

**Department of the Premier and Cabinet
Mining Regulation Branch**

Determination for a Mining Proposal for the Bird-in-Hand Gold Project

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Regulatory Framework

The Mining Act 1971

- The 'Crown' owns the minerals

Legislation provides for:

- Rights to explore for, and extract mineral resource
- Grant or refusal of Mineral tenure for exploration and mining
- Royalty to be collected when minerals are sold
- Landholder rights with regard to access to land
- Native Title
- Environmental Impact Assessment for exploration & mining
- Compliance and enforcement
- Authorization of regulatory officers

For mineral lease Mining Act s39

Mining Act Part 4, 5 and 6

Mining Act Part 3

Mining Act s9, 9AA and others

Mining Act Part 9B

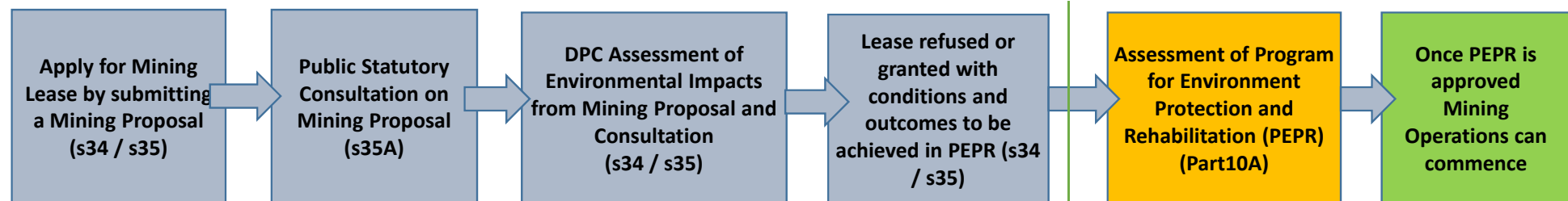
Mining Act Part 5 and 6

Various Sections of Act and Regs

Mining Act Part 2

Two Stage mining application process

The Mining Act provides a two-stage application and assessment process to enable mining operations to commence.



Stage 1 – Mining Lease Application

Purpose:

- Provide mineral tenure and development approval

Stage 2 - PEPR

Purpose:

- Operational approval

Operations can commence subject to:

- 1) Other permits and licences
- 2) Access to Land
- 3) Native Vegetation Legislation
- 4) If required, payment of a Bond (**Act s62**)

SA Mining Co-Regulation Responsibilities

ONE WINDOW TO GOVERNMENT

Department of the Premier and Cabinet

Exploration & Mining Tenure
Environmental Assessment & Regulation
Native Title & Landholder Rights
Royalty

Mining Act
Opal Mining Act
Roxby Downs Indenture Act
Mines & Works Inspection Act

SA Environment Protection
Authority

Environment & Radiation
Protection

Environment Protection Act
Radiation Protection &
Control Act

Department of Environment
Water & Natural Resources

Natural Resource
Management
(biodiversity, water,
native vegetation)

Natural Resource
Management Act
Native Vegetation Act

SafeWork SA

Worker Safety

Work Health Safety Act
Dangerous Substances Act
Explosives Act

What is a Determination?

Mining Regulations provide a power to the Minister to **determine** the minimum legal content of a Mining Proposal, PEPRs and other regulatory documents:

Mining Leases - Regulation 30(3):

*“The Minister may, for the purposes of subregulations (1) and (2), determine, by notice in the Gazette, the **manner and form, amount and detail of any information that must be acquired or provided** after taking into account—*

(a) whether the mining lease is—

(i) a mineral lease; or

(ii) an extractive minerals lease; and

*(b) the **nature and extent of the operations** to be carried out under the lease.”*

Why a Project Specific Determination?

To ensure the mining proposal includes enough information for the company to thoroughly assess any potential impacts on the existing environment from proposed mining operations.

Key Changes to the Standard Determination (MD 006)

The mining proposal must include:

- Greater detail on groundwater, associated modelling and requirement for independent peer review;
- Greater detail on community engagement;
- Assessment of potential environmental impacts highlights permissible land use (commercial and community business activities). The assessment must be developed by a person who is suitably qualified and experienced in economic impact assessment;
- Requirement for independent peer review of the above assessment.

Mining Regulation Web Links

Regulatory Framework:

<https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/image/DDD/BROCH005.pdf>

Determination for a Mining Proposal for the Bird-in-Hand Gold Project:

http://minerals.statedevelopment.sa.gov.au/mining/mineral_projects

Regulatory Guidelines:

http://minerals.statedevelopment.sa.gov.au/knowledge_centre/regulatory_guidelines

DPC SARIG Website – <https://sarig.pir.sa.gov.au/Map>

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Government
of South Australia