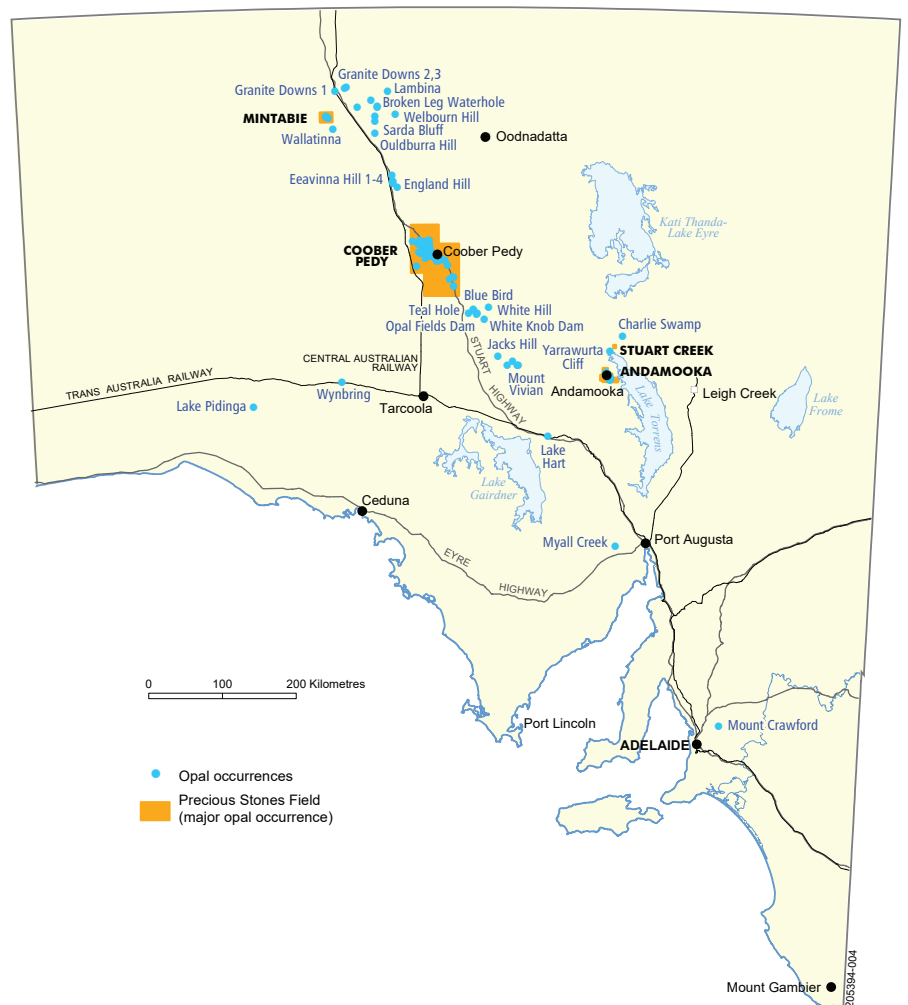
COURT ACTIONS

Escalated matters of non-compliance under the Opal Mining Act are managed by the Opal Mining Registrar, who initiates Warden’s Court actions.

This includes regular phone conferences and by sittings of the Warden’s Court in Coober Pedy and Andamooka twice a year. Opal miners can also initiate their own actions in the Warden’s Court. These matters usually relate to suspension of working conditions, amalgamation of tenements or partnership disputes.

Court Appearances FY 2023-24:
NIL

Opal occurrences



DEM Royalty audits FY 2023-24

The reported mineral
production royalties for
FY 2023-24

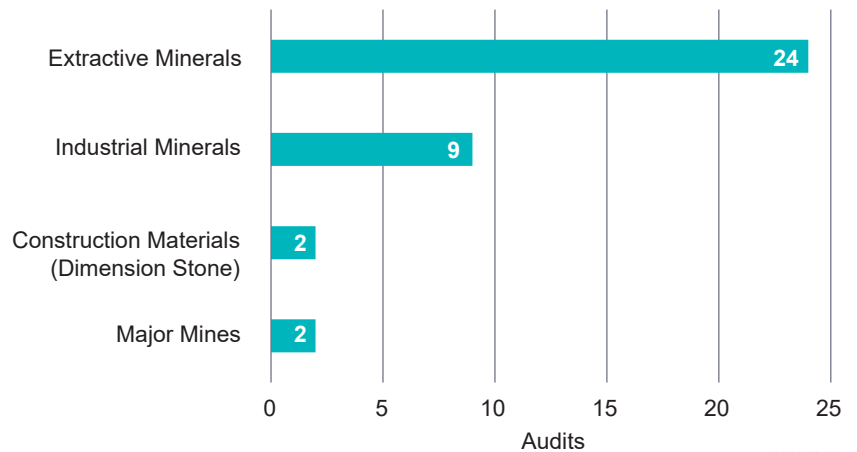
\$315
million

up from last year's
\$287 million

DEM administers policy, collection and reporting of all royalties sourced from South Australian producers for both mineral and petroleum resources.

In 2023-24 DEM conducted 37 mineral royalty audits conducted across different mineral sectors. The four categories presented are Major Mines, Construction Materials (Dimension stone), Industrial Minerals, and Extractive Minerals.

Mineral Royalty Audits conducted by mineral sectors
FY 2023-24.



206042-025

Inquiries and reviews

THERE WERE NO EXTERNAL INQUIRIES IN THIS CALENDAR PERIOD.

Terramin Australia commenced a judicial review into a decision of the Hon Tom Koutsantonis, Minister for Energy and Mining, to refuse its application to revive the historic Bird in Hand gold mine at Woodside. The appeal was lodged in the Supreme Court of South Australia in August 2023. The matter was heard in October 2024, and the Court has reserved its decision.

[Freedom of Information disclosure log](#) is published on the DEM website.



ACKNOWLEDGEMENT OF COUNTRY

The Department for Energy and Mining acknowledges Aboriginal people as the First Nations Peoples of South Australia. We recognise and respect the cultural connections as the traditional owners and occupants of the land and waters of South Australia, and that they continue to make a unique and irreplaceable contribution to the state.

DISCLAIMER

The contents of this report are for general information only and are not intended as professional advice, and the Department for Energy and Mining (and the Government of South Australia) make no representation, express or implied, as to the accuracy, reliability or completeness of the information contained in this report or as to the suitability of the information for any particular purpose. Use of or reliance upon the information contained in this report is at the sole risk of the user in all things and the Department for Energy and Mining (and the Government of South Australia) disclaim any responsibility for that use or reliance and any liability to the user.

FURTHER INFORMATION

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Department for
Energy and Mining