



**Government
of South Australia**

**Department for
Energy and Mining**



By email: [REDACTED]

Dear [REDACTED]

I am writing in relation to your application made under the *Freedom of Information Act 1991* (FOI Act) in which you requested access to the following documents:

All correspondence between representatives of DEM and [REDACTED] (and/or their solicitor on their behalf) between 1 June 2021 and 31 October 2021 in connection with EML6347, including in connection with a proposed mediation between [REDACTED] (the landowners) and [REDACTED]. Documents 'From' date: 1/06/2021, 'To' date: 31/10/2021.

In accordance with Premier and Cabinet Circular PC045, if you are given access to documents as a result of this FOI application, details of your application, and the documents to which access is given, may be published in the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

A search has been conducted and two (2) documents were discovered that fall within the scope of your application. The documents are identified in the attached schedule. In respect of the documents, I have determined as follows:

Document 1

I have determined that this document should be released in part.

With regard to this document, the parts to which I have not granted you access are the name of a third party and the mobile telephone number of an employee.

Under clause 6(1) of Schedule 1 to the FOI Act, a document is an exempt document if its disclosure would involve the 'unreasonable disclosure of information concerning the personal affairs of any person'. This information falls within the definition of personal affairs under the FOI Act and is therefore exempt from release pursuant to clause 6(1).

Document 2

I have determined that this document should be refused in full.

The document I have not granted you access to has been refused under section 20(1)(b) of the Act as it is publicly available for inspection online from the website of SARIG, the South Australian Resource Information Gateway [<https://map.sarig.sa.gov.au>].

A direct link to the webpage where the document can be downloaded from has been included in the document schedule for ease of reference.

Exemptions

The following exemption applies from the FOI Act:

Clause 6 – Documents affecting personal affairs

(1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Section 20—Refusal of access

*(1) An agency may refuse access to a document—
(b) if it is a document that is available for inspection at that or some other agency (whether as part of a public register or otherwise) in accordance with Part 2, or in accordance with a legislative instrument other than this Act, whether or not inspection of the document is subject to a fee or charge.*

Appeal Rights

If you are dissatisfied with this decision, you are entitled to exercise your rights of review and appeal as outlined in the attached documentation.

If you have any queries in relation to your application, please contact me via email DEM.FOI@sa.gov.au.

Yours sincerely



Julianne Cirson
Accredited FOI Officer

18 July 2023

SCHEDULE OF DOCUMENTS

Freedom of Information application by [REDACTED]
on behalf of [REDACTED], seeking access to:

All correspondence between representatives of DEM and [REDACTED] (and/or their solicitor on their behalf) between 1 June 2021 and 31 October 2021 in connection with EML6347, including in connection with a proposed mediation between [REDACTED] (the landowners) and the [REDACTED].

Doc No	Description	Exemption Clause(s)	Determination
1	Email dated 8 July 2021	Clause 6(1) – Personal affairs	Document released in part.
2	Attachment to email dated 8 July 2021 - Proposed Mining and Rehabilitation Program	Section 20(1)(b)	Document exempt in full. Document is publicly accessible from the website of SARIG, the South Australian Resource Information Gateway .

Whelan, Natalie (DEM)

From: Stevens, Ross (DEM)
Sent: Thursday, 8 July 2021 2:27 PM
To: Clause 6(1)
Subject: Mine Program
Attachments: ADP2009023 - MARP - EML 6347 - [REDACTED].PDF

OFFICIAL

Good afternoon [REDACTED],

Thanks for the discussion today about the [REDACTED] Mine. As promised, please find attached a copy of the 2009 mine program for the site.

Should you need or be instructed to update your mine plan, guidance can be found in:

Terms Reference 002: Extractive mineral quarry PEPRs:

https://www.energymining.sa.gov.au/minerals/mining/legislation_and_guidance/terms_of_reference_and_instructions

and further guidance on what to submit in a program can be in MG2b: *Preparation of a PEPR for metallic and industrial minerals*

<https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/image/DDD/MRGMG2B.pdf>

Please do not hesitate to contact me should you have any questions.

Kind regards,

Ross Stevens
 Senior Mine Regulator

Mining Regulation
 Department for Energy and Mining

T +61 (8) 8429 2517
 F +61 (8) 8463 3268
 M [REDACTED]
 E ross.stevens@sa.gov.au

GPO Box 320, Adelaide, South Australia 5001
 Level 4, 11 Waymouth Street, Adelaide 5000



Government of South Australia
 Department for Energy and Mining

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