



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 17 DECEMBER 2020

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All instruments appearing in this gazette are to be considered official, and obeyed as such

## GOVERNOR'S INSTRUMENTS

### APPOINTMENTS

Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Urban Renewal Authority Board of Management, pursuant to the provisions of the Urban Renewal Act 1995:

Member: from 17 December 2020 until 30 July 2022  
David John Hughes

By command,

STEVEN SPENCE MARSHALL  
Premier

T&F20/110CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Training and Skills Commission, pursuant to the provisions of the Training and Skills Development Act 2008:

Member: from 1 January 2021 until 31 December 2021

Michael Rodney Boyce  
Andrew Stanley Keough  
Nikki Kirsten Govan  
Adrienne Leigh Nieuwenhuis  
Paul Stanley Williams  
Dino Charles Rossi  
Steven Blake Shearer  
Andrew David Clarke  
Elizabeth June Cohen  
Amy Marie Williams

Deputy Member: from 1 January 2021 until 31 December 2021

Shaun James de Bruyn (Deputy to Govan)  
Robert Bonner (Deputy to Cohen)  
Andrew Michael Curtis (Deputy to A. Williams)  
Andrew Stuart Downs (Deputy to Shearer)  
Anthony Oscar Penney (Deputy to Rossi)  
Angela Lynne Coker (Deputy to P. Williams)  
Alexis Nicholas Watt (Deputy to Nieuwenhuis)  
John William Godwin (Deputy to Keough)

Chair: from 1 January 2021 until 31 December 2021 or upon the appointment of the South Australian Skills Commissioner, whichever is the sooner

Michael Rodney Boyce

By command,

STEVEN SPENCE MARSHALL  
Premier

20IS/020CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Vickie Ann Chapman, MP, Deputy Premier, Attorney-General and Minister for Planning and Local Government to be also Acting Premier for the period from 8.00am on 21 December 2020 to 5.00pm on 27 December 2020 inclusive, during the absence of the Honourable Steven Spence Marshall, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC20/116CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Jacqueline Michelle Ann Lensink, MLC, Minister for Human Services, to be appointed as Acting Minister for Education for the period from 21 December 2020 to 7 January 2021 inclusive, during the absence of the Honourable John Anthony Gardner, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC20/115CS

Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, MLC, Treasurer, to be appointed as Acting Minister for Health and Wellbeing for the period from 24 December 2020 to 3 January 2021 inclusive, during the absence of the Honourable Stephen Graham Wade, MLC.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC20/115CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, MLC, Treasurer, to be appointed as Acting Minister for Infrastructure and Transport and Acting Minister for Recreation, Sport and Racing for the period from 26 December 2020 to 10 January 2021 inclusive, during the absence of the Honourable Corey Luke Wingard, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC20/115CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, MLC, Treasurer, to be appointed as Acting Minister for Energy and Mining for the period from 31 December 2020 to 22 January 2021 inclusive, during the absence of the Honourable Daniel Cornelis van Holst Pellekaan, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC20/115CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, MLC, Treasurer, to be appointed as Acting Deputy Premier, Acting Attorney-General and Acting Minister for Planning and Local Government for the period from 4 January 2021 to 17 January 2021 inclusive, during the absence of the Honourable Vickie Ann Chapman, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC20/115CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable David James Speirs, MP, Minister for Environment and Water, to be appointed as Acting Minister for Trade and Investment for the period from 9 January 2021 to 17 January 2021 inclusive, during the absence of the Honourable Stephen John Rayden Patterson, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC20/115CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint Genevieve Marie Cleary and Andrew Edward Matthews as Cross-Border Magistrates for a term of five years commencing on 17 December 2020 and expiring on 16 December 2025 - pursuant to Section 5A of the Magistrates Act 1983.

By command,

STEVEN SPENCE MARSHALL  
Premier

AGO0191-20CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint Julie-Anne Burgess to the position of State Courts Administrator commencing on 9 January 2021 and expiring on 8 July 2021 - pursuant to the provisions of the Courts Administration Act 1993.

By command,

STEVEN SPENCE MARSHALL  
Premier

AGO0179-20CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint Wendy Jill Wakefield to the position of Registrar of the South Australian Employment Tribunal for a term of 2 years commencing on 17 December 2020 and expiring on 16 December 2022 - pursuant to the provisions of the South Australian Employment Tribunal Act 2014.

By command,

STEVEN SPENCE MARSHALL  
Premier

T&F20/111CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint Caroline Mealor, Chief Executive, Attorney-General's Department, as the State Coordinator-General for the purposes of the Renewing our Streets and Suburbs Stimulus Program and to perform any other functions, or exercise any other powers conferred on the State Coordinator-General for a term commencing on 1 January 2021 and expiring on the day on which regulation 3(6) of the Development Regulations 2008 is repealed - pursuant to Section 68 of the Constitution Act 1934.

By command,

STEVEN SPENCE MARSHALL  
Premier

MPL0035-20CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has been pleased to appoint Sally Janet Smith, Jason Cattonar and Robert James Kleeman as Assistant State Coordinator-Generals for a term commencing on 1 January 2021 and expiring on the day on which regulation 3(6) of the Development Regulations 2008 is repealed - pursuant to Section 68 of the Constitution Act 1934.

By command,

STEVEN SPENCE MARSHALL  
Premier

MPL0035-20CS

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Department of the Premier and Cabinet  
Adelaide, 17 December 2020

His Excellency the Governor in Executive Council has revoked the appointments of James White McDowell and Grace Love as Clerks of Executive Council effective from 17 December 2020 - pursuant to the Letters Patent, section 68 of the Constitution Act 1934 and section 36 of the Acts Interpretation Act 1915.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC20/118CS

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## PROCLAMATIONS

South Australia

## **Disability Inclusion Act (Commencement) Proclamation 2020**

### **1—Short title**

This proclamation may be cited as the *Disability Inclusion Act (Commencement) Proclamation 2020*.

### **2—Commencement of Schedule 1 Part 3 of Act**

Schedule 1 Part 3 of the *Disability Inclusion Act 2018* (No 1 of 2018) comes into operation on 1 February 2021.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

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South Australia

## **Health Care (Safe Access) Amendment Act (Commencement) Proclamation 2020**

### **1—Short title**

This proclamation may be cited as the *Health Care (Safe Access) Amendment Act (Commencement) Proclamation 2020*.

### **2—Commencement of Act**

The *Health Care (Safe Access) Amendment Act 2020* (No 39 of 2020) comes into operation on 17 December 2020.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

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South Australia

## **Statutes Amendment (Bail Authorities) Act (Commencement) Proclamation 2020**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Bail Authorities) Act (Commencement) Proclamation 2020*.

### **2—Commencement of Act**

The *Statutes Amendment (Bail Authorities) Act 2020* (No 15 of 2020) comes into operation on 1 January 2021.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

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South Australia

## **Statutes Amendment (Screening) Act (Commencement) Proclamation 2020**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Screening) Act (Commencement) Proclamation 2020*.

### **2—Commencement of suspended provisions**

- (1) Subject to subclause (2), Part 4 of the *Statutes Amendment (Screening) Act 2019* (No 9 of 2019) (the *Act*) comes into operation on 1 February 2021.
- (2) The commencement of sections 21, 22, 23 and 25 of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

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South Australia

## **Youth Court (Designation and Classification of Cross-border Magistrates) Proclamation 2020**

under section 9 of the *Youth Court Act 1993*

### **1—Short title**

This proclamation may be cited as the *Youth Court (Designation and Classification of Cross-border Magistrates) Proclamation 2020*.

### **2—Commencement**

This proclamation comes into operation on the day on which it is made.

### **3—Designation and classification of magistrates**

The magistrates named in Schedule 1 (being cross-border magistrates within the meaning of section 5A of the *Magistrates Act 1983*) are—

- (a) designated as magistrates of the Youth Court of South Australia; and
- (b) classified as members of the Court's ancillary judiciary.

## **Schedule 1—Magistrates of the Court**

Genevieve Marie Cleary

Andrew Edward Matthews

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

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South Australia

## **Youth Court (Designation and Classification of Magistrate) Proclamation 2020**

under section 9 of the *Youth Court Act 1993*

### **1—Short title**

This proclamation may be cited as the *Youth Court (Designation and Classification of Magistrate) Proclamation 2020*.

### **2—Commencement**

This proclamation comes into operation on 19 April 2021.

### **3—Designation and classification of magistrate**

The magistrate named in Schedule 1 is—

- (a) designated as a magistrate of the Youth Court of South Australia; and
- (b) classified as a member of the Court's principal judiciary; and
- (c) declared to be a member of the Court's principal judiciary for a term of 1 year.

## **Schedule 1—Magistrate of the Court**

Oliver Rudolf Gerhard Koehn

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

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## REGULATIONS

South Australia

# Environment Protection (Variation of Act, Schedule 1) Regulations 2020

under the *Environment Protection Act 1993*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Environment Protection Act 1993*

- 4 Variation of Schedule 1 of the Act—Prescribed activities of environmental significance

### Schedule 1—Transitional provisions

- 1 Transitional provision
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Environment Protection (Variation of Act, Schedule 1) Regulations 2020*.

### 2—Commencement

These regulations come into operation on 1 April 2021.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of a specified Act varies the Act so specified.

## Part 2—Variation of *Environment Protection Act 1993*

### 4—Variation of Schedule 1 of the Act—Prescribed activities of environmental significance

- (1) Schedule 1, Part A, clause 1(2)—after paragraph (b) insert:

or

- (c) works for the production of hydrogen with a production capacity of more than 100 tonnes per year.

- (2) Schedule 1, Part A, clause 5—after subclause (4) insert:

(5) **Poultry Farms—broiler**

the conduct of a broiler farm, being premises for the growing of poultry meat where the total area of the sheds or structures used to keep the poultry is 13 500 square metres or more.

In this subclause—

*poultry* means chicken, turkey, guinea fowl, duck, geese, pheasants, quail, squab (pigeons), muttonbirds or other avian species but does not include ratites.

- (3) Schedule 1, Part A, clause 8—after subclause (8) insert:

(9) **Pumped hydroelectricity production works**

the conduct of works or a facility for the generation of electricity by means of passing water through a turbine with a total full-load sustained output capacity of 30 megawatts or more.

## Schedule 1—Transitional provisions

### 1—Transitional provision

- (1) The Authority must, despite Part 6 of the principal Act (except section 47(3)), grant a licence to a person to enable the person to conduct a broiler farm within the meaning of Schedule 1 Part A clause 5(5) of the principal Act as inserted by these regulations (to have effect from the commencement of this clause), if the applicant for the licence is, immediately before the commencement of this clause, an accredited poultry grower under the *Primary Produce (Food Safety Schemes) (Meat) Regulations 2017* in respect of the business of growing poultry at the broiler farm.
- (2) The Authority is not required to grant a licence pursuant to this clause except on application and payment of the appropriate application fee and authorisation fee under Part 6 of the principal Act.
- (3) A licence granted under this clause—
- (a) has effect for a term determined by the Authority; and
  - (b) is—
    - (i) except as specified in this clause—subject to the principal Act; and
    - (ii) subject to any conditions of the licence imposed by the Authority under Part 6 of the Act and specified in the licence.
- (4) Public notice is not required to be given under Part 6 of the principal Act in respect of an application for the grant of a licence pursuant to this clause.
- (5) In this clause—

*principal Act* means the *Environment Protection Act 1993*.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 311 of 2020

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South Australia

# **Environment Protection (Environmental Authorisations—Fees) Variation Regulations 2020**

under the *Environment Protection Act 1993*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Environment Protection Regulations 2009***

- 4 Variation of Schedule 2—Environmental authorisations—application and authorisation fees
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Environment Protection (Environmental Authorisations—Fees) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on 1 April 2021.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Environment Protection Regulations 2009***

### **4—Variation of Schedule 2—Environmental authorisations—application and authorisation fees**

- (1) Schedule 2, clause 8(2)—after paragraph (h) insert:
  - (i) for an activity specified in clause 8(9) of Schedule 1 Part A of the Act (Pumped hydroelectricity production works) both of the following measures:

- (i) a lining system for the water reservoir at the works or facility (for example, high density polyethylene lining or a lining with an equivalent level of impermeability) for preventing the contamination of surrounding land and waters from the storage of water used in the production of hydroelectricity;
  - (ii) a system enabling the detection of leakage of water into surrounding land or waters from the water reservoir at the works or facility used to store water used in the production of hydroelectricity.
- (2) Schedule 2, clause 8—after subclause (2) insert:
  - (3) For the purposes of the item relating to clause 8(9) of the Act in the table in clause 9 of this Part—
    - category 1 pumped hydroelectricity works or facility*** means a pumped hydroelectricity works or facility—
      - (a) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more; and
      - (b) in respect of which the Authority has determined, in accordance with guidelines issued by the Authority, that there is, or is reasonable potential for, acid rock drainage into nearby underground, surface or marine waters as a result of the hydroelectricity production process at the works or facility;
    - category 2 pumped hydroelectricity works or facility*** means a pumped hydroelectricity works or facility—
      - (a) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre; and
      - (b) in respect of which the Authority has determined, in accordance with guidelines issued by the Authority, that there is, or is reasonable potential for, acid rock drainage into nearby underground, surface or marine waters as a result of the hydroelectricity production process at the works or facility.
  - (4) In subclause (3)—
    - surface waters*** means waters other than underground waters;
    - underground waters*** means—
      - (a) waters occurring naturally under the ground; or
      - (b) waters introduced to an aquifer or other area under the ground including water pumped, diverted or released into a well for storage underground.

- (3) Schedule 2, clause 9, table, entry relating to clause 1 (Petroleum and chemical)—after the item relating to clause 1(2)(b) insert:

cl 1(2)(c)	Chemical works (hydrogen production)	8
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- (4) Schedule 2, clause 9, table, entry relating to clause 5 (Animal husbandry, aquaculture and other activities)—after the item relating to clause 5(4) insert:

cl 5(5)	Poultry farm comprising a broiler farm—	
	(a) where the total area of the sheds or structures used to keep the poultry is 13 500 square metres or more but less than 27 000 square metres	2
	(b) where the total area of the sheds or structures used to keep the poultry is 27 000 square metres or more but less than 54 000 square metres	3
	(c) where the total area of the sheds or structures used to keep the poultry is 54 000 square metres or more	4

- (5) Schedule 2, clause 9, table, entry relating to clause 8 (Other)—after the item relating to clause 8(8) insert:

cl 8(9)	Pumped hydroelectricity production works comprising—	
	(a) works or a facility located in whole or in part in a water protection area—	
	(i) in the case of a category 1 pumped hydroelectricity works or facility—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	26
	(B) in any other case	37
	(ii) in the case of a category 2 pumped hydroelectricity works or facility—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	23
	(B) in any other case	34
	(iii) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more—	

	(A)	if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	15
	(B)	if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility	15
	(C)	in any other case	26
(iv)		in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre—	
	(A)	if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	12
	(B)	if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility	12
	(C)	in any other case	23
(b)		works or a facility located outside a water protection area—	
	(i)	in the case of a category 1 pumped hydroelectricity works or facility—	
	(A)	if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	23
	(B)	in any other case	34
	(ii)	in the case of a category 2 pumped hydroelectricity works or facility—	
	(A)	if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	20
	(B)	in any other case	31
(iii)		in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more—	

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- |      |                                                                                                                                                                                                                                                                                                   |    |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| (A)  | if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility                                                                                                                                                               | 12 |
| (B)  | if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility                                                                                                                                                                         | 12 |
| (C)  | in any other case                                                                                                                                                                                                                                                                                 | 23 |
| (iv) | in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre— |    |
| (A)  | if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility                                                                                                                                                               | 9  |
| (B)  | if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility                                                                                                                                                                         | 9  |
| (C)  | in any other case                                                                                                                                                                                                                                                                                 | 20 |

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 312 of 2020

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South Australia

# **Criminal Law Consolidation (Criminal Organisations) (Prescribed Place—Cowirra) Variation Regulations 2020**

under the *Criminal Law Consolidation Act 1935*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Criminal Law Consolidation (Criminal Organisations) Regulations 2015***

- 4 Variation of regulation 3—Places declared to be prescribed places (by certificate of title)—section 83GA
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Criminal Law Consolidation (Criminal Organisations)(Prescribed Place—Cowirra) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Criminal Law Consolidation (Criminal Organisations) Regulations 2015***

### **4—Variation of regulation 3—Places declared to be prescribed places (by certificate of title)—section 83GA**

Regulation 3(2), table—after its present contents insert:

Certificate of title 5995/665	591 Kenny Road, Cowirra
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**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 313 of 2020

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South Australia

# **Criminal Law Consolidation (Criminal Organisations) (Prescribed Place—Cowirra) (No 2) Variation Regulations 2020**

under the *Criminal Law Consolidation Act 1935*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Criminal Law Consolidation (Criminal Organisations) Regulations 2015***

- 4 Variation of regulation 3—Places declared to be prescribed places (by certificate of title)—section 83GA
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Criminal Law Consolidation (Criminal Organisations) (Prescribed Place—Cowirra) (No 2) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Criminal Law Consolidation (Criminal Organisations) Regulations 2015***

### **4—Variation of regulation 3—Places declared to be prescribed places (by certificate of title)—section 83GA**

Regulation 3(2), table—after its present contents insert:

Certificate of title 5880/413

Lot 555 Kenny Road, Cowirra

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 314 of 2020

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South Australia

## **Criminal Law Consolidation (Criminal Organisations) (Premises in Burton) Variation Regulations 2020**

under section 83GA of the *Criminal Law Consolidation Act 1935*

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- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Criminal Law Consolidation (Criminal Organisations) Regulations 2015***

- 4 Variation of regulation 4—Places declared to be prescribed places (by address)—section 83GA
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Criminal Law Consolidation (Criminal Organisations) (Premises in Burton) Variation Regulations 2020*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Criminal Law Consolidation (Criminal Organisations) Regulations 2015***

#### **4—Variation of regulation 4—Places declared to be prescribed places (by address)—section 83GA**

Regulation 4—after subregulation (2) insert:

- (3) For the purposes of the definition of *prescribed place* in section 83GA(1) of the Act, the premises comprising Shed 7, 9-13 Penner Avenue, Burton, is declared to be a prescribed place.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 315 of 2020

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South Australia

## Disability Inclusion (NDIS Worker Check) Regulations 2020

under the *Disability Inclusion Act 2018*

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- 5 Meaning of *disqualification offence*
- 6 Meaning of *presumptive disqualification offence*
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- 1 Disqualification offences
- 2 Table of disqualification offences

### Schedule 2—Presumptive disqualification offences

- 1 Interpretation
  - 2 Presumptive disqualification offences
  - 3 Table of presumptive disqualification offences
- 

#### 1—Short title

These regulations may be cited as the *Disability Inclusion (NDIS Worker Check) Regulations 2020*.

#### 2—Commencement

These regulations come into operation on the day on which Part 5A of the *Disability Inclusion Act 2018* (as enacted by the *Statutes Amendment (Screening) Act 2019*) comes into operation.

### 3—Interpretation

In these regulations, unless the contrary intention appears—

*Act* means the *Disability Inclusion Act 2018*;

*child* means a person aged under 18 years old;

*relative*, of a person, means a person who is or was—

- (a) related by marriage, consanguinity or adoption to the person; or
- (b) related through a domestic partnership to the person; or
- (c) a step-child or step-sibling of the person (regardless of age); or
- (d) the guardian of the person; or
- (e) acting in *loco parentis* in relation to the person; or
- (f) related to the person according to Aboriginal or Torres Strait Islander kinship rules, or where both persons are members of some other culturally recognised family group; or
- (g) a carer of the person (within the meaning of the *Carers Recognition Act 2005*);

*vulnerable person* means an adult person who, by reason of age, illness or disability, is unable to properly care for themselves, or protect themselves against harm or exploitation.

### 4—Meaning of *corresponding law*

For the purposes of paragraph (b) of the definition of *corresponding law* in section 18A(1) of the Act, the following laws are prescribed:

- (a) the *Working with Vulnerable People (Background Checking) Act 2011* of the Australian Capital Territory;
- (b) the *National Disability Insurance Scheme (Worker Checks) Act 2018* of New South Wales;
- (c) the *National Disability Insurance Scheme (Worker Clearance) Act 2020* of the Northern Territory;
- (d) the *Registration to Work with Vulnerable People Act 2013* of Tasmania;
- (e) the *Worker Screening Act 2020* of Victoria.

### 5—Meaning of *disqualification offence*

For the purposes of the definition of *disqualification offence* in section 18A(1) of the Act, the offences set out in Schedule 1 are, subject to that Schedule, declared to be disqualification offences.

### 6—Meaning of *presumptive disqualification offence*

For the purposes of the definition of *presumptive disqualification offence* in section 18A(1) of the Act, the offences set out in Schedule 2 are, subject to that Schedule, declared to be presumptive disqualification offences.



## 7—Relevant laws

For the purposes of paragraph (e) of the definition of *relevant law* in section 18A(1) of the Act, the following laws are prescribed:

- (a) the *Children and Young People (Safety) Act 2017*;
- (b) the *Guardianship and Administration Act 1993*;
- (c) the *Ageing and Adult Safeguarding Act 1995*;
- (d) a law of the Commonwealth, or another State or Territory, corresponding to the *Children and Young People (Safety) Act 2017*;
- (e) the *Ombudsman Act 1989* of the Australian Capital Territory;
- (f) the *Working with Vulnerable People (Background Checking) Act 2011* of the Australian Capital Territory;
- (g) the *Child Protection (Working with Children) Act 1998* of New South Wales;
- (h) the *Ombudsman Act 1974* of New South Wales;
- (i) the *Care and Protection of Children Act 2007* of the Northern Territory;
- (j) the *Working with Children (Risk Management and Screening) Act 2000* of Queensland;
- (k) the *Disability Services Act 2006* of Queensland;
- (l) the *Registration to Work with Vulnerable People Act 2003* of Tasmania;
- (m) the *Working with Children Act 2005* of Victoria;
- (n) the *Disability Service Safeguards Act 2018* of Victoria;
- (o) the *Working with Children (Criminal Record Checking) Act 2004* of Western Australia;
- (p) a previous enactment corresponding to a law referred to in a preceding paragraph.

## 8—Protected information

- (1) The Registrar must maintain a register of all decisions to classify information as protected information.
- (2) The register may include such information as the Registrar thinks fit.
- (3) The register may only be inspected with the permission of the Registrar.

## 9—Prescribed functions and powers

For the purposes of section 18E(2) of the Act, the classification of information as protected information under section 18D(1) of the Act is prescribed.

## 10—Additional powers to terminate NDIS worker check clearance application

- (1) Pursuant to section 18G(9) of the Act, the central assessment unit may refuse or terminate an application if—
  - (a) the application is not verified by an NDIS employer who is registered with the NDIS Commission; or

- (b) the applicant is excluded by another jurisdiction while their application is being processed; or
  - (c) the applicant is, either at the time of application or while their application is being processed, suspended by another jurisdiction from working with people with disability (however described); or
  - (d) the applicant is not permitted to apply pursuant to section 18H of the Act.
- (2) For the purposes of subregulation (1), a reference to an applicant being *excluded* includes a reference to the applicant being prevented under the laws of the Commonwealth, or any other State or Territory, from working with people with disability (however described).

### **11—Requirements relating to notice of grant of NDIS worker check clearance etc**

- (1) For the purposes of section 18L(1) of the Act, the grant of an NDIS worker check clearance, or the issue an NDIS worker check exclusion, must comply with any relevant requirements set out in guidelines published under section 12 of the Act.
- (2) For the purposes of section 18L(1) of the Act, a notice under that subsection must be issued as soon as is reasonably practicable after the determination to grant an NDIS worker check clearance or issue an NDIS worker check exclusion (as the case requires) is made.

### **12—Court to provide notice of certain findings of guilt to central assessment unit**

- (1) For the purposes of section 18U of the Act, the following information relating to a finding of guilt is prescribed:
- (a) the full name, date of birth and residential address of the person to whom the finding of guilt relates;
  - (b) the particulars of the offence of which the person was found guilty;
  - (c) the date on which the person was found guilty of the offence;
  - (d) the court that made the finding of guilt.
- (2) For the purposes of section 18U of the act, the information prescribed by subregulation (1) must be provided to the central assessment unit in a manner and form determined by the Registrar.

### **13—Commissioner of Police to provide information on charging of certain persons**

- (1) For the purposes of section 18V of the Act, the following information relating to a charge of a disqualification offence or presumptive disqualification offence against a person is prescribed:
- (a) the full name, date of birth and residential address of the charged person (if known);
  - (b) particulars of the charge;
  - (c) a description of any conduct to which the charge relates (including, but not limited to whether the alleged victim was a child or an adult);
  - (d) if the charge relates to an aggravated offence under the *Criminal Law Consolidation Act 1935*—the aggravating circumstances.
- (2) For the purposes of section 18V of the act, the information prescribed by subregulation (1) must be provided to the central assessment unit in a manner and form determined by the Registrar.

#### **14—Central assessment unit may disclose etc information with other jurisdictions**

For the purposes of paragraph (b) of the definition of *prescribed person or body* in section 18Y(3) of the Act, the following persons and bodies are prescribed:

- (a) the NDIS Commission;
- (b) the Australian Criminal Intelligence Commission;
- (c) the National Disability Insurance Agency;
- (d) the Department of Social Services of the Commonwealth.

#### **15—Disclosure of information about offences**

For the purposes of the definition of *relevant offence* in section 18ZG(2) of the Act, any offence determined by the central assessment unit to be a relevant offence is prescribed.

#### **16—Non-reviewable decisions**

For the purposes of paragraph (c) of the definition of *non-reviewable decision* in section 18ZI(5) of the Act, the following decisions are declared to be included in the ambit of that definition:

- (a) a decision to refuse to grant a clearance under section 18I(2) of the Act;
- (b) a decision to cancel a clearance under section 18S(2) of the Act;
- (c) a decision to terminate an application for a clearance or cancel a clearance under section 18W of the Act;
- (d) a decision to terminate an application under regulation 10(1).

#### **17—Minister may establish advisory panel**

- (1) For the purposes of section 18ZP(2) of the Act, the Minister may establish an advisory panel to assist the central assessment unit in the performance of its functions under Part 5A of the Act.
- (2) The advisory panel consists of such members as the Minister thinks fit.
- (3) A member of the advisory panel will hold office for a term, and on conditions, determined by the Minister.
- (4) A member of the advisory panel (not being a member who is a member of the Public Service) is entitled to such allowances and expenses as may be determined by the Minister.
- (5) Subject to any direction of the Minister, the advisory panel may determine its own procedures.

#### **18—Requirement to notify central assessment unit of change of particulars**

- (1) The holder of an NDIS worker check clearance must notify the central assessment unit in a form approved by the central assessment unit of any relevant change of particulars within 3 months of the change occurring.

Maximum penalty: \$50 000.

- (2) In this section—

*relevant change of particulars* means—

- (a) a change in the holder's name, residential address or contact details; or
- (b) the use of another name or names by the holder.

## Schedule 1—Disqualification offences

### 1—Disqualification offences

- (1) Subject to this clause, the offences listed in the table in clause 2 are disqualification offences.
- (2) If there is a reference to condition A in column 3 of the table in respect of a particular offence, the offence will only be taken to be a disqualification offence if the victim of the offence was a child or vulnerable person, or the offence involved a child or vulnerable person.

**Note—**

If condition A is not satisfied, the offence is instead a presumptive disqualification offence—see Schedule 2 clause 2(1)(a).

- (3) If there is a reference to a condition or conditions in column 3 of the table in respect of a particular offence, the offence will be taken not to be a disqualification offence if the condition is satisfied:
  - (a) condition B—at the time of the offence the victim was more than 14 years of age and the offender was not more than 5 years older than the victim, and the offence did not involve violence or coercion;
  - (b) condition C—the offender was a relative of the victim.

**Note—**

Such an offence is instead a presumptive disqualification offence—see Schedule 2 clause 2(1)(b).

- (4) A reference to an offence in the table in clause 2 will be taken to include a reference to the following offences:
  - (a) an attempt to commit the offence;
  - (b) a conspiracy to commit the offence;
  - (c) aiding, abetting, counselling or procuring the offence;
  - (d) a corresponding offence under a previous enactment;
  - (e) a corresponding offence under a law of another State or Territory, including an offence referred to in a preceding paragraph in relation to the corresponding offence.

**2—Table of disqualification offences**

<b>Act</b>	<b>Offences</b>	<b>Conditions</b>
<i>Criminal Law Consolidation Act 1935</i>	section 11 (Murder)	
	section 12 (Conspiring or soliciting to commit murder)	
	section 19A(1) (Causing death or harm by use of vehicle or vessel) being an offence where the offender intended to cause death	
	section 20A (Choking, suffocation or strangulation in a domestic setting)	A
	section 23 (Causing serious harm)	A
	section 24 (Causing harm)	A
	section 29 (Acts endangering life or creating risk of serious harm)	A
	section 33A (Female genital mutilation)	A
	section 33B (Removal of child from state for genital mutilation)	
	section 39 (Kidnapping)	A, C
	section 40 (Unlawful removal of child from jurisdiction)	C
	section 48 (Rape)	A
	section 48A (Compelled sexual manipulation)	A
	section 49(1) (Unlawful sexual intercourse where victim under 14)	
	section 49(3) (Unlawful sexual intercourse where victim under 17 years)	B
	section 49(5) (Unlawful sexual intercourse in position of authority)	
	section 49(6) (Sexual intercourse with intellectually disabled person)	
	section 50(1) (Persistent sexual abuse of child)	
	section 51 (Sexual exploitation of a person with a cognitive impairment)	
	section 56 (Indecent assault)	A, B
section 58 (Acts of gross indecency)	A, B	
section 59 (Abduction of male or female person)	A	
section 60 (Procuring sexual intercourse)	A	
section 61 (Permit unlawful sexual intercourse on premises)		
section 63 (Production etc of child exploitation material)	B	
section 63AA (Production etc of child-like sex dolls)		

<b>Act</b>	<b>Offences</b>	<b>Conditions</b>
	section 63A (Possession of child exploitation material)	B
	section 63AAB (Possession of child-like sex dolls)	
	section 63AB (Offences relating to websites)	
	section 63B (Procure child to commit indecent act etc)	B
	section 66 (Sexual servitude and related offences)	A
	section 67 (Deceptive recruiting for commercial sexual services)	A
	section 68 (Use of children in commercial sexual services)	
	section 69 (Bestiality)	
	section 72 (Incest)	A
	section 74 (Persistent sexual abuse of a child) as in force before the commencement of the <i>Criminal Law Consolidation (Rape and Sexual Offences) Amendment Act 2008</i>	B
	section 80 (Abduction of child under 16 years)	C
	section 83E(2) (Participation in criminal organisation)	A
	section 139A (Dishonest communication with children)	
	section 241 (Impeding investigation of offences or assisting offenders) being an offence of assisting a principal offender who commits murder	
	section 270B (Assault with intent)	A
<i>Aircraft Offences Act 1971</i>	section 9 (Destroy an aircraft to cause death)	
<i>Summary Offences Act 1953</i>	section 33(3) as in force before the commencement of the <i>Criminal Law Consolidation (Child Pornography) Amendment Act 2004</i>	A, B
<i>Criminal Code of the Commonwealth</i>	section 71.2 (Murder of a UN person etc)	
	section 71.4 (Intentionally causing serious harm to a UN person etc)	A
	section 71.5 (Recklessly causing serious harm to a UN person etc)	A
	section 71.8 (Unlawful sexual penetration)	A
	section 71.9 or 10 (Kidnapping etc a UN person etc)	A, C
	section 73.2, 3 or 3A (People smuggling)	A
	section 115.1 (Murder of an Australian citizen etc)	

<b>Act</b>	<b>Offences</b>	<b>Conditions</b>
	section 115.3 (Intentionally causing serious harm to an Australian citizen etc)	A
	section 115.4 (Recklessly causing serious harm to an Australian citizen etc)	A
	section 268.3, 5, 6 or 7 (Genocide)	
	section 268.4 (Genocide by causing serious bodily or mental harm)	A
	section 268.8 or 9 (Crimes against humanity)	
	section 268.10, 13 to 16, 19 or 21(1) (Crimes against humanity)	A
	section 268.24, 47(1), 48(1), 49(1), 70, 71(1), 76(2), 90(1), 92(1) or 93(1) (War crimes)	
	section 268.38(1), 40(1), 41 to 44, 50, 55, 56, 65, 91, 97 or 98 (War crimes—various) being an offence that results in the death of a person	
	section 268.25 to 28, 47(2), 48(2), 59, 60, 61, 64, 71(2), 73, 82, 84, 87(1) or 92(2) (War crimes—various)	A
	section 270.3, 5, 6A, 7, 7B or 7C (Slavery etc)	A
	section 271.2, 3, 4, 5, 6, 7, 7B, 7C, 7D or 7E (Trafficking in persons etc)	A
	section 272.8, 9, 10, 11, 12, 13, 14, 15, 18, 19 or 20 (Child sex offences outside Australia)	
	section 273.6 or 7 (Offences involving child abuse material outside Australia)	
	section 273A.1 (Possession of child-like sex dolls etc)	
	section 274.2 (Torture)	A
	section 471.19, 20, 22, 24, 25 or 26(1) (Postal offences)	
	section 474.22, 22A, 23, 24A, 25A, 25B, 25C, 26, 27 or 27A(1) (Telecommunications offences)	
<i>Crimes (Internationally Protected Persons) Act 1976 of the Commonwealth</i>	section 8(1) (Murder of internationally protected person)	
	section 8(2) (Attack internationally protected person) being an offence that results in grievous bodily harm	A
<i>Customs Act 1901 of the Commonwealth</i>	section 233BAB	

## Schedule 2—Presumptive disqualification offences

### 1—Interpretation

In this Schedule—

***person under care***, in respect of an offender, means a child or vulnerable person who has a relationship with the offender in the context of receiving supports or services because of their vulnerability (other than activities that are part of normal familial care relationships).

**Example—**

The following are examples of persons who may be persons under care:

- (a) a child in foster care;
- (b) an elderly person in residential aged care;
- (c) a person with mental illness receiving treatment in a hospital;
- (d) a person with disability receiving services (to support their disability) in their home or in the community.

### 2—Presumptive disqualification offences

(1) Subject to this clause, the following offences are presumptive disqualification offences:

- (a) an offence referred to in the table in Schedule 1 clause 2 (being an offence that is subject to condition A under that Schedule) when committed against, or involving, a person who is not a child or vulnerable person;
- (b) an offence that would, but for the operation of Schedule 1 clause 1(3), be a disqualification offence;

**Note—**

These are offences where, at the time of the offence, the victim was more than 14 years of age and the offender was not more than 5 years older than the victim and the offence did not involve violence or coercion, or where the victim was a relative of the offender.

- (c) an offence listed in the table in clause 3 (other than offences that are disqualification offences);
  - (d) any other offence declared by the Minister by notice in the Gazette to be a presumptive disqualification offence.
- (2) If there is a reference to a condition in column 3 of the table in clause 3 in respect of a particular offence, the offence will only be taken to be a presumptive disqualification offence if the condition is satisfied:
- (a) condition A—the victim of the offence was a child or vulnerable person, or the offence involved a child or vulnerable person;
  - (b) condition D—the victim of the offence was a person under care in respect of the offender, or the offence involved such a person under care;
  - (c) condition E—the offence is an aggravated offence (within the meaning of the *Criminal Law Consolidation Act 1935*) aggravated by the circumstances referred to in section 5AA(1)(a) of that Act.



- (3) A reference to an offence in the table in clause 3 will be taken to include a reference to the following offences:
- (a) an attempt to commit the offence;
  - (b) a conspiracy to commit the offence;
  - (c) aiding, abetting, counselling or procuring the offence;
  - (d) a corresponding offence under a previous enactment;
  - (e) a corresponding offence under a law of another State or Territory, including an offence referred to in a preceding paragraph in relation to the corresponding offence.

### 3—Table of presumptive disqualification offences

Act	Offences	Conditions
<i>Criminal Law Consolidation Act 1935</i>	section 7 or 10A (Treason)	
	section 13 (Manslaughter)	
	section 13A (Criminal liability in relation to suicide)	
	section 14 (Criminal neglect)	D
	section 14A (Failing to provide food etc)	D
	section 19A(1) (Cause death or harm by use of vehicle or vessel)	
	section 19AA(2) (Unlawful stalking)	E
	section 20 (Assault) being an aggravated offence	A
	section 137 (Robbery)	E
	section 139 (Deception)	A
	section 140(4) (Dishonest dealing with documents)	A
	section 142 (Dishonest exploitation of position of advantage)	A
	section 144B (False identity etc) where the serious offence to which the offence relates involves a child or vulnerable person	
	section 144C (Misuse of personal identification information) where the serious offence to which the offence relates involves a child or vulnerable person	
	section 144D(1) or (2) (Prohibited material)	A
	section 169 (Serious criminal trespass—non-residential buildings)	E
	section 170 (Serious criminal trespass—places of residence)	E
	section 174 (Piracy)	
	section 270(1)(c) (Cheat or fraud at common law)	A
	section 270AB (Attempted manslaughter)	

<b>Act</b>	<b>Offences</b>	<b>Conditions</b>
<i>Controlled Substances Act 1984</i>	section 32 (Trafficking) where the offence relates to a commercial or large commercial quantity	
	section 33 (Manufacture of controlled drugs for sale) where the offence relates to a commercial or large commercial quantity	
	section 33A (Sale, manufacture etc of controlled precursor) where the offence relates to a commercial or large commercial quantity	
	section 33B (Cultivation of controlled plants for sale) where the offence relates to a commercial or large commercial quantity	
	section 33C (Sale of controlled plants) where the offence relates to a commercial or large commercial quantity	
	section 33F (Sale, supply or administration of controlled drug to child)	
	section 33G (Sale, supply or administration of controlled drug in school zone)	
	section 33GA (Sale of equipment to child for use in connection with consumption of controlled drugs) section 33GB (Sale of instructions to a child) section 33H (Procuring child to commit offence)	
<i>Animal Welfare Act 1985</i>	section 13(1) (Ill treatment of animals)	
<i>Summary Offences Act 1953</i>	section 6A (Violent disorder)	A
	section 26B(1) and (2) (Humiliating and degrading filming)	A
	section 26C (Distribution of invasive image)	A
	section 26D (Indecent filming)	A
	section 37 (Possession, production or distribution of extremist material) section 39 (Valueless cheque)	A
<i>Guardianship and Administration Act 1993</i>	section 76 (Ill treatment or neglect of person with mental incapacity)	D
<i>Mental Health Act 2009</i>	section 49 (Neglect or ill treatment)	

<b>Act</b>	<b>Offences</b>	<b>Conditions</b>
<i>Criminal Code</i> of the Commonwealth	section 71.3 (Manslaughter of a UN person etc)	
	section 73.8, 9 or 10 (Document offences relating to people smuggling etc)	A
	Division 80 (Treason etc)	
	section 82.3 to 9 (Sabotage)	
	section 83.1, 2 or 3 (Other threats to security)	
	section 91.1, 2, 3, 6, 8, 11 or 12 (Espionage)	
	section 92.2, 3, 4, 7, 8, 9 or 10 (Foreign interference)	
	section 92A.1 (Theft of trade secrets involving foreign government principal)	
	section 101.1, 2, 4, 5 or 6 (Terrorism)	
	section 102.2(1), 3, 4, 5, 6, 7 or 8 (Terrorist organisations)	
	section 103.1 or 2 (Financing terrorism)	
	section 115.2 (Manslaughter of an Australian citizen etc)	
	section 119.1(1) or 4(2) (Foreign incursions and recruitment)	
	section 122.1, 2 or 4 (Secrecy of information)	
	section 134.1 or 2 (Obtaining property or a financial advantage by deception)	A
	section 135.1(1) or (2), 2 or 4(1) (Other offences involving fraudulent conduct)	A
	section 136.1 (False or misleading statements in applications)	A
	section 137.1 or 2 (False or misleading information or documents)	A
	section 142.2 (Abuse of public office)	A
	section 144.1 (Forgery)	A
section 145.1, 2, 4 or 5 (Offences relating to forgery)	A	
section 148.1(1) or 2(1) or (3) (Impersonation of Commonwealth officials)	A	
section 268.11, 12, 17, 18, 20, 21(2), 22 or 23 (Crimes against humanity)		
section 268.29 to 37, 38(2), 39, 45, 46, 49(2), 51 to 54, 57 to 59, 62, 63, 66 to 68, 72, 74, 75, 76(1), 77 to 81, 85, 86, 88, 89, 90(2), 93(2), 94 to 96, 99, 100 or 101 (War crimes)		
section 268.40(2), 41 to 44, 50, 55, 56, 91, 97 or 98 (War crimes not resulting in death)		
section 273B.4 (Failing to protect child at risk of child sexual abuse offence)		

<b>Act</b>	<b>Offences</b>	<b>Conditions</b>
	section 302.2 (Trafficking commercial quantities of controlled drugs)	
	section 303.4 (Cultivating commercial quantities of controlled plants)	
	section 304.1 (Selling commercial quantities of controlled plants)	
	section 305.3 (Manufacturing commercial quantities of controlled drugs)	
	section 305.4 (Manufacturing marketable quantities of controlled drugs)	A
	section 306.2, 3, 4 (Pre-trafficking controlled precursors)	A
	section 307.1 or 11 (Importing and exporting offences)	
	section 308.3 (Possessing plant material, equipment or instructions for commercial cultivation of controlled plants)	
	section 309.2, 3, 4, 7, 8, 10 to 15 (Drug offences involving children)	
	section 310.2 or 3 (Harm and danger to children under 14 from serious drug offences)	
	section 372.1, 1A or 2 (Identity fraud offences)	A
	section 474.17A (Aggravated offences involving private sexual material—using a carriage service to menace, harass or cause offence)	
	section 480.4 (Dishonestly obtain or deal in personal financial information)	A

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 316 of 2020

South Australia

## **Bail (Bail Authorities) Variation Regulations 2020**

under the *Bail Act 1985*

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- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Bail Regulations 2015***

- 4 Variation of Schedule 2—Section 13 statement
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Bail (Bail Authorities) Variation Regulations 2020*.

#### **2—Commencement**

These regulations come into operation on the day on which the *Statutes Amendment (Bail Authorities) Act 2020* comes into operation.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Bail Regulations 2015***

#### **4—Variation of Schedule 2—Section 13 statement**

Schedule 2, Form, clause 4, dot point 2—delete dot point 2 and substitute:

- the District Court;
- the Magistrates Court;
- the Youth Court;

#### **Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

#### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 317 of 2020

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South Australia

# **Cross-border Justice (Bail Authorities) Variation Regulations 2020**

under the *Cross-border Justice Act 2009*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Cross-border Justice Regulations 2009***

- 4 Variation of regulation 12—Amendment of section 5—Bail authorities
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Cross-border Justice (Bail Authorities) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on the day on which Part 2 of the *Statutes Amendment (Attorney-General's Portfolio) Act 2020* comes into operation.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Cross-border Justice Regulations 2009***

### **4—Variation of regulation 12—Amendment of section 5—Bail authorities**

Regulation 12, inserted subsection (1)(b) to (d)—delete paragraphs (b) to (d) (inclusive) and substitute:

- (b) the District Court;
- (c) the Magistrates Court;
- (d) the Youth Court;

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 318 of 2020

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South Australia

# **Landscape South Australia (Water Management) (Forestry—Prescribed Period) Variation Regulations 2020**

under the *Landscape South Australia Act 2019*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Landscape South Australia (Water Management) Regulations 2020***

- 4 Substitution of regulation 36  
36 Variations—allocations—prescribed period (section 168 of Act)
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Landscape South Australia (Water Management) (Forestry—Prescribed Period) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.



## **Part 2—Variation of *Landscape South Australia (Water Management) Regulations 2020***

### **4—Substitution of regulation 36**

Regulation 36—delete the regulation and substitute:

#### **36—Variations—allocations—prescribed period (section 168 of Act)**

- (1) For the purposes of section 168(1)(b) of the Act—
  - (a) in the case of the unconfined aquifer management areas of Coles, Short and Zone 3A, as set out in the water allocation plan for the Lower Limestone Coast Prescribed Wells Area—the period of 4 years is prescribed;
  - (b) in any other case—the period of 2 years is prescribed.
- (2) In this regulation—

*Lower Limestone Coast Prescribed Wells Area* has the same meaning as in the *Water Resources (Lower Limestone Coast Prescribed Wells Area) Regulations 2004*.

#### **Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

#### **Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 319 of 2020

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South Australia

# Fisheries Management (Abalone Fisheries) (Quota) Variation Regulations 2020

under the *Fisheries Management Act 2007*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Fisheries Management (Abalone Fisheries) Regulations 2017*

- 4 Variation of regulation 10—Individual catch quota system—Central Zone
  - 5 Variation of regulation 11—Individual catch quota system—Southern Zone
  - 6 Variation of regulation 12—Individual catch quota system—Western Zone
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Fisheries Management (Abalone Fisheries) (Quota) Variation Regulations 2020*.

### 2—Commencement

These regulations come into operation on the day on which they are made.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of *Fisheries Management (Abalone Fisheries) Regulations 2017*

### 4—Variation of regulation 10—Individual catch quota system—Central Zone

- (1) Regulation 10(1)—after the definition of *quota period* insert:

*quota period 2020* means the quota period ending on 31 December 2020;

*quota period 2021* means the quota period ending on 31 December 2021;

*quota period 2022* means the quota period ending on 31 December 2022;

*quota period 2023* means the quota period ending on 31 December 2023;

*quota period 2024* means the quota period ending on 31 December 2024;

*quota period 2025* means the quota period ending on 31 December 2025;

- (2) Regulation 10(3)—delete "impose or"
- (3) Regulation 10(3)—before paragraph (a) insert:
- (aa) if—
- (i) the total catch of abalone of a particular class taken by holders of licences in respect of the fishery during the quota period 2020 falls short of the total allowable catch of abalone of that particular class for the fishery and that quota period; and
- (ii) the total catch of abalone of that class taken by at least 1 holder of a licence in respect of the fishery during the quota period 2020 falls short of the quota entitlement under that licence in respect of that class of abalone and that quota period by an amount exceeding 50 kilograms of abalone meat,
- the Minister may vary the conditions of all licences in respect of the fishery so as to increase the quota entitlements under the licences in respect of that class of abalone for the quota periods 2021, 2022, 2023, 2024 and 2025 by the same number of abalone units;

### **5—Variation of regulation 11—Individual catch quota system—Southern Zone**

- (1) Regulation 11(1)—after the definition of *quota period* insert:
- quota period 2019-2020* means the quota period that ended on 30 September 2020;
- quota period 2020-2021* means the quota period ending on 30 September 2021;
- quota period 2021-2022* means the quota period ending on 30 September 2022;
- quota period 2022-2023* means the quota period ending on 30 September 2023;
- (2) Regulation 11(3)(d)—delete paragraph (d) and substitute:
- (d) if the total catch of abalone of a particular class taken by the holder of a licence during a quota period is less than the abalone quota entitlement under the licence in respect of that class of abalone and that quota period, the Minister may vary the conditions of the licence so as to—
- (i) increase the quota entitlement in respect of that class of abalone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota entitlement (but in any case by not more than 50 kilograms); and
- (ii) prohibit any additional abalone units allocated to the licence as a result of the increase in the quota entitlement made under subparagraph (i) from being transferred to another licence; and
- (iii) in addition to any increase in the quota entitlement made under subparagraph (i), if the total catch of abalone of a particular class taken during the quota period 2019-2020 fell short of the quota entitlement for that quota period by an amount exceeding 50 kilograms of abalone meat—increase the quota entitlement in respect of that class of abalone for the quota periods 2020-2021, 2021-2022 and 2022-2023 by up to 1 kilogram of abalone meat for each kilogram above 50 kilograms by which the total catch fell short of the quota entitlement for the quota period 2019-2020;

(3) Regulation 11—after subregulation (3) insert:

- (3a) In determining whether to vary the conditions of a licence under subregulation (3)(d)(iii) so as to increase the abalone quota entitlement under the licence in respect of a particular class of abalone and the quota period 2021-2022 or 2022-2023, the Minister must take into account—
- (a) the total catch of abalone of that class taken by the holder of the licence during the quota period 2020-2021 or 2021-2022 (as the case requires); and
  - (b) any increase in the abalone quota entitlement under the licence in respect of that class of abalone for the quota period 2020-2021 or 2021-2022 (as the case requires) under subregulation (3)(d)(iii).

## **6—Variation of regulation 12—Individual catch quota system—Western Zone**

(1) Regulation 12(1)—after the definition of *quota period* insert:

*quota period 2020* means the quota period ending on 31 December 2020;

*quota period 2021* means the quota period ending on 31 December 2021;

*quota period 2022* means the quota period ending on 31 December 2022;

*quota period 2023* means the quota period ending on 31 December 2023;

(2) Regulation 12(3)(d)—delete paragraph (d) and substitute:

- (d) if the total catch of abalone of a particular class taken by the holder of a licence during a quota period is less than the abalone quota entitlement under the licence in respect of that class of abalone and that quota period, the Minister may vary the conditions of the licence so as to—
- (i) increase the quota entitlement in respect of that class of abalone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota entitlement (but in any case by not more than 50 kilograms); and
  - (ii) prohibit any additional abalone units allocated to the licence as a result of the increase in the quota entitlement made under subparagraph (i) from being transferred to another licence; and
  - (iii) in addition to any increase in the quota entitlement made under subparagraph (i), if the total catch of abalone of a particular class taken during the quota period 2020 fell short of the quota entitlement for that quota period by an amount exceeding 50 kilograms of abalone meat—increase the quota entitlement in respect of that class of abalone for the quota periods 2021, 2022 and 2023 by up to 1 kilogram of abalone meat for each kilogram above 50 kilograms by which the total catch fell short of the quota entitlement for the quota period 2020;

(3) Regulation 12—after subregulation (3) insert:

(3a) In determining whether to vary the conditions of a licence under subregulation (3)(d)(iii) so as to increase the abalone quota entitlement under the licence in respect of a particular class of abalone and the quota period 2022 or 2023, the Minister must take into account—

- (a) the total catch of abalone of that class taken by the holder of the licence during the quota period 2021 or 2022 (as the case requires); and
- (b) any increase in the abalone quota entitlement under the licence in respect of that class of abalone for the quota period 2021 or 2022 (as the case requires) under subregulation (3)(d)(iii).

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 320 of 2020

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South Australia

# **Fisheries Management (Marine Scalefish Fisheries) (Sardine Quota) Variation Regulations 2020**

under the *Fisheries Management Act 2007*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Fisheries Management (Marine Scalefish Fisheries) Regulations 2017***

- 4 Variation of regulation 17—Individual sardine catch quota system
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Fisheries Management (Marine Scalefish Fisheries) (Sardine Quota) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Fisheries Management (Marine Scalefish Fisheries) Regulations 2017***

### **4—Variation of regulation 17—Individual sardine catch quota system**

- (1) Regulation 17(2)—after the definition of *quota period* insert:
  - quota period 2020* means the quota period that ends on 31 December 2020;
  - quota period 2021* means the quota period that ends on 31 December 2021;
- (2) Regulation 17(4)(a)—delete paragraph (a)

(3) Regulation 17(4)—after paragraph (c) insert:

- (ca) if the total catch of sardines taken by the holder of a licence in respect of the Marine Scalefish Fishery subject to a condition fixing a sardine quota entitlement in respect of a particular sardine fishing zone during the quota period 2020 is less than the sardine quota entitlement under the licence for that fishing zone and that quota period, the Minister may vary the conditions of the licence so as to increase the sardine quota entitlement in respect of that fishing zone for the quota period 2021 by up to 1 kilogram of sardines for each kilogram by which the catch fell short of the sardine quota entitlement for the quota period 2020;

(4) Regulation 17(4)(f)—after "paragraph" insert:

- (c) or

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 321 of 2020

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South Australia

# Fisheries Management (Miscellaneous Fishery) (Quota) Variation Regulations 2020

under the *Fisheries Management Act 2007*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Fisheries Management (Miscellaneous Fishery) Regulations 2015*

- 4 Variation of regulation 9—Individual giant crab catch quota system
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Fisheries Management (Miscellaneous Fishery) (Quota) Variation Regulations 2020*.

### 2—Commencement

These regulations come into operation on the day on which they are made.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of *Fisheries Management (Miscellaneous Fishery) Regulations 2015*

### 4—Variation of regulation 9—Individual giant crab catch quota system

Regulation 9(1), definition of *quota period*—delete the definition and substitute:

*quota period*—

- (a) in relation to the Northern Zone means—
  - (i) the period that commenced on 1 July 2020 and ends on 31 October 2021; or
  - (ii) the period of 12 months commencing on 1 November 2021 or on 1 November in any subsequent year;



- (b) in relation to the Southern Zone means—
- (i) the period that commenced on 1 July 2020 and ends on 30 September 2021; or
  - (ii) the period of 12 months commencing on 1 October 2021 or on 1 October in any subsequent year;

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 322 of 2020

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South Australia

# **Fisheries Management (Prawn Fisheries) (Fishing Nights Entitlement) Variation Regulations 2020**

under the *Fisheries Management Act 2007*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Fisheries Management (Prawn Fisheries) Regulations 2017***

- 4 Variation of regulation 9—Individual fishing nights entitlement scheme—Gulf St. Vincent Prawn Fishery
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Fisheries Management (Prawn Fisheries) (Fishing Nights Entitlement) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Fisheries Management (Prawn Fisheries) Regulations 2017***

### **4—Variation of regulation 9—Individual fishing nights entitlement scheme—Gulf St. Vincent Prawn Fishery**

- (1) Regulation 9(1)—after the definition of *prescribed period 2* insert:

*prescribed period 2 (2020)* means the prescribed period 2 that ended on 31 July 2020;

*prescribed period 2 (2021)* means the prescribed period 2 ending on 31 July 2021;

*prescribed period 2 (2022)* means the prescribed period 2 ending on 31 July 2022;

- (2) Regulation 9(4)—after paragraph (a) insert:
- (ab) if the total number of nights on which the holder of the licence in respect of the fishery took aquatic resources during the prescribed period 2 (2020) is less than the fishing nights entitlement under the licence for that prescribed period, the Minister may vary the conditions of the licence so as to increase the fishing nights entitlement for the prescribed period 2 (2021) and the prescribed period 2 (2022) by up to 1 fishing night for every fishing night by which the number of nights fell short of the fishing nights entitlement for the prescribed period 2 (2020);
- (3) Regulation 9—after subregulation (4) insert:
- (4a) In determining whether to vary the conditions of a licence under subregulation (4)(ab) so as to increase the fishing nights entitlement under the licence for the prescribed period 2 (2022), the Minister must take into account—
    - (a) the total nights of fishing undertaken by the holder of the licence during the prescribed period 2 (2021); and
    - (b) any increase in the fishing nights entitlement under the licence for the prescribed period 2 (2021).

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 17 December 2020

No 323 of 2020

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South Australia

## **Fisheries Management (Rock Lobster Fisheries) (Quota) (No 3) Variation Regulations 2020**

under the *Fisheries Management Act 2007*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Fisheries Management (Rock Lobster Fisheries) Regulations 2017***

- 4 Variation of regulation 15—Individual rock lobster catch quota system—Northern Zone
  - 5 Variation of regulation 16—Individual rock lobster catch quota system—Southern Zone
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Fisheries Management (Rock Lobster Fisheries) (Quota) (No 3) Variation Regulations 2020*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Fisheries Management (Rock Lobster Fisheries) Regulations 2017***

#### **4—Variation of regulation 15—Individual rock lobster catch quota system—Northern Zone**

- (1) Regulation 15(1)—after the definition of *quota period 2021-2022* insert:

*quota period 2022-2023* means the quota period ending on 31 October 2023;
- (2) Regulation 15(3)(ab)—delete "2019-2020 quota period" wherever occurring and substitute in each case:

quota period 2019-2020

- (3) Regulation 15(3)(ab)—delete "rock lobster entitlement" and substitute:  
rock lobster quota entitlement
- (4) Regulation 15(3)—after paragraph (ab) insert:  
(ac) if the total catch of rock lobster taken by the holder of a licence in a particular Northern Zone Region during the quota period 2020-2021 is less than the rock lobster quota entitlement under the licence for that Region and that quota period, the Minister may vary the conditions of the licence so as to increase the quota entitlement in respect of that Region for the quota periods 2021-2022 and 2022-2023 by up to 1 kilogram of rock lobster for each kilogram by which the catch fell short of the rock lobster quota entitlement under the licence for the quota period 2020-2021;
- (5) Regulation 15(3a)—delete "rock lobster entitlement" and substitute:  
rock lobster quota entitlement
- (6) Regulation 15(3a)—delete "2021-2022 quota period" and substitute:  
quota period 2021-2022
- (7) Regulation 15(3a)—delete "2020-2021 quota period" wherever occurring and substitute in each case:  
quota period 2020-2021
- (8) Regulation 15—after subregulation (3a) insert:  
(3b) In determining whether to vary the conditions of a licence under subregulation (3)(ac) so as to increase the rock lobster quota entitlement under the licence for a particular Northern Zone Region and the quota period 2022-2023, the Minister must take into account—  
(a) the total catch of rock lobster taken by the holder of the licence in that Region during the quota period 2021-2022; and  
(b) any increase in the rock lobster quota entitlement under that licence in respect of that Region for the quota period 2021-2022.

### **5—Variation of regulation 16—Individual rock lobster catch quota system— Southern Zone**

- (1) Regulation 16(1), definition of *quota period*, paragraph (b)—delete "30 September" and substitute:  
14 September
- (2) Regulation 16(1), definition of *quota period*, paragraph (c)—delete the paragraph and substitute:  
(c) the period commencing on 15 September 2021 and ending on 30 September 2022; or  
(d) the period of 12 months commencing on 1 October 2022 or on 1 October in any subsequent year;

- (3) Regulation 16(1), definition of *quota period 2020-2021*—delete "30 September" and substitute:  
14 September
- (4) Regulation 16(1)—after the definition of *quota period 2020-2021* insert:  
*quota period 2021-2022* means the quota period ending on 30 September 2022;
- (5) Regulation 16(3)(ab)—delete "2019-2020 quota period" wherever occurring and substitute in each case:  
quota period 2019-2020
- (6) Regulation 16(3)(ab)—delete "2020-2021 quota period" and substitute:  
quota period 2020-2021
- (7) Regulation 16(3)(ab)—delete "rock lobster entitlement" and substitute:  
rock lobster quota entitlement
- (8) Regulation 16(3)—after paragraph (ab) insert:  
(ac) if the total catch of rock lobster taken by the holder of a licence during the quota period 2020-2021 is less than the rock lobster quota entitlement under the licence for that quota period, the Minister may vary the conditions of the licence so as to increase the quota entitlement for the quota period 2021-2022 by up to 1 kilogram of rock lobster for each kilogram by which the catch fell short of the rock lobster quota entitlement under the licence for the quota period 2020-2021;

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 December 2020

No 324 of 2020

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# RULES OF COURT

## RULES OF COURT

### MAGISTRATES COURT OF SOUTH AUSTRALIA

#### *Amendment 87 to the Magistrates Court Rules 1992*

PURSUANT to section 49 of the *Magistrates Court Act 1991* and all other enabling powers, we, the undersigned, do hereby make the following amendments to the *Magistrates Court Rules 1992* as amended.

1. These Rules may be cited as the 'Magistrates Court Rules 1992 (Amendment 87)'.
2. The *Magistrates Court Rules 1992* ('the Rules') as amended by these amendments apply to and govern all actions in the criminal division of the Court on and after the date on which these amendments are gazetted.
3. The following is inserted after Rule 18.11:
  - 18A.12 A request to register a Foreign Paedophile Restraining Order must comply with Form 41A and may be listed before a Magistrate. The applicant may appear in person or by telephone or file an affidavit explaining why the order should be registered.
  - 18A.13 A notice of registration of a Foreign Paedophile Restraining Order must comply with Form 42A.
  - 18A.14 A request to register a Foreign Child Protection Restraining Order must comply with Form 41B and may be listed before a Magistrate. The applicant may appear in person or by telephone or file an affidavit explaining why the order should be registered.
  - 18A.15 A notice of registration of a Foreign Child Protection Restraining Order must comply with Form 42B.
4. Forms 41A, 41B, 42A and 42B are inserted.
5. Rule 18.15 is deleted and replaced with the following:
  - 18.15 A request to register a Foreign Intervention Order must comply with Form 41 and may be listed before a Magistrate. The applicant may appear in person or by telephone or file an affidavit explaining why the order should be registered and any reasons to support a request that it not be served. The Magistrate when ordering registration of the order must specify whether it is to be served or not.
6. Form 46AA is deleted and replaced with Form 46AA.
7. Form 28 is deleted and replaced with Form 28.
8. Form 28AA is deleted and replaced with Form 28AA.
9. Form 29 is deleted and replaced with Form 29.
10. Form 29AA is deleted and replaced with Form 29AA.
11. Form 30 is deleted and replaced with Form 30.

Signed on the 15<sup>th</sup> day of December 2020.

MARY-LOUISE HRIBAL  
Chief Magistrate

BRETT JONATHON DIXON  
Magistrate

LUKE ANTHONY DAVIS  
Magistrate

NICOLAS ALEXANDRIDES  
Magistrate

Form 28



**POLICE/THIRD PARTY APPLICATION  
(INTERVENTION ORDER)**  
**Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*  
 Section 20

<b>Court Use</b>
Date Filed:

<b>Applicant</b> (Police applicant state rank and number)							
Name	Surname		Given name/s		AP Number		
Address	Street		Telephone		Facsimile		
	City/Town/Suburb		State	Postcode	Email Address		
<b>Defendant</b> (Police may provide details separately)							
Name	Surname		Given name/s		Gender	DOB	dd/mm/yyyy
Address	Street						
	City/Town/Suburb		State	Postcode			
<b>Other address at which defendant may be found</b>							
Address	Street						
	City/Town/Suburb		State	Postcode			
<b>Proposed Protected Person(s)</b> (provide contact details on Annexure attached)							
Names	Surname		Given name/s		Gender	DOB	dd/mm/yyyy
	Surname		Given name/s		Gender	DOB	dd/mm/yyyy
	Surname		Given name/s		Gender	DOB	dd/mm/yyyy
	Surname		Given name/s		Gender	DOB	dd/mm/yyyy
<b>The applicant says that the defendant may commit the following act of abuse:</b>							
<input type="checkbox"/> domestic abuse <input type="checkbox"/> non-domestic abuse							
<b>The applicant seeks the intervention order terms on the attached sheet.</b>							
<b>Is there currently a Domestic Violence Order in place anywhere in Australia between any of the proposed protected person(s) and the defendant?</b> Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please attach a copy of the order)							
<b>COURT USE ONLY:</b> Registry checks confirm this is a current and enforceable Domestic Violence Order. Yes <input type="checkbox"/> No: <input type="checkbox"/> (not required if police are the applicant) (only to be completed if the applicant attaches a current Domestic Violence Order)							
<b>The applicant will seek a tenancy order:</b> Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please give this information)							
Address of premises:							
Term of lease:							
The present tenant(s):			The proposed tenant:				
Present rent:			How much is the bond:				
Name of landlord or agent:							
Phone number:			Email:				
<b>The applicant will seek a problem gambling order:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>							



**You must provide details of the following:**

Any children who will not be protected persons but who may be affected by the order:

Name	Age	Name	Age
Name	Age	Name	Age

Are you aware of any relevant orders or pending applications under the *Family Law Act 1975* (Cth), between a person or persons proposed to be protected by the order and the defendant?  
 Yes  No

Are you aware of any relevant orders, agreements, pending applications or contact determinations under the *Children and Young People (Safety) Act 2017*?  
 Yes  No

Are you aware of any relevant orders or agreements for the division of property under the *Family Law Act 1975* (Cth) or the *Domestic Partners Property Act 1996*, or a corresponding law of another jurisdiction, between a person or persons proposed to be protected by the order and the defendant, or any pending application for such an order?  
 Yes  No

Are you aware of any other legal proceedings between a person or persons proposed to be protected by the order and the defendant?  
 Yes  No

If you answered 'yes' to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings.

---

..... Date ..... APPLICANT .....

<b>Hearing details</b>	Registry		Date
	Address		Time am/pm
	Telephone	Facsimile	Email Address

---

..... Date ..... JUSTICE OF THE PEACE / REGISTRAR .....

**INTERIM INTERVENTION ORDER TERMS REQUESTED**

This order is declared to address a domestic violence concern.

The defendant must **not**:

- 1  assault, threaten, harass or intimidate the protected person(s);  
 2  follow or keep the protected person(s) under surveillance including tracking GPS or otherwise;  
 3  approach within                    metres of the protected person(s) unless permitted by other conditions of this order;  
 4  contact or communicate with the protected person(s) either directly or indirectly in any way (including telephone, SMS messages, in writing, e-mail or any other social media etc).

**But contact is permitted;** (Tick as applicable)

- a)  at any court or tribunal hearing where the defendant is a party to proceedings or a witness;  
 b)  through a solicitor or police;  
 c)  in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*;  
 d)  at a family dispute resolution conference or family counselling under the *Family Law Act 1975*, a family conference under the *Young Offenders Act 1993*, a family group conference under the *Children and Young People (Safety) Act 2017*, or at a mediation;  
 e)  in accordance with a Parenting Plan under s 63C of the *Family Law Act 1975* consented to by the protected person after this order;
33.  Notwithstanding the other terms of this order, contact is permitted by SMS and/or email or                    to facilitate access to child(ren) and to exchange information as to the welfare of the child(ren);
- (OTH)  Other orders (regarding communication):

- 5  enter or remain within                    metres of any boundary where the protected person(s) stays, resides or works;  
 6  damage or interfere with the premises where the protected person(s) stays, resides or works;  
 7  damage or take possession of personal property belonging to the protected person(s) and the following specified property:

8  enter or be within                    metres of the boundary of the following locations:

9  enter or be within                    metres of the boundary of any education or care facility attended by the protected person(s) and/or including specifically the following:

10  be in possession of the following weapon(s) or article(s):

- 11  publish on the internet or by any other electronic means any material about the protected person(s);  
 12  cause, allow or encourage another person to do anything forbidden by this order.

**The defendant must/must not:**

(OTH)  Other orders:

**The defendant is:**

- 13  permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order;

**The defendant must:**

- 14  vacate the premises at  
forthwith upon service of this order and not return to those premises unless this term is varied or dismissed  
by the Court;
- 15  contact the Intervention Program Manager at ph. 8204 8815 within 2 business days and make and attend an  
appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by  
the court;

(OTH)  **Section 68R Family Law Act 1975 Orders/s:** (Tick as applicable)

The  Family Court /  Federal Circuit Court order,

- Parenting Order  
 Recovery Order  
 Injunction  
 Undertaking  
 Registered Parenting Plan  
 Recognisance

made on the \_\_\_\_\_ is  Revived /  Varied /  Discharged /  Suspended as follows:

and is  ongoing OR  valid until \_\_\_\_\_ .

**Firearms orders (see s 14):**

- 16  any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit  
held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be  
surrendered to the Registrar of Firearms forthwith.
- 17  for so long as this intervention order remains in force, any licence or permit held by the defendant authorising  
possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from  
holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm.  
The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or  
her employment.



**FORM 28 ANNEXURE  
PROTECTED PERSON(S) DETAILS  
(INTERVENTION ORDER)**

**Magistrates Court of South Australia**

[www.courts.sa.gov.au](http://www.courts.sa.gov.au)

*Intervention Orders (Prevention of Abuse) Act 2009*

Section 20

<b>Court Use</b>
Date Filed:

This annexure should be kept separately from Form 28. It must not be served on the defendant with Form 28. Pursuant to r 18.04C it must be stored electronically, separately from the hard file and any hardcopy of the document must be subsequently destroyed.

Protected Person(s) Details				
1.	Name	Surname	Given name/s	Gender
	Address	Street	Telephone	Facsimile
		City/Town/Suburb	State	Postcode
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email			
2.	Name	Surname	Given name/s	Gender
	Address	Street	Telephone	Facsimile
		City/Town/Suburb	State	Postcode
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email			
3.	Name	Surname	Given name/s	Gender
	Address	Street	Telephone	Facsimile
		City/Town/Suburb	State	Postcode
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email			
4.	Name	Surname	Given name/s	Gender
	Address	Street	Telephone	Facsimile
		City/Town/Suburb	State	Postcode
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email			
5.	Name	Surname	Given name/s	Gender
	Address	Street	Telephone	Facsimile
		City/Town/Suburb	State	Postcode
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email			
6.	Name	Surname	Given name/s	Gender
	Address	Street	Telephone	Facsimile
		City/Town/Suburb	State	Postcode
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email			

Form 28AA



**PRIVATE APPLICATION  
(INTERVENTION ORDER)  
Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*  
Section 20

<b>Court Use</b>
Date Filed:

<b>Applicant</b>					
Name	Surname		Given name/s		
<b>Defendant</b>					
Name	Surname		Given name/s	Gender	DOB dd/mm/yyyy
Address	Street				
	City/Town/Suburb		State	Postcode	
<b>Other address at which defendant may be found</b>					
Address	Street				
	City/Town/Suburb		State	Postcode	
<b>Proposed Protected Person(s)</b> (provide contact details on Annexure attached)					
Names	Surname		Given name/s	Gender	DOB dd/mm/yyyy
	Surname		Given name/s	Gender	DOB dd/mm/yyyy
	Surname		Given name/s	Gender	DOB dd/mm/yyyy
	Surname		Given name/s	Gender	DOB dd/mm/yyyy
<b>The applicant says that the defendant may commit the following act of abuse:</b>					
<input type="checkbox"/> domestic abuse <input type="checkbox"/> non-domestic abuse					
<b>The applicant seeks the intervention order terms on the attached sheet.</b>					
<b>Is there currently a Domestic Violence Order in place anywhere in Australia between any of the proposed protected person(s) and the defendant?</b> Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please attach a copy of the order)					
<b>COURT USE ONLY:</b> Registry checks confirm this is a current and enforceable Domestic Violence Order. Yes <input type="checkbox"/> No: <input type="checkbox"/> (only to be completed if the applicant attaches a current Domestic Violence Order)					
<b>The applicant will seek a tenancy order:</b> Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please give this information)					
Address of premises:					
Term of lease:					
The present tenant(s):			The proposed tenant:		
Present rent:			How much is the bond:		
Name of landlord or agent:					
Phone number:			Email:		
<b>The applicant will seek a problem gambling order:</b> Yes <input type="checkbox"/> No: <input type="checkbox"/>					

**You must provide details of the following:**

Any children who will not be protected persons but who may be affected by the order:

Name	Age	Name	Age
Name	Age	Name	Age

Are you aware of any relevant orders or pending applications under the *Family Law Act 1975* (Cth), between a person or persons proposed to be protected by the order and the defendant?  
 Yes  No

Are you aware of any relevant orders, agreements, pending applications or contact determinations under the *Children and Young People (Safety) Act 2017*?  
 Yes  No

Are you aware of any relevant orders or agreements for the division of property under the *Family Law Act 1975* (Cth) or the *Domestic Partners Property Act 1996*, or a corresponding law of another jurisdiction, between a person or persons proposed to be protected by the order and the defendant, or any pending application for such an order?  
 Yes  No

Are you aware of any other legal proceedings between a person or persons proposed to be protected by the order and the defendant?  
 Yes  No

If you answered 'yes' to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings.

---

..... Date ..... APPLICANT

<b>Hearing details</b>	Registry		Date
	Address		Time am/pm
	Telephone	Facsimile	Email Address

---

..... Date ..... JUSTICE OF THE PEACE / REGISTRAR

### INTERIM INTERVENTION ORDER TERMS REQUESTED

This order is declared to address a domestic violence concern.

The defendant must **not**:

- 1  assault, threaten, harass or intimidate the protected person(s);
- 2  follow or keep the protected person(s) under surveillance including tracking GPS or otherwise;
- 3  approach within           metres of the protected person(s) unless permitted by other conditions of this order;
- 4  contact or communicate with the protected person(s) either directly or indirectly in any way (including telephone, SMS messages, in writing, e-mail or any other social media etc).

**But contact is permitted;** (Tick as applicable)

- a)  at any court or tribunal hearing where the defendant is a party to proceedings or a witness;
  - b)  through a solicitor or police;
  - c)  in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*;
  - d)  at a family dispute resolution conference or family counselling under the *Family Law Act 1975*, a family conference under the *Young Offenders Act 1993*, a family group conference under the *Children and Young People (Safety) Act 2017*, or at a mediation;
  - e)  in accordance with a Parenting Plan under s 63C of the *Family Law Act 1975* consented to by the protected person after this order;
33.  Notwithstanding the other terms of this order, contact is permitted by SMS and/or email or           to facilitate access to child(ren) and to exchange information as to the welfare of the child(ren);

(OTH)  Other orders (regarding communication):

- 5  enter or remain within           metres of any boundary where the protected person(s) stays, resides or works;
- 6  damage or interfere with the premises where the protected person(s) stays, resides or works;
- 7  damage or take possession of personal property belonging to the protected person(s) and the following specified property:

8  enter or be within           metres of the boundary of the following locations:

9  enter or be within           metres of the boundary of any education or care facility attended by the protected person(s) and/or including specifically the following:

10  be in possession of the following weapon(s) or article(s):

- 11  publish on the internet or by any other electronic means any material about the protected person(s);
- 12  cause, allow or encourage another person to do anything forbidden by this order.

**The defendant must/must not:**

(OTH)  Other orders:

**The defendant is:**

- 13  permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order;

**The defendant must:**

- 14  vacate the premises at  
forthwith upon service of this order and not return to those premises unless this term is varied or dismissed  
by the Court;
- 15  contact the Intervention Program Manager at ph. 8204 8815 within 2 business days and make and attend an  
appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by  
the court;

(OTH)  **Section 68R Family Law Act 1975 Orders/s:** (Tick as applicable)

The  Family Court /  Federal Circuit Court order,

- Parenting Order  
 Recovery Order  
 Injunction  
 Undertaking  
 Registered Parenting Plan  
 Recognisance

made on the            is  Revived /  Varied /  Discharged /  Suspended as follows:

and is  ongoing OR  valid until            .

**Firearms orders (see s 14):**

- 16  any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit  
held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be  
surrendered to the Registrar of Firearms forthwith.
- 17  for so long as this intervention order remains in force, any licence or permit held by the defendant authorising  
possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from  
holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm.  
The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or  
her employment.





**FORM 28AA ANNEXURE  
PROTECTED PERSON(S) DETAILS  
(INTERVENTION ORDER)**

**Magistrates Court of South Australia**

[www.courts.sa.gov.au](http://www.courts.sa.gov.au)

*Intervention Orders (Prevention of Abuse) Act 2009*

Section 20

<b>Court Use</b>
Date Filed:

This annexure should be kept separately from Form 28AA. It must not be served on the defendant with Form 28AA. Pursuant to r 18.04C it must be stored electronically, separately from the hard file and any hardcopy of the document can be subsequently destroyed.

Applicant/Protected Person Details				
1.	Name		Gender	
	<i>Surname</i>		<i>Given name/s</i>	
	Address		Telephone	Facsimile
	<i>Street</i>	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>
		Email Address		
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
Other Protected Person(s) Details				
2.	Name		Gender	
	<i>Surname</i>		<i>Given name/s</i>	
	Address		Telephone	Facsimile
	<i>Street</i>	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>
		Email Address		
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
3.	Name		Gender	
	<i>Surname</i>		<i>Given name/s</i>	
	Address		Telephone	Facsimile
	<i>Street</i>	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>
		Email Address		
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
4.	Name		Gender	
	<i>Surname</i>		<i>Given name/s</i>	
	Address		Telephone	Facsimile
	<i>Street</i>	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>
		Email Address		
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
5.	Name		Gender	
	<i>Surname</i>		<i>Given name/s</i>	
	Address		Telephone	Facsimile
	<i>Street</i>	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>
		Email Address		
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
6.	Name		Gender	
	<i>Surname</i>		<i>Given name/s</i>	
	Address		Telephone	Facsimile
	<i>Street</i>	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>
		Email Address		
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				

Form 29AA



**INTERIM INTERVENTION ORDER**  
**Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Bail Act 1985*  
 Section 23A

<input type="checkbox"/> <b>NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER</b>			
AP Number			
Registry		File No	
Address	Street	Telephone	Facsimile
	City/Town/Suburb	State	Postcode
	Email Address		
<b>Defendant</b>			
Name	Surname	Given name/s	DOB <i>dd/mm/yyyy</i>
<b>Applicant</b>			
Name	Surname	Given name/s	
<b>Protected Person(s)</b>			
Name(s)	Surname	Given name/s	DOB <i>dd/mm/yyyy</i>
	Surname	Given name/s	DOB <i>dd/mm/yyyy</i>
	Surname	Given name/s	DOB <i>dd/mm/yyyy</i>
	Surname	Given name/s	DOB <i>dd/mm/yyyy</i>
<b>Interim Intervention Order made:</b>			
<input type="checkbox"/> Issue interim intervention order (s 23A of the <i>Bail Act 1985</i> )			
<b>Intervention order made:</b>			
<input type="checkbox"/> This order is declared to address a domestic violence concern.			
The defendant must <b>not</b> :			
1	<input type="checkbox"/> assault, threaten, harass or intimidate the protected person(s);		
2	<input type="checkbox"/> follow or keep the protected person(s) under surveillance including tracking GPS or otherwise;		
3	<input type="checkbox"/> approach within           metres of the protected person(s) unless permitted by other conditions of this order;		
4	<input type="checkbox"/> contact or communicate with the protected person(s) either directly or indirectly in any way (including telephone, SMS messages, in writing, e-mail or any other social media etc).		
<b>But contact is permitted;</b> (Tick as applicable)			
	a) <input type="checkbox"/> at any court or tribunal hearing where the defendant is a party to proceedings or a witness;		
	b) <input type="checkbox"/> through a solicitor or police;		
	c) <input type="checkbox"/> in accordance with an order of a court exercising jurisdiction under the <i>Family Law Act 1975</i> ;		
	d) <input type="checkbox"/> at a family dispute resolution conference or family counselling under the <i>Family Law Act 1975</i> , a family conference under the <i>Young Offenders Act 1993</i> , a family group conference under the <i>Children and Young People (Safety) Act 2017</i> , or at a mediation;		
	e) <input type="checkbox"/> in accordance with a Parenting Plan under s 63C of the <i>Family Law Act 1975</i> consented to by the protected person after this order;		
33.	<input type="checkbox"/> Notwithstanding the other terms of this order, contact is permitted by SMS and/or email or to facilitate access to child(ren) and to exchange information as to the welfare of the child(ren);		
(OTH)	<input type="checkbox"/> Other orders (regarding communication):		

- 5  enter or remain within                    metres of any boundary where the protected person(s) stays, resides or works;
- 6  damage or interfere with the premises where the protected person(s) stays, resides or works;
- 7  damage or take possession of personal property belonging to the protected person(s) and the following specified property:
- 8  enter or be within                    metres of the boundary of the following locations:
- 9  enter or be within                    metres of the boundary of any education or care facility attended by the protected person(s) and/or including specifically the following:
- 10  be in possession of the following weapon(s) or article(s):
- 11  publish on the internet or by any other electronic means any material about the protected person(s);
- 12  cause, allow or encourage another person to do anything forbidden by this order.
- The defendant must/must not:**
- (OTH)  Other orders:
- The defendant is:**
- 13  permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order;
- The defendant must:**
- 14  vacate the premises at  
forthwith upon service of this order and not return to those premises unless this term is varied or dismissed by the Court;
- 15  contact the Intervention Program Manager at ph. 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the court;
- (OTH)  **Section 68R Family Law Act 1975 Orders/s:** (Tick as applicable)  
The  Family Court /  Federal Circuit Court order,  
 Parenting Order  
 Recovery Order  
 Injunction  
 Undertaking  
 Registered Parenting Plan  
 Recognisance  
made on the                    is  Revived /  Varied /  Discharged /  Suspended as follows:
- and is  ongoing OR  valid until                    .
- Firearms orders (see s 14):**
- 16  any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be surrendered to the Registrar of Firearms forthwith.
- 17  for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment.

<b>Hearing details</b>	Registry		Date
	Address		Time am/pm
	Telephone	Facsimile	Email Address
Date .....		MAGISTRATES COURT Registrar/Justice of the Peace	

**IMPORTANT NOTICES TO THE DEFENDANT**

- **Non-compliance with the order may render you liable to a term of imprisonment.**
- If you do not appear, an order may be made in your absence.
- If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.
- If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories.
- A copy of any evidence that was relied on to make the order may be obtained from the Registry.

**Proof of Service**

The defendant was present in Court when this order was made and is deemed served with the order pursuant to the *Intervention Orders (Prevention of Abuse) Act 2009*.

A copy of the order was provided to the defendant in the following manner:

The defendant was personally served with this order.

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between                      am/pm and                      am/pm

I certify that I served the attached document on the defendant personally.

Certified this                      day of                      20                      .....

**Note – include instructions to the police officer serving this order**  
**Note – Form 43 Multilingual Notice must be served with this Interim Order**



**FINAL INTERVENTION ORDER**  
**Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*  
 Section 23  
*Sentencing Act 2017*  
 Section 28

<input type="checkbox"/> <b>NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER</b>			
AP Number			
Registry		File No	
Address	Street	Telephone	Facsimile
	City/Town/Suburb	State	Postcode Email Address
<b>Defendant</b>			
Name	Surname	Given name/s	DOB dd/mm/yyyy
<b>Applicant</b>			
Name	Surname	Given name/s	
<b>Protected Person(s)</b>			
Name(s)	Surname	Given name/s	DOB dd/mm/yyyy
	Surname	Given name/s	DOB dd/mm/yyyy
	Surname	Given name/s	DOB dd/mm/yyyy
	Surname	Given name/s	DOB dd/mm/yyyy
<b>Intervention order made:</b>			
<input type="checkbox"/> Confirm interim intervention order as a final intervention order (s 23(1)(a) of the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> ) <input type="checkbox"/> Issue final intervention order in substitution for interim intervention order (s 23(1)(b) of the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> ) <input type="checkbox"/> Confirm interim intervention order as final intervention order, or issue final intervention order in substitution for interim intervention order, by consent without admission (s 23(1)(a) and (b) and s 23(3) of the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> ) <input type="checkbox"/> Issue final intervention order where defendant has been found guilty of an offence or on sentencing for an offence (s 28 of the <i>Sentencing Act 2017</i> )			
<b>Details of Intervention order:</b>			
<input type="checkbox"/> This order is declared to address a domestic violence concern. The defendant must <b>not</b> :			
1	<input type="checkbox"/> assault, threaten, harass or intimidate the protected person(s);		
2	<input type="checkbox"/> follow or keep the protected person(s) under surveillance including tracking GPS or otherwise;		
3	<input type="checkbox"/> approach within           metres of the protected person(s) unless permitted by other conditions of this order;		
4	<input type="checkbox"/> contact or communicate with the protected person(s) either directly or indirectly in any way (including telephone, SMS messages, in writing, e-mail or any other social media etc).		

**But contact is permitted;** (Tick as applicable)

- a)  at any court or tribunal hearing where the defendant is a party to proceedings or a witness;
- b)  through a solicitor or police;
- c)  in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*;
- d)  at a family dispute resolution conference or family counselling under the *Family Law Act 1975*, a family conference under the *Young Offenders Act 1993*, a family group conference under the *Children and Young People (Safety) Act 2017*, or at a mediation;
- e)  in accordance with a Parenting Plan under s 63C of the *Family Law Act 1975* consented to by the protected person after this order;
33.  Notwithstanding the other terms of this order, contact is permitted by SMS and/or email or to facilitate access to child(ren) and to exchange information as to the welfare of the child(ren);
- (OTH)  Other orders (regarding communication:
- 5  enter or remain within metres of any boundary where the protected person(s) stays, resides or works;
- 6  damage or interfere with the premises where the protected person(s) stays, resides or works;
- 7  damage or take possession of personal property belonging to the protected person(s) and the following specified property:
- 8  enter or be within metres of the boundary of the following locations:
- 9  enter or be within metres of the boundary of any education or care facility attended by the protected person(s) and/or including specifically the following:
- 10  be in possession of the following weapon(s) or article(s):
- 11  publish on the internet or by any other electronic means any material about the protected person(s);
- 12  cause, allow or encourage another person to do anything forbidden by this order.
- The defendant must/must not:**
- (OTH)  Other orders:
- The defendant is:**
- 13  permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order;
- The defendant must:**
- 14  vacate the premises at  
forthwith upon service of this order and not return to those premises unless this term is varied or dismissed by the Court;
- 15  contact the Intervention Program Manager at ph. 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the court;
- (OTH)  **Section 68R Family Law Act 1975 Orders/s:** (Tick as applicable)  
The  Family Court /  Federal Circuit Court order,  
 Parenting Order  
 Recovery Order

	<input type="checkbox"/> Injunction <input type="checkbox"/> Undertaking <input type="checkbox"/> Registered Parenting Plan <input type="checkbox"/> Recognisance made on the            is <input type="checkbox"/> Revived / <input type="checkbox"/> Varied / <input type="checkbox"/> Discharged / <input type="checkbox"/> Suspended as follows:
	and is <input type="checkbox"/> ongoing OR <input type="checkbox"/> valid until            .
	<b>Firearms orders (see s 14):</b>
16	<input type="checkbox"/> any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be surrendered to the Registrar of Firearms forthwith.
17	<input type="checkbox"/> for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment.
..... Date	..... REGISTRAR
<b>IMPORTANT NOTICES TO THE DEFENDANT</b> <ul style="list-style-type: none"> <li>• <b>Non-compliance with the order may render you liable to a term of imprisonment.</b></li> <li>• If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.</li> <li>• If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories.</li> <li>• A copy of any evidence that was relied on to make the order may be obtained from the Registry.</li> <li>• You cannot apply to the Court to vary or revoke this order for 12 months or such longer period as the Court may have ordered.</li> </ul>	

**Proof of Service**

Service is not required pursuant to s 23(4) of the *Intervention Orders (Prevention of Abuse) Act 2009*.

The defendant was present in Court when this order was made and is deemed served with the order pursuant to the *Intervention Orders (Prevention of Abuse) Act 2009*.

A copy of the order was provided to the defendant in the following manner:

The defendant was personally served with this order.

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between                      am/pm and                      am/pm

I certify that I served the attached document on the defendant personally.

Certified this                      day of                      20                      .....

**Note – Include instructions to the police officer serving this order.**  
**Note – Form 43 Multilingual Notice must be served with this order.**



Form 41A



**REQUEST TO REGISTER FOREIGN  
PAEDOPHILE RESTRAINING ORDER**

**Magistrates Court of South Australia**

[www.courts.sa.gov.au](http://www.courts.sa.gov.au)

*Criminal Procedure Act 1921*

Section 99H

<b>Court Use</b>
Date Filed:

Registry				File No	
Address	<i>Street</i>		<i>Telephone</i>		<i>Facsimile</i>
	<i>City/Town/Suburb</i>		<i>State</i>	<i>Postcode</i>	<i>Email Address</i>
<b>Applicant</b>					
Name	THE UNDERSIGNED MEMBER OF SOUTH AUSTRALIA POLICE				
Address	<i>Street</i>				
	<i>City/Town/Suburb</i>		<i>State</i>	<i>Postcode</i>	
<b>Defendant</b>					
Name	<i>Surname</i>		<i>Given name/s</i>		DOB <i>dd/mm/yy</i>
	<i>Street</i>				
Address	<i>City/Town/Suburb</i>		<i>State</i>	<i>Postcode</i>	
	Date foreign order made: Date foreign order expires: A certified copy of the foreign order (including proof of service or certificate of proper notification on the defendant) must be attached for registration by the Court.				
The reasons for requesting registration of the foreign order in South Australia:					
..... Date <span style="float: right;">APPLICANT</span> .....					
<b>Hearing details</b>	Registry			Date	
	Address			Time am/pm	
	Telephone		Facsimile	Email Address	
..... Date <span style="float: right;">REGISTRAR/JUSTICE OF THE PEACE</span> .....					
The Registrar must obtain a certified copy of the foreign order and details of the next hearing in the other jurisdiction, where applicable					

Form 41B



**REQUEST TO REGISTER FOREIGN CHILD PROTECTION RESTRAINING ORDER**

**Magistrates Court of South Australia**

[www.courts.sa.gov.au](http://www.courts.sa.gov.au)

*Criminal Procedure Act 1921*

Section 99H

<b>Court Use</b>
Date Filed:

Registry					File No	
Address	Street			Telephone		Facsimile
	City/Town/Suburb		State	Postcode	Email Address	
<b>Applicant</b>						
Name	Surname		Given name/s		DOB dd/mm/yy	
Address	Street					
	City/Town/Suburb			State	Postcode	
<b>Defendant</b>						
Name	Surname		Given name/s		DOB dd/mm/yy	
Address	Street					
	City/Town/Suburb			State	Postcode	
Date foreign order made:						
Date foreign order expires:						
A certified copy of the foreign order (including proof of service or certificate of proper notification on the defendant) must be attached for registration by the Court.						
The reasons for requesting registration of the foreign order in South Australia:						
..... Date <span style="float: right;">APPLICANT</span>						
<b>Hearing details</b>	Registry				Date	
	Address				Time am/pm	
	Telephone		Facsimile	Email Address		
..... Date <span style="float: right;">REGISTRAR/JUSTICE OF THE PEACE</span>						
The Registrar must obtain a certified copy of the foreign order and details of the next hearing in the other jurisdiction, where applicable						

Form 42A



**NOTICE OF REGISTRATION OF  
FOREIGN PAEDOPHILE RESTRAINING ORDER**

**Magistrates Court of South Australia**

[www.courts.sa.gov.au](http://www.courts.sa.gov.au)

*Criminal Procedure Act 1921*

Section 99H

This document must be served on the defendant personally				
Registry			File No	
Address	Street		Telephone	Facsimile
	City/Town/Suburb	State	Postcode	Email Address
<b>Defendant</b>				
Name	Surname		Given name/s	DOB dd/mm/yyyy
<p><b>Date foreign order registered:</b>                      A certified copy of the foreign order that has been registered is attached.                      That order has been adapted for application in this State, and now restrains you in the following terms:</p> <p><input type="checkbox"/> The defendant was present in Court when the order was made.</p> <p>That order is a registered Foreign Restraining Order for the purposes of Part 4, Division 7 of the <i>Criminal Procedure Act 1921</i>.</p> <p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p>				
..... Date		..... MAGISTRATE/REGISTRAR		
<p><b>IMPORTANT NOTICES TO THE DEFENDANT</b></p> <ul style="list-style-type: none"> <li>It is an offence to contravene or fail to comply with a registered foreign restraining order. If you do not comply with this order, you may be liable to a maximum penalty of two years imprisonment.</li> <li>Upon registration, this order is also enforceable in other Australian States and Territories</li> </ul>				

**Proof of Service**

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between                      am/pm and                      am/pm

I certify that I served the attached document on the defendant personally.

Certified this                      day of                      20                      .....

Form 42B



**NOTICE OF REGISTRATION OF  
FOREIGN CHILD PROTECTION RESTRAINING ORDER**

**Magistrates Court of South Australia**

[www.courts.sa.gov.au](http://www.courts.sa.gov.au)

*Criminal Procedure Act 1921*

Section 99H

This document must be served on the defendant personally				
Registry			File No	
Address	Street		Telephone	Facsimile
	City/Town/Suburb	State	Postcode	Email Address
<b>Defendant</b>				
Name	Surname		Given name/s	DOB dd/mm/yyyy
<p><b>Date foreign order registered:</b>                      A certified copy of the foreign order that has been registered is attached.                      That order has been adapted for application in this State, and now restrains you in the following terms:</p> <p><input type="checkbox"/> The defendant was present in Court when the order was made.</p> <p>That order is a registered Foreign Restraining Order for the purposes of Part 4, Division 7 of the <i>Criminal Procedure Act 1921</i>.</p> <p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p>				
..... Date		..... MAGISTRATE/REGISTRAR		
<p><b>IMPORTANT NOTICES TO THE DEFENDANT</b></p> <ul style="list-style-type: none"> <li>It is an offence to contravene or fail to comply with a registered foreign restraining order. If you do not comply with this order, you may be liable to a maximum penalty of two years imprisonment.</li> <li>Upon registration, this order is also enforceable in other Australian States and Territories</li> </ul>				

**Proof of Service**

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between                      am/pm and                      am/pm

I certify that I served the attached document on the defendant personally.

Certified this                      day of                      20                      .....

Form 46AA



**INTERIM VARIATION OF A FINAL INTERVENTION ORDER and SUMMONS**

**Magistrates Court of South Australia**

[www.courts.sa.gov.au](http://www.courts.sa.gov.au)

*Intervention Orders (Prevention of Abuse) Act 2009*

Sections 26A

<input type="checkbox"/> <b>NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER</b>				
AP Number				
Registry			File No	
Address	Street		Telephone	Facsimile
	City/Town/Suburb	State	Postcode	Email Address
<b>Defendant</b>				
Name	Surname		Given name/s	DOB dd/mm/yyyy
<b>Details of Police Officer Applicant</b> (state rank and number)				
Name	Surname		Given name/s	
Address	Street		Telephone	Facsimile
	City/Town/Suburb	State	Postcode	Email Address
<b>Protected Person(s)</b>				
Names	Surname		Given name/s	DOB dd/mm/yyyy
	Surname		Given name/s	DOB dd/mm/yyyy
	Surname		Given name/s	DOB dd/mm/yyyy
	Surname		Given name/s	DOB dd/mm/yyyy
<p>The Court has heard an application for variation of a final intervention order in your absence and is satisfied that there are grounds to issue an interim variation of the final intervention order. Accordingly, the Court has made an order against you.</p> <p>The Final Intervention Order made on file number            dated            is hereby varied on an interim basis, pending final determination of the application.</p> <p>Details of final Intervention Order with interim variation:</p> <p>The defendant must <b>not</b>:</p> <p>1    <input type="checkbox"/> assault, threaten, harass or intimidate the protected person(s);</p> <p>2    <input type="checkbox"/> follow or keep the protected person(s) under surveillance including tracking GPS or otherwise;</p> <p>3    <input type="checkbox"/> approach within            metres of the protected person(s) unless permitted by other conditions of this order;</p> <p>4    <input type="checkbox"/> contact or communicate with the protected person(s) either directly or indirectly in any way (including telephone, SMS messages, in writing, e-mail or any other social media etc).</p> <p><b>But contact is permitted;</b> (Tick as applicable)</p> <p>a) <input type="checkbox"/> at any court or tribunal hearing where the defendant is a party to proceedings or a witness;</p>				

b)  through a solicitor or police;  
 c)  in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*;  
 d)  at a family dispute resolution conference or family counselling under the *Family Law Act 1975*, a family conference under the *Young Offenders Act 1993*, a family group conference under the *Children and Young People (Safety) Act 2017*, or at a mediation;  
 e)  in accordance with a Parenting Plan under s 63C of the *Family Law Act 1975* consented to by the protected person after this order;

33.  Notwithstanding the other terms of this order, contact is permitted by SMS and/or email or \_\_\_\_\_ to facilitate access to child(ren) and to exchange information as to the welfare of the child(ren);

(OTH)  Other orders (regarding communication):

5  enter or remain within \_\_\_\_\_ metres of any boundary where the protected person(s) stays, resides or works;

6  damage or interfere with the premises where the protected person(s) stays, resides or works;

7  damage or take possession of personal property belonging to the protected person(s) and the following specified property:

8  enter or be within \_\_\_\_\_ metres of the boundary of the following locations:

9  enter or be within \_\_\_\_\_ metres of the boundary of any education or care facility attended by the protected person(s) and/or including specifically the following:

10  be in possession of the following weapon(s) or article(s):

11  publish on the internet or by any other electronic means any material about the protected person(s);

12  cause, allow or encourage another person to do anything forbidden by this order.

**The defendant must/must not:**

(OTH)  Other orders:

**The defendant is:**

13  permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order;

**The defendant must:**

14  vacate the premises at \_\_\_\_\_  
forthwith upon service of this order and not return to those premises unless this term is varied or dismissed by the Court;

15  contact the Intervention Program Manager at ph. 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the court;

(OTH)  **Section 68R Family Law Act 1975 Orders/s:** (Tick as applicable)  
 The  Family Court /  Federal Circuit Court order,  
 Parenting Order  
 Recovery Order  
 Injunction  
 Undertaking  
 Registered Parenting Plan  
 Recognisance  
 made on the \_\_\_\_\_ is  Revived /  Varied /  Discharged /  Suspended as follows:  
 and is  ongoing OR  valid until \_\_\_\_\_.



<b>Firearms orders (see s 14):</b>			
16	<input type="checkbox"/>	any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be surrendered to the Registrar of Firearms forthwith.	
17	<input type="checkbox"/>	for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment.	
<input type="checkbox"/> This order is declared to address a domestic violence concern. <input type="checkbox"/> A variation or revocation of a Problem Gambling Order has been made separately.			
<b>Hearing details</b>	Registry	Date	
	Address	Time	am/pm
	Telephone	Facsimile	Email Address
..... Date		..... JUSTICE OF THE PEACE / REGISTRAR	
<b>IMPORTANT NOTICES TO THE DEFENDANT</b>			
<ul style="list-style-type: none"> <li>• <b>Non-compliance with the terms of the Final Order as varied as contained in this Order may render you liable to a term of imprisonment.</b></li> <li>• <b>If you do not appear on the next occasion, a final order may be made in your absence.</b></li> <li>• If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories</li> <li>• If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is enforceable in other Australian States and Territories.</li> <li>• A copy of any evidence that was relied on to make the order may be obtained from the Registry</li> </ul>			

**Proof of Service**

The defendant was present in Court when this order was made and is deemed served with the order pursuant to the *Intervention Orders (Prevention of Abuse) Act 2009*.

The defendant was personally served with this order.

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between                      am/pm and                      am/pm

Method of service:

personally;

in some other manner authorised by the court (please specify):

I certify that I served the attached document on the defendant in the manner described.

Certified this                      day of                      20                      .....

**Note – include instructions to the police officer serving this order.**  
**Note – Form 43 Multilingual Notice must be served with this order.**

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## STATE GOVERNMENT INSTRUMENTS

### ASSOCIATIONS INCORPORATION ACT 1985

#### SECTION 43A

#### *Deregistration of Associations*

NOTICE is hereby given that the Corporate Affairs Commission approves the applications for deregistration received from the associations named below pursuant to Section 43A of the *Associations Incorporation Act 1985*. Deregistration takes effect on the date of publication of this notice.

Andes Support Association of South Australia Incorporated  
Elliot Gardens Residents' Association Incorporated  
Lincoln Triathlon Club Incorporated  
Mount Gambier Aquatic Club Incorporated  
Overseas Childrens Aid Association Incorporated  
Registered Employers Group Incorporated  
Retina Australia (SA) Incorporated  
Rotary District 9520 Rywell Committee Incorporated  
South Australia Management Council—The Australian Stock Horse Society Incorporated  
Supporting Uganda's Re-Growth Efforts Incorporated  
Team Adelaide Incorporated  
The Hope Inn Sports & Social Club Incorporated  
Transition Right Incorporated  
Victim Support Service (VSS) Legal Assistance Incorporated  
Waikerie & Districts Junior Netball Association Incorporated

Dated: 17 December 2020

BRADLEY SIMPSON  
Manager Gambling, Associations and Charities  
a delegate of the Corporate Affairs Commission

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## AUTHORISED BETTING OPERATIONS ACT 2000

South Australia

## Approved Betting Contingencies Consolidation Notice 2020

under the *Authorised Betting Operations Act 2000*

### 1—Short title

This notice may be cited as the Approved Betting Contingencies Consolidation Notice 2020

#### Note—

This notice is made under the *Authorised Betting Operations Act 2000*

### 2—Commencement

This notice comes into operation on the date that this notice is published in the *South Australian Government Gazette*.

### 3—Authorising provisions, revocation, etc.

- (1) This notice is authorised by section 4 of the *Authorised Betting Operations Act 2000*.
- (2) This notice revokes, and consolidates, the contingencies approved by the former Independent Gambling Authority by—
  - (a) the notice dated 16 June 2016—Approved Betting Contingencies Notice 2016, published in the *South Australian Government Gazette* (No. 39) on 30 June 2016 at pages 2659-2680;
  - (b) the notice dated 15 September 2016—Approved Betting Contingencies (Fantasy Sports) Variation Notice 2016, published in the *South Australian Government Gazette* (No. 56) on 22 September 2016 at page 3774;
  - (c) the notice dated 15 September 2016—Approved Betting Contingencies (Olympic Golf and Rugby) Variation Notice 2016, published in the *South Australian Government Gazette* (No. 45) on 11 August 2016 at page 3160;
  - (d) the notice dated 28 June 2018—Approved Betting Contingencies (Snooker) Variation Notice 2018, published in the *South Australian Government Gazette* (No.44) on 28 June 2018 at page 2593;
  - (e) the notice dated 28 June 2018—Approved Betting Contingencies (Gaelic Football) Variation Notice 2018, published in the *South Australian Government Gazette* (No.44) on 28 June 2018 at page 2593;
  - (f) the notice dated 28 June 2018—Approved Betting Contingencies (Handball) Variation Notice 2018, published in the *South Australian Government Gazette* (No.44) on 28 June 2018 at page 2594;
  - (g) the notice dated 28 June 2018—Approved Betting Contingencies (Volleyball) Variation Notice 2018, published in the *South Australian Government Gazette* (No.44) on 28 June 2018 at page 2594;
  - (h) the notice dated 28 June 2018—Approved Betting Contingencies (Gridiron (Non US)) Variation Notice 2018, published in the *South Australian Government Gazette* (No.44) on 28 June 2018 at page 2595—

and by all notices amending them.

#### **4—Approval of contingencies**

- (1) Under section 4 of the *Authorised Betting Operations Act 2000*, the Liquor and Gambling Commissioner may approve, for all or specified betting operations, contingencies related to races within and outside Australia (other than races held by licensed racing clubs) or contingencies related to sporting or other events within and outside Australia and other contingencies.
- (2) The contingencies described in Schedule 1, by reference to an Event or events and one or more propositions, are approved.
- (3) The approvals granted by sub-clause (1) are limited by—
  - (a) the extent to which a gambling provider’s licence (in the case of an on-course totalisator betting licence, a bookmaker’s licence or the major betting operations licence) or prescribed interstate licence (in the case of an authorised interstate betting operator) permits the gambling provider to accept bets; and
  - (b) the extent to which a proposition is capable of being offered as a bet type in relation to an event having regard to the nature, characteristics, scoring system and rules for the event.

#### **5—Interpretation and definitions**

- (1) The definitions set out in the dictionary in Schedule 2 apply, except to the extent to which they are inconsistent with the context or subject matter.
- (2) The specifications of events in the list of events set out in Schedule 3 apply, except to the extent to which they are inconsistent with the context or subject matter.

### **Schedule 1—Approved contingencies**

#### **1. Racing**

Win, Place, Quinella, Forecast, Trio, Trifecta, First4, Double, Treble, Fourtrella, Fortune 8, Any Two, First 3—Aggregate Entrants’ Numbers, Jockeys’ Challenge, Trainers’ Challenge

#### **2. All listed events**

Advance to next round, Closest Game, Correct Time, Dally M Medal, Double, Entrant Out-Place, Entrant Out-Win, Exact Margin, Fantasy Sports Betting; Fastest Lap, Final 8, Finishing Position, First Loss, First Scoring Play, First Win, Forecast, Half Time Full Time Double, Highest Score, Highest Season Finish, High-Low Scoring Double, Last Aussie, Last Team Standing, Leading Goalscorer, Lowest Score, Margin Win, Method of result, Minor Premiership, Multiple Winners, Number scored, Overall performance, Period All Up, Pick 4, Pick 6, Pick the Margins, Pick the Result, Pick the Score, Pick the Winners, Place Player of the Match, Quinella, Relegation, Team Performance, To Miss Top 8, Top 10, Top 4, Top 5, Top Aussie Finish, Top Overseas Finish, Top scorer, Total Match Points, Treble, Tri-bet, Trifecta, Trio, Win, Winning Score, Wooden Spoon

#### **3. American Football**

Yards By Individual

#### **4. Australian Rules Football Games**

ANZAC Medal, Brownlow Medal, Brownlow Medal Number of Winning Votes, Coleman Medal, Jack Oatey Medal, Michael Tuck Medal, Most disposals, Norm Smith Medal, Quarter Goals, Time of First Goal

#### **5. Baseball**

First Home Run Hit

#### **6. Boxing**

Exact result, Pick the Round

**7. Cricket Events**

Century, Higher opening partnership, Hi-Bat, Hi-Bowl, Most Runs, Most Wickets, Number of run outs, Number of Sixes, When Test Ends

**8. Golf Events**

Daily Shootout, First Round Leader, Group Betting, International Challenge, Make the Cut, Number of Players Under Par

**9. International Tournaments**

Gold Medal Tally, Total Medal Tally

**10. Soccer**

Time of First Goal

**11. Softball**

First Home Run Hit

**12. Tennis Events**

Exact set score, Number of Aces, Sets Betting

**13. Academy Awards**

Win

**14. Elections**

Election Bets

**15. Eurovision**

Win, finishing position, head to head, make a final, margin win, pick the margins, pick the result, pick the score, pick the winner type, qualify, top 2–10, winning score, wooden spoon

**16. Snooker**

Head to head, Period All Up. Overall Performance, Number scored, Total Match Points, Highest Score, Lowest Score, Entrant Out-Win, Entrant Out-Place, Place

**17. Gaelic Football**

Head to head, Margin Win, Period All Up, Total Match Points, First Score, Last Scorer, Overall Performance, Number Scored, Highest Score, Lowest Score, Qualify, Team Performance, Make final, Place, Entrant Out-Win, Entrant Out-Place, Pick the Winners

**18. Handball**

Head to head, Period All Up. Overall Performance, Number scored, Total Match Points, Highest Score, Lowest Score, Qualify, Team Performance, Make final, Entrant Out-Win, Entrant Out-Place, Place, Margin Win, Pick the Winners

**19. Volleyball**

Head to head, Margin Win, Period All Up, Total Match Points, Number Scored, Pick the Score, First Score, Last Scorer, Overall Performance, Highest Score, Lowest Score, Finishing Position, Team Performance, Qualify, Make final, Wooden Spoon, Entrant Out-Win, Entrant Out-Place, Last Team Standing, Win, Quinella, Forecast, Pick the Winners, First Win

**20. Gridiron (Non US)**

Head to head, Margin Win, Period All Up, Total Match Points, Number Scored, Pick the Score, First Score, Last Scorer, Overall Performance, Highest Score, Lowest Score, Finishing Position, Period All Up, Team Performance, Last Team Standing, Win, Quinella, Forecast, Qualify, Make final, Pick the Winners, Entrant Out-Win, Entrant Out-Place

## Schedule 2—Dictionary

### Academy Awards

means the annual awards presented by the Academy of Motion Picture Arts and Sciences.

### Advance to next round

means the proposition that, in relation to an Event, a specified Entrant will advance to the next round (or discrete part or stage) of the Event.

### Any Two

means the proposition that a combination of two specified Entrants will place (irrespective of order of finishing) in any two of the first three places in a specified Event.

### Anzac Medal

means the proposition that a specified player or Entrant will win the Anzac Medal for best on ground in the Anzac Day Australian Rules Football Game as selected by a panel of journalists in the nominated game.

### Australian Rules Football Games

means any Australian Rules Football game (other than training, promotional, exhibition matches or international rules football games) forming part of a competition conducted by any of the following bodies:

- (a) the Australian Football League or its successor; or
- (b) the South Australian National Football League or its successor; or
- (c) the principal governing body for Australian Rules Football in each State or Territory of Australia (other than South Australia) or its successor.

### Brownlow Medal

means the proposition that a specified player will win the Australian Football League's Brownlow Medal or place in the top four in the Brownlow medal count or that a specified team will accumulate the most votes in relation to its players in the Brownlow Medal count.

### Brownlow Medal Number of Winning Votes

means the proposition that a specified player selected from a group of players nominated by the licensee, or that a specified team from a group of teams nominated by the licensee will receive a specified number of votes, or specified range of votes, or the greatest number of votes in the Australian Football League's Brownlow Medal.

### Century

means the proposition that a specified cricket team's cumulative score will reach 100 runs in a specified innings or at a specified time or within a specified period.

### Churchill Medal

means the proposition that a specified player or Entrant will win the Churchill Medal for best on ground in the National Rugby League Grand Final.

### Closest Game

means the proposition that a specified Event will have the closest result relative to one or more other related Events.

### Coleman Medal

means the proposition that a specified player will win the Coleman Medal for the player who kicks the most goals in the Australian Football League in the home and away season.

**Commonwealth Games**

means games conducted under the auspices of the Commonwealth Games Federation.

**Correct Time**

means the proposition that a specified Entrant will place first in or win a specified Event in a specified time or in a time falling within a specified range.

**Cricket Events**

means the cricket matches/series described in the list of events in Schedule 3.

**Dally M Medal**

means the proposition that a specified player in the National Rugby League competition will win the League's Dally M Medal for best and fairest on the ground.

**Double**

means—

- (a) except in respect of the Jockeys' Challenge or Trainers' Challenge contingencies, the proposition that a combination of the specified Entrants in two different specified Events will each place first in or win, or win be a specified amount, range or margin (including where a specified Entrant may be given a notional point start or handicap), the respective Entrant's Event;
- (b) in respect of the Jockey's Challenge and Trainers' Challenge contingencies, the proposition that there will be a particular Jockey's Challenge or Trainers' Challenge outcome in respect of one race meeting and particular Jockey's Challenge or Trainers' Challenge outcome in respect of another race meeting.

**Election bet**

means the proposition that—

- (a) a nominated individual will be elected to a nominated executive or legislative office; or
- (b) a nominated party or party grouping will form government; or
- (c) a nominated party or party grouping will attain a number of legislative seats or a legislative majority of a particular number or within a particular range; or
- (d) a nominated measure will be approved.

**Entrant**

means an individual entrant, competitor, player, team or thing (as the context requires) participating or entered in an Event.

**Entrant Number**

means the number (displayed in numerals) carried or worn by an Entrant in an Event which is a race.

**Entrant Out-Place**

means the proposition that a specified Entrant will place either first, second or third (or, if applicable, fourth) in a specified Event on the basis that one or more other Entrants will be regarded as not having run, competed or otherwise participated in the Event.

**Entrant Out-Win**

means the proposition that a specified Entrant will place first in or win in a specified Event on the basis that one or more other Entrants will be regarded as not having run, competed or otherwise participated in the Event.



**Eurovision**

means the annual song contest conducted by the European Broadcasting Union.

**Event**

means a race, game, competition, series or tournament (or round or discrete part thereof) or other event (as the context requires).

**Exact Margin**

means the proposition that a specified player or Entrant is leading by a specified margin at a specified period of time, as nominated prior to the commencement of the event.

**Exact result**

means the proposition that an Entrant in a boxing Event will win by a knock out or by a points decision, or that the result will be a draw.

**Exact Set Score**

means the proposition that a specified player or Entrant will win a set in a game of tennis and the exact set score.

**Fantasy Points**

means points attributed to an Entrant (or group of Entrants) in an Event by reference to a scoring scheme based on statistics relevant to the Event published in advance of the commencement of the Event.

**Fantasy Sports betting**

means—

- (a) the proposition that a specified Entrant will have attributed—
  - (i) a certain number of Fantasy Points; or
  - (ii) more Fantasy Points than another Entrant or group of Entrants;
- (b) the proposition that a specified Entrant or group of Entrants (Entrant specified by the first bettor) will have attributed more Fantasy Points than another Entrant or group of Entrants specified by another bettor or bettors, or specified otherwise (Entrants specified by others).

**Fastest Lap**

means the proposition that a specified Entrant will complete the fastest lap in an Event relative to any one or more other Entrants.

**FINA event**

means—

- (a) a world championship for adult men or adult women; or
- (b) a world cup competition for adult men or adult women; or
- (c) any other competition for adult men or adult women—

conducted under the auspices of the Federation Internationale de Natation.

**Finishing Position**

means the proposition that a specified Entrant(s) in an Event will finish the Event in a specified position.

**First 3—Aggregate Entrants' Numbers**

means the proposition that the aggregate of the Entrant Numbers of the first three placed Entrants in an Event will be of a specified value or will fall within a specified range.

**First 4**

means the proposition that a combination of four specified Entrants will place (in correct order of finishing) first, second, third and fourth in a specified Event.

**First Home Run Hit**

means the proposition that the first home run in a match will be made by a particular player or Entrant.

**First Loss**

means the proposition that an Entrant in an Event being a series or competition has his, her or its first loss in that series or competition.

**First Round Leader**

means the proposition that a specified Entrant has the lowest score at the completion of the first round or other specified period in an Event.

**First Score**

means the proposition that the first score in a specified portion of an Event will be of a particular type or category or made by a particular player or Entrant.

**First Scoring Play**

means the proposition that the first score in an Event will be of a particular type or category or made by a particular Entrant.

**First Win**

means the proposition that an Entrant in an Event being a series or competition has his, her or its first win in that series or competition.

**Final 8**

means the proposition that a specified Entrant or no more than 8 specified Entrants in an Event being a competition (with more than 8 Entrants) will finish the home and away season of that competition ranked no worse than eighth (8th).

**Forecast**

means the proposition that a combination of two specified Entrants will place (in correct order of finishing) first and second in a specified Event.

**Fourtrella**

means the proposition that a combination of four specified Entrants in four different specified Events will each place first in the respective Entrant's Event.

**Fortune 8**

means the proposition that a combination of eight specified Entrants in eight different Events will each place first in the respective Entrant's Event.

**Gold Medal Tally**

means the proposition that a specified country will win a specified number of gold medals (or number of gold medals within a range) at particular Olympic Games or particular Commonwealth Games.

**Golf Events**

means the golf tournaments set out in the list of events in Schedule 3.

**Group Betting**

means the proposition that a specified group of players in a Golf Event have the lowest score for a round, or for a discrete part of a tournament.

**Half Time Full Time Double**

means the proposition that:

- (a) a specified Entrant will have the highest score (or equivalent) or the score (or equivalent) will be a draw at a specified time during the Event; and
- (b) a specified Entrant will win the Event or the result will be a draw.

**Half Time Margin**

means the proposition that a specified Entrant(s) in an Event or round or series of an Event at a specified time is leading by a specified margin or the result at that time is a draw.

**Head to head**

means the proposition that one or more specified Entrant(s) in an Event(s), or qualifying round(s) leading up to the Event(s), will win over the other specified Entrant(s) in the Event(s) or qualifying round(s) leading up to the Event(s).

**Hi-Bat**

means the proposition that a specified cricket player will make the most number of runs for his or her team in an innings, game or series.

**Hi-Bowl**

means the proposition that a specified cricket player will take the most number of wickets for his or her team in an innings, game or series.

**Higher Opening Partnership**

means the proposition that a specified Entrant will score more runs for the first wicket than the other specified Entrant in a game of cricket in respect of a specified innings.

**High-Low Scoring Double**

means the proposition that a combination of two specified Entrants in an Event comprising a round or series respectively achieve the highest and lowest score in that round or series.

**Highest Score**

means the proposition that a specified Entrant will score the highest score in a particular Event relative to any one or more other Entrants.

**Highest Season Finish**

means the proposition that an Entrant selected from two or more specified Entrants in an Event will rank or place ahead of the Entrants not selected.

**International Challenge**

means the proposition that a specified golf player chosen to represent a particular country has the lowest score in a tournament relative to other players selected to represent a country.

**Interstate Races**

means horse, harness and greyhound races conducted by entities in a State or Territory of Australia (other than South Australia) in respect of which the entity conducting the race or another entity in that jurisdiction is entitled to offer totalisator betting in accordance with the laws of the jurisdiction in which the race is conducted.

**Intrastate Races**

means races conducted within South Australia by Licensed Racing Clubs.

**Jack Oatey Medal**

means the proposition that a nominated player in the grand final of the South Australian National Football League competition will receive an award for best player of the match.

**Jockeys' challenge**

means the proposition that a specified jockey or jockeys in a series of Interstate Races or Intrastate Races in a specified race meeting will achieve the highest number of points, with points allocated for performance in the races under the six point allocation scheme.

**Last Aussie**

means the proposition that a specified player or Entrant in an Event (having been identified by the Licensee prior to the commencement of betting as an Australian) will be the last such person remaining in the Event.

**Last Scorer**

means the proposition that a specified player or Entrant will score the last run, try, goal, point or equivalent during an Event.

**Last Team Standing**

means the proposition that a specified Entrant will be the last Entrant to lose a game relative to other Entrants in the Event.

**Leading Goalscorer**

means, in relation to an Event in which goals or equivalent form part of the scoring system, the proposition that a specified player will score or kick the most goals or equivalent for a specified round or season of the Event.

**Licensed Racing Clubs**

has the meaning given in the Act.

**Listed events**

means the sporting and other Events set out in the list of events in Schedule 3.

**Lowest Score**

means the proposition that a specified Entrant will score the lowest score in a particular Event relative to any one or more Entrants.

**Make final**

means the proposition that a specified Entrant in an Event will finish in a position which qualifies the Entrant for the final of the Event.

**Make the Cut**

means the proposition that a specified Entrant(s) in a golf Event will make the cut in that Event.

**Margin Win**

means the proposition that a specified Entrant will win an Event by a specified amount or score or by an amount or score falling within a specified range or that the result will be a draw.

**Method of result**

means the proposition that an Event will be decided by a specified method (being one of an exhaustive list of methods by which the Event could be decided identified prior to the commencement of betting).

**Michael Tuck Medal**

means the proposition that a specified player will win the Michael Tuck Medal for best on ground in the Australian Football League pre-season competition.

**Minor Premiership**

means the proposition that a specified Entrant in an Event, being a competition, will rank or place first in the home and away season of that competition.

**Most disposals**

means the proposition that—

- (a) a specified member of a football team will, in one or more, or a group of, games, be credited with more disposals than any other member of that team, or of that team and the opposing teams in that game or games; or
- (b) an AFL team will be credited with more disposals than one or more other teams in one or more, or a group of, games—

as recorded in the official statistics of the AFL.

**Most Runs**

means the proposition that a specified player will make the most number of runs in an innings, game or series.

**Most Wickets**

means the proposition that a specified player will take the most wickets in an innings, game or series.

**Multiple Winners**

means the proposition that two or more specified Entrants will each place first in or win a specified Event of the same or similar kind or will each place first in or win a specified Event of the same or similar kind by an amount falling within a specified amount, range or margin (including where a specified Entrant may be given a notional point start or handicap).

**Multi-bet**

means the proposition of identifying the winning outcome of a selection of at least 2 and not more than 11 approved contingencies (other a multi-bet).

**National Rugby League Games**

means any rugby league game (other than training, promotional or exhibition matches) forming part of a competition conducted by the National Rugby League.

**Norm Smith Medal**

means the proposition that a specified player will win the Norm Smith Medal for best on ground in the Australian Football League Grand Final.

**Number of Aces**

means the proposition that a specified player or Entrant will score a specified number of aces in a set, match or tournament (or a discrete part thereof) or will score a number of aces falling within a specified range.

**Number of Home Wins for Round**

means the proposition that a specified number of home teams or range of home teams being Entrants in an Event will win during a round or series of the Event.

**Number of Players Under Par**

means the proposition that a specified number of players in an Event will have a score under Par for a round, for a discrete part of a tournament, or for a tournament.

**Number of run outs**

means the proposition that a specified team will, in an innings, match or series of matches, receive runouts (that is, take wickets by running players out) of a specified number, within a specified range or, in relation to a series of matches, by reference to a ranking order of the teams' run outs.

**Number of Sixes**

means the proposition that a specified cricket player(s) or Entrant(s) will score a given number of sixes in an innings, game or series (or a discrete part thereof) or will score a number of sixes falling within a specified range.

**Number scored**

means the proposition that a specified player(s) or Entrant(s) will score a specific number of runs, tries, goals, points or equivalent during an Event or a number of runs, goals, tries, points or equivalent within a specified range.

**Olympic Games**

means games conducted under the auspices of the International Olympic Committee, and includes summer games and winter games.

**Overall performance**

means the proposition that a specified Entrant will progress to a certain stage of, or win, the Event.

**Overseas Racing**

means—

- (a) in respect of France, gallops races and harness races sanctioned by France Gallop;
- (b) in respect of Hong Kong, gallops races and harness races sanctioned by the Hong Kong Jockey Club;
- (c) in respect of Ireland, gallops races and harness races sanctioned by the Registry Office of the Turf Club;
- (d) in respect of Japan, gallops races and harness races sanctioned by the Japanese Horse Racing Association;
- (e) in respect of New Zealand gallops races and harness races sanctioned by the New Zealand Racing Conference;
- (f) in respect of Singapore, gallops races and harness races sanctioned by the Singapore Turf Club;
- (g) in respect of South Africa, gallops races and harness races sanctioned by the Jockey Club of Southern Africa;
- (h) in respect of the United Arab Emirates, gallops races and harness races sanctioned by the Emirates Racing Association;

- (i) in respect of the United Kingdom, gallops races and harness races sanctioned by the Thoroughbred Racing Board British Horse Racing Board;
- (j) in respect of the United States of America, gallops races and harness races sanctioned by the Jockey Club.

**Period All Up**

means the proposition that a specified Entrant(s) in an Event or round or series of an Event is leading at the end of the specified period of the match.

**Pick 4**

means the proposition that a combination of four specified Entrants in four specified Events will each place first in or win, or will win by a specified amount, range or margin (including where a specified Entrant may be given a notional point start or handicap), the respective Entrant's Event.

**Pick 6**

means the proposition that a combination of six specified Entrants in six specified Events will each place first in or win, or will win by a specified amount, range or margin (including where a specified Entrant may be given a notional point start or handicap), in the respective Entrant's Event.

**Pick the Margins**

means the proposition that one or more specified Entrant(s) in an Event(s), or round or series of an Event(s), will win by a specified margin, or the result will be a draw.

**Pick the Result**

means the proposition that a specified Entrant will win a specified Event by a specified margin or score range or the result will be a draw.

**Pick the Round**

means the proposition that an Entrant in a boxing Event will win the Event in a specified round or that the result will be a draw.

**Pick the Score**

means the proposition that a specified Entrant(s) in a specified Event will achieve a specified score(s) or score range(s).

**Pick the winner type**

means the proposition that a type(s) of Entrant(s) will win a specified Event(s), or qualifying round(s) leading up to the Event(s).

*Example: winner will be female/male*

**Pick the Winners**

means the proposition that a specified Entrant(s) will win a specified Event(s) (including where a specified Entrant(s) may be allocated a notional point start or handicap).

**Place**

means the proposition that a specified Entrant will place either first, second or third (or, if applicable, fourth) in a specified Event.

**Player of the Match**

means the proposition that a specified player or Entrant will win the Player of the Match or equivalent as selected by a pre-determined panel in the nominated game.

**Pole Position**

means the proposition that a specified Entrant will commence a specified Event in the first position (pole position) on the grid.

**Premiership Points**

means the proposition that a specified Entrant will accumulate a specified number of premiership points or a number of premiership points within a specified range during an Event.

**Qualify**

means the proposition that a specified Entrant in an Event will meet the criteria established by the recognised governing body for the event which qualifies the Entrant for the Event or qualifying rounds leading up to the Event.

**Quarter Goals**

means the proposition that a specified number of goals falling within a specified range will be scored during a specified quarter(s) in a specified Event.

**Quinella**

means the proposition that a combination of two specified Entrants will place (irrespective of order of finishing) first or second in a specified Event.

**Relegation**

means the proposition that a specified team or teams will be demoted at the end of a specified season from a division within a competition.

**Sets Betting**

means the proposition that a specified player or doubles team will win a specified set in a specified tennis match.

**Shootout**

means the proposition that a specified golf player will have the lowest score, or will have the lowest score in a specified group of players, for a round, for a discrete part of a tournament, or for a tournament.

**Six point allocation scheme**

means a scheme for allocation of points as follows:

- (a) subject to paragraph (b)—
  - (i) 3 points for first place;
  - (ii) 2 points for second place; and
  - (iii) 1 point for third place;
- (b) if there is a dead-heat for one or more places, the points for the places must be aggregated and divided equally between the dead-heating runners, for example—
  - (i) two runners dead-heat for first and two runners dead-heat for third (there being no second-placed runner)—2.5 points for each equal first runner (5 points between 2 runners) and 0.5 points for each equal third runner (1 point between 2 runners);
  - (ii) triple dead-heat for first (there being no second or third-placed runner)—2 points for each runner (6 points between 3 runners).

**Team Performance**

means the proposition that a specified Entrant(s) in an Event being a competition will finish the Event in a specified position.



**Tennis Events**

means the tennis tournaments set out in the list of events in Schedule 3.

**Time of First Goal**

means the proposition that the first goal in an Event will be scored at a specified time or within a specified time range of 15 minute increments based on game time.

**To Miss Top 8**

means the proposition that a specified player or Entrant in an Event, being a competition (with more than eight Entrants) will finish the home and away season of that competition no better than ninth.

**Top 2-10**

means the proposition that a specified Entrant in an Event being a competition (with more than 10 entrants) will finish the Event, or qualifying rounds leading up to the Event, in a position ranked no worse than second, third, fourth, fifth, sixth, seventh, eighth, ninth or tenth (but only where there are more than 10 Entrants in the Event or qualifying rounds leading up to the Event).

**Top 4**

means the proposition that a specified Entrant in an Event being a competition (with more than four Entrants) will finish the home and away season of the competition ranked no worse than fourth (4th).

**Top 5**

means the proposition that a specified Entrant in an Event being a competition (with more than five Entrants) will finish the event ranked no worse than fifth.

**Top 10**

means the proposition that a specified Entrant in an Event being a competition (with more than ten Entrants) will finish the Event no worse than tenth.

**Top Aussie Finish**

means the proposition that a specified Entrant, identified by the licensee to be Australian, will place above all other specified Entrants, identified by the licensee to be Australians, in a specified Event.

**Top Overseas Finish**

means the proposition that a specified Entrant, identified by the licensee to be an overseas Entrant, will place above all other specified Entrants, identified by the licensee to be overseas Entrants, in a specified Event.

**Total Match Points**

means the proposition that the sum of the scores of the Entrants in a specified Event will be a specified number, within a specified range or under or over a specified score.

**Top scorer**

means the proposition that a specified player or Entrant will score the most number of runs, goals, tries, points or equivalent at a specified time during an Event.

**Total Medal Tally**

means the proposition that a specified country will win a specified number of medals (or a number of medals within a range) at particular Olympic Games or particular Commonwealth Games.

**Trainers' Challenge**

means the proposition that a specified trainer or trainers in a series of Interstate Races or Intrastate Races in a specified race meeting will achieve the highest number of points, with points allocated for performance in the races under the six point allocation scheme.

**Treble**

means the proposition that a combination of three specified Entrants in three different specified Events will each place first in or win, or win by a specified amount, range or margin (including where a specified Entrant may be given a notional point start or handicap), the respective Entrant's Event.

**Tri-bet**

means the proposition that a specified Entrant in an Event will win the Event by more than an allocated point start.

**Trifecta**

means the proposition that a combination of three specified Entrants will place (in correct order of finishing) first, second and third in a specified Event.

**Trio**

means the proposition that a combination of three specified Entrants will place (irrespective of order of finishing) first, second and third in a specified Event.

**When Test Ends**

means the proposition that a specified innings, game or series will end within a specified period of time.

**Win**

means the proposition that a specified Entrant will place first in or win a specified Event (including where a specified Entrant may be allocated a notional point start or handicap).

**Winning Score**

means the proposition that a specified Entrant will win a specified Event with a specified score or with a score falling within a specified range.

**Winning Total**

means the proposition that the winner or winners of the Jockeys' Challenge or Trainers' Challenge will achieve a specified score or score range.

**Wooden spoon**

means the proposition that, in any event being a competition—

- (a) a specified entrant will rank or place last; or
- (b) specified entrants will rank or place in the last sequence of places—

in the home and away season of that competition.

**Yards by Individual**

means the proposition that a specified Entrant in an Event will make a specified number of yards or metres, or a number of yards or metres falling within a specified range.

## **Schedule 3—List of events**

### **Academy awards**

Each category for which nominations are published

### **American Football**

American National Football Conference Games and Final Series

American Football Conference Games and Final Series

Superbowl

US College Football (games and Final Series)

Most Valuable Player awards sanctioned by relevant recognised governing body

### **Alpine Skiing**

Olympic Games

### **Archery**

Olympic Games

### **Athletics**

World Athletic Championships

Australian Open Championships

State Open Championships

Professional events sanctioned by an Australian Professional Athletic Association

Grand Prix events sanctioned by Athletics Australia

Olympic Games

Commonwealth Games

### **Australian Rules Football**

Any Australian Rules Football game (other than training, promotional, exhibition matches or international rules football games) forming part of a competition conducted by any of the following bodies:

- (a) the Australian Football League or its successor; or
- (b) the South Australian National Football League or its successor; or
- (c) the principal governing body for Australian Rules Football in each State or Territory of Australia (other than South Australia) or its successor.

### **Badminton**

Olympic Games

Commonwealth Games

**Baseball**

US National Baseball League Games and Finals  
US College Baseball League Games and Finals  
Australian National Baseball League Games and Finals  
Special events sanctioned by Australian Baseball League  
Most Valuable Player awards sanctioned by relevant recognised governing body  
Olympic Games

**Basketball**

European Championships Games  
National Basketball Association (NBA, USA) Games  
Women's Basketball Association (WBA, USA) Games  
National/International Events sanctioned by Basketball Australia  
National Collegiate Athletics Association (NCAA) Games  
Australian National Basketball League (NBL) Games  
Australian Women's National Basketball League (WNBL) Games  
Playoff series Australian Continental Basketball League (CBA)  
World Championships  
Most Valuable Player awards sanctioned by relevant recognised governing body  
Olympic Games  
Commonwealth Games

**Biathlon**

Olympic Games

**Bobsleigh**

Olympic Games

**Boxing**

Sanctioned World Title Fights by World Boxing Association  
Sanctioned World Title Fights by World Boxing Council  
Sanctioned World Title Fights by International Boxing Federation  
Olympic Games  
Commonwealth Games

**Camel Racing**

Leeton Camel Stakes Race Meeting

**Canoeing—Kayak/flatwater**

Olympic Games

**Canoeing—Kayak/slalom**

Olympic Games

**Cricket**

World Cup of Cricket (One Day Series)

International Test Matches

Sheffield Shield Games

Interstate One Day Series

International One Day Series

Other matches and series sanctioned by the Australian Cricket Board or affiliated international organisations

English County Games

Most Valuable Player awards sanctioned by relevant recognised governing body

**Cross Country Skiing**

Olympic Games

**Curling**

Olympic Games

**Cycling**

World Championships

Tour de France

Australian Championships

Commonwealth Bank Classic

West Coast Classic

Herald-Sun Tour

Melbourne to Warrnambool

Other events sanctioned by International Cycling Federation or Cycling Australia

Olympic Games

Commonwealth Games

**Darts**

Premier League Darts

Championship League Darts

World Darts Championship

Other events sanctioned by the Professional Darts Corporation or an affiliated international organisation

**Diving**

Olympic Games

Commonwealth Games

FINA events

**Elections**

Australian Federal and State elections and referendums

Papal elections

United Kingdom elections and referendums

United States Presidential and Congressional elections

**Equestrian—dressage**

Olympic Games

**Equestrian—eventing**

Olympic Games

**Equestrian—jumping**

Olympic Games

**Fencing**

Olympic Games

**Figure skating**

Olympic Games

**Freestyle skiing**

Olympic Games

**Gaelic Football**

Events sanctioned by the Gaelic Athletic Association or affiliated international or national organisations

**Golf**

Australian or State Opens

Australian PGA/LPGA Championships

PGA Tour of Australasia Ltd Events

US Masters

US PGA/LPGA

Dunhill Cup

US Open

US PGA/LPGA Tour Events

British Open

World Match Play

Ryder Cup

European PGA/LPGA Tour Events

South African PGA/LPGA Tour Events

Japanese PGA/LPGA Tour Events

President's Cup

Other events (including 'Skins') sanctioned by Australian PGA/LPGA or an affiliated international organisation

Senior's Tour

#### **Gridiron (non US)**

Canadian Football League

Most Valuable Player awards sanctioned by relevant recognised governing body

#### **Gymnastics—artistic**

Olympic Games

Commonwealth Games

#### **Gymnastics—rhythmic**

Olympic Games

Commonwealth Games

#### **Gymnastics—trampoline**

Olympic Games

Commonwealth Games

#### **Handball**

Olympic Games

Events sanctioned by the International Handball Federation or affiliated international or national organisations

#### **Hockey**

World Cup

International Senior Tournaments and Tests

Australian Championships

Other matches sanctioned by International Hockey Federation or Hockey Australia

Most Valuable Player awards sanctioned by relevant recognised governing body

Olympic Games

Commonwealth Games

**Ice Hockey**

US National Hockey League Matches  
Australian National Hockey League  
Canadian National Hockey League Matches  
International matches sanctioned by IHL  
World Championships  
Most Valuable Player awards sanctioned by relevant recognised governing body  
Olympic Games

**Judo**

Olympic Games

**Lawn Bowls**

SA Premier League  
Test Series  
City of Adelaide Masters  
State Number 1 Pennants (Grade 1)  
Australian Sides Championship  
SA State Championship Final Series  
Trans-Tasman Series  
Asia Pacific Games  
Club Keno Champion of Champions  
Australian Indoor Championships  
World Championships  
Commonwealth Games

**Luge**

Olympic Games

**Modern Pentathlon**

Olympic Games



**Motor Sport**

World Formula One Grand Prix Championship Races and Series  
World Grand Prix Championship Races and Series (Cars and Bikes)  
World/Australian Touring Car Championships Rounds and Series  
Indy Car Grand Prix Races  
Bathurst 1,000 (Production and 2 litre classes)  
State and National Sprintcar Championships  
Le Mans  
Winston Cup  
Indianapolis Races  
British League Championships (speedway/Bikes)  
Speedway Riders World Championships (Bikes)  
Australian Rally Championships  
World Rally Championships

**Music**

Eurovision

**Netball**

World Championships  
Australian National Netball Championships  
Australian National League Games  
Other matches sanctioned by International Federation of Netball Associations (IFNA)  
or Netball Australia

**Nordic Combined**

Olympic Games

**Racing**

Intrastate races  
Interstate races  
Overseas races

**Rowing**

Olympic Games

**Rugby League**

International Tests

QRL Premiership Season Matches

State of Origin Series

World Sevens or Nines Tournaments

Special Matches sanctioned by NRL

Super League Matches (UK and Europe)

Most Valuable Player awards sanctioned by relevant recognised governing body

**Rugby Union**

Five/Six Nations Tournament Matches

NSW and Queensland Premiership Season Matches

International Test Matches

Hong Kong Sevens Matches

World Cup Matches

Tri-Nations Series Matches

Super 12 Games and Final Series

Interstate Matches

Special Matches sanctioned by ARU or Internal Rugby Board

Commonwealth Games

Most Valuable Player awards sanctioned by relevant recognised governing body

**Sailing**

Olympic Games

**Shooting**

Olympic Games

Commonwealth Games

**Short track speed skating**

Olympic Games

**Skeleton**

Olympic Games

**Ski jumping**

Olympic Games

**Snooker**

World Professional Billiards and Snooker Association

Australian Billiards and Snooker Council

**Snowboard**

Olympic Games

NRL Premiership Season Matches

**Soccer**

English and Scottish Premier League and First Division Matches

FA Cup Matches

European Winner Matches

World Cup Matches

Australian National Soccer League Matches

European Champions League Matches

Euro Championship Matches

UEFA affiliated countries - Cup, Premier, League, First Division Matches

Special matches sanctioned by Soccer Australia or FIFA

NSW State League - Super League Competition

Cup competitions sanctioned by an officially recognised affiliate of FIFA

USA Premier League and Cup Matches

African Championship Matches

South African Championship Matches

Most Valuable Player awards sanctioned by relevant recognised governing body

Olympic Games

**Softball**

Olympic Games

**Speed skating**

Olympic Games

**Squash**

Commonwealth Games

**Surf Life Saving**

Australian Iron Man/Woman Championship Events

World Iron Man/Woman Championship Events

Uncle Toby's Super Series

Kellogg's Nutri Grain Series

Australian Surf Life Saving Championship Events

**Surfing**

World Professional Men's and Women's Tour Events

**Swimming**

Olympic Games

Commonwealth Games

FINA events

**Synchronised swimming**

Olympic Games

Commonwealth Games

FINA events

**Table Tennis**

Olympic Games

Commonwealth Games

**Taekwondo**

Olympic Games

**Tennis**

Grand Slam Tennis Events

Australian State Open Championships

Australian Indoor Championship

RIO Challenge (SA)

Davis Cup Events

Hopman Cup Events

Federation Cup Events

Special matches or tournaments sanctioned by Tennis Australia

ITP Tour Events

Mercedes Super 9 events

Olympic Games

**Triathlon**

Grand Prix Series/Events (Men and Women)

Iron Man and Woman

Hawaiian Series

Olympic Games

Commonwealth Games

**Volleyball**

Olympic Games

Events sanctioned by the International Federation of Volleyball (FIVB) or affiliated international or national organisations.

Beach Volleyball Events sanctioned by FIVB or affiliated international or national organisations

**Water Polo**

Olympic Games

FINA events

**Weightlifting**

Olympic Games

Commonwealth Games

**World Tournaments**

Commonwealth Games

Olympic Games

**Wrestling**

Olympic Games

**Yachting**

Sydney to Hobart

America's Cup Challenge Series and Finals

Admiral's Cup

18 Foot Sailing

Brisbane to Gladstone

Dated: 15 December 2020

**Made by Dini Soulio**  
Liquor and Gambling Commissioner

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## DEVELOPMENT ACT 1993

## SECTION 46 (1)

*Preamble*

Subsection (1) of Section 46 of the *Development Act 1993* allows the Minister for Planning and Local Government to apply section 46 to (among other things) a specified kind of development (either in the State generally, or in a specified part of the State) by making a declaration to that effect under the section if the Minister is of the opinion that such a declaration is appropriate or necessary for the proper assessment of development of major environmental, social or economic importance.

## NOTICE

PURSUANT to section 46 (1) of the *Development Act 1993*, being of the opinion that a declaration under section 46 is appropriate for the proper assessment of development of major environmental, social or economic importance, I declare that section 46 of the Act applies to all development of a kind specified in Schedule 1.

## SCHEDULE 1

*Specified Kinds of Development*

Development for the purposes of establishing or operating a golf resort on the land specified in Schedule 2, including:

- (a) development associated with the construction or operation of any or all of:
  - (i) tourist accommodation;
  - (ii) cultural facilities;
  - (iii) a spa and wellness centre;
  - (iv) restaurants;
  - (v) an organic farm;
  - (vi) an adventure park;
  - (vii) botanic gardens; and
  - (viii) an outdoor entertainment and event space;
- (b) development associated with the redevelopment and improvement of the existing golf course;
- (c) development associated with any change in the use of land associated with any development within the ambit of the preceding paragraphs;
- (d) development (including development undertaken on land in the State other than the land specified in Schedule 2) associated with the construction, installation or provision of any or all of the following infrastructure, facilities and services:
  - (i) roads;
  - (ii) parking;
  - (iii) stormwater;
  - (iv) water supply;
  - (v) power supply;
  - (vi) telecommunications; and
  - (vii) effluent treatment or disposal,in each case, associated with any development within the ambit of the preceding paragraphs;
- (e) development (including development undertaken on land in the State other than the land specified in Schedule 2) associated with any excavation or filling of land associated with any development within the ambit of the preceding paragraphs;
- (f) development (including development undertaken on land in the State other than the land specified in Schedule 2) associated with the division of land associated with any development within the ambit of the preceding paragraphs; and
- (g) any related or ancillary development (including development undertaken on land in the State other than the land specified in Schedule 2) associated with any development within the ambit of the preceding paragraphs,

but excluding development associated with:

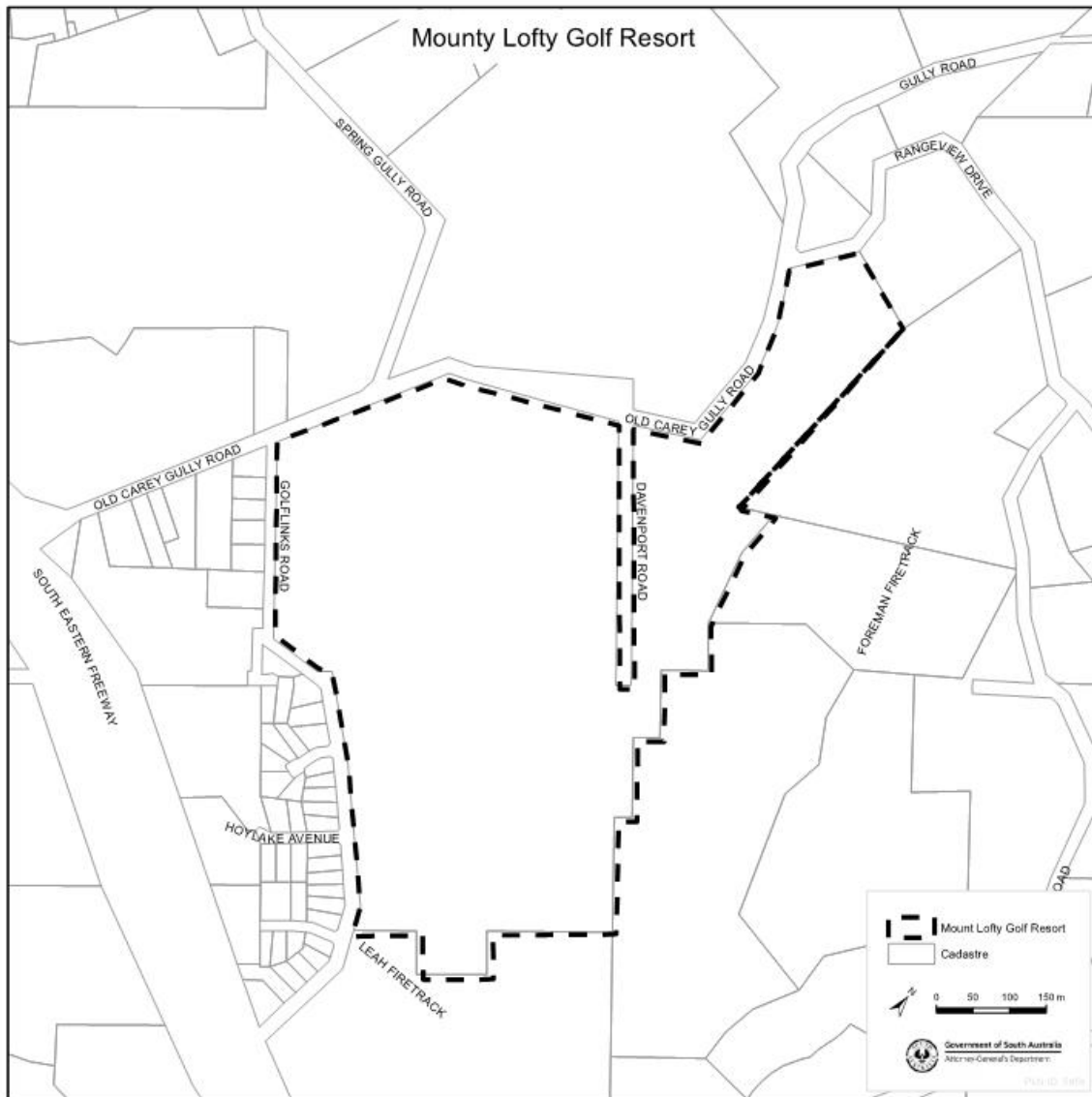
- (h) repairs or maintenance; and
- (i) surveying work, including construction of survey markers.

## SCHEDULE 2

*Specified Part of the State*

The whole of the land comprised in Certificate of Title Volume 5891 Folio 805 (allotment 53 in Deposited Plan 59212), as shown on the plan contained in Schedule 3.

SCHEDULE 3



Dated: 15 December 2020

HON VICKIE CHAPMAN MP  
Minister for Planning and Local Government

FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption: ME9903119

TAKE NOTICE that pursuant to Section 115 of the *Fisheries Management Act 2007*, Qiaz Hua Qian Hui of the University of Adelaide, North Terrace Campus, Adelaide SA 5005 (the 'exemption holder'), is exempt from section 70 of the *Fisheries Management Act 2007*, and regulation 5 and clause 74 of Schedule 6 of the *Fisheries Management (General) Regulations 2017* but only insofar as the exemption holder shall not be guilty of an offence when collecting Octopus species (*Octopus berrima* and *Octopus pallidus*) from the waters specified in Schedule 1, using the gear specified in Schedule 2, subject to the conditions specified in Schedule 3, from 11 December 2020 until 10 December 2021, unless varied or revoked earlier.

SCHEDULE 1

Coastal waters within South Australian Marine Fishing Areas 34, 35, 36, 40B, 40C, 42, 43, 44A, 44B and 45 that are greater than 2 m in depth excluding any sanctuary or restricted access zone of a marine park (unless otherwise authorised under the *Marine Parks Act 2007*) or an Aquatic Reserve.

SCHEDULE 2

Specified gear that may be used to undertake the exempted activity include:

- 180 x octopus pots—open-ended plastic tubes (30cm L x 10cm H x 10cm W).

## SCHEDULE 3

1. The specimens collected by the exemption holder are to be used for scientific purposes only and must not be sold.
2. The exempted activity must be undertaken in a manner that ensures minimal disturbance of habitat.
3. Subject to conditions 4 and 5, any unwanted specimens must be returned to the water immediately in the location where they were extracted.
4. A maximum of 80 *Octopus berrima* ( $\leq 300\text{g}$ ) and 80 *Octopus pallidus* ( $\leq 350\text{g}$ ) may be captured under this exemption for the purpose of tissue sampling. All specimens must be returned to the water where they were caught as soon as practicable once tissue sampling is complete.
5. A maximum of 20 *Octopus berrima* female adults ( $\leq 300\text{g}$ ) with eggs may be retained under this exemption for the purpose of research. These specimens must not be returned to the waters of the State.
6. Any protected species or by-catch incidentally taken while undertaking the exempted activity must be returned to the water immediately, unencumbered.
7. All octopus traps used pursuant to this exemption must be attached to a line with the terminal end(s) of that line clearly marked with a float and identification tag clearly displaying the exemption number, the exemption holder's name and contact details.
8. The exemption holder or a person acting as an agent must notify the Department of Primary Industries and Regions (PIRSA) Fishwatch on 1800 065 522 at least two hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption notice at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and boats involved, the number of persons undertaking the exempted activity and other related questions.
9. Within 14 days of the collection of organisms pursuant to this notice, the exemption holder must provide a report in writing to PIRSA Fisheries and Aquaculture, (GPO Box 1625, ADELAIDE SA 5001), providing summary details of activities undertaken pursuant to this notice including the quantity of any species taken, location and time of the collection. If no collection has occurred at the end of the exemption period, the exemption holder must provide a report in writing to that effect to PIRSA within 14 days of the expiry of the permit.
10. While engaged in the exempted activity the exemption holder or agent must be in possession of a copy of this notice and be able to produce it to a PIRSA Fisheries Officer if requested.
11. The exemption holder must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically exempted by this notice.

Dated: 11 December 2020

PROF GAVIN BEGG  
Executive Director, Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## SECTION 115

*Ministerial Exemption: ME9903137*

TAKE NOTICE that pursuant to section 115 of the *Fisheries Management Act 2007* (the Act), Ms Leslie Morrison (the 'exemption holder') Animal Facilities Coordinator, Flinders University, Sturt Rd, Bedford Park or her agents, are exempt from Section 70 of the *Fisheries Management Act 2007*, Regulation 5 and Clauses 39, 63, 74, 96, 97 and 113(1)(a) of Schedule 6 of the *Fisheries Management (General) Regulations 2017* in the waters specified in Schedule 1 but only insofar as they are for the purposes of activities involved in the activities specified in Schedule 2, using the gear specified in Schedule 3, (the 'exempted activity'), subject to the conditions specified in Schedule 4, from 14 December 2020 until 13 December 2021, unless varied or revoked earlier.

## SCHEDULE 1

The waters of or near Coffin Bay excluding aquatic reserves (unless otherwise authorised under the Act) and marine parks (unless otherwise authorised under the *Marine Parks Act 2007*), other than Thorny Passage Marine Park as authorised under the *Marine Parks Act 2007*.

The waters of or near Coffin Bay are contained within and bounded by a line commencing at Mean High Water Springs closest to 34°25'44.84" South, 135°12'22.73" East (Point Sir Isaac), then easterly to the location on Mean High Water Springs closest to 34°25'06.25" South, 135°21'31.65" East (Frenchman Bluff), then beginning southerly following the line of Mean High Water Springs to the point of commencement.

## SCHEDULE 2

- Flinders University Research Project: Identifying spawning behaviour and movement patterns of Yellowtail Kingfish (*Seriola lalandi*) in South Australia

## SCHEDULE 3

- 4 x plankton nets (maximum 1m diameter, 1.6m length and maximum 38mm mesh)
- 4 x haul net (maximum length 600m, maximum depth 10m, pocket mesh size average of 3.6cm (knotted) and wing mesh size average of 3.0cm).

## SCHEDULE 4

1. The nominated agents pursuant to this Ministerial exemption are:
  - A/Prof Charlie Huveneers
  - Mr Tom Clarke
  - Current university staff or students of the College of Science and Engineering at Flinders University, Sturt Road, Bedford Park under instructions of the nominated agents, A/Prof Huveneers or Mr Clarke.
2. All vessels used pursuant to this exemption must be clearly marked with visible signage indicating the vessel is undertaking research activities.
3. The Ministerial exemption holder or agent/s must be in attendance of haul nets at all times while a haul net is in use pursuant to this notice.
4. Eggs and larvae collected using the plankton tow during the exempted activity may be retained for identification purposes.



5. Except for eggs and larvae collected under condition 4, the Ministerial exemption holder or agents must ensure that all species (other than noxious species) caught during the exempted activity are returned to the water alive as soon as practicable. Noxious species must not be returned to the water and must be disposed of appropriately.
6. No protected species can be retained.
7. The specimens collected by the exemption holder are for scientific, education or research purposes only and must not be used for any commercial purpose.
8. The Ministerial exemption holder may not collect specimens for aquaculture research purposes pursuant to this notice.
9. The Ministerial exemption holder or agent must not conduct any other fishing activity, whilst undertaking the exempted activity.
10. At least 1 hour before conducting the exempted activity, the exemption holder or a person acting as an agent must contact the Department of Primary Industries and Regions (PIRSA) Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of this notice in their possession at the time of making the call, and be able to provide information about the area and time of the exempted activity, the specific gear to be used, vehicles and/or boats involved, the number of permit holders undertaking the exempted activity and other related questions. Exemption number ME9903137.
11. The exemption holder must provide a report in writing detailing the activities carried out pursuant to this notice to PIRSA, Fisheries and Aquaculture (GPO Box 1625, ADELAIDE SA 5001) within 14 days of the activity being completed with the following details:
  - the date and location of sampling;
  - the gear used;
  - the number and description of all species caught and their fate;
  - the number and description of any samples/biopsies collected;
  - any interactions with protected species and their fate; and
  - any other information regarding size, breeding or anything deemed relevant or of interest that is able to be volunteered.

Or if no research activities are undertaken, the exemption holder must provide a report to that effect to PIRSA within 14 days of expiry of this exemption.

12. While engaging in the exempted activity, the exemption holder and agents must be in possession of a signed copy of this notice and carry their identification card issued by Flinders University. Such notice and identification must be produced to a PIRSA Fisheries Officer upon request.
13. A person acting as an agent of the exemption holder must possess a copy of a signed letter from the exemption holder stating that they are acting as an agent during the exempted activity and carry their identification card issued by Flinders University.
14. The exemption holder or agents must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under the Act, except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007*. The exemption holder and her agents must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park.

Dated: 13 December 2020

PROF GAVIN BEGG  
Executive Director  
Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

### SECTION 115

#### *Ministerial Exemption: ME9903138*

TAKE NOTICE that pursuant to Section 115 of the *Fisheries Management Act 2007*, Ms Leslie Morrison of Flinders University, School of Biological Sciences, Sturt Road, Bedford Park, SA 5042 (the 'exemption holder'), or a person acting as her agent, are exempt from Section 71 of the *Fisheries Management Act 2007*, in the area specified in Schedule 1, but only insofar as the activities specified in Schedule 2 (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 14 December 2020 until 13 December 2021 inclusive, unless varied or revoked earlier.

#### SCHEDULE 1

All waters of South Australia, excluding the Adelaide Dolphin Sanctuary, aquatic reserves (unless otherwise authorised under the *Fisheries Management Act 2007*) and marine parks (unless otherwise authorised under the *Marine Parks Act 2007*).

#### SCHEDULE 2

- The tagging of free-swimming White Sharks (*Carcharodon carcharias*) with an accelerometer package and/or acoustic tag using a modified spear gun or deployment pole.
- The collection of tissue samples from free-swimming White Sharks using a modified spear gun.

#### SCHEDULE 3

1. No shark of any species may be restrained or taken from the water.
2. The exemption holder or nominated agents may tag and/or take tissue samples from a maximum of 30 free-swimming White Sharks.
3. For the purposes of this notice, only the following persons may act as an agent of the exemption holder:
  - A/Prof Charlie Huveneers, Flinders University
  - Dr Lauren Meyer, Flinders University
4. At least 1 hour before conducting the exempted activity, the exemption holder or a person acting as an agent must contact the Department of Primary Industries and Regions (PIRSA) Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related questions. Exemption number ME9903138.

5. The exemption holder must provide a written report detailing the outcomes of tagging and the collection of tissue samples pursuant to this notice to the Executive Director, Fisheries and Aquaculture, (GPO Box 1625, ADELAIDE SA 5001) within 14 days of expiration of this permit. The report must contain the following information:

- the number and location of White Sharks tagged and the type of tag used;
- the number and location of tissue samples collected;
- the person who tagged or collected the tissue sample from each White Shark; and
- any other relevant information.

Or if no research activities are undertaken, the exemption holder must provide a report to that effect to PIRSA within 14 days of expiry of this exemption.

6. While engaging in the exempted activity, the exemption holder and agents must be in possession of a signed copy of this notice and carry their identification card issued by Flinders University. Such notice and identification must be produced to a PIRSA Fisheries Officer immediately upon request.
7. A person acting as an agent of the exemption holder must possess a copy of a signed letter from the exemption holder stating that they are acting as an agent during the exempted activity and carry their identification card issued by Flinders University.
8. The exemption holder or agents must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007*. The exemption holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department of Environment and Water when undertaking activities within a marine park.

Dated: 13 December 2020

PROF GAVIN BEGG  
Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

#### FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

##### *Surveying in the Gulf St Vincent Prawn Fishery*

TAKE notice that pursuant to Regulation 10 of the Fisheries Management (Prawn Fisheries) Regulations 2017, the notice dated 8 December 2020 prohibiting fishing activities in the Gulf St Vincent Prawn Fishery is HEREBY varied such that it will not apply to the holders of a Gulf St Vincent Prawn Fishery licence issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2017 listed in Schedule 1 or their registered master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey in the areas specified in Schedule 2 during the period specified in Schedule 3, subject to the conditions contained in Schedule 4 unless this notice is varied or revoked.

##### SCHEDULE 1

Licence Number	Licence Holder	Boat Name
V03 or V09	Josephine K Fisheries Pty Ltd	<i>Josephine K</i>
V05 or V06	Todreel Pty Ltd	<i>Anna Pearl</i>
V02	W J Fountain Pty Ltd	<i>Angela Kaye</i>

##### SCHEDULE 2

North of 35°05.00'S latitude.

##### SCHEDULE 3

Commencing at sunset on 8 December 2020 to sunrise on 9 December 2020.

##### SCHEDULE 4

1. The coordinates in Schedule 2 are defined as degrees decimal minutes and are based on the World Geodetic System 1984 (WGS 84).
2. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the *Marine Parks Act 2007* or depths less than 10 metres.
3. The licence holders listed in Schedule 1 or their registered master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their licence, in addition to the conditions imposed by this notice.
4. While engaged in fishing activities or unloading the survey catch, the licence holders listed in Schedule 1 or their registered master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.
5. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette*).
6. The licence holders listed in Schedule 1 or their registered master must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any other regulations made under that Act except where specifically exempted by this notice.
7. This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007*. The notice holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department of Environment, Water and Natural Resources when undertaking activities within a marine park.

Dated: 8 December 2020

CRAIG NOELL  
A/Prawn Fisheries Manager  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

*Temporary Prohibition on Fishing Activities in the Gulf St Vincent Prawn Fishery*

TAKE notice that pursuant to Regulation 10 of the Fisheries Management (Prawn Fisheries) Regulations 2017, the activities of the class specified in Schedule 1 are prohibited in the waters of the Gulf St Vincent Prawn Fishery during the period specified in Schedule 2 unless this notice is varied or revoked.

## SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of Western King Prawns (*Melicertus latisulcatus*) pursuant to a Gulf St Vincent Prawn Fishery licence.

## SCHEDULE 2

From sunset on 8 December 2020 to sunrise on 9 December 2020.

Dated: 8 December 2020

CRAIG NOELL  
A/Prawn Fishery Manager

Delegate of the Minister for Primary Industries and Regional Development

## HOUSING IMPROVEMENT ACT 2016

*Rent Control*

The Minister for Human Services Delegate in the exercise of the powers conferred by the *Housing Improvement Act 2016*, does hereby fix the maximum rental per week which shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each house described in the following table. The amount shown in the said table shall come into force on the date of this publication in the Gazette.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per Week Payable
34 Grundel Street, Whyalla SA 5600	Allotment 3151 Hundred of Randell	CT5420/696	\$65.00

Dated: 17 December 2020

CRAIG THOMPSON  
Acting Housing Regulator and Registrar  
Housing Safety Authority, SAHA  
Delegate of Minister for Human Services

## HOUSING IMPROVEMENT ACT 2016

*Rent Control Revocations*

Whereas the Minister for Human Services Delegate is satisfied that each of the houses described hereunder has ceased to be unsafe or unsuitable for human habitation for the purposes of the *Housing Improvement Act 2016*, notice is hereby given that, in exercise of the powers conferred by the said Act, the Minister for Human Services Delegate does hereby revoke the said Rent Control in respect of each property.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
6 Malcolm Street, Flinders Park SA 5025	Allotment 258 Deposited Plan 4671 Hundred of Yatala	CT5686/429
26 Catherine Street, Ethelton SA 5015	Allotment 90 & 91 Filed Plan 3001 Hundred of Port Adelaide	CT4139/574, CT5505/335, CT5505/336
191 Young Street, Unley SA 5061	Allotment 178 Filed Plan 12870 Hundred of Adelaide	CT5150/830
8 Stockwell Road, Stockwell SA 5355	Allotment 30 Deposited Plan 59475 Hundred of Moorooroo	CT5877/172, CT6213/352
10 Grundy Terrace, Christies Beach SA 5165	Allotment 110 Deposited Plan 87040 Hundred of Noarlunga	CT 6247/652
188 Norton Summit Road, Teringie SA 5072	Allotment 59 Filed Plan 130313 Hundred of Adelaide	CT5891/903

Dated: 17 December 2020

CRAIG THOMPSON  
Acting Housing Regulator and Registrar  
Housing Safety Authority, SAHA  
Delegate of Minister for Human Services

## LIQUOR LICENSING ACT 1997

*Ministerial Notice*

I, VICKIE CHAPMAN, Attorney-General, pursuant to section 131AA(2) of the *Liquor Licensing Act 1997* declare that the liquor product known as 'Emodka' is prohibited.

I am satisfied under subsection 131AA(3)(a) of the *Liquor Licensing Act 1997* that the liquor is likely to have a special appeal to minors. The effect of this Notice is the prohibition of manufacture, sale or supply of Emodka for a period of 42 days.

This Notice commences with immediate effect on 7 January 2021.

Dated: 15 December 2020

VICKIE CHAPMAN  
Attorney-General

## LIQUOR LICENSING ACT 1997

South Australia

## Liquor Licensing (Dry Areas) Notice 2020

under section 131(1a) of the *Liquor Licensing Act 1997*

### 1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.

### 2—Commencement

This notice comes into operation on 30 December 2020.

### 3—Interpretation

(1) In this notice—

*principal notice* means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

### 4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
  - (a) a person who is genuinely passing through the area if—
    - (i) the liquor is in the original container in which it was purchased from licensed premises; and
    - (ii) the container has not been opened; or
  - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
  - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

## **Schedule—Basham Beach Area 1**

### **1—Extent of prohibition**

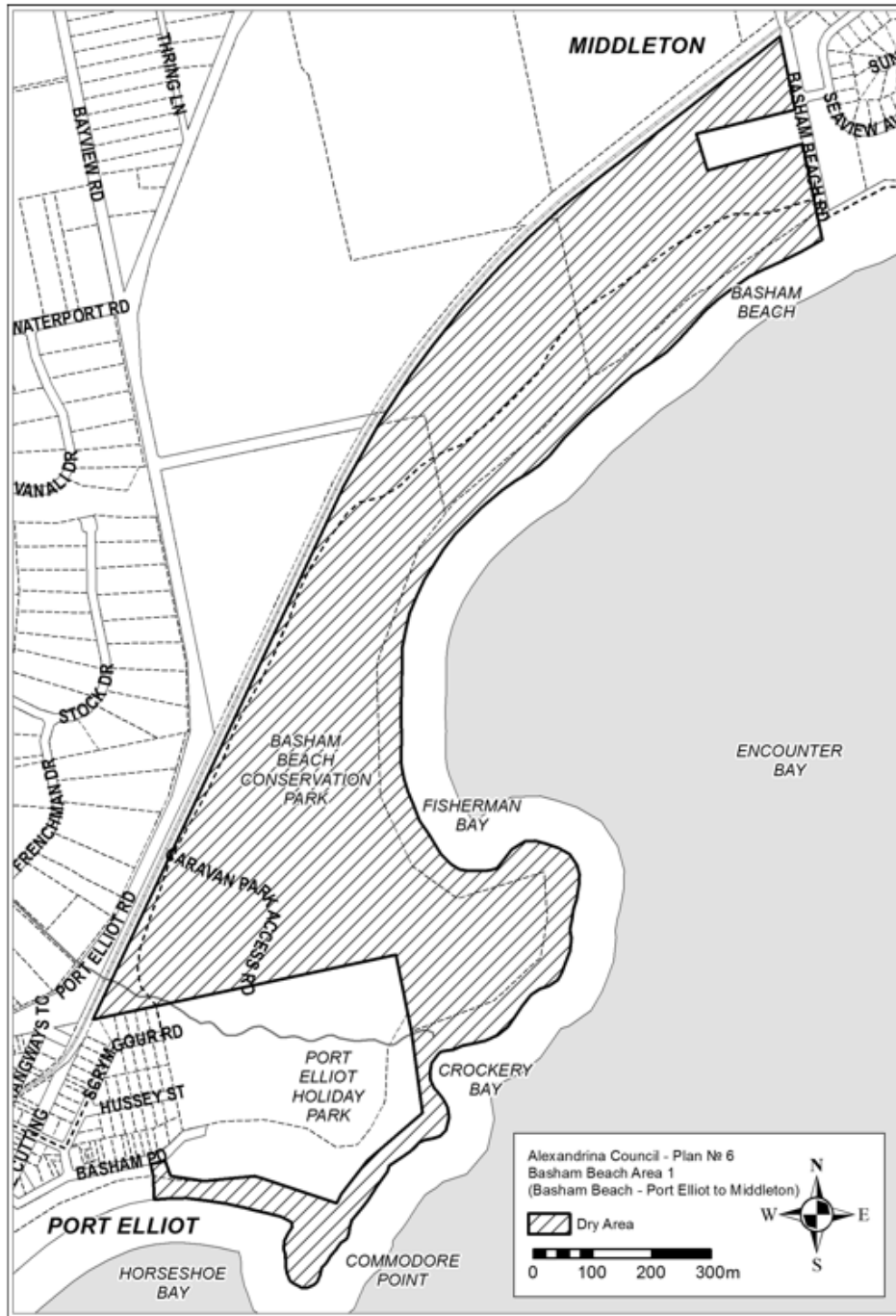
The consumption of liquor is prohibited and the possession of liquor is prohibited.

### **2—Period of prohibition**

From 6pm on Wednesday 30 December 2020 to 6am on Saturday 2 January 2021.

### **3—Description of area**

Commencing at the point at which the western boundary of Basham Beach Road, Middleton, intersects the southern boundary of the railway reserve for the Victor Harbor Tourist Railway, then south-easterly along that boundary of Basham Beach Road to the northern boundary of Lot 96 FP 166155, then south-westerly, south-easterly and north-easterly along the northern, western and southern boundaries of Lot 96 to the western boundary of Basham Beach Road, then south-easterly along that boundary of Basham Beach Road and the prolongation in a straight line of that boundary to the low water mark of Encounter Bay, then generally south-westerly, southerly, south-easterly, easterly, southerly, south-westerly and north-westerly along the low water mark to the prolongation in a straight line of the western boundary of Lot 2 DP 52281, then northerly along that prolongation and boundary of Lot 2 to the southern boundary of Lot 1 DP 52281 (the southern boundary of the Port Elliot Caravan Park), then generally easterly, south-easterly, north-easterly and northerly along that boundary of Lot 1 and the eastern boundary of Lot 858 FP 166107 to the northern boundary of Lot 858, then south-westerly along the northern boundary of Lot 858 and the northern boundaries of the adjoining allotments to the eastern boundary of the railway reserve for the Victor Harbor Tourist Railway, then generally north-easterly along that boundary of the railway reserve to the point of commencement.



**Made on behalf of the Liquor and Gambling Commissioner**

on 14 December 2020

## LIQUOR LICENSING ACT 1997

South Australia

## Liquor Licensing (Dry Areas) Notice 2020

under section 131(1a) of the *Liquor Licensing Act 1997*

### 1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.

### 2—Commencement

This notice comes into operation on 30 December 2020.

### 3—Interpretation

(1) In this notice—

*principal notice* means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

### 4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
  - (a) a person who is genuinely passing through the area if—
    - (i) the liquor is in the original container in which it was purchased from licensed premises; and
    - (ii) the container has not been opened; or
  - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
  - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

## Schedule—Chiton Rocks Car Park (Hayborough Area 1)

### 1—Extent of prohibition

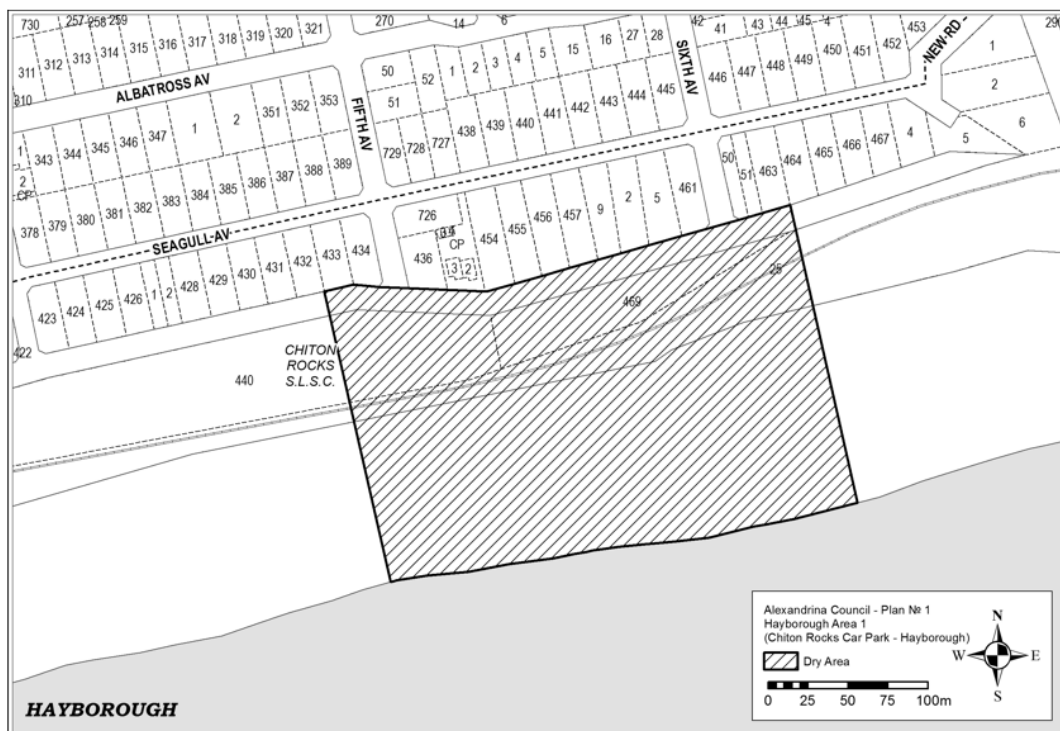
The consumption of liquor is prohibited and the possession of liquor is prohibited.

### 2—Period of prohibition

From 6pm on Wednesday 30 December 2020 to 6am on Saturday 2 January 2021.

### 3—Description of area

Chiton Rocks Surf Life Saving Club - Car Park Area and adjacent beach area to the low water mark. The area adjacent to Victor Harbor generally known as the Chiton Rocks Surf Lifesaving Club car park and the adjacent beach, being the area bounded on the north by the northern boundaries of Lot 469 DP 3482 and Lot 440 DP 3207, on the west by the prolongation in a straight line of the western boundary of Lot 433 DP 3207, on the south by the low water mark on Encounter Bay and on the east by the prolongation in a straight line of the eastern boundary of Lot 463 DP 3482



Made on behalf of the Liquor and Gambling Commissioner

on 14 December 2020



## LIQUOR LICENSING ACT 1997

South Australia

## Liquor Licensing (Dry Areas) Notice 2020

under section 131(1a) of the *Liquor Licensing Act 1997*

### 1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.

### 2—Commencement

This notice comes into operation on 30 December 2020.

### 3—Interpretation

(1) In this notice—

*principal notice* means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

### 4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
  - (a) a person who is genuinely passing through the area if—
    - (i) the liquor is in the original container in which it was purchased from licensed premises; and
    - (ii) the container has not been opened; or
  - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
  - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

## **Schedule—Goolwa Beach Area 1**

### **1—Extent of prohibition**

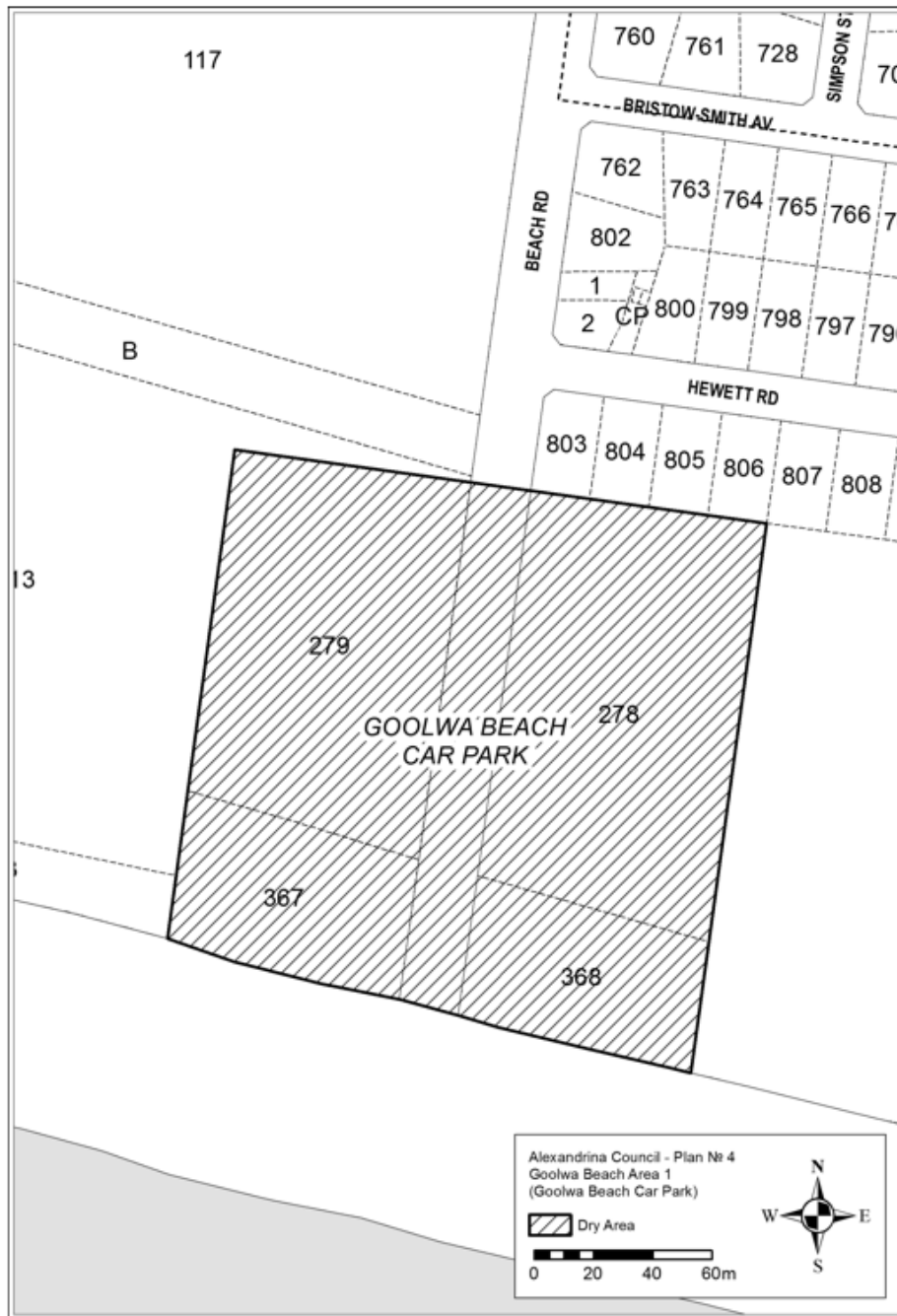
The consumption of liquor is prohibited and the possession of liquor is prohibited.

### **2—Period of prohibition**

From 6pm on Wednesday 30 December 2020 to 6am on Saturday 2 January 2021.

### **3—Description of area**

The area in Goolwa Beach and Goolwa South (generally known as the Goolwa Beach car park) bounded as follows: commencing at the north-eastern corner of Section 279, Hundred of Goolwa, then westerly and southerly along the northern and western boundaries of Section 279 to the northern boundary of Section 367, Hundred of Goolwa, then southerly and easterly along the western and southern boundaries of Section 367 to the south-eastern corner of the Section, then in a straight line by the shortest route to the south-western corner of Section 368, Hundred of Goolwa, then easterly and northerly along the southern and eastern boundaries of Section 368 to the southern boundary of Section 278, Hundred of Goolwa, then northerly and westerly along the eastern and northern boundaries of Section 278 to the north-western corner of the Section, then in a straight line by the shortest route across Goolwa Beach Road to the point of commencement.



**Made on behalf of the Liquor and Gambling Commissioner**  
on 14 December 2020

## LIQUOR LICENSING ACT 1997

South Australia

## Liquor Licensing (Dry Areas) Notice 2020

under section 131(1a) of the *Liquor Licensing Act 1997*

### 1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.

### 2—Commencement

This notice comes into operation on 30 December 2020.

### 3—Interpretation

(1) In this notice—

*principal notice* means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

### 4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
  - (a) a person who is genuinely passing through the area if—
    - (i) the liquor is in the original container in which it was purchased from licensed premises; and
    - (ii) the container has not been opened; or
  - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
  - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

## **Schedule—Goolwa Wharf Precinct (Goolwa Area 3)**

### **1—Extent of prohibition**

The consumption of liquor is prohibited and the possession of liquor is prohibited.

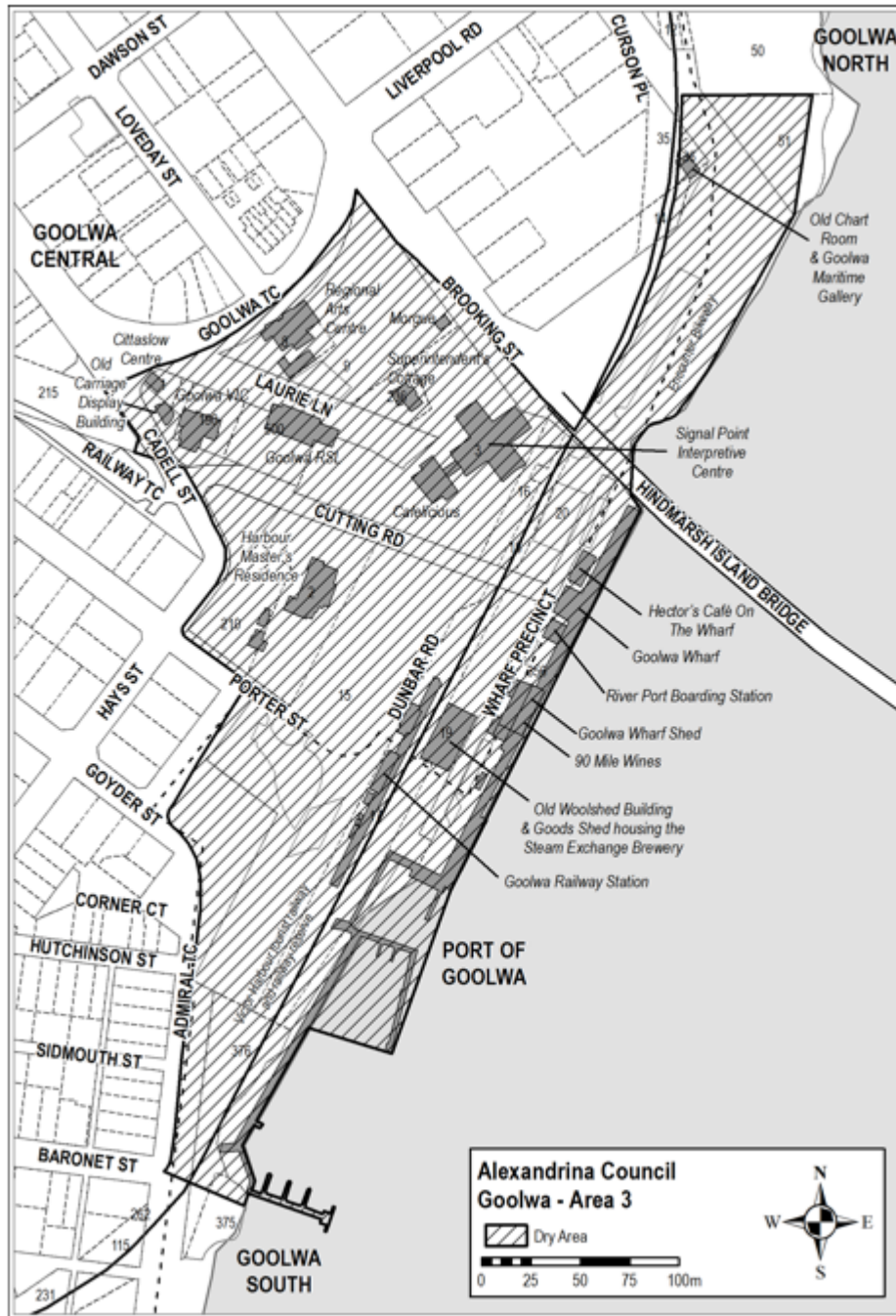
### **2—Period of prohibition**

From 6pm on Wednesday 30 December 2020 to 6am on Saturday 2 January 2021.

### **3—Description of area**

The area in Goolwa Central and Port of Goolwa (generally known as the Wharf Precinct) and to be known as Goolwa Area 3 bounded as follows:

Commencing at the north eastern corner of Section 315, Hundred of Goolwa, and then due west to the eastern side of the railway reserve. Then follow the easterly side of the railway reserve until reaching the south western underside of the Goolwa and Hindmarsh Island Bridge. Head in a north westerly direction, along the south western side of Brooking Street, until the round-about intersection of Brooking Street, Liverpool Road and Goolwa Terrace. Follow the south eastern side of Goolwa Terrace until the intersection of Cadell Street and Goolwa Terrace. Traversing the north eastern side of Cadell Street, past the Cadell Street and Cutting Road intersection. Continue along Cadell Street and enter Hays Street then to the Hays Street and Porter Street intersection. Head south east to the Porter Street and Admiral Terrace intersection. Then head south west and continue along the eastern side of Admiral Terrace past the intersections of Goyder Street, Hutchinson Street, Sidmouth Street until the Admiral Terrace and Baronet Street intersection. Head east south east and traverse around the jetty and return to the eastern side of the boardwalk. Head north east along the eastern side of the boardwalk then a straight line, by the shortest route, to the southern side of the jetty. Then in a straight line by the shortest route to the south eastern side of the Goolwa Wharf. Traverse the south eastern side of the Goolwa Wharf under the Goolwa and Hindmarsh Island Bridge along the River Murray bank to the south eastern side of Section 315 returning to the point of commencement.



Made on behalf of the Liquor and Gambling Commissioner  
on 14 December 2020

## LIQUOR LICENSING ACT 1997

South Australia

## Liquor Licensing (Dry Areas) Notice 2020

under section 131(1a) of the *Liquor Licensing Act 1997*

### 1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.

### 2—Commencement

This notice comes into operation on 30 December 2020.

### 3—Interpretation

(1) In this notice—

*principal notice* means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

### 4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
  - (a) a person who is genuinely passing through the area if—
    - (i) the liquor is in the original container in which it was purchased from licensed premises; and
    - (ii) the container has not been opened; or
  - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
  - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

## **Schedule—Middleton Area 1**

### **1—Extent of prohibition**

The consumption of liquor is prohibited and the possession of liquor is prohibited

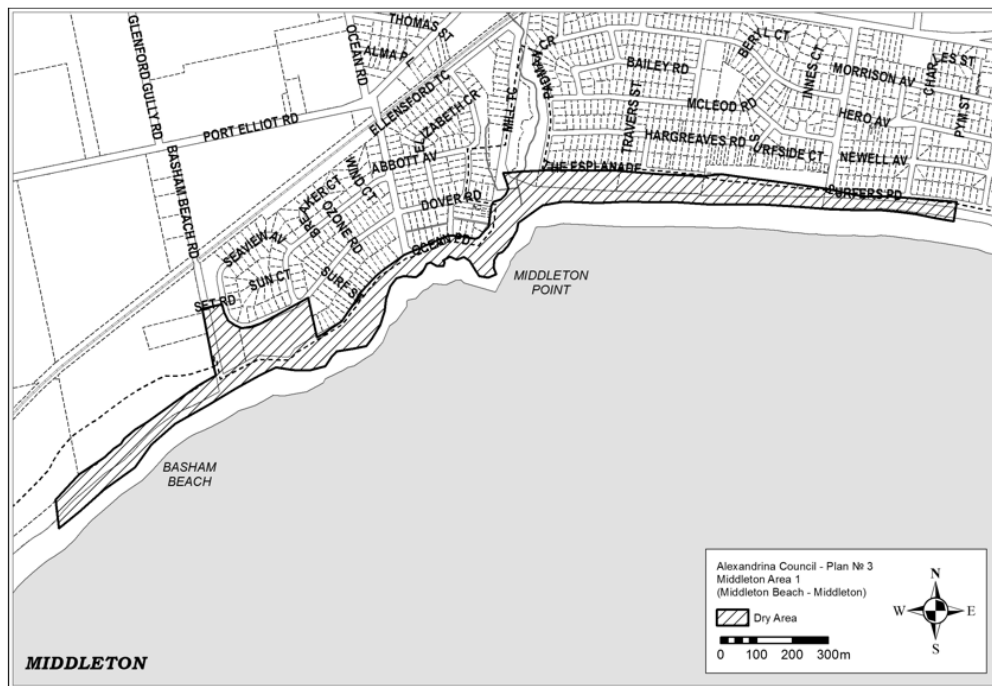
### **2—Period of prohibition**

From 6pm on Wednesday 30 December 2020 to 6am on Saturday 2 January 2021.

### **3—Description of area**

The area in and adjacent to Middleton bounded as follows: commencing at the point at which the prolongation in a straight line of the western boundary of Basham Beach Road intersects the high water mark of Encounter Bay, then north westerly along that prolongation and boundary to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Set Road, then north easterly along that prolongation and boundary of Set Road to the western boundary of Seaview Avenue, then generally south easterly and north easterly along that boundary of Seaview Avenue to the point at which it meets the eastern boundary of Lot 101 DP 10654, then south easterly along that boundary of Lot 101 to the south western corner of Lot 19 DP 3145, then generally north easterly along the south eastern boundary of Lot 19, the south eastern boundaries of the adjoining Lots and the northern boundary of Ocean Parade to the south eastern corner of Lot 133 FP 166507, then generally north easterly and northerly along the easternmost boundaries of Lot 133 and the adjoining Lots (including the eastern boundary of Dover Road) to the north eastern corner of Lot 39 DP 3262, then in a straight line by the shortest route to the north western corner of Lot 160 DP 9417, then easterly along the southern boundary of the Esplanade to the western boundary of Lot 3 DP 13398, then northerly, easterly and southerly along the western, northern and eastern boundaries of that Lot to its south eastern corner, then along the northern boundary of Section 345, Hundred of Goolwa, (the southern boundary of Surfer's Parade) to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Lot 39 DP 6156, then along that prolongation to the point at which it intersects the high water mark of Encounter Bay, then generally westerly and south westerly along the high water mark to the point of commencement.





**Made on behalf of the Liquor and Gambling Commissioner**

on 14 December 2020

## LIQUOR LICENSING ACT 1997

South Australia

## Liquor Licensing (Dry Areas) Notice 2020

under section 131(1a) of the *Liquor Licensing Act 1997*

### 1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2020*.

### 2—Commencement

This notice comes into operation on 30 December 2020.

### 3—Interpretation

(1) In this notice—

*principal notice* means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

### 4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
  - (a) a person who is genuinely passing through the area if—
    - (i) the liquor is in the original container in which it was purchased from licensed premises; and
    - (ii) the container has not been opened; or
  - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
  - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

## Schedule—Port Elliot Area 2

### 1—Extent of prohibition

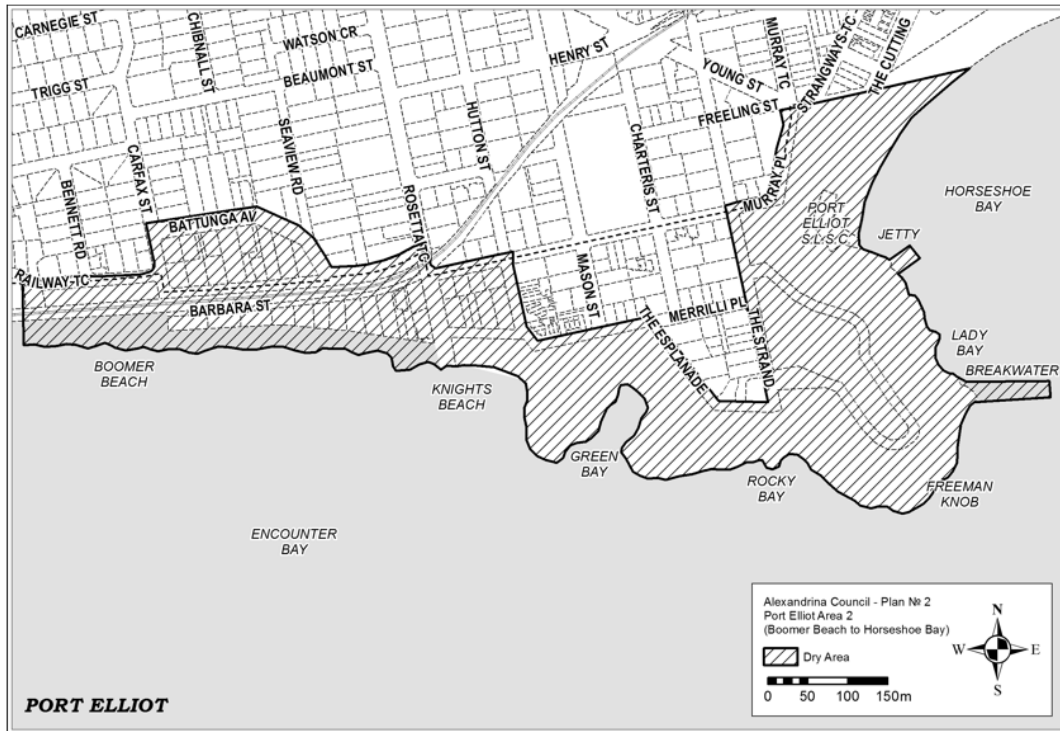
The consumption of liquor is prohibited and the possession of liquor is prohibited.

### 2—Period of prohibition

From 6pm on Wednesday 30 December 2020 to 6am on Saturday 2 January 2021.

### 3—Description of area

The area in and adjacent to Port Elliot bounded as follows: commencing at the point at which the eastern boundary of Lot 26 of DP 74300 meets the northern boundary of Railway Terrace (approximately 50 metres west of the western boundary of Bennett Road), then easterly along the northern boundary of Railway Terrace to the western boundary of Carfax Street, then northerly along that boundary of Carfax Street to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Battunga Avenue, then generally easterly, south easterly and easterly along that prolongation and boundary of Battunga Avenue and the prolongation in a straight line of that boundary to the eastern boundary of Rosetta Terrace, then southerly along that boundary of Rosetta Terrace to the northern boundary of Barbara Street, then easterly along that boundary of Barbara Street to the point at which it intersects the eastern boundary of Hutton Street, then southerly along that boundary of Hutton Street to the northern boundary of Merrilli Place, then easterly along that boundary of Merrilli Place to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of The Esplanade, then south easterly along that prolongation and boundary of The Esplanade to the western boundary of Lot 101 of DP 46201, then south easterly and easterly along the western and southern boundaries of Lot 101 and the southern boundaries of the adjoining Lots to the western boundary of The Strand, then northerly along that boundary of The Strand to the point at which it intersects the southern boundary of Torrens Street, then in a straight line by the shortest route (across The Strand) to the point at which the southern boundary of Murray Place meets the eastern boundary of The Strand, then easterly and north easterly along that boundary of Murray Place to the point at which it meets the prolongation in a straight line of the southern boundary of Freeling Street, then north easterly along that prolongation of the southern boundary of Freeling Street to the point at which it intersects the low water mark of Horseshoe Bay, then generally south westerly, south easterly, south westerly and westerly along the low water mark to the point at which the low water mark is intersected by the prolongation in a straight line of the eastern boundary of Lot 26 of DP 74300, then northerly along that prolongation of the eastern boundary of Lot 26 to the point of commencement. The area includes the whole of any wharf, jetty, boat ramp, breakwater or other structure that projects below the low water mark from within the area described above (as well as any area beneath such a structure).



**Made on behalf of the Liquor and Gambling Commissioner**

on 14 December 2020

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MENTAL HEALTH ACT 2009

*Authorised Mental Health Professional*

NOTICE is hereby given in accordance with Section 94 (1) of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined the following persons as an Authorised Mental Health Professional:

Stephanie Jordan

A person's determination as an Authorised Mental Health Professional expires three years after the commencement date.

Dated: 11 December 2020

DR J. BRAYLEY  
Chief Psychiatrist

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## MINING ACT 1971

South Australia

## Mining (Fees) Notice 2020

under the *Mining Act 1971*

### 1—Short title

This notice may be cited as the *Mining (Fees) Notice 2020*.

**Note—**

This is a fee notice made in accordance with the *Legislation (Fees) Act 2019*.

### 2—Commencement

This notice has effect on 1 January 2021.

### 3—Interpretation

In this notice—

*Act* means the *Mining Act 1971*;

*capital cost means—*

- a. in relation to a mining lease, the aggregate of the costs incurred or reasonably expected to be incurred before operations constituting the mining or recovery of minerals commence under the lease; or
- b. in relation to a miscellaneous purposes licence, the aggregate of the capital costs incurred or reasonably expected to be incurred under or in connection with the licence, including costs associated with any of the following:
  - c. engineering, planning or design work;
  - d. works associated with open pit development or underground working development;
  - e. constructing or installing infrastructure for the operations including—
    - i. pit and underground infrastructure; and
    - ii. fixed plant; and
    - iii. rock and tailings waste storage facilities; and
    - iv. buildings, powerlines, bores and roads;
  - f. constructing or installing structures, or undertaking earthworks, to prevent, or limit, damage to or impairment of, the environment by the operations;
  - g. measures associated with the assessment, management, limitation and remediation of the environmental impacts of the operations;

- h. making provision for contingencies, excluding any costs incurred or reasonably expected to be incurred in acquiring land or constructing or installing infrastructure outside the area of the mining lease or miscellaneous purposes licence (as the case may be);
- conservation park** has the same meaning as in the *National Parks and Wildlife Act 1972*;
- conservation reserve** means—
- (a) land dedicated as a conservation reserve under section 5 of the *Crown Lands Act 1929* or section 18 of the *Crown Land Management Act 2009*; or
  - (b) land in relation to which a declaration is in force under section 55 of the *Crown Land Management Act 2009*;
- declared RAMSAR wetland** has the same meaning as in the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth;
- exploration regulation fee zone**—see regulation 87 of the *Mining Regulations 2020*;
- heritage agreement** means a heritage agreement entered into under section 23 of the *Native Vegetation Act 1991*;
- industrial minerals** has the same meaning as in the *Mining Regulations 2020*;
- level 1, level 2, level 3, or level 4 change**—see regulation 87 of the *Mining Regulations 2020*;
- tier 1, tier 2, tier 3 or tier 4 draft or tier 1, tier 2, tier 3 or tier 4 program**—see regulation 87 of the *Mining Regulations 2020*;
- zone 1 exploration regulation fee zone, zone 2 exploration regulation fee zone and zone 3 exploration regulation fee zone**—see regulation 87 of the *Mining Regulations 2020*.

#### 4—Fees

- (1) The fees set out in Schedule 1 are prescribed for the purposes of the Act and payable as specified in that Schedule.
- (2) The fees set out in Schedule 2 are prescribed for the purposes of the Act and payable in connection with the submission of programs as specified in that Schedule.

#### Schedule 1—Fees

1	Application for registration of mineral claim	\$615.00
2	Exploration licence—	
(a)	application fee	\$875.00
(b)	annual fee—the sum of the following components:	
(i)	administration component	\$175.00
(ii)	regulation component	
(A)	in the case of an exploration licence in respect of land that is wholly within a zone 1 exploration regulation fee zone	\$576.00 or \$13.30 per km <sup>2</sup> or part of a km <sup>2</sup> in the area of the licence, whichever is the greater

- |     |                                                                                                                                                                                                              |                                                                                                                                          |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| (B) | in the case of an exploration licence in respect of land that is within, or partly within, a zone 2 exploration regulation fee zone (and is not also partly within a zone 3 exploration regulation fee zone) | \$771.00 or<br>\$17.80 per km <sup>2</sup> or<br>part of a km <sup>2</sup> in the<br>area of the licence,<br>whichever is the<br>greater |
| (C) | in the case of an exploration licence in respect of land that is within, or partly within, a zone 3 exploration regulation fee zone                                                                          | \$971.00 or<br>\$22.50 per km <sup>2</sup> or<br>part of a km <sup>2</sup> in the<br>area of the licence,<br>whichever is the<br>greater |

The fee payable will be calculated according to the nominal area of the licence, and no allowance will be made for land that is not available for exploration.

### 3 Mining lease—

- (a) application fee—the sum of the following components:
- |       |                                                                                                                                                                                |                                                              |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| (i)   | base component                                                                                                                                                                 | \$1 750.00                                                   |
| (ii)  | advertising component                                                                                                                                                          | \$945.00                                                     |
| (iii) | assessment component—                                                                                                                                                          |                                                              |
| (A)   | in the case of a mining lease that is authorised to recover, use and sell or dispose of solely extractive minerals or industrial minerals—                                     |                                                              |
| •     | for a mining lease that has an estimated annual production of less than 100 000 tonnes of minerals                                                                             | \$1 165.00                                                   |
| •     | for a mining lease that has an estimated annual production of 100 000 tonnes or more of minerals                                                                               | \$5 820.00                                                   |
| (B)   | in any other case—                                                                                                                                                             |                                                              |
| •     | if the whole or any part of the mining lease area is within the area of a council or a reserve within the meaning of the <i>National Parks and Wildlife Act 1972</i> —         |                                                              |
| ◦     | for a mining lease that has a capital cost of less than \$1 000 000                                                                                                            | \$1 165.00                                                   |
| ◦     | for a mining lease that has a capital cost of \$1 000 000 or more                                                                                                              | 0.25% of capital cost<br>up to a maximum of<br>\$200 000     |
| •     | if the whole of the mining lease area is outside the area of a council <i>and</i> is outside a reserve within the meaning of the <i>National Parks and Wildlife Act 1972</i> — |                                                              |
| ◦     | for a mining lease that has a capital cost of less than \$1 000 000                                                                                                            | \$1 165.00                                                   |
| ◦     | for a mining lease that has a capital cost of \$1 000 000 or more                                                                                                              | 0.125% of capital<br>cost up to a<br>maximum of<br>\$200 000 |

- (b) annual fee—the sum of the following components:
- |                                                                                                                                                |          |
|------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| (i) administration component                                                                                                                   | \$175.00 |
| (ii) regulation component (other than for a mining lease that is authorised to recover, use and sell or dispose of solely extractive minerals) | \$345.00 |
- 4 Miscellaneous purposes licence—
- (a) application fee—the sum of the following components:
- |                                                                                                                                                                                                      |                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| (i) base component                                                                                                                                                                                   | \$1 750.00                                          |
| (ii) advertising component                                                                                                                                                                           | \$945.00                                            |
| (iii) assessment component—the sum of the following components:                                                                                                                                      |                                                     |
| (A) if the whole or any part of the miscellaneous purposes licence area is within the area of a council or a reserve within the meaning of the <i>National Parks and Wildlife Act 1972</i> —         |                                                     |
| • for a licence that has a capital cost of less than \$1 000 000                                                                                                                                     | \$1 165.00                                          |
| • or a licence that has a capital cost of \$1 000 000 or more                                                                                                                                        | 0.25% of capital cost up to a maximum of \$200 000  |
| (B) if the whole of the miscellaneous purposes licence area is outside the area of a council <i>and</i> is outside a reserve within the meaning of the <i>National Parks and Wildlife Act 1972</i> — |                                                     |
| • for a licence that has a capital cost of less than \$1 000 000                                                                                                                                     | \$1 165.00                                          |
| • for a licence that has a capital cost of \$1 000 000 or more                                                                                                                                       | 0.125% of capital cost up to a maximum of \$200 000 |
- (b) annual fee—the sum of the following components:
- |                              |          |
|------------------------------|----------|
| (i) administration component | \$175.00 |
| (ii) regulation component    | \$345.00 |
- 5 Retention lease—
- (a) application fee for an applicant who intends to carry out only exploration operations under the lease—the sum of the following components:
- |                               |            |
|-------------------------------|------------|
| (i) base component            | \$875.00   |
| (ii) assessment component; or | \$1 165.00 |
- (b) application fee in any other case—the sum of the following components:
- |                            |            |
|----------------------------|------------|
| (i) base component         | \$875.00   |
| (ii) advertising component | 945.00     |
| (iii) assessment component | \$5 820.00 |



	(c) annual fee—the sum of the following components:	
	(i) administration component	\$175.00
	(ii) regulation component	\$345.00
6	Special mining enterprise—	
	(a) application phase fee	\$250 000.00
	(b) concept phase fee	\$25 000.00
7	Private mine—annual fee	\$175.00
8	Application for consent to transfer a mineral tenement or an interest in a mineral tenement—	
	(a) base fee	\$615.00
	(b) plus—	
	(i) if the mineral tenement to which the application relates has an estimated rehabilitation liability of less than \$10 million as set out in the program approved under Part 10A of the Act; or	\$1 500.00
	(ii) if the mineral tenement to which the application relates has an estimated rehabilitation liability of \$10 million or more as set out in the program approved under Part 10A of the Act	\$3 000.00
9	Application for approval under section 56R of the Act to make a change to which Part 8B Division 7 of the Act applies—	
	(a) in relation to a mining lease that is authorised to recover, use and sell or dispose of solely extractive minerals or industrial minerals—	
	(i) for a level 1 change	\$250.00
	(ii) for a level 2 change	\$2 000.00
	(iii) for a level 3 change	\$5 000.00
	(b) in relation to a mining lease in any other case—	
	(i) for a level 1 change	\$500.00
	(ii) for a level 2 change	\$1 500.00
	(iii) for a level 3 change	\$10 000.00
	(iv) for a level 4 change	\$25 000.00
	(c) in relation to a retention lease	\$2 500.00
	(d) in relation to a miscellaneous purpose licence	An amount equal to the fee payable under this notice in connection with the submission of a change in respect of the primary mining tenement to which the licence is ancillary
10	Application for approval under section 30AA(4)(c) of the Act	\$615.00
11	Application for approval of retention status in relation to a licence—	
	(a) under section 33B(3)(a) of the Act	\$615.00
	(b) under section 33B(3)(b) of the Act	\$1 000.00
	(c) under section 33B(3)(c) of the Act	\$615.00

12	Application for the amalgamation of the areas of 2 or more mineral tenements	\$615.00
13	Application for renewal of—	
	(a) mining lease	\$615.00
	(b) retention lease	\$615.00
	(c) miscellaneous purposes licence	\$615.00
	(d) exploration licence	\$615.00
14	Lodgement of an agreement (including an indigenous land use agreement) or determination with the Mining Registrar under Part 9B of the Act	\$615.00
15	Application for the registration of a mortgage	\$1 000.00
16	Application for registration of a caveat	\$1 000.00
17	Application for registration of dealing on Mining Register	\$1 000.00
18	Application for withdrawal of registration of a caveat, mortgage or dealing	\$500.00

## Schedule 2—Fees in relation to submission of programs etc.

1	Submission of a program in respect of a mineral claim or exploration licence—	
	(a) base fee	\$1 500.00
	(b) plus—	
	(i) if the program provides for the use of declared equipment in a specially protected area or an area adjacent to a specially protected area; or	\$500.00
	(ii) if the program provides for mining operations to occur in a conservation reserve, a regional reserve, a prescribed lake, a prescribed watercourse, a prescribed well, a State Heritage Area, a State Heritage Place or a declared RAMSAR wetland or on land subject to a heritage agreement; or	\$500.00
	(iii) if the program provides for mining operations to occur in a national park, a conservation park or a recreation park	\$1 500.00
2	Submission of a program in respect of a mining lease (other than if item 8 applies)	An amount equal to 50% of the assessment component of the application fee payable under this notice in respect of the tenement
3	Submission of a program in respect of a retention lease (other than if item 8 applies)	\$2 700.00
4	Submission of a program in respect of a miscellaneous purposes licence (other than if item 8 applies)	An amount equal to the fee payable under this notice in connection with the submission of a program in respect of the primary mining tenement to which the licence is ancillary

5	Combined program submitted for the purposes of section 70B of the Act relating to a group of mining tenements	An amount equal to the fee payable under this notice in connection with the submission of a program in respect of the primary mining tenement within the group
6	Submission to the Director of a draft set of objectives and criteria under section 73G(4) of the Act (other than if item 8 applies)	\$2 500.00
7	Submission to the Director of a draft of objectives or criteria as altered under section 73G(4) of the Act (other than if item 8 applies)—	
	(a) in the case of a tier 1 draft	\$1 000.00
	(b) in the case of a tier 2 draft	\$2 500.00
	(c) in the case of a tier 3 draft	\$5 000.00
	plus—	
	(d) if the draft relates to new mining operations to be carried out at a private mine	\$945.00
8	Despite items 2, 3, 4, 6 and 7, if—	
	(a) land subject to a mining lease is contiguous with land on which a private mine is situated; and	
	(b) a single document is submitted in respect of mining operations on the land to satisfy the requirements of both sections 70B(4) and 73G(4) of the Act, the following provisions apply:	
	(c) the fee payable on submission of initial document is	\$1 250.00
	(d) the fees set out in item 9 apply for the purposes of determining the fee payable in connection with the submission of a revised document as if it were a revised program for the purposes set out in that item	
9	Submission of revised program—	
	(a) in respect of a mineral claim or exploration licence—	
	(i) if the program provides for the use of declared equipment in a specially protected area or an area adjacent to a specially protected area	\$500.00
	(ii) if the program provides for mining operations to occur in a conservation reserve, a regional reserve, a prescribed lake, a prescribed watercourse, a prescribed well, a State Heritage Area, a State Heritage Place or a declared RAMSAR wetland or on land subject to a heritage agreement	\$500.00
	(iii) if the program provides for mining operations to occur in a national park, a conservation park or a recreation park	\$1 500.00
	(b) in respect of a mining lease that authorises mining operations for the recovery of extractive minerals or industrial minerals—	
	(i) in the case of a tier 1 program	\$250.00
	(ii) in the case of a tier 2 program	\$1 000.00
	(iii) in the case of a tier 3 program	\$5 000.00
	(c) in respect of a retention lease	\$2 500.00

(d)	in respect of a mining lease that authorises mining operations for the recovery of minerals (other than extractive minerals or industrial minerals)—	
(i)	in the case of a tier 1 program	\$500.00
(ii)	in the case of a tier 2 program	\$1 500.00
(iii)	in the case of a tier 3 program	\$10 000.00
(iv)	in the case of a tier 4 program	\$25 000.00
(e)	in respect of a miscellaneous purposes licence	An amount equal to the fee payable under this regulation in connection with the submission of a revised program in respect of the primary mining tenement to which the licence is ancillary
(f)	lower prescribed fee in relation to submission of revised program in respect of which the Minister has made a determination under regulation 63(3) or (4) of the <i>Mining Regulations 2020</i>	\$250.00
10	Submission of a program pursuant to Schedule 5 clause 7 of the <i>Mining Regulations 2020</i>	\$2 500.00

Dated: 11 December 2020

Hon. Daniel van Holst Pellekaan  
**Minister for Energy and Mining**

#### MINING ACT 1971

##### SECTION 15AB

##### *Terms of Reference for Dealings with Mineral Tenements*

A mineral tenement, or an interest in a mineral tenement, must not be transferred, assigned, sublet or be held subject to a trust, whether direct or indirectly, without the consent of the Minister.

In accordance with section 15AB of the *Mining Act 1971*, an application for consent of the Minister must be made in the manner and form determined by the Minister and contain such information as set out in this Terms of Reference.

#### **FORMAT OF APPLICATION**

For the purposes of section 15AB(4) of the *Mining Act 1971*, it is determined that an application for the consent to a dealing under section 15AB of the *Mining Act 1971* in relation to a mineral tenement(s) must, be in the following manner and form:

1. state the full name(s) (including Australian Business Number (ABN) or Australian Company Number (ACN)), business address(es) and email address(es) of the tenement holder(s) ('vendor');
2. state the full name(s) (including ACN or ABN), business address(es) and email address(es) of the party/parties proposing to acquire the legal or proprietary interest(s) in the mineral tenement(s) ('purchaser');
3. declare whether the vendor and purchaser are related within the meaning of section 50 of the *Corporations Act 2001 (Cth)*;
4. summarise the legal or proprietary interest(s) in the mineral tenement(s) that the tenement holder(s) propose to transfer, assign, sublet or be held subject to a trust (directly or indirectly) and the percentage of the interest(s);
5. provide the mineral tenement number(s);
6. provide a copy of the dealing that seeks to transfer, assign, sublet or be held subject to a trust (directly or indirectly); and
7. where the dealing proposes that a mineral tenement be held subject to a trust, provide a copy of the trust instrument.

#### **INFORMATION ACCOMPANY AN APPLICATION**

An application for consent to a dealing must be accompanied by any information specified by the Minister. In accordance with section 15AB(5), the Minister specifies that an application must be accompanied by the following:

1. a statement by the purchaser or a related body corporate outlining any contravention of, or failure to comply with, a provision of a corresponding law or designated Act in connection with authorised operations carried out by them within the preceding period of 5 years that resulted in—
  - a. the revocation or suspension of an authority to carry out authorised operations; or

- b. a prosecution for an offence; or
  - c. the imposition of a penalty by a court; or
  - d. the issuing of a notice, direction or order that required the suspension or discontinuance of any authorised operations or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
2. a statement of the technical, operational and financial capabilities and resources available to the purchaser for the purpose of carrying out operations under the relevant mineral tenement;
  3. where an application for consent to a dealing in respect to an interest in an exploration licence must be accompanied by:
    - a. a statement nominating the principal mineral or minerals that the purchaser is seeking under the exploration licence and the exploration model that the purchaser intends to employ for the purposes of exploring for that mineral or those minerals;
    - b. a statement outlining whether the purchaser or a related body corporate has, within the preceding period of 3 months, held an exploration licence (or an interest in an exploration licence) in relation to any area in respect of which the area of the application relates.

For the purpose of this terms of reference:

1. corresponding law means an Act of another State or a Territory that contains provisions that substantially correspond with the *Mining Act 1971*;
2. designated Act means—
  - a. the *Aboriginal Heritage Act 1988*; or
  - b. the *Aboriginal Lands Trust Act 2013*; or
  - c. the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*; or
  - d. the *Environment Protection Act 1993*; or
  - e. the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*; or
  - f. the *Landscape South Australia Act 2019*; or
  - g. the *Maralinga Tjarutja Land Rights Act 1984*; or
  - h. the *National Parks and Wildlife Act 1972*; or
  - i. the *Native Title Act 1993 (Cth)*; or
  - j. the *Native Vegetation Act 1991*; or
  - k. the *Offshore Minerals Act 2000*; or
  - l. the *Planning, Development and Infrastructure Act 2016*; or
  - m. the *Radiation Protection and Control Act 1982*; or
  - n. the *Work Health and Safety Act 2012*; or
  - o. an Act of another State or a Territory that contains provisions that substantially correspond with an Act set out in paragraphs (a) to (n) (inclusive).

In accordance with section 15AB(5) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

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#### MINING ACT 1971

##### *Notice under Section 17AB(8) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 17AB(8) of the *Mining Act 1971*, to specify the manner and form of a notice that a person other than the proprietor is carrying out authorised operations at a private mine.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 17AB(8) of the *Mining Act 1971* do hereby:

DETERMINE that a notice under section 17AB(8) of the *Mining Act 1971* must be in the following manner and form:

1. Disclose the Private Mine number and its location;
2. For the Proprietor:
  - a. disclose the Proprietor's name;
  - b. disclose the name of a contact person, their job title, phone number and email address;
  - c. disclose a postal address;
3. For the 'Party carrying out authorised operations and liable for royalty':
  - a. disclose the party's name;
  - b. disclose the name of a contact person, their job title, phone number and email address;
  - c. disclose a postal address;

In accordance with section 17AB(8) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

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## MINING ACT 1971

*Notice under Section 30AA(4) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 30AA(4) of the *Mining Act 1971*, to specify the manner and form of a division of an exploration licence.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 30AA(4) of the *Mining Act 1971* do hereby:

DETERMINE that an application under section 30AA(4) of the *Mining Act 1971* must be in the following manner and form:

- a. Provide the exploration licence number;
- b. Name of tenement holder (company or individual): list all tenement holders and their percentage share in the exploration licence;
- c. Name of designated party (company or individual): list all designated parties and their percentage share in the application; and
- d. Details of contact person, including name, address, contact numbers, email address, authorisation from tenement holder if contact person is an agent or tenement manager, and demonstrate whether that person consents to receiving tenement related correspondence via electronic means.

In accordance with section 30AA of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

*Notice under Section 30AAA(3) Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 30AAA(3) of the *Mining Act 1971*, to specify the manner and form of return under 30AAA(3) that contains:

1. a statement—
  - a. outlining the exploration operations carried out under the exploration licence within a period prescribed by the regulations; and
  - b. declaring the amount of expenditure incurred in carrying out those operations; and
2. a statement—
  - a. outlining the exploration operations that the tenement holder intends to carry out under the exploration licence over an ensuing period prescribed by the regulations; and
  - b. declaring the amount of expenditure that is estimated to be incurred in carrying out those operations.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 30AAA(3) of the *Mining Act 1971* do hereby:

DETERMINE that a return under section 30AAA(3) of the *Mining Act 1971* must be in the following manner and form:

1. provide the exploration licence number;
2. name of tenement holder (company or individual): list all tenement holders and their percentage share in the exploration licence;
3. details of contact person, including name, address, contact numbers, email address, authorisation from tenement holder if contact person is an agent or tenement manager, and demonstrate whether that person consents to receiving tenement related correspondence via electronic means;
4. A statement under 30AAA(3)(a) with the following information:
  - a. statement period start and end date;
  - b. in declaring the amount of expenditure incurred in carrying out the exploration operations, provide detail on any shortfall realised during the statement period;
  - c. in outlining the exploration operations required under section 30AAA(3)(a)(i), provide:
    - i. a summary of the exploration operations carried out and results in relation to the testing of the exploration model provided under regulation 23(1)(c) or regulation 28(1)(c) of the *Mining Regulations 2020* (including any updates to the model); and
    - ii. a detailed itemised cost breakdown of the nature of the expenditure in relation to the specific exploration operations.
5. A statement under 30AAA(3)(b) with the following information:
  - a. statement period start and end date; and
  - b. where a shortfall has been declared in the previous statement period—declare whether the shortfall is subject to a deferment or variation application; and
  - c. in outlining the exploration operations intended to be carried out under section 30AAA(3)(b)(i), provide:
    - i. a summary of the exploration operations intended to be carried out in testing of the exploration model provided under regulation 23(1)(c) or regulation 28(1)(c) of the *Mining Regulations 2020* and any updates to that model since provided under the Regulations; and
    - ii. an itemised cost breakdown of the estimated expenditure in relation to the proposed exploration operations.

In accordance with section 30AAA(3) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

*Notice under Section 33B(2) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 33B(2) of the *Mining Act 1971*, to specify the manner and form of an application for retention status.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 33B(2) of the *Mining Act 1971* do hereby:

DETERMINE that an application under section 33B(2) of the *Mining Act 1971* must be in the following manner and form:

- a. Provide the exploration licence number;
- b. Name of tenement holder (company or individual): list all tenement holders and their percentage share in the exploration licence; and
- c. Details of contact person, including name, address, contact numbers, email address, authorisation from tenement holder if contact person is an agent or tenement manager, and demonstrate whether that person consents to receiving tenement related correspondence via electronic means.

DETERMINE that the Minister requires that an application for retention status under section 33B of the *Mining Act 1971* must, in accordance with regulation 26(d) of the *Mining Regulations 2020* be accompanied by the following information:

- a. A work program in accordance with section 33B(10) of the *Mining Act 1971*.

In accordance with section 33B(2) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

*Notice under Section 38(3) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 38(3) of the *Mining Act 1971*, to specify the manner and form of an application for renewal of a mining lease under section 38(2) of the *Mining Act 1971*.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 38(3) of the *Mining Act 1971* do hereby:

DETERMINE that an application for a mining lease must be in the following manner and form:

1. state the full name(s) and business address(es) of the tenement holder(s), include percentage share (if relevant);
2. provide the mining lease number(s);
3. state the term for renewal and provide reasons for the term sought; and
4. provide details of contact person for the application, including name, address, contact numbers, email address, authorisation from applicant if contact person is an agent or tenement manager, and demonstrate whether that person consents to receiving tenement related correspondence via electronic means.

In accordance with section 38(3) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

*Notice under Section 51(3) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 51(3) of the *Mining Act 1971*, to specify the manner and form of an application for renewal of a miscellaneous purpose licence under section 51(2) of the *Mining Act 1971*.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 51(3) of the *Mining Act 1971* do hereby:

DETERMINE that an application for a miscellaneous purpose licence must be in the following manner and form:

1. state the full name(s) and business address(es) of the tenement holder(s), include percentage share (if relevant);
2. provide the miscellaneous purpose licence number(s);
3. state the term for renewal and provide reasons for the term sought; and
4. provide details of contact person for the application, including name, address, contact numbers, email address, authorisation from applicant if contact person is an agent or tenement manager, and demonstrate whether that person consents to receiving tenement related correspondence via electronic means.

In accordance with section 51(3) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

*Notice under Section 56X(2) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of Section 56X(2) of the *Mining Act 1971*, to specify the manner and form of an application to surrender a mineral tenement under section 56X(1) of the *Mining Act 1971*.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 56X(2) of the *Mining Act 1971* do hereby:

DETERMINE that an application for the surrender of a mineral tenement(s) must be in the following manner and form:

1. state the full name(a) and business address(es) of the tenement holder(s), including percentage share (if relevant);
2. provide the mineral tenement number(s);
3. state whether the surrender relates to the total area of the mineral tenement(s) or part of the area of the mineral tenement(s); and
4. if the surrender relates to part of the area of the mineral tenement(s)—provide one or more of the following statements, as applicable to the application:
  - a. in the case of a mining lease—a statement that the remaining area can be effectively and efficiently mined and that the environmental outcomes are capable of being achieved in respect of the remaining area;
  - b. in the case of a retention lease or miscellaneous purpose licence—a statement that the environmental outcomes are capable of being achieved in respect of the remaining area;
  - c. in the case of a private mine—a statement that the objectives and criteria are capable of being achieved in respect of the remaining area.

In accordance with Section 56X(2) of the *Mining Act 1971*, this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

*Notice under Section 58A(15) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 58A(15) of the *Mining Act 1971*, to specify the manner and form of a notice under section 58A(1) of the *Mining Act 1971*.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 58A(15) of the *Mining Act 1971* do hereby:

DETERMINE that a notice under section 58A(1) of the *Mining Act 1971* must be in the following manner and form:

1. state the full name(s) and address(es), as well as the phone numbers and email addresses (if known) of each owner of land;
2. state the full name(s) and business address(es) of the tenement holder(s);
3. provide the name, telephone number and email address of a person who may be contacted about the notice;
4. provide a description of the land, including the title reference (CT or CL) and parcel references, relating to the notice;
5. provide a map clearly showing the following (at a minimum):
  - a. relevant property ownership boundaries;
  - b. tenement area (if applicable);
  - c. area of proposed operations to be conducted within the tenement (if applicable);
  - d. an arrow showing North;
  - e. the Eastings and Northings of the tenement;
  - f. relevant topographical information; and
  - g. a scale bar;
6. provide the tenement numbers of the tenements related to the notice being served (tenement information can be found at [map.sarig.sa.gov.au](http://map.sarig.sa.gov.au));
7. provide a copy of or a link to access the program for environment protection and rehabilitation (PEPR) (if approved) or provide a reasonable description of the type of operations proposed to be carried out on the land;
8. if the notice is being served to prospect under section 20 of the *Mining Act 1971* in order to establish a mineral claim, provide a reasonable timeframe to entry land to establish the claim;
9. set out a process by which the owner of the land will, on an on-going basis, be:
  - a. updated on the operations carried out on the land
  - b. notified of the place or places where operations are to be carried out on the land
  - c. notified of the proposed timing for the operations and the proposed duration of the operations
  - d. provided with reasonable information on the anticipated events and consequences associated with the operations to be carried out on the land (including any potential impacts on native title rights and interests and Aboriginal heritage).
  - e. provided the proposed action the tenement holder will take to manage and address those events and consequences (including any potential impacts on native title rights and interests and Aboriginal heritage), in order to enable the owner of the land to make an informed decision about the impact or potential impact of the operations on the land.



10. be accompanied by an Information Sheet relating to:
  - a. the owner of land's rights to object to a notice and rights to compensation approved by the Minister and published on the website of the Department for Energy and Mining; and
  - b. the owner of land's rights to apply to the Small Business Commissioner approved by the Minister and published on the website of the Department for Energy and Mining

In accordance with section 58A(15) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

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MINING ACT 1971

*Notice under Section 58A(15) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 58A(15) of the *Mining Act 1971*, to specify the manner and form of a notice under section 58A(2) of the *Mining Act 1971*.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 58A(15) of the *Mining Act 1971* do hereby:

DETERMINE that a notice under section 58A(2) of the *Mining Act 1971* must be in the following manner and form:

1. state the full name(s) and address(es), as well as the phone numbers and email addresses (if known) of each owner of land;
2. state the full name(s) and business address(es) of the tenement holder(s);
3. provide the name, telephone number and email address of a person who may be contacted about the notice;
4. provide a description of the land, including the title reference (CT or CL) and parcel references, relating to the notice;
5. provide a map clearly showing the following (at a minimum):
  - a. relevant property ownership boundaries;
  - b. tenement area (if applicable);
  - c. area of proposed operations to be conducted within the tenement (if applicable);
  - d. an arrow showing North;
  - e. the Eastings and Northings of the tenement;
  - f. relevant topographical information; and
  - g. a scale bar;
6. provide the tenement numbers of the tenements related to the notice being served (tenement information can be found at [map.sarig.sa.gov.au](http://map.sarig.sa.gov.au));
7. provide a copy of or a link to access the program for environment protection and rehabilitation (PEPR) (if approved) or provide a reasonable description of the type of operations proposed to be carried out on the land;
8. set out a process by which the owner of the land will, on an on-going basis, be:
  - a. updated on the operations carried out on the land
  - b. notified of the place or places where operations are to be carried out on the land
  - c. notified of the proposed timing for the operations and the proposed duration of the operations
  - d. provided with reasonable information on the anticipated events and consequences associated with the operations to be carried out on the land (including any potential impacts on native title rights and interests and Aboriginal heritage).
  - e. provided the proposed action the tenement holder will take to manage and address those events and consequences (including any potential impacts on native title rights and interests and Aboriginal heritage), in order to enable the owner of the land to make an informed decision about the impact or potential impact of the operations on the land.
9. be accompanied by an Information Sheet relating to:
  - a. the owner of land's rights to object to a notice and rights to compensation approved by the Minister and published on the website of the Department for Energy and Mining; and
  - b. the owner of land's rights to apply to the Small Business Commissioner approved by the Minister and published on the website of the Department for Energy and Mining

In accordance with section 58A(15) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

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## MINING ACT 1971

*Notice under Section 58A(15) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 58A(15) of the *Mining Act 1971*, to specify the manner and form of a notice under section 58A(3) of the *Mining Act 1971*.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 58A(15) of the *Mining Act 1971* do hereby:

DETERMINE that a notice under section 58A(3) of the *Mining Act 1971* must be in the following manner and form:

1. state the full name(s) and address(es), as well as the phone numbers and email addresses (if known) of each owner of land;
2. state the full name(s) and business address(es) of the tenement holder(s);
3. provide the name, telephone number and email address of a person who may be contacted about the notice;
4. provide a description of the land, including the title reference (CT or CL) and parcel references, relating to the notice;
5. provide a map clearly showing the following (at a minimum):
  - a. relevant property ownership boundaries;
  - b. tenement area (if applicable);
  - c. area of proposed operations to be conducted within the tenement (if applicable);
  - d. an arrow showing North;
  - e. the Eastings and Northings of the tenement;
  - f. relevant topographical information; and
  - g. a scale bar;
6. provide the tenement numbers of the tenements related to the notice being served (tenement information can be found at [map.sarig.sa.gov.au](http://map.sarig.sa.gov.au));
7. provide a description of proposed operations or a copy of the draft application documents, including but not limited to the mining proposal, management plan and/or retention lease proposal;
8. provide a description of how the views of the owner of the land have been, and will continue to be sought for the purposes of informing the finalisation of the application;
9. provide a description of the negotiation process between the tenement holder and the owner of land on a land access agreement relating to the application;
10. inform the owner of the land of the applicant's intention to enter the land to carry out authorised operations, should the application be granted;
11. be accompanied by an Information Sheet relating to:
  - a. the owner of land's rights to object to a notice and rights to compensation approved by the Minister and published on the website of the Department for Energy and Mining; and
  - b. the owner of land's rights to apply to the Small Business Commissioner approved by the Minister and published on the website of the Department for Energy and Mining.

In accordance with section 58A(15) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

## PART 10A

*Terms of Reference for Extractive Mineral Quarry Transitional PEPRS*

This Terms of Reference applies to mining leases (ML) and miscellaneous purpose licences (MPLs) for the recovery of extractive minerals, where as at 1 January 2021, that ML or MPL:

1. has a PEPR that transitioned by virtue of regulation 114 of the repealed *Mining Regulations 2011*, being:
  - a. an exploration work approval (EWA) under regulation 56(b) of the repealed *Mining Regulations 1998*; or
  - b. a declaration of environmental factors (DEF) imposed under regulation 56(b) of the repealed *Mining Regulations 1998* or by a condition attached to an exploration licence (or both); or
  - c. a program for mining and rehabilitation of land (MARP) under regulation 42(b) of the repealed *Mining Regulations 1998*; or
2. has a PEPR that transitioned by virtue of section 70DA of the *Mining Act 1971*, being:
  - a. a development program (ADP) approved under regulation 9 of the *Mines and Works Inspection Regulations 2013*; or
3. was granted prior to 2011 and does not have a program under part 10A of the *Mining Act 1971* and must comply with the transitional provision in schedule 5, clause 7 of the *Mining Regulations 2020*.

A Program for Environment Protection and Rehabilitation (transitional PEPR) under Part 10A of the *Mining Act 1971* for the recovery of extractive minerals must:

- comply with sections 70B and 70C of the *Mining Act 1971*, regulations 63, 64 and 66 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference
- be accompanied by a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- be accompanied by the relevant application fee.

**FORM OF THE PEPR**

A transitional PEPR for a ML and/or MPL for extractive minerals must in accordance with section 70B(4a) of the *Mining Act 1971* be submitted to the Minister for approval in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- An electronic version of the transitional PEPR must be submitted online through the relevant government website, or if approved by the Director of Mines or an authorised officer, submitted via email, post or courier and should be marked 'Attention: Mining Assessments'.
- Each page, plan or other separate sheet must include the tenement number(s), date of the transitional PEPR preparation and sequential page numbering.
- The electronic version must be submitted in one single Acrobat PDF file or, if requested by the Director of Mines or an authorised officer, Microsoft Word-compatible files must be submitted.

**PEPR**

A transitional PEPR for an EML and/or MPL must comply with sections 70B and 70C of the *Mining Act 1971* and regulations 63, 64 and 66 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

**1. DESCRIPTION OF THE EXISTING ENVIRONMENT**

In accordance with regulation 63(1)(a), the Minister determines that a mineral tenement to which this Terms of Reference applies must include a description of the features of the environment that are expected to be affected by the proposed operations in accordance with regulation 63(1)(a)(i) of the *Mining Regulations 2020* and as set out in this Terms of Reference.

Each of the elements of the existing environment (as defined in section 6(4) of the *Mining Act 1971*) listed in clause 1.1 to 1.19 must be described only to the extent that they may need to be considered in assessing the potential impacts of the quarry operations. If the element is not likely to be impacted by the operation, a statement to that effect must be included.

**1.1 Topography and landscape**

Provide a description and map (as per 7.1.1.1) of the topography and landscape, detailing the:

- application area; and
- general surroundings.

**1.2 Climate**

Provide a summary from the nearest relevant weather station of:

- annual rainfall and temperature patterns; and
- prevailing wind directions and speed (including maximum wind gusts).

**1.3 Topsoil and subsoil**

Provide:

- a description of the soil profile (type and depth), and the characteristics and/or productivity of all soils on the application area (show this information on a map as per 7.1.1.2 if there is a variation in soils over the application area); and
- identify any soil characteristics that may be an issue for disturbance or rehabilitation.

**1.4 Geological environment**

Provide:

- local geological or site map (as per 7.1.1.2), showing location and dimensions of the deposit and structure (dip and strike where appropriate);
- representative cross sections (as per 7.2.1.1) of the proposed quarry area that identify the extent of the resource and estimate any overlying overburden; and
- a description and results of any geological evaluation work carried out.

**1.5 Geohazards**

Provide an assessment of the potential for any of the following natural geohazards to be present in the application area:

- Structural instability including slips, faults, karst features or geological unit boundaries.
- Minerals that may occur in the material to be quarried (including overburden) and are hazardous to human health specifically radioactive minerals, asbestiform minerals or minerals which have the potential to produce respirable silica.
- Minerals that may occur in the material to be quarried (including overburden) that may have the potential to pollute the environment—including but not limited to sulphide minerals that may generate acid.

**1.6 Groundwater**

Provide:

- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019*
- a map (as per 7.1.1.3) showing groundwater wells in the surrounding area, highlighting those used to determine the seasonally high water table elevation
- a cross-section (as per 7.2.1.2) showing the proposed quarrying and seasonally high water table elevation in metres Australian Height Datum (AHD); and
- evidence to validate the estimated seasonally high water table.

If the proposed quarry has the potential to intersect the seasonally high water table, the following must be provided:

- details of local groundwater systems, including information on water quality and static water level (including seasonal fluctuations), recharge and discharge mechanisms, aquifer hydraulic properties, location of any aquifer and static water level of any other known drill holes; and
- an assessment of any current use of this water by the landowner, adjacent landowners and groundwater dependent ecosystems.

**1.7 Surface water**

Provide a topographic map (as per 7.1.1.1) and description of the current drainage patterns for the application area and water catchment including:

- location of watercourses, drains, dams and wetlands
- surface water catchment boundaries
- direction of drainage and discharge from the application area
- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019*, and provide details on the current availability of water resources within the prescribed area
- a statement describing if the application area is within a water protection area including areas under the *River Murray Act 2003*; and
- a statement as to whether the application area falls within the Murray Darling Basin.

If there is potential for changing a flow regime (including change in flow volume) or discharge into these watercourses from the proposed quarry operations, an assessment of the use of this water by the landowner, downstream users and water dependent ecosystems must be included.

**1.8 Vegetation, weeds and plant pathogens**

Provide:

- a description and map (as per 7.1.1.1) of existing flora (native and introduced) in the application area and surroundings
- the state conservation status and habitat value of native vegetation present in the application area
- a description of the presence of *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* listed species and ecological communities
- a description of the extent the application area and adjoining land is affected or potentially affected by pathogens and prescribed weeds, including but not limited to phytophthora and broomrape; and
- if known, a description of the history of land use to identify if the existing vegetation is the result of deliberate cultivation or natural regrowth arising from previous clearance.

**1.9 Fauna**

Describe the native and feral fauna that may be present in the application area noting state or Commonwealth conservation status of all species.

**1.10 Caves**

If the application area is within, or near to, known caves or significant limestone formations a survey for the presence of caves must be performed.

Provide a summary of the results of the survey and describe the presence of any caves in karst (limestone) areas within, or near to, the application area and show on a map (as per 7.1.1.5).

**1.11 Land use**

Provide a description of:

- land use (historical and current) for the application area and the surrounding areas
- the zoning as defined by the Planning and Design Code or relevant council development plans
- policies relevant to the application area, including region or council wide, zone specific and sub areas within a zone
- known plans for potential future land use changes by other parties
- other interests or restrictions on the application area, including:
  - public utility easements
  - if the application is within land used for defence purposes, including the Woomera Prohibited Area or the Cultana Army Training Area; and
  - any overlapping or adjacent tenements under the *Mining Act 1971* or *Petroleum and Geothermal Energy Act 2000*.

**1.12 Proximity to infrastructure and housing**

Provide information and a map (as per 7.1.1.4):

- identifying residences within and near the application area
- identifying other human infrastructure including but not limited to schools, hospitals, commercial or industrial sites, roads, sheds, bores, dams, ruins, pumps, cemeteries, scenic lookouts, roads, railway lines, fences, transmission lines, gas and water pipelines, telephone and communication lines (both underground and above ground); and
- identifying public roads to be utilised or affected as part of proposed quarrying operations, including an estimate of the existing traffic movements.

**1.13 Exempt land**

Provide a description and map (as per 7.1.1.4) of any applicable exempt land under Section 9 of the *Mining Act 1971*.

**1.14 Amenity**

Provide a summary description of scenic or aesthetic values for the application area and immediate surrounds.

**1.15 Air quality**

Provide a description of the existing levels of dust and contributors to air quality (both natural and anthropogenic).

**1.16 Noise**

Provide a description of existing noise levels and contributors to noise (both natural and anthropogenic).

**1.17 Heritage (Aboriginal, European, geological)**

Detail and show on a map (as per 7.1.1.1):

- any registered heritage sites in or adjacent to the application areas that are protected under legislation (in so far as may be permitted under the relevant legislation).

Include a statement concerning whether or not an Aboriginal cultural heritage survey has been conducted by the proponent and, if so, the results of the survey.

**1.18 Proximity to conservation areas**

Provide information and a map (as per 7.1.1.1) showing:

- proximity to national parks and reserves, private conservation areas, Commonwealth-recognised conservation areas, heritage agreement areas and geological heritage sites.

**1.19 Pre-existing site contamination and previous disturbance**

Provide information and a map (as per 7.1.1.1) showing:

- any known existing contamination of the site and/or any disturbance by previous mining operations or other activities.

**2. DESCRIPTION OF MINING OPERATIONS**

In specifying the authorised operations that are proposed in accordance with section 70B(2)(a) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a transitional PEPR must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in clauses 2.1-2.8 must be described only to the extent that they apply to the quarrying operation.

**2.1 General description and maps/plans of operations**

A summary description and maps of all elements of the quarrying operation must be included.

**2.2 Resource and products****2.2.1 Resource**

Provide a statement of the extractive minerals proposed to be extracted, recovered and sold.

Provide a statement of the current estimated resource or reserve (or both), including:

- details of the basis of this estimate; and
- a declaration that the resource or reserve (or both) has been appropriately identified and estimated.

**2.2.2 Production rate and products**

State:

- the end use and products for all extractive minerals proposed to be sold.

Provide estimates of the:

- annual production rate (product and overburden)
- life of the quarry; and
- material movement over life of quarry (product and overburden).

**2.3 Quarrying activities****2.3.1 Type or types of quarry operation to be carried out**

Provide:

- a summary and map (as per 7.1.2.1) of the site layout
- a description of the proposed quarrying method; and
- dimensions and depth of proposed pit(s).

**2.3.2 Sequence of quarrying and progressive rehabilitation**

Describe and show on a map (as per 7.1.2.2):

- staging and description of each progressive quarrying stage
- milestones that will instigate progressive rehabilitation; and
- staging and description of each progressive rehabilitation stage including:
  - use of overburden
  - battering of mining faces and other earthworks
  - topsoil management; and
  - revegetation.

**2.3.3 Stockpiles****2.3.3.1 Topsoil and subsoil stockpiles**

Describe and show on a map (as per 7.1.2.1):

- location, size, shape and height of product of topsoil/subsoil stockpiles.

**2.3.3.2 Product stockpile**

Describe and show on a map (as per 7.1.2.1):

- location and height of product of product stockpiles.

**2.3.4 Use of explosives**

If explosives are used, describe:

- estimated frequency of blasting; and
- whether explosives will be stored onsite.

**2.3.5 Modes and hours of operation**

State if the quarry operation will be operated on a continuous (24 hour, 7 days a week), regular periodical or campaign basis.

If the quarry operation is to be operated on a regular periodical basis or campaign basis, specify:

- period(s) (daily, weekly and public holidays) to be worked
- start and finish hours the site is to be worked per period.

**2.4 Crushing, processing and product transport****2.4.1 Fixed plant**

- Describe the specifications of fixed plant including but not limited to: area, size, and location of fixed plant and associated structures including as applicable concrete batching plant, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage proposed to be used for processing the extractive minerals on site
- a description of rock or sand processing; in particular crushing, washing, drying, screening and separation; and
- the type(s) of processing/value adding used on the raw material and conducted onsite including but not limited to concrete, bitumen, separation and drying.

**2.4.2 Hours of operation**

Describe the hours of crushing, processing and product transport activities.

**2.4.3 Processing wastes**

If processing wastes are to be generated provide a description of:

- management of any proposed chemical additives contained within waste to prevent environmental harm
- management and disposal of processing wastes
- construction and geotechnical design of proposed storage facilities; and
- construction details/design of evaporation ponds and proposed use of waste material.

**2.4.4 Industrial and domestic wastes**

A description of management of any of the following industrial and domestic wastes must be provided:

- putrescible waste
- oil
- other onsite waste disposal or recycling - eg workshop waste, tyres, drums, oil filters
- offsite disposal; and
- a description of the type, area and layout of sewage systems installed at the site.

**2.5 Supporting surface infrastructure****2.5.1 Access and roads**

Describe:

- access route to the site and show on a map (as per 7.1.2.3)
- indicate if any new roads are to be constructed, or if existing roads or intersections (public and private) are to be upgraded; and
- transport system(s) used to and from the site and the estimated number of vehicle movements per day.

**2.5.2 Accommodation and offices**

- Describe onsite personnel accommodation and offices, including but not limited to: number, area, size, type of construction and location of accommodation, office, meals or laboratory buildings, caravans or camp, and associated structures (eg car parks, water tanks, etc) to be used on site; and
- if temporary or permanent.

**2.5.3 Public services and utilities used by the operation**

Describe:

- sources of services or utilities that are, or are to be supplied to the proposed site, such as power, water, telecommunications etc
- if new connections to services and utilities are required, the proposed routes for connection; and
- the effects to any existing services or utilities that have been or may be affected by the mining operations.

**2.5.4 Visual screening**

Describe the type of screening, including existing or proposed vegetation (ie species and density of plantings) and show on a map (as per 7.1.2.1 or 7.1.2.2)

**2.5.5 Fuel and chemical storage**

For all fuels and chemicals stored on site show the proposed location of storage on a map (as per 7.1.2.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- proposed bunding and containment for all chemical and fuel storage vessels.

**2.5.6 Site security**

Describe infrastructure and measures that will be adopted to prevent unauthorised access by the public, including, but not limited to:

- fencing; and
- signage.

**2.5.7 Erosion, sediment and silt control**

Describe and show on a map (as per 7.1.2.1):

- location and design of sediment management structures
- management and disposal of silt
- strategies to control runoff on disturbed areas and rehabilitated areas; and
- storage, diversion and release of clean water.

**2.6 Vegetation clearance**

If clearance of native vegetation is to occur, a Native Vegetation Management Plan (NVMP) prepared by an accredited consultant must be included with the transitional PEPR.

The NVMP must:

- describe the vegetation type to be cleared and include a map (as per 7.1.2.2) showing the proposed clearance area; and
- state the quantum of significant environmental benefit (SEB) to be gained in exchange for the clearance and describe how the SEB will be provided.
  - Site Water Management
    - Provide an estimate of the quantity of water to be used and the source of that water. If processing water is to be used, provide a water balance including:
      - approximate water volumes required for processing; and
      - a summary of all water inputs and outputs.
    - Provide a description of all process water ponds, including:
      - size, capacity, layout and location of ponds
      - design and construction methods; and
      - minimum freeboard to be maintained.

**2.7 Description of quarry site at completion**

Provide a map (as per 7.1.2.4), cross-section (as per 7.2.2.2) and a description of the quarry site as it will be at completion after all rehabilitation and closure activities have been completed, including:

- potential land use options
- landforms
- proposed vegetation covers (including native vegetation that will not be disturbed due to proposed quarrying operations)
- any quarrying infrastructure that may remain on site and become the responsibility of the landowner
- location, description and management of waste disposal areas
- location of reshaped and rehabilitated areas, proposed surface contours and revegetation; and
- location of surface water infrastructure including ponds and diversions.

Provide a description of the proposed mechanism for transferring responsibility for any potential residual liability (ie ongoing maintenance or monitoring) subsequent to surrender of the tenement.

**3. CONSULTATION**

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with regulation 64 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a transitional PEPR must include:

- a description of:
  - the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the quarry operation
  - the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders; and
  - if any individual or group of similar affected persons were not able to be consulted, the steps taken to consult with them.
- the results of the consultation undertaken with those identified stakeholders, including:
  - the persons consulted
  - any concerns / issues raised; and
  - the response and steps (if any) taken or proposed to address those concerns.

#### 4. ENVIRONMENTAL OUTCOMES, STRATEGIES, CRITERIA AND MONITORING

##### 4.1 Assessment of environmental impacts

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with regulation 63(1)(a)(ii) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a transitional PEPR must include information as set out in this Terms of Reference.

##### 4.1.1 Elements of the environment

Describe the specific elements of the environment (the environment is defined in Section 6(4) of the *Mining Act 1971*) that may reasonably be expected to be impacted on by the proposed quarry operation during construction, operation, and indefinitely post completion.

For each element of the environment identified:

- provide a summary of any issues or considerations raised by stakeholders, and any relevant legislated or recognised standards in relation to the element of the environment
- describe all potential environmental receptors; and
- undertake an impact assessment of how the element could be potentially impacted by proposed quarry operations (during construction, operation and post completion) through the provision of the information listed in the following clause 4.1.2.

##### 4.1.2 Potential impact events

Describe potential impact events associated with each phase of the proposed quarry operations (construction, operation and post completion) and relevant to each element of the environment.

For the purpose of the impact assessment, a potential impact event is the combination of a source, a pathway and an environmental receptor.

The source, pathway and environmental receptor of each potential impact event must be described prior to the implementation of engineering or administrative control measures.

For each potential impact event identified in clause 4.1.2, provide:

##### 4.1.2.1 Source

A description of the source of the potential impact event, which alone or in combination has the potential to cause harm to an environmental receptor.

##### 4.1.2.2 Pathway

A description of the potential pathway (with consideration of any natural barriers) by which an identified environmental receptor can be exposed to, or may reasonably be expected to be impacted by an identified source.

##### 4.1.2.3 Environmental receptor

A description of the environmental receptors that may reasonably be expected to be adversely impacted by the source, taking into account the considerations for the element of the environment described under clause 4.1.1.

##### 4.1.2.4 Description of uncertainty

Describe any significant degree of uncertainty pertaining to the evaluation of sources, pathways and environmental receptors, including (but not limited to) lack of site-specific information, limitations on modelling and quality of data.

Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made, including whether a change in assumption may result in a new environmental impact.

##### 4.1.2.5 Confirmation of potential impact events

For each potential impact event provide:

- an analysis of whether a source, pathway and receptor does exist (and if not, or if it remains uncertain, provide an explanation for the conclusion); and
- a description of the likely impact from the source on the environmental receptor.

##### 4.2 Control measures, uncertainty assessment, statement of environmental outcomes and criteria

For each impact event confirmed in clause 4.1.2.5, the information listed in clauses 4.2.1-4.2.3 must be provided:

##### 4.2.1 Control measures

In setting out the control and management strategies adopted to demonstrate that the environmental outcomes can be and will continue to be achieved in accordance with regulation 63(1)(b) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a transitional PEPR must:

- include a description of the measures proposed to manage, limit or remedy each impact event
- demonstrate that the measures proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation
- include a description of any significant degree of uncertainty pertaining to the likely effectiveness of proposed control measures, including but not limited to lack of site-specific information, limitations on modelling and quality of data
- include a description of any assumptions connected with the identified uncertainty
- so far as is relevant, identify the sensitivity to change of any assumption that has been made in accordance with regulation 63(3)(d) and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect.



#### 4.2.2 Statement of proposed environmental outcomes

A transitional PEPR must set out environmental outcomes (including completion outcomes) in accordance with section 70B(2)(b)(i) of the *Mining Act 1971*.

- Provide a statement of the proposed environmental outcome(s) (including completion outcomes assessed on a long term basis) for each impact event confirmed in clause 4.1.2.5.
- Ensure that the statement of environmental outcome(s) describe the likely consequence of the expected impact on the environment by the proposed quarry operations subsequent to the implementation of the control measures described in clause 4.2.1.
- Provide a statement that demonstrates the environmental outcomes would be able to be achieved taking into consideration the effectiveness of the control measures (clause 4.2.1) and description of uncertainty (clause 4.2.1).

#### 4.2.3 Measurement criteria

In preparing a statement of the criteria to be adopted to measure each of the environmental outcomes in accordance with sections section 70B(2)(c) of the *Mining Act 1971* and regulation 63(1)(c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* the following:

- Set out a statement of criteria for each environmental outcome (including quarry completion outcomes).
- The criteria must comply with the five elements of regulation 63(1)(c) and must include details about:
  - responsibility (who will measure)
  - record keeping; and
  - frequency of reporting to management and any external parties.
- Where groundwater modelling is to be relied upon to demonstrate achievement of groundwater completion outcomes, the statement of criteria must include a process for validation of predictive modelling, including a description of the model and assumptions used.
- Where native vegetation clearance is planned and in the case where an on ground offset by the operator is to be used to demonstrate the Significant Environmental Benefit (SEB), the statement of criteria must demonstrate the successful implementation of the on ground offset through the native vegetation management plan.

### 5. OPERATOR CAPABILITY

In preparing information about the ability of the tenement holder (and any other person who may be acting on behalf of the tenement holder) in accordance with section 70B(2)(d) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that this information must be accompanied by relevant evidence demonstrating that the tenement holder (and any other person who may be acting on behalf of the tenement holder as an operator) has appropriate experience, processes and procedures in place to be able to achieve the environmental outcomes.

### 6. LEASE/LICENCE

Where the ML or MPL includes specific conditions or requirements that are not environmental outcomes, in accordance with regulation 63(1)(e) a transitional PEPR must include a section that demonstrates where the respective conditions or requirements have been addressed in the transitional PEPR (if relevant) or demonstrates how otherwise they have or will be complied with.

### 7. MAPS AND CROSS-SECTIONS

In preparing a PEPR in accordance with section 70B(2) of the *Mining Act 1971* and regulation 63 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that all maps, plans and cross sections must comply with the following requirements relating to the amount of detail or information to be provided:

- State and show the relevant datum (Australian Height Datum (AHD) is preferred).
- Be in metric units.
- Include title, north arrow, scale bar, text and legend.
- Include date prepared and author.
- Be of appropriate resolution and scale for represented information.
- Be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- State and show the relevant datum (Australian Height Datum (AHD) is preferred).
- Be in metric units,
- Include title, scale bar, text and legend.
- Include date prepared and author.
- Be of appropriate resolution and scale for represented information.
- Be legible in both the hardcopy and electronic versions of the submission.

#### 7.1 List of maps

##### 7.1.1 Maps required for description of the existing environment (as per clause 1)

###### 7.1.1.1 Topographic map showing:

- mineral claim boundaries
- existing surface contours; existing vegetation
- location of watercourses, including ephemeral and permanent rivers, creeks, swamps, streams, wetlands and any man-made water management structures
- surface water catchment boundaries
- direction of drainage and discharge from the application area
- location and extent of all previously disturbed areas associated with previous mining; and
- location and extent of any adjacent conservation reserves, heritage sites or any other significant areas.

7.1.1.2 *Local geological map showing:*

- mineral claim boundaries
- location and dimensions of the deposit; and
- topsoil/subsoil variation if there is a variation in soils over the application area.

7.1.1.3 *Groundwater map showing:*

- groundwater wells in the surrounding area highlighting those used to determine the groundwater level.

7.1.1.4 *Land access map showing:*

- mineral claim boundaries
- proposed tenement boundary if an area smaller than the mineral claim is proposed
- any exempt land
- location of residences within and near the application area; and
- human infrastructure as per clause 1.12.

If relevant:

7.1.1.5 *Caves map showing:*

- mineral claim boundaries
- potential cave hosting geology; and
- location of the cave(s).

**7.1.2 Maps required for description of the quarrying operations (as per clause 2)**

7.1.2.1 *Site layout map showing all components of the quarry operation including (but not limited to):*

- tenement boundaries
- location of sediment management infrastructure
- vegetation screening (both existing and proposed)
- location of fuel and chemical storage areas
- if relevant location of process water dams
- location of haul roads
- if relevant location of fixed plant
- location of mobile plant for stage 1 of mining
- location and extent of topsoil/subsoil and product stockpiles.

7.1.2.2 *Sequence of quarrying and progressive rehabilitation map showing:*

- tenement boundaries
- staging of each progressive mining stage
- proposed native vegetation clearance; and
- staging of each progressive rehabilitation stage.

7.1.2.3 *Access route map showing:*

- access route for heavy vehicles
- exit route for heavy vehicles; and
- new roads to be constructed if relevant.

7.1.2.4 *Quarry completion map showing:*

- final landforms (including rehabilitated and non-disturbed areas); and
- proposed topographical contours of the entire site (including rehabilitated and non-disturbed areas).

**7.2 Summary of cross-sections**

Following is a summary of all cross-sections required in the transitional PEPR:

**7.2.1 Cross-sections required for description of the existing environment (as per clause 1)**

7.2.1.1 *Geological cross-Section(s) showing:*

- a representation of the geological profile within the application area; and
- depth of the resource and any overlying overburden.

7.2.1.2 *Groundwater cross-Section(s) showing:*

- the proposed depth of mining; and
- the depth to groundwater.

**7.2.2 Cross-sections required for description of quarrying operations (as per clause 2)****7.2.2.1 Quarry operation cross-section(s) showing:**

- proposed pit depth; and
- proposed pit dimensions (length and width).

**7.2.2.2 Quarry completion cross-section(s) showing:**

- pre quarrying natural surface; and
- proposed final rehabilitated surface.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

*Notice under Section 17CA(1) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 17CA(1) of the *Mining Act 1971*, to specify the manner and form of a royalty return.

TAKE notice that I, Paul Heithersay, Director of Mines, pursuant to section 17CA(1) of the *Mining Act 1971* do hereby:

DETERMINE that a return under section 17CA of the *Mining Act 1971* must be in the following manner and form:

1. state the tenement number(s);
2. state the name of the tenement holder(s);
3. provide the name of the contact person for the return, their phone number(s) and email address(es);
4. declare the quantities and market value of minerals (excluding GST) recovered from the tenement and/or used on the tenement and/or sold whichever is the case;
5. where applicable, declare that an estimate of the reasonable value of the minerals has been made;
6. where applicable, declare prescribed costs incurred;
7. where applicable, attach required supporting information; and
8. declare that the information provided in the return is true and correct and that records pertaining to that information will be made available for inspection to verify that royalty has been paid in accordance with the *Mining Act 1971*.

NOTICE is hereby given pursuant to the provision of regulation 88 of the *Mining Regulation 2020*, to specify the manner to which a return under section 17CA must be furnished on the Director of Mines.

TAKE notice that I, Paul Heithersay, Director of Mines, pursuant to regulation 88(2) of the *Mining Regulations 2020* do hereby:

SPECIFY that the manner to which a return under section 17CA must be furnished on the Director of Mines by:

1. electronic means via the Tenement Returns e-Lodgement system (TReL) as published on the Department for Energy and Mining's website; or
2. by email sent to an email address or post sent to an address provided by the Director of Mines, published on the Department for Energy and Mining's website, or provided for on the relevant form (physical or electronic form).

In accordance with section 17CA(1) of the *Mining Act 1971* and regulation 88(2) of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

Dated: 14 December 2020

DR PAUL HEITHERSAY  
Director of Mines

## MINING ACT 1971

*Notice under Section 17(6)(b)(ii)(B) of the Mining Act 1971*

NOTICE is hereby given in accordance with section 17(6)(b)(ii)(B) of the above Act to revoke the previous notice published under section 17(6)(b)(ii) of the above Act on 11 July 2013 at page 3014.

NOTICE is hereby given in accordance with section 17(6)(b)(ii)(B) of the above Act to declare a method for determining an indicative value for minerals.

TAKE notice that I, Robert Lucas, Treasurer, after consultation with Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 17(6)(b)(ii)(B) of the above Act do hereby:

DECLARE that where the tenement holder or its Australian domiciled parent entity refines heavy mineral sand concentrate sourced from South Australian mineral land, the amount in Australian currency, of the recoverable refined minerals including but not limited to zircon, ilmenite, rutile, monazite and leucoxene (in which they are first sold to a genuine purchaser at arm's length) for which payment is made (or is to be made), as set out in genuine invoices relating to the sale, discounted by 30%.

DECLARE that costs of a prescribed kind referred to in sections 17(8) and 17(8a) of the above Act are not permitted to be deducted from the indicative price declared above.

In accordance with Section 17(6)(b)(ii)(B) of the *Mining Act 1971*, this notice will have effect from 1 January 2021.

Dated: 15 December 2020

ROBERT LUCAS  
Treasurer

## MINING ACT 1971

*Notice under Section 17(13) of the Mining Act 1971*

NOTICE is hereby given in accordance with section 17(13)(b) of the *Mining Act 1971* to revoke the previous notice published under section 17(13)(a) of the *Mining Act 1971* on 30 June 2011 at page 2773.

NOTICE is hereby given in accordance with section 17(13)(a) of the *Mining Act 1971* to declare specified types of minerals ores or concentrates to be declared mineral ores and concentrates, specified types of refined mineral products to be declared refined mineral products, and specified types of minerals to be declared industrial mineral or construction materials.

TAKE notice that I, Robert Lucas, Treasurer, after consultation with Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 17(13)(a) of the *Mining Act 1971* do hereby:

DECLARE in accordance with section 17(13)(a)(i) of the *Mining Act 1971* the following mineral ores and concentrates to be declared mineral ores and concentrates:

- Iron ore and other iron bearing substances including goethite, hematite lump and fines and magnetite ore, pellet and concentrate
- Uranium oxide concentrate
- Heavy mineral sand ores and concentrates
- Coal including lignite
- Other metallic mineral ores and concentrates (including concentrates containing copper, uranium, gold, silver, cobalt, molybdenum, rare earth oxides (including mixed rare earth carbonates), manganese, lead and zinc).

DECLARE in accordance with section 17(13)(a)(ii) of the *Mining Act 1971* refined metallic minerals with a metal content of at least 95 percent (including copper, gold, silver, cobalt, lead and zinc) to be declared refined mineral products. A mineral is refined if it is changed to another substance by a process, including, for example, leaching, refining, smelting and solvent extraction electro winning (SX-EW).

DECLARE in accordance with section 17(13)(a)(iii) of the *Mining Act 1971* the following types of minerals to be declared industrial minerals or construction materials:

- Alunite
- Andalusite
- Barite
- Bentonite
- Cassiterite
- Celestite
- Cement Shale
- Diamond
- Diatomite
- Feldspar
- Fire clay
- Garnet
- Graphite
- Gypsum
- Ilmenite
- Kaolin (including Halloysite)
- Kyanite
- Leucoxene
- Lime Sand
- Magnesite
- Mica
- Micaceous Hematite
- Monazite
- Palygorskite
- Peat
- Phosphate
- Potash
- Proppant Sand
- Pyrite
- Rutile (including Anatase)
- Salt
- Silica
- Silica Crystals
- Silica Sand
- Sillimanite
- Talc

- Titanium
- Vermiculite
- Wollastonite
- Xenotime
- Zircon
- Gems and semi-precious stones (including amethyst, calcite, chrysoprase, diamond, jade, opal, quartz, sapphire, scholzite, staurolite, topaz and tourmaline)
- Any other mineral that would be an extractive mineral for the purposes of the Mining Act 1971 but for the fact it is mined for a prescribed purpose under paragraph (a) of the definition of extractive minerals in section 6(1) of the Mining Act 1971.

In accordance with section 17(14) of the *Mining Act 1971*, this notice will have effect from 1 January 2021.

Dated: 15 December 2020

ROBERT LUCAS  
Treasurer

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#### MINING ACT 1971

##### *Notice under Section 17(6)(B)(ii)(A) of the Mining Act 1971*

NOTICE is hereby given in accordance with section 17(6)(b)(ii)(A) of the above Act to revoke the previous notice published under section 17(6)(b)(ii) of the above Act on 28 August 2014 at page 4146.

NOTICE is hereby given in accordance with section 17(6)(b)(ii)(A) of the above Act to declare an indicative price for minerals.

TAKE notice that I, Robert Lucas, Treasurer, after consultation with Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 17(6)(b)(ii)(A) of the above Act do hereby:

DECLARE that the indicative price for salt is \$22.86 per tonne, resulting in royalty being payable at a rate of \$0.80 per tonne using the current 3.5% royalty rate for declared industrial minerals.

DECLARE that costs of a prescribed kind referred to in sections 17(8) and 17(8a) of the above Act are not permitted to be deducted from the indicative price declared above.

In accordance with Section 17(6)(b)(ii)(A) of the *Mining Act 1971*, this notice will have effect from 1 January 2021.

Dated: 15 December 2020

ROBERT LUCAS  
Treasurer

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#### MINING ACT 1971

##### *Notice under Section 17(6)(B)(I) of the Mining Act 1971*

NOTICE is hereby given in accordance with section 17(6)(b)(i) of the above Act to revoke the previous notice published under section 17(6)(b)(i) of the above Act on 12 July 2012 at page 3046.

NOTICE is hereby given in accordance with section 17(6)(b)(i) of the above Act to declare industry markets recognised by the Treasurer for the purpose of determining the market value of minerals of that kind.

TAKE notice that I, Robert Lucas, Treasurer, after consultation with Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 17(6)(b)(i) of the above Act do hereby:

DECLARE the London Metal Exchange (<http://www.lme.com>) as a recognised market for the purpose of determining the market value of copper, aluminium, zinc, lead, nickel, tin, steel and cobalt.

DECLARE the London Bullion Market Association (<http://www.lbma.org.uk>) as a recognised market for the purpose of determining the market value of gold and silver.

DECLARE the Platts Daily Iron Ore Assessments as set out in the publication titled "SBB Steel Markets Daily" published by S&P Global Platts as a recognised market for the purpose of determining the market value of iron ore.

DECLARE the prices as published by independent market consultants UxC (U3O8 Price) and TradeTech (Daily U3O8 Spot Price Indicator) as a recognised market for the purpose of determining the market value of uranium.

In accordance with Section 17(6)(b)(i) of the *Mining Act 1971*, this notice will have effect from 1 January 2021.

Dated: 15 December 2020

ROBERT LUCAS  
Treasurer

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#### MINING ACT 1971

##### *Notice under Section 17AC(2) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 17AC(2) of the *Mining Act 1971*, to specify the manner and form of a notice of a relevant event.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 17AC(2) of the *Mining Act 1971* do hereby:

DETERMINE that a notice under section 17AC(2) of the *Mining Act 1971* must be in the following manner and form:

1. Disclose the Private Mine number and its location;
2. Declare the date of the event;
3. Declare the event type within the meaning of section 17AB of the *Mining Act 1971*
4. Declare the authority for the change of proprietorship or rights (e.g. agreement, contract, estate arrangement) and attach relevant documents;

5. For the New Proprietor or Tenement Holder:
  - a. disclose the Proprietor or Tenement Holder's name;
  - b. disclose where relevant, the ABN and/or ACN;
  - c. disclose the name of a contact person, their job title, phone number and email address;
  - d. disclose a postal address;
6. For the Existing Proprietor:
  - a. disclose the Proprietor's name;
  - b. disclose where relevant, the ABN and/or ACN;
  - c. disclose the name of a contact person, their job title, phone number and email address;
  - d. disclose a postal address; and
7. Declare the names and percentage share for each party involved in the private mine after the event, including all proprietors and all parties with a right to carry out mining operations after the event.

In accordance with section 17AC(2) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

#### MINING ACT 1971

##### *Notice under Section 28(5) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of the above Section, to declare that that a notice under subsection 28(5), "the ERA Notice", will be issued in the manner and form declared in this notice.

In accordance with section 28(5) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 28(5) of the above Act do hereby:

DECLARE in accordance with section 28(5) of the *Mining Act 1971* that the manner of issuance will be by notice published on the South Australian Department for Energy and Mining website and the South Australian Resources Information Gateway (SARIG).

DECLARE in accordance with section 28(5) of the *Mining Act 1971* that the form of the ERA notice will contain a schedule such as that shown below.

#### THE SCHEDULE

Column 1	Column 2	Column 3	Column 4	Column 5
ERA No	Locality	Area (km <sup>2</sup> )	Application Period	ERA Specific Criteria

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

#### MINING ACT 1971

##### *Notice under Section 29A(7) of the Mining Act 1971*

NOTICE is hereby given in accordance with section 29A(7) of the above Act to declare a period for which an application for an exploration licence that relates to an exploration release area can be refused for failure to pay the fee payable under section 31 of the Act.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 29(7) of the above Act do hereby:

DECLARE that the applicant is given thirty (30) days from issuance of an invoice to pay the fee payable under Section 31 of the above Act.

In accordance with Section 29A(7) of the *Mining Act 1971*, this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

#### MINING ACT 1971

##### *Notice under Section 30AAA(10) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 30AAA(10) of the *Mining Act 1971*, to specify the manner and extent of an application for an amalgamated expenditure arrangement (AEA).

In accordance with section 30AAA(10) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 30AAA(10) of the *Mining Act 1971* do hereby:

DETERMINE that an application under section 30AAA(10) of the *Mining Act 1971* must be in the following manner and extent:

1. Provide the exploration licence numbers;
2. Provide the names of tenement holder (company or individual): list all tenement holders and their percentage share in the exploration licences, demonstrating the applicant has a majority interest in all exploration licences;
3. Where the application includes exploration licences owned by two or more parties - declare whether the parties are related body corporates under the *Corporations Act 2001 (Cth)*.
4. Provide a statement outlining the exploration operations that the tenement holder(s) intend to carry out under the exploration licences subject to the proposed amalgamation of expenditure commitments;

5. Details of contact person, including name, address, contact numbers, email address, authorisation from tenement holders if contact person is an agent or tenement manager, and demonstrate whether that person consents to receiving tenement related correspondence via electronic means

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

#### MINING ACT 1971

##### *Notice under Section 9AA(2) of the Mining Act 1971*

NOTICE is hereby given pursuant to the provision of section 9AA(2) of the *Mining Act 1971*, to specify the manner and form of a notice to seek a waiver of exempt land by agreement under section 9AA(1) of the *Mining Act 1971*.

In accordance with section 9AA(2) of the *Mining Act 1971* this notice will have effect from 1 January 2021.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to section 9AA(2) of the *Mining Act 1971* do hereby:

DETERMINE that a notice to seek a waiver of exempt land by agreement under section 9AA(1) of the *Mining Act 1971* must be in the following manner and form:

1. state the full name(s) and address(es), as well as the phone numbers and email addresses (if known) of the relevant owner of land;
2. state the full name(s) and business address(es) of the tenement holder(s);
3. provide a description of the land, including the title reference (CT or CL) and parcel references, relating to the notice;
4. provide a copy of or a link to access the program for environment protection and rehabilitation (PEPR) (if approved) or provide a reasonable description of the type of operations proposed to be carried out on the land;
5. provide the tenement numbers of the tenements related to the notice being served (tenement information can be found at [map.sarig.sa.gov.au](http://map.sarig.sa.gov.au));
6. be accompanied by an Information Sheet relating to:
  - a. exempt land and the owner of land's rights approved by the Minister and published on the website of the Department for Energy and Mining; and
  - b. the owner of land's rights to apply to the Small Business Commissioner approved by the Minister and published on the website of the Department for Energy and Mining.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

#### MINING ACT 1971

##### REGULATION 79

##### *Leading Indicator Report Template*

For the purposes of regulation 79(3) of the *Mining Regulations 2020*, the Minister for Energy and Mining determines that an incident report must be provided to the Minister in the manner and form and contain such information as set out in this template.

In accordance with regulation 79(3) of the *Mining Regulations 2020* this template will have effect from 1 January 2021.

#### **Instructions**

1. This form should be completed accurately with as much detail as is available.
2. Submit this completed form online to the Department for Energy and Mining (DEM) website via [sa.gov.au](http://sa.gov.au).

#### **Definitions**

Reportable incident	(a) a contravention of, or a failure to comply with, a condition of a mineral tenement; or (b) a failure to achieve, or a breach of, an outcome specified in a program under Part 10A of the Act; or (c) a contravention of, or a failure to comply with, a condition of a program under Part 10A of the Act; or (d) a triggering of any leading indicator criteria set out in a program under Part 10A of the Act; or (e) action that causes undue damage to the environment in connection with any operations carried out under a mineral tenement; or (f) a failure to comply with a direction under Part 10B of the Act within the time allowed in the direction; or (g) action that constitutes an authorised operation without being duly authorised by or under the Act; or (h) a failure to achieve, or a breach of, an outcome specified in a mine operations plan under Part 11B of the Act; or (i) a breach of the general duty under Part 11B of the Act; or (j) a failure to comply with an order under Part 11B of the Act within the time allowed in the order.
Leading indicator criteria	Criteria used to give an early warning that a control strategy in a program under Part 10A of the Act may fail or be failing.

#### **Acronyms**

<b>SA EPA</b>	South Australian Environment Protection Authority
<b>DEM</b>	Department for Energy and Mining
<b>PEPR</b>	Program for Environment Protection and Rehabilitation

# Leading indicator report

## TENEMENT HOLDER IDENTIFICATION DETAILS

Project/Mine name(s)	Include the commonly used name of the exploration project or mine(s)		
Tenement holder(s)	Include the full name and business address of the holder of the mining tenement		
Operating company(s)	Include company name and address of company(s) that have worked on the listed tenements during the reporting period (other than the tenement holder)		
Contact person	Name	Click to enter text	
	Email	Click to enter text	
	Phone	Click to enter text	
Tenement number(s)	Click to enter text		
PEPR/MOP document	Provide the name, version and submission date of the approved PEPR/MOP document	PEPR/MOP No.	Click to enter text
		PEPR/MOP approval date	Click to enter a date

Enter text as required and click the + at right to add another row

## LEADING INDICATOR REPORT DETAILS

Date and time leading indicator triggered	Click to enter text		
Date triggered leading indicator reported to DEM	Click to enter a date		
Select other authorities notified and date of notification (if applicable)	<input type="checkbox"/> SA EPA	Click to enter a date	
	<input type="checkbox"/> SafeWork SA	Click to enter a date	
	<input type="checkbox"/> Other	Click to enter a date	
Location	Provide details of the location of the leading indicator triggered.		
State all relevant leading indicator criteria triggered	Click to enter text		
State the environmental outcome/objectives(s) relevant to the leading indicator criteria	Click to enter text		
State all measurement criteria relevant to the leading indicator criteria	Click to enter text		
Probable cause	Describe circumstances that lead to the leading indicator criteria being triggered.		
Immediate management action or intervention (taken or planned)	Click to enter text		



**SUPPORTING INFORMATION**

Additional information

Provide any additional information or any data relevant to the leading indicator criteria being triggered

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

**MINING ACT 1971****SECTION 29A***Terms of Reference for Exploration Licence Applications*

An application for an exploration licence (EL) over open ground or relinquished ground must be accompanied by:

- an application that complies with section 29A(1) of the *Mining Act 1971* (the Mining Act) and any determinations set out in this Terms of Reference
- information that complies with regulation 23 of the *Mining Regulations 2020* (the Mining Regulations) and any determinations set out in this Terms of Reference; and
- the relevant application fee.

In accordance with section 29 of the *Mining Act 1971* this Terms of Reference will have effect from 1 January 2021.

**I. FORM OF APPLICATION**

In accordance with section 29A(1)(a) of the Mining Act an application for an EL must be made in the form and contain such information as set out in this Terms of Reference, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 29A(1) of the Mining Act, it is determined that an application for an EL must contain the information as follows:

1. Name of applicant (company or individual): list all applicants and their percentage share in the application.
2. Trust name if the application is being made under a trust.
3. Holding company name if application is made by a subsidiary.
4. Size and location of area (in km<sup>2</sup>) under application: attach a plan and/or description of the boundaries of the land in respect of which the licence is being sought in accordance with the requirements of section 56E of the Mining Act.
5. A list of all ELs held that are currently active and pending EL applications within South Australia.
6. Details of contact person for the application, including name, address, contact numbers, email address, authorisation from applicant if contact person is an agent or tenement manager, and demonstrate whether that person consents to receiving tenement-related correspondence via electronic means.
7. Where an applicant is new to South Australia and has not held any tenement in the state, the following additional information must be included in an application for an EL:
  - a. If applicable, Australian Business Number (ABN) or Australian Company Number (ACN)
  - b. Address of applicant(s), email address, telephone and mobile numbers, including registered address and website where an applicant is a company; and
  - c. Nominate a contact person for inquiries, including that person's name, email address, telephone and mobile number, job position and demonstrate whether that person consents to receiving tenement related correspondence via electronic means.
8. Where an application for EL relates to an exploration release area (ERA) - specify the ERA Number as set out in the ERA Notice.

**II. SUPPORTING INFORMATION UNDER REGULATION 23 OF THE MINING REGULATIONS**

An application for an EL must be accompanied by information set out in regulation 23(1) of the Mining Regulations and must comply with the following determinations of this Terms of Reference:

**A. Statement of proposed exploration operations and expenditure**

In preparing a statement under regulation 23(1)(a) of the Mining Regulations that outlines the exploration operations that the tenement holder intends to carry out under the exploration licence and declaring the amount of expenditure that is estimated to occur in carrying out those operations, the Minister determines in accordance with regulation 23(2) of the Mining Regulations that this statement must be supported by the following information:

- A phased and costed breakdown of proposed operations including geoscientific investigation/evaluation, stakeholder engagement and environmental management activities for the licence area.

**B. Principal mineral(s) sought and exploration model**

In preparing a statement under regulation 23(1)(c) of the Mining Regulations that outlines the exploration model that the applicant intends to employ for the purposes of exploring for the nominated mineral or minerals, the Minister determines in accordance with regulation 23(2) of the Mining Regulations that this statement must be supported by the following information:

- Reasons and/or rationale for selecting the model for the specific EL area sought; and
- Statement demonstrating how the exploration model has informed the design of the proposed exploration operations.

**C. Technical and operational capability and resources**

In preparing a statement under regulation 23(1)(b) of the Mining Regulations that outlines the technical and operational capabilities and resources available to the applicant for the purpose of carrying out operations that the tenement holder intends to carry out under the exploration licence, the Minister determines in accordance with regulation 23(2) of the Mining Regulations that this statement must be supported by the following evidence and information:

- The names, relevant qualifications, experience and professional affiliations (where applicable) of employees, contractors and/or consultants who will be responsible for the management, implementation and reporting of the various aspects of the proposed exploration operations.
- A statement of awareness and understanding of environmental, land use and stakeholder engagement aspects to be managed within the application area, including an initial list of potential stakeholders, and identify any access approvals or agreements that will need to be obtained in order to implement the proposed exploration operations.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

## SECTION 30A

*Terms of Reference for Renewal of Exploration Licence Applications*

An application for renewal of an exploration licence (EL) must be accompanied by:

- an application that complies with section 30A(4) of the *Mining Act 1971* (the Mining Act) and any determinations set out in this Terms of Reference
- information that complies with regulation 28 of the *Mining Regulations 2020* (the Mining Regulations) and any determinations set out in this Terms of Reference; and
- the relevant application fee.

In accordance with section 30A of the *Mining Act 1971* this Terms of Reference will have effect from 1 January 2021.

**1. FORM OF APPLICATION**

In accordance with section 30A(4) of the Mining Act an application for renewal of an EL must be made in the form and contain such information as set out in this Terms of Reference, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 30A(4) of the Mining Act, it is determined that an application for renewal of an EL must contain the information as follows:

1. Provide the EL number.
2. Name of applicant (company or individual): List all applicants and their percentage share in the EL.
3. Provide trust name if the application is being made under a trust
4. Provide holding company name if application is made by a subsidiary.
5. Size and location of area (in km<sup>2</sup>) under application: only attach a plan if the licence area is to be reduced. Show current area and proposed reduced area. The plan must comply with the requirements of section 56E of the Mining Act.
6. List all ELs held that are currently active and pending EL applications within South Australia.
7. Details of contact person for the application, including name, address, contact numbers, email address, authorisation from applicant if contact person is an agent or tenement manager, and demonstrate whether that person consents to receiving tenement related correspondence via electronic means.
8. Where the EL is subject to an amalgamated expenditure arrangement (AEA) under section 30AAA(10) of the Mining Act, the following information must be included in the application for renewal of an EL:
  - a. AEA name
  - b. AEA period end date.

**2. SUPPORTING INFORMATION UNDER REGULATION 28 OF THE MINING REGULATIONS**

An application for renewal of an EL must be accompanied by information set out in regulation 28(1) of the Mining Regulations and must comply with the following determinations of this Terms of Reference:

**A. Statement of performance for the previous term**

In preparing a statement under regulation 28(1)(a) of the Mining Regulations that outlines the performance for the previous term under the EL, the Minister determines in accordance with regulation 28(1)(a) and regulations 28(2) that this statement must be supported by the following information:

1. A summary of exploration operations conducted and total expenditure incurred over the term.
2. A discussion of the success or otherwise of exploration for the principal mineral(s) sought at the start of the licence term, and the results in relation to the testing of the nominated exploration model(s).

3. A summary of stakeholder engagement undertaken including:
  - a copy of the stakeholder engagement plan
  - an explanation of how the engagement plan has been implemented and updated to maintain currency
  - timing/frequency and mode of engagement
  - any issues raised, and the steps (if any) taken or proposed to be taken to address those issues.
4. If there have been any breaches of the Mining Act, Mining Regulations or licence conditions over the previous term, information on the steps taken to remedy these issues and improvements made so that similar breaches do not occur in the future.

#### **B. Statement of proposed exploration operations and expenditure**

In preparing a statement under regulation 28(1)(b) of the Mining Regulations that outlines the exploration operations that the tenement holder intends to carry out under the exploration licence for the first two years of operations under the renewed licence and declaring the amount of expenditure that is estimated to occur in carrying out those operations, the Minister determines in accordance with regulation 28(2) of the Mining Regulations that this statement must be supported by the following information:

- A phased and costed breakdown of proposed operations including geoscientific investigation/evaluation, ongoing stakeholder engagement and environmental management activities for the licence area.

#### **C. Principal mineral(s) sought and exploration model**

In preparing a statement under regulation 28(1)(c) of the Mining Regulations that outlines the exploration model that the applicant intends to employ over the next term for the purposes of exploring for the nominated mineral or minerals, the Minister determines in accordance with regulation 28(2) of the Mining Regulations that this statement must be supported by the following information:

- Describe the exploration model being employed along with information on how the model has changed/developed over the previous term and how this has informed the design of the proposed exploration operations for the next term.

#### **D. Technical and operational capability/resources**

In preparing a statement under regulation 28(1)(d) of the Mining Regulations that outlines the technical and operational capabilities and resources available to the applicant for the purpose of carrying out operations that the tenement holder intends to carry out under the exploration licence, the Minister determines in accordance with regulation 28(2) of the Mining Regulations that this statement must be supported by the following evidence/information:

- The names, relevant qualifications, experience and professional affiliations (where applicable) of employees, contractors and/or consultants who will be responsible for the management, implementation and reporting of the various aspects of the proposed exploration operations.
- A statement of continued awareness and understanding of environmental, land use and stakeholder engagement aspects to be managed for the next term of the exploration licence including information on how the stakeholder engagement plan will continue to be implemented and updated.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

### SECTION 36

#### *Terms of Reference for Extractive Mineral Quarry Lease/Licence Applications*

An application for a mining lease (EML) for the recovery of extractive minerals must be accompanied by:

- a proposal that complies with section 36 of the *Mining Act 1971*, regulations 46 and 47 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- information that complies with regulation 30 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

An application for a miscellaneous purposes licence (MPL) for the recovery of extractive minerals must be accompanied by:

- a proposal that complies with section 49 of the *Mining Act 1971*, regulations 46 and 47 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- information that complies with regulations 37 and 38 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

In accordance with section 36 of the *Mining Act 1971* this Terms of Reference will have effect from 1 January 2021.

#### **FORM OF APPLICATION**

In accordance with section 36(1)(a) of the *Mining Act 1971* an application for a mining lease (EML) for the recovery of extractive minerals must be made in the form and contain such information as set out in this Terms of References, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 36(1)(a) of the *Mining Act 1971*, it is determined that an application for an EML must contain the information as follows:

- Applicant name(s) (company and/or individual and/or related body corporate) and each applicants percentage share in the application
- Name of project
- Mineral type
- Mineral(s) to be authorised

- Primary mineral(s) sought
- Other mineral(s) sought
- Proposed lease area details including a detailed map/plan (if required)
- Native title land
- Details of relevant land ownership, notices, consents and agreements
- Declaration of accuracy
- Applicant(s) details including:
  - Name of Company and/or Individual
  - ABN (if applicable)
  - ACN (if applicable)
  - Registered address
  - Applicant contact details including:
    - Postal Address
    - Email
    - Website
    - Phone number(s)
  - Contact Person details including:
    - Name
    - Position Title
    - Email
    - Phone number(s)
    - Consent to receive electronic correspondence (or otherwise)

In accordance with section 49(1)(a) of the *Mining Act 1971* an application for a miscellaneous purpose licence (MPL) ancillary to the recovery of extractive minerals must be made in the form and contain such information as set out in this Terms of References, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 49(1)(a) of the *Mining Act 1971*, it is determined that an application for a MPL must contain the information as follows:

- Applicant name(s) (company and/or individual and/or related body corporate) and each applicants percentage share in the application
- Name of project
- Related applications/mining operations
- Location of proposed licence including a detailed map/plan (if required)
- Purpose of proposed licence
- Pegging details relating to proposed licence area
- Native title land
- Details of relevant land ownership, notices, consents and agreements
- Declaration of accuracy
- Applicant(s) details including:
  - Name of Company and/or Individual
  - ABN (if applicable)
  - ACN (if applicable)
  - Registered address
  - Applicant contact details including:
    - Postal Address
    - Email
    - Website
    - Phone number(s)
  - Contact Person details including:
    - Name
    - Position Title
    - Email
    - Phone number(s)
    - Consent to receive electronic correspondence (or otherwise)

An application for an EML and/or MPL must in accordance with section 36(1)(a) and 49(1)(a) of the *Mining Act 1971* be in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- an electronic version of the Proposal must be submitted in accordance with regulation 88 of the *Mining Regulations 2020*; hardcopies must be submitted upon request; the information in all must be identical;
- each page, plan or other separate sheet of the Proposal must include the mineral claim, retention lease or exploration licence number(s), date of the application submission and sequential page numbering; and
- the electronic version of the Proposal must be submitted in one single Acrobat PDF file or if requested by the Director of Mines or an authorised officer, Microsoft WORD compatible files must be submitted.

## PROPOSAL

An application for an EML and/or MPL must be accompanied by a proposal that complies with sections 36 and 49 of the *Mining Act 1971* and regulations 46 and 47 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

### 1. DESCRIPTION OF THE EXISTING ENVIRONMENT

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include a description and assessment of the environment as set out in this Terms of Reference. Each of the elements of the existing environment (as defined in section 6(4) of the *Mining Act 1971*) listed in clause 1.1- 1.19 must be described only to the extent that they may need to be considered in assessing the potential impacts of the proposed quarry operations. If the element is not likely to be impacted by the operation, a statement to that effect must be included.

#### 1.1 Topography and landscape

Provide a description and map (as per 5.1.1.1) of the topography and landscape, detailing the:

- application area; and
- general surroundings.

#### 1.2 Climate

Provide a summary from the nearest relevant weather station of:

- annual rainfall and temperature patterns; and
- prevailing wind directions and speed (including maximum wind gusts).

#### 1.3 Topsoil and subsoil

Provide:

- a description of the soil profile (type and depth), and the characteristics and/or productivity of all soils on the application area (show this information on a map as per 5.1.1.2 if there is a variation in soils over the application area); and
- identify any soil characteristics that may be an issue for disturbance or rehabilitation.

#### 1.4 Geological Environment

Provide:

- local geological or site map (as per 5.1.1.2), showing location and dimensions of the deposit and structure (dip and strike where appropriate);
- representative cross sections (as per 5.2.1.1) of the proposed quarry area that identify the extent of the resource and estimate any overlying overburden; and
- a description and results of any geological evaluation work carried out.

#### 1.5 Geohazards

Provide an assessment of the potential for any of the following natural geohazards to be present in the application area:

- structural instability including slips, faults, karst features or geological unit boundaries;
- minerals that may occur in the material to be quarried (including overburden) and are hazardous to human health specifically radioactive minerals, asbestiform minerals or minerals which have the potential to produce respirable silica; and
- minerals that may occur in the material to be quarried (including overburden) that may have the potential to pollute the environment - including but not limited to sulphide minerals that may generate acid.

#### 1.6 Groundwater

Provide:

- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019*;
- a map (as per 5.1.1.3) showing groundwater wells in the surrounding area, highlighting those used to determine the seasonally high water table elevation;
- a cross section (as per 5.2.1.2) showing the proposed quarrying and seasonally high water table elevation in metres Australian Height Datum (AHD); and
- evidence to validate the estimated seasonally high water table.

If the proposed quarry has the potential to intersect the seasonally high water table, the following must be provided:

- details of local groundwater systems, including information on water quality and static water level (including seasonal fluctuations), recharge and discharge mechanisms, aquifer hydraulic properties, location of any aquifer and static water level of any other known drill holes; and
- an assessment of any current use of this water by the landowner, adjacent landowners and groundwater dependent ecosystems.

**1.7 Surface water**

Provide a Topographic Map (as per 5.1.1.1) and description of the current drainage patterns for the application area and water catchment including:

- location of watercourses, drains, dams and wetlands;
- surface water catchment boundaries;
- direction of drainage and discharge from the application area;
- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019*, and provide details on the current availability of water resources within the prescribed area;
- a statement describing if the application area is within a water protection area including areas under the *River Murray Act 2003*; and
- a statement as to whether the application area falls within the Murray Darling Basin.

If there is potential for changing a flow regime (including change in flow volume) or discharge into these watercourses from the proposed quarry operations, an assessment of the use of this water by the landowner, downstream users and water dependent ecosystems must be included.

**1.8 Vegetation, weeds and plant pathogens**

Provide:

- a description and map (as per 5.1.1.1) of existing flora (native and introduced) in the application area and surroundings;
- the State conservation status and habitat value of native vegetation present in the application area;
- a description of the presence of *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* listed species and ecological communities;
- a description of the extent the application area and adjoining land is affected or potentially affected by pathogens and declared weeds, including but not limited to phytophthora and broomrape; and
- if known, a description of the history of land use to identify if the existing vegetation is the result of deliberate cultivation or natural regrowth arising from previous clearance.

**1.9 Fauna**

Describe the native and feral fauna that may be present in the application area noting State or Commonwealth conservation status of all species.

**1.10 Caves**

If the application area is within, or near to, known caves or significant limestone formations a survey for the presence of caves must be performed.

Provide a summary of the results of the survey and describe the presence of any caves in karst (limestone) areas within, or near to, the application area and show on a map (as per 5.1.1.5).

**1.11 Land use**

Provide a description of:

- land use (historical and current) for the application area and the surrounding areas;
- the zoning as defined by the Planning and Design Code or relevant council development plans;
- policies relevant to the application area, including region or council wide, zone specific and sub areas within a zone;
- known plans for potential future land use changes by other parties;
- other interests or restrictions on the application area, including:
  - public utility easements;
  - if the application is within land used for defence purposes, including the Woomera Prohibited Area or the Cultana Army Training Area; and
  - any overlapping or adjacent tenements under the *Mining Act 1971* or *Petroleum and Geothermal Energy Act 2000*;

**1.12 Proximity to infrastructure and housing**

Provide information and a map (as per 5.1.1.4):

- identifying residences within and near the application area;
- identifying other human infrastructure including but not limited to schools, hospitals, commercial or industrial sites, roads, sheds, bores, dams, ruins, pumps, cemeteries, scenic lookouts, roads, railway lines, fences, transmission lines, gas and water pipelines, telephone and communication lines (both underground and above ground); and
- identifying public roads to be utilised or affected as part of proposed quarrying operations, including an estimate of the existing traffic movements.

**1.13 Exempt Land**

Provide a description and map (as per 5.1.1.4) of any applicable exempt land under Section 9 of the *Mining Act 1971*.

**1.14 Amenity**

Provide a summary description of scenic or aesthetic values for the application area and immediate surrounds.

**1.15 Air quality**

Provide a description of the existing levels of dust and contributors to air quality (both natural and anthropogenic).

**1.16 Noise**

Provide a description of existing noise levels and contributors to noise (both natural and anthropogenic).

**1.17 Heritage (Aboriginal, European, Geological)**

Detail and show on a map (as per 5.1.1.1):

- any registered heritage sites in or adjacent to the application areas that are protected under legislation (in so far as may be permitted under the relevant legislation).
- Include a statement concerning whether or not an Aboriginal cultural heritage survey has been conducted by the proponent and, if so, the results of the survey.

**1.18 Proximity to conservation areas**

Provide information and a map (as per 5.1.1.1) showing:

- proximity to national parks and reserves, private conservation areas, Commonwealth recognised conservation areas, heritage agreement areas and geological heritage sites.

**1.19 Pre-existing site contamination and previous disturbance**

Provide information and a map (as per 5.1.1.1) showing:

- any known existing contamination of the site and/or any disturbance by previous mining operations or other activities.

**2. DESCRIPTION OF THE PROPOSED OPERATIONS**

In specifying the nature and extent of the authorised operations that are proposed in accordance with sections 36(1)(c)(i) and 49(1)(c)(i) of the *Mining Act 1971*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in clauses 2.1–2.9 must be described only to the extent that they apply to the proposed quarry operation.

**2.1 General description and maps/plans of operations**

A summary description of all elements of the proposed operation must be included.

**2.2 Resource and Products****2.2.1 Resource**

Provide a statement of the extractive minerals proposed to be extracted, recovered and sold.

Provide a statement of the current estimated resource or reserve (or both), including:

- details of the basis of this estimate; and
- a declaration that the resource or reserve (or both) has been appropriately identified and estimated.

**2.2.2 Production Rate and Products**

State:

- the potential end use and products for all extractive minerals proposed to be sold. Provide estimates of the:
- annual production rate (product and overburden);
- life of the quarry; and
- material movement over life of quarry (product and overburden).

**2.3 Quarrying Activities****2.2.1 Type or types of proposed quarry operation to be carried out**

Provide:

- a summary and map (as per 5.1.2.1) of the proposed site layout;
- a description of the proposed quarrying method; and
- conceptual dimensions and depth of proposed pit(s).

**2.2.2 Sequence of quarrying and progressive rehabilitation**

Describe conceptually and show on a map (as per 5.1.2.2):

- staging and description of each progressive quarrying stage;
- milestones that will instigate progressive rehabilitation; and
- staging and description of each progressive rehabilitation stage including:
  - use of overburden;
  - battering of mining faces and other earthworks;
  - topsoil management; and
  - revegetation.

**2.2.3 Stockpiles****3.3.3.1 Topsoil and Subsoil Stockpiles**

Describe and show on a map (as per 5.1.2.1):

- conceptual location, size, shape and height of topsoil/subsoil stockpiles.

**3.3.3.2 Product Stockpile**

Describe and show on a map (as per 5.1.2.1):

- conceptual location and height of product stockpiles.

**2.2.4 Use of explosives**

If explosives are proposed to be used, describe:

- estimated frequency of blasting; and
- whether explosives will be stored onsite.

**2.2.5 Modes and hours of operation**

State if the proposed quarry operation will be operated on a continuous (24 hour, 7 days a week), regular periodical or campaign basis.

If the proposed quarry operation is to be operated on a regular periodical basis or campaign basis, specify:

- proposed period(s) (daily, weekly and public holidays) to be worked; and
- proposed start and finish hours the site is to be worked per period.

**2.4 Crushing, processing and product transport****2.5.1 Fixed plant**

Describe the specifications (to at least a conceptual standard) of fixed plant including but not limited to:

- area, size, and location of fixed plant and associated structures including as applicable concrete batching plant, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage proposed to be used for processing the extractive minerals on site;
- a description of rock or sand processing; in particular crushing, washing, drying, screening and separation; and
- the type(s) of processing/value adding used on the raw material and conducted onsite including but not limited to concrete, bitumen, separation and drying.

**2.5.2 Hours of operation**

Describe the proposed hours of crushing, processing and product transport activities.

**2.5.3 Processing wastes**

If processing wastes are to be generated provide a conceptual description of:

- management of any proposed chemical additives contained within waste to prevent environmental harm;
- management and disposal of processing wastes;
- construction and geotechnical details of proposed storage facilities; and
- construction details/design of evaporation ponds and proposed use of waste material.

**2.5.4 Industrial and domestic wastes**

A description of management of any of the following industrial and domestic wastes must be provided:

- putrescible waste;
- oil;
- other onsite waste disposal or recycling; e.g. workshop waste, tyres, drums, oil filters;
- offsite disposal; and
- a description of the type, area and layout of sewage systems installed at the site.

**2.5 Supporting surface infrastructure****2.6.1 Access and Roads**

Describe:

- access route to the site and show on a map (as per 5.1.2.3);
- indicate if any new roads are to be constructed, or if existing roads or intersections (public and private) are to be upgraded; and
- transport system(s) used to and from the site and the estimated number of vehicle movements per day.

**2.6.2 Accommodation and offices**

Describe onsite personnel accommodation and offices, including but not limited to:

- number, area, size, type of construction and location of accommodation, office, meals or laboratory buildings, caravans or camp, and associated structures (e.g. car parks, water tanks, etc.) to be used on site; and
- if temporary or permanent.

**2.6.3 Public services and utilities used by the operation**

Describe:

- sources of services or utilities that are, or are to be supplied to the proposed site, such as power, water, telecommunications etc.;
- if new connections to services and utilities are required, the proposed routes for connection; and
- the effects to any existing services or utilities that have been or may be affected by the mining operations.

**2.6.4 Visual screening**

Describe the type of screening, including existing or proposed vegetation (i.e. species and density of plantings) and show on a map (as per 5.1.2.1 or 5.1.2.2).

**2.6.5 Fuel and chemical storage**

For all fuels and chemicals stored on site show the proposed location of storage on a map (as per 5.1.2.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- proposed bunding and containment for all chemical and fuel storage vessels.



**2.6.6 Site security**

Describe infrastructure and measures that will be adopted to prevent unauthorised access by the public, including, but not limited to:

- fencing; and
- signage.

**2.6.7 Erosion, Sediment and Silt Control**

Describe and show on a map (as per 5.1.2.1):

- location and design of sediment management structures;
- management and disposal of silt;
- strategies to control runoff on disturbed areas and rehabilitated areas; and
- storage, diversion and release of clean water.

**2.6 Vegetation clearance**

If clearance of native vegetation is proposed, a description of the vegetation type to be cleared and map (as per 5.1.2.2) showing the proposed clearance area must be provided.

State the estimated quantum of significant environmental benefit (SEB) to be gained in exchange for the proposed clearance and describe how the SEB will be provided.

**2.7 Site Water Management**

Provide an estimate of the quantity of water to be used and the proposed source of that water. If processing water is to be used, provide a water balance including:

- approximate water volumes required for processing; and
- a summary of all water inputs and outputs.

Provide a description of all process water ponds, including:

- size, capacity, layout and location of ponds;
- design and construction methods; and
- minimum freeboard to be maintained.

**2.8 Description of Quarry Site at Completion**

Provide a map (as per 5.1.2.4), cross-section (as per 5.2.2.2) and a conceptual description of the quarry site as it will be at completion after all rehabilitation and closure activities have been completed, including:

- potential land use options;
- landforms;
- proposed vegetation covers (including native vegetation that will not be disturbed due to proposed quarrying operations);
- any quarrying infrastructure that may remain on site and become the responsibility of the landowner;
- location, description and management of waste disposal areas;
- location of reshaped and rehabilitated areas, proposed surface contours and revegetation; and
- location of surface water infrastructure including ponds and diversions.

Provide a description of the proposed mechanism for transferring responsibility for any potential residual liability (e.g. ongoing maintenance or monitoring) subsequent to surrender of the tenement.

**2.9 Description of workforce and local procurement**

Describe:

- number of full-time equivalent employee positions that would be directly created by the proposal (not to include existing positions);
- the proportion of the workforce that would likely reside in the local community and the estimated impact on local employment;
- any programs to target and assist Indigenous or local employment at the quarry;
- training to be provided to employees and potential employees;
- approximate timelines for creation of the positions; and
- potential for local business participation, and procurement of local goods and services.

**3. CONSULTATION**

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with sections 36(1)(c)(iv) and 49(1)(c)(iv) of the *Mining Act 1971* and regulation 47 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include:

A description of:

- the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the proposed quarry operation;
- the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders;
- if any individual or group of similar affected persons were not able to be consulted, the steps taken to consult with them; and
- the extent to which the outcomes proposed in clause 4.2.2 have been developed in consultation with the landowner and any other person who may be directly affected by the proposed quarry operations.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted;
- any concerns/issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

#### 4. MANAGEMENT OF ENVIRONMENTAL IMPACTS

##### 4.1 Assessment of environmental impacts

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include an assessment of the environment as set out in this Terms of Reference.

##### 4.1.1 Elements of the environment

Describe the specific elements of the environment (the environment is defined in Section 6(4) of the *Mining Act 1971*) that may reasonably be expected to be impacted on by the proposed quarry operation during construction, operation, and indefinitely post completion.

For each element of the environment identified:

- provide a summary of any issues or considerations raised by stakeholders, and any relevant legislated or recognised standards in relation to the element of the environment;
- describe all potential environmental receptors; and
- undertake an impact assessment of how the element could be potentially impacted by proposed quarry operations (during construction, operation and post completion) through the provision of the information listed in the following clause 4.1.2.

##### 4.1.2 Potential impact events

Describe potential impact events associated with each phase of the proposed quarry operations (construction, operation and post completion) and relevant to each element of the environment.

For the purpose of the impact assessment, a potential impact event is the combination of a source, a pathway and an environmental receptor.

The source, pathway and environmental receptor of each potential impact event must be described prior to the implementation of engineering or administrative control measures.

For each potential impact event identified in clause 4.1.2, provide:

##### 4.1.2.1 Source

A description of the source of the potential impact event, which alone or in combination has the potential to cause harm to an environmental receptor.

##### 4.1.2.2 Pathway

A description of the potential pathway (with consideration of any natural barriers) by which an identified environmental receptor can be exposed to, or may reasonably be expected to be impacted by an identified source.

##### 4.1.2.3 Environmental receptor

A description of the environmental receptors that may reasonably be expected to be adversely impacted by the source, taking into account the considerations for the element of the environment described under clause 4.1.1

##### 4.1.2.4 Description of uncertainty

Describe any significant degree of uncertainty pertaining to the evaluation of sources, pathways and environmental receptors, including (but not limited to) lack of site specific information, limitations on modelling and quality of data.

Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made, including whether a change in assumption may result in a new environmental impact.

##### 4.1.2.5 Confirmation of potential impact events

For each potential impact event provide:

- an analysis of whether a source, pathway and receptor does exist (and if not, or if it remains uncertain, provide an explanation for the conclusion); and
- a description of the likely impact from the source on the environmental receptor.

##### 4.2 Control measures, uncertainty assessment, statement of environmental outcomes and criteria

For each impact event confirmed in clause 4.1.2.5, the information listed in clauses 4.2.1—4.2.3 must be provided:

##### 4.2.1 Control measures

In setting out an outline of the measures that the applicant intends to take to manage, limit or remedy environmental impacts as confirmed in clause 4.1.2.5 in accordance with sections 36(1)(c)(ii)(B) and 49(1)(c)(ii)(B) of the *Mining Act 1971* and regulation 46(3) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must:

- Include a description of the measures proposed to manage, limit or remedy each impact event;
- Demonstrate that the measures proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation;

- Include a description of any significant degree of uncertainty pertaining to the likely effectiveness of proposed control measures, including but not limited to lack of site specific information, limitations on modelling and quality of data
- Include a description of any assumptions connected with the identified uncertainty;
- So far as is relevant, identify the sensitivity to change of any assumption that has been made and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect.

#### 4.2.2 Statement of proposed environmental outcomes

Statements of the environmental outcomes that are expected to occur are required in accordance with sections 36(1)(c)(ii)(C) and 49(1)(c)(ii)(C) of the *Mining Act 1971* and regulation 46(4) of the *Mining Regulations 2020* and must be made for each impact event confirmed in clause 4.1.2.5. The Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must:

- Provide a statement of the proposed environmental outcome(s) (including completion outcomes assessed on a long term basis) for each impact event confirmed in clause 4.1.2.5;
- Ensure that the statement of environmental outcome(s) describe the likely consequence of the expected impact on the environment by the proposed quarry operations subsequent to the implementation of the control measures described in clause 6.2.1; and
- Provide a statement that demonstrates the environmental outcomes would be able to be achieved taking into consideration the effectiveness of the control measures (clause 4.2.1) and description of uncertainty (clause 4.2.1).

#### 4.2.3 Draft measurement criteria

In preparing a draft statement of the criteria to be adopted to measure each of the proposed environmental outcomes in accordance with sections 36(1)(c)(iii) and 49(1)(c)(iii) of the *Mining Act 1971* and regulation 46(5) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that the draft criteria must:

- As far as practical comply with the five elements set out in regulation 46(5) of the *Mining Regulations 2020*; and
- Include demonstration of the successful implementation of the significant environmental benefit, if native vegetation is proposed to be cleared and an on-ground off-set proposed.

## 5 MAPS AND CROSS-SECTIONS

In preparing a proposal in accordance with sections 36(1)(c) and 49(1)(c) of the *Mining Act 1971* and regulation 46 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that all maps and plans must comply with the following requirements relating to the amount of detail or information to be provided:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, north arrow, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

### 5.1 List of Maps

#### 5.1.1 Maps required for Description of the Existing Environment (as per clause 2)

##### 5.1.1.1 Topographic Map showing:

- mineral claim boundaries;
- existing surface contours; existing vegetation;
- location of watercourses, including ephemeral and permanent rivers, creeks, swamps, streams, wetlands and any man-made water management structures;
- surface water catchment boundaries;
- direction of drainage and discharge from the application area;
- location and extent of all previously disturbed areas associated with previous mining; and
- location and extent of any adjacent conservation reserves, heritage sites or any other significant areas.

##### 5.1.1.2 Local Geological Map showing:

- mineral claim boundaries;
- location and dimensions of the deposit; and
- topsoil/subsoil variation if there is a variation in soils over the application area.

##### 5.1.1.3 Groundwater Map showing:

- groundwater wells in the surrounding area highlighting those used to determine the groundwater level.

5.1.1.4 *Land Access Map showing:*

- mineral claim boundaries;
- proposed tenement boundary if an area smaller than the mineral claim is proposed
- any exempt land;
- location of residences within and near the application area; and
- human infrastructure as per clause 1.12.

If relevant:

5.1.1.5 *Caves Map showing:*

- mineral claim boundaries;
- potential cave hosting geology; and
- location of the cave(s).

**5.1.2 Maps required for Description of the Proposed Quarrying Operations (as per clause 3)**

5.1.2.1 *Proposed Site Layout Map showing all components of the proposed quarry operation including, but not limited to:*

- tenement boundaries;
- location of sediment management infrastructure;
- if relevant location of process water dams;
- location of haul roads;
- if relevant location of fixed plant;
- location of mobile plant for stage 1 of quarrying;
- Location of overburden; and
- location and extent of topsoil/subsoil and product stockpiles.

5.1.2.2 *Sequence of Quarrying and Progressive Rehabilitation Map showing:*

- proposed tenement boundaries;
- conceptual staging of each progressive quarrying stage;
- proposed native vegetation clearance; and
- conceptual staging of each progressive rehabilitation stage.

5.1.2.3 *Access Route Map showing:*

- proposed access route for heavy vehicles;
- proposed exit route for heavy vehicles; and
- any road upgrades or new roads to be constructed if relevant.

5.1.2.4 *Quarry Completion Map showing:*

- final landforms (including rehabilitated and non-disturbed areas); and
- proposed topographical contours of the entire site (including rehabilitated and non-disturbed areas).

**5.2 Summary of Cross-Sections**

Following is a summary of all cross-sections required in the proposal:

**5.2.1 Cross-Sections required for Description of the Existing Environment (as per clause 2)**

5.2.1.1 *Geological Cross-Section(s) showing:*

- a representation of the geological profile within the application area; and
- depth of the resource and any overlying overburden.

5.2.1.2 *Groundwater Cross-Section(s) showing:*

- the proposed depth of mining; and
- the depth to groundwater.

**5.2.2 Cross-Sections required for Description of the Proposed Mining Operations (as per clause 3)**

5.2.2.1 *Proposed Quarry Operation Cross-Section(s) showing:*

- proposed pit depth; and
- proposed pit dimensions.

5.2.2.2 *Quarry Completion Cross Section(s) showing:*

- pre quarrying natural surface; and
- proposed final rehabilitated surface.

**ADDITIONAL INFORMATION TO ACCOMPANY APPLICATION**

An application for an EML and/or MPL must be accompanied by additional information as set out in regulations 30, 37 and 48 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference:

**6 Reasonable prospect of access to land**

In preparing a statement under regulation 30(1)(e)(i) of the *Mining Regulations 2020* that demonstrates that there is a reasonable prospect that the land in respect of which an EML is sought could be effectively and efficiently mined, the Minister determines in accordance with regulation 30(2) of the *Mining Regulations 2020* that this statement must be supported by the following evidence:

- A description of any waivers of exemption obtained, and/or information on the status of waivers of exemption yet to be negotiated/finalised under Section 9AA of the *Mining Act 1971*; and
- A description of any native title mining agreements obtained under the *Mining Act 1971* or *Indigenous Land Use Agreements (ILUA) under the Native Act 1993 (Cth)*.

**7 Description of contributions to the economy**

For the purposes of regulation 30(1)(g) of the *Mining Regulations 2020*, the Minister determines that the following information must accompany an application for an EML:

- A description of the economic contributions of the proposed operations, including (but not limited to):
- goods and services used in the local community, state and external to state;
- wages and other employee benefits;
- economic benefits derived from local employment;
- approximate royalty payments and other direct state government taxes; and
- any other potential economic contributions proposed during the development of the quarry, operation of the proposed quarry and post quarry completion.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

**MINING ACT 1971****SECTION 36***Terms of Reference for Mineral Mine Lease/Licence Applications*

An application for a mining lease (ML) for the recovery of metallic and industrial minerals must be accompanied by:

- a proposal that complies with section 36 of the *Mining Act 1971*, regulations 46 and 47 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- information that complies with regulation 30 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

An application for a miscellaneous purposes licence (MPL) for the recovery of metallic and industrial minerals must be accompanied by:

- a proposal that complies with section 49 of the *Mining Act 1971*, regulations 46 and 47 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- information that complies with regulations 37 and 38 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

In accordance with section 36 of the *Mining Act 1971* this Terms of Reference will have effect from 1 January 2021.

**FORM OF APPLICATION**

In accordance with section 36(1)(a) of the *Mining Act 1971* an application for a mining lease ML for the recovery of metallic and industrial minerals must be made in the form and contain such information as set out in this Terms of Reference, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 36(1)(a) of the *Mining Act 1971*, it is determined that an application for a ML must contain the information as follows:

- Applicant name(s) (company and/or individual and/or related body corporate) and each applicant's percentage share in the application
- Name of project
- Mineral type
- Mineral(s) to be authorised
- Primary mineral(s) sought
- Other mineral(s) sought
- Details of the tenement(s) giving authority to apply for the Mining Lease
- Native title land
- Details of relevant land ownership, notices, consents and agreements
- Declaration of accuracy

- Applicant(s) details including:
  - Name of Company and/or Individual
  - ABN (if applicable)
  - ACN (if applicable)
  - Registered address
  - Applicant contact details including:
    - Postal Address
    - Email
    - Website
    - Phone number(s)
  - Contact Person details including:
    - Name
    - Position Title
    - Email
    - Phone number(s)
    - Consent to receive electronic correspondence (or otherwise)

In accordance with section 49(1)(a) of the *Mining Act 1971* an application for a miscellaneous purpose licence (MPL) ancillary to the recovery of metallic and industrial minerals must be made in the form and contain such information as set out in this Terms of References, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 49(1)(a) of the *Mining Act 1971*, it is determined that an application for a MPL must contain the information as follows:

- Applicant name(s) (company and/or individual and/or related body corporate) and each applicants percentage share in the application
- Name of project
- Related applications/mining operations
- Location of proposed licence including a detailed map/plan (if required)
- Purpose of proposed licence
- Pegging details relating to proposed licence area
- Native title land
- Details of relevant land ownership, notices, consents and agreements
- Declaration of accuracy
- Applicant(s) details including:
  - Name of Company and/or Individual
  - ABN (if applicable)
  - ACN (if applicable)
  - Registered address
  - Applicant contact details including:
    - Postal Address
    - Email
    - Website
    - Phone number(s)
  - Contact Person details including:
    - Name
    - Position Title
    - Email
    - Phone number(s)
    - Consent to receive electronic correspondence (or otherwise)
  - Certification of correctness

An application for an ML and/or MPL must in accordance with section 36(1)(a) and 49(1)(a) of the *Mining Act 1971* be in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- an electronic version of the Proposal must be submitted in accordance with regulation 88 of the Mining Regulation 2020; hardcopies must be submitted upon request; the information in all must be identical;
- each page, plan or other separate sheet of the Proposal must include the mineral claim, retention lease or exploration licence number(s), date of the application submission and sequential page numbering; and
- the electronic version of the Proposal must be submitted in one single Acrobat PDF file or if requested by the Director of Mines or an authorised officer, Microsoft Word compatible files must be submitted.

## PROPOSAL

An application for an ML and/or MPL must be accompanied by a proposal that complies with sections 36 and 49 of the *Mining Act 1971* and regulations 46 and 47 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

### 1. DESCRIPTION OF THE EXISTING ENVIRONMENT

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include a description and assessment of the environment as set out in this Terms of Reference. Each of the elements of the existing environment (as defined in section 6(4) of the *Mining Act 1971*) listed in clauses 1.1 – 1.20 must be described only to the extent that they may need to be considered in assessing the potential impacts of the proposed mine operations. If the element is not likely to be impacted by the operation, a statement to that effect must be included.

#### 1.1 Topography and Landscape

Provide a description and map (as per 5.1.1.1) of the topography and landscape, detailing the:

- application area; and
- general surroundings.

#### 1.2 Climate

Provide:

- a summary of rainfall and temperature patterns, evaporation rates, and wind directions and speed (including maximum wind gusts); and
- details of the maximum average recurrence interval or annual exceedance probability rainfall event used for the operational and closure design of the project, and the justification for the value(s) selected.

#### 1.3 Topsoil and Subsoil

Provide:

- a description of the soil profile (type and depth), and the characteristics and/or productivity of all soils on the application area (show this information on a map as per 5.1.1.2 if there is a variation in soils over the application area); and
- identify any soil characteristics, including (but not limited to) erodibility, acid sulfate, sodic or non-wettable soils, that may require control measures to reduce environmental impacts during operations or rehabilitation.

#### 1.4 Geological Environment

Provide a description of the following, as a minimum:

- regional geology;
- local geology within the application area and geological map(s) (as per 5.1.1.2), including but not limited to:
  - location, dimensions and orientation (dip and strike), and extent of the mineral resource and ore reserve;
  - location and composition of all rock types and rock units that are proposed to be disturbed;
  - interpretation of the stratigraphy of the rocks hosting the deposit as well as any overlying and adjacent rock units; and
  - an indication of the potential for extension to the orebody;
- representative cross-sections and long section (as per 5.2.1.1) of the geology of the application area; and
- the exploration data on which the geological interpretation was based on.

#### 1.5 Geochemistry and Geohazards

Provide:

- a geochemical assessment of all rock types that are proposed to be disturbed, based on representative sampling and analysis that includes the identification and quantification of, but not limited to, sulfide minerals that have the potential to generate acid or mobilise metals into the environment; and
- a mineralogical assessment of all the rock types that are proposed to be disturbed, based on representative sampling and analysis for the presence and quantification of (but not limited to) radioactive minerals, asbestiform minerals or minerals that have the potential to produce respirable silica.

Describe the potential for any of the following natural geohazards to be present in the application area and show on a map:

- structural instability, including slips, faults, karst features or geological discontinuities; and
- major seismic events (based on historical data).

#### 1.6 Groundwater

If all proposed mining operations are to occur at least 3 m above the seasonally high water table, provide:

- a statement that all proposed mining operations are to occur at least 3 m above the seasonally high water table;
- a statement that the proposed mining operations will not /are unlikely to increase the seasonally high water table to within 3 m of the mining operations anywhere within the lease application area;
- an assessment of the position of the seasonally high water table beneath the entire lease application area; and
- the drillhole, borehole and hydrogeological data and information the assessment is based on.

If any part of the proposed mining operations is likely to occur within 3 m of the seasonally high water table, or the proposed mining operations will/are likely to increase the seasonally high water table to within 3 m of the mining operations, or the proposed mining operations are likely to intersect aquifer unit(s), provide:

- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019* and details on the current availability of groundwater resources within the prescribed area;
- a description of the local and regional hydrogeology, detailing both the stratigraphy and hydrostratigraphy;

- a detailed baseline description of the groundwater characteristics and flow dynamics for aquifers within the application area which includes:
  - static water levels and groundwater heads/groundwater elevations, including seasonal fluctuations for each aquifer;
  - baseline groundwater hydrochemistry and mineralogy, including any seasonal fluctuations and spatial variability for each aquifer;
  - aquifer properties including hydraulic conductivity, transmissivity, specific yield, storage coefficient, total porosity, effective porosity and aquifer thickness;
  - recharge and discharge mechanisms,
  - hydrogeological characteristics of confining strata, including hydraulic conductivity and thickness;
  - connectivity between the proposed mining aquifer and lateral, overlying or underlying aquifers and surface water;
  - conceptualisation of the hydrogeology: a summary of all above and a description of the hydrogeological setting considered important for impact assessment; and
  - a preliminary impact assessment/numerical model of groundwater flow (and contaminant transport model, if applicable), based on the conceptual hydrogeology.
- local and regional potentiometric surface/groundwater elevation map(s) (as per 5.1.1.3) for each aquifer within the application area;
- cross-section(s) (as per 5.2.1.2) of the hydrostratigraphy;
- the environmental value of each aquifer determined according to the Environment Protection (Water Quality) Policy 2015, or any subsequent updates;
- a description of the existence, location, condition and value of all aquatic, terrestrial and subterranean Groundwater Dependent Ecosystems (GDEs) within the application area and within and immediately surrounding the extent of predicted hydrogeological impact of the proposed mine operations; and
- an assessment of any current or historical use of local groundwater by the landowner(s) and other users which includes a baseline survey of bores, including depth to groundwater, groundwater quality, bore construction details, status and purpose and collar/ground elevations.

#### 1.7 Surface water

Provide a topographic map (as per 5.1.1.1) and description of the current drainage patterns for the application area and water catchment including:

- location of watercourses, drains, dams and wetlands;
- surface water catchment boundaries;
- direction of drainage and discharge from the application area;
- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscapes South Australia Act 2019*, and provide details on the current availability of water resources within the prescribed area;
- a statement if the application area is within a water protection area including areas under the *River Murray Act 2003*;
- a statement as to whether the application falls within the Murray Darling Basin; and
- groundwater – surface water interactions.

Provide water quality data for identified watercourses, where there is potential for discharge into that watercourse from the proposed operation (whether intentional or not). Should identified watercourses be ephemeral, and it is not possible to collect water samples, provide a characterisation of sediments sampled from the watercourse bed upstream and downstream of the application area.

If there is potential for changing a flow regime (including change in flow volume) or discharge into these watercourses from the proposed operations, an assessment of the use of this water by the landowner, downstream users and water dependent ecosystems must be included.

#### 1.8 Vegetation, Weeds and Plant Pathogens

Provide:

- a description and map (as per 5.1.1.1) of existing flora (native and introduced) in the application area and surroundings,
- the State conservation status and habitat value of native vegetation present in the application area;
- a description of the presence of *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, listed species and ecological communities;
- a description of the extent the application area and adjoining land is affected or potentially affected by pathogens and declared weeds; and
- if known, a description of the history of land use to identify if the existing vegetation is the result of deliberate cultivation or natural regrowth arising from previous clearance.

#### 1.9 Fauna

Describe the native and feral fauna that may be present in the application area noting State or Commonwealth conservation status of all species.

#### 1.10 Caves

If the application area is within, or near to, known caves or significant limestone formations a survey for the presence of caves must be performed.

Provide a summary of the results of the survey and describe the presence of any caves in karst (limestone) areas within, or near to, the application area and show on a map (as per 5.1.1.5).



**1.11 Local Community**

Provide:

- a description of the local population, the economy, services and employment; and
- details of nearest town or urban areas, with a summary of the demographics of the local population.

**1.12 Landowners and Land Use**

Provide a description of:

- land ownership for all titles within and adjacent to the application area;
- land use (historical and current) for the application area and the surrounding areas;
- the zoning as defined by the Planning and Design Code or relevant council development plans;
- policies relevant to the application area, including region or council wide, zone specific and sub areas within a zone;
- known plans for potential future land use changes by other parties; and
- any other interests or restrictions on the application area, including:
  - public utility easements;
  - if the application is within land used for defence purposes, including (but not limited to) the Woomera Prohibited Area or the Cultana Army Training Area;
  - any overlapping or adjacent tenements under the *Mining Act 1971*, or *Petroleum and Geothermal Energy Act 2000*.

**1.13 Proximity to Infrastructure and Housing**

Provide information and a map (as per 5.1.1.4):

- identifying residences within and near the application area;
- identifying other human infrastructure such as (but not limited to) schools, hospitals, commercial or industrial sites, roads, sheds, bores, dams, ruins, pumps, cemeteries, scenic lookouts, roads, railway lines, fences, transmission lines, gas and water pipelines, and telephone lines (both underground and above ground); and
- identifying public roads to be utilised or affected as part of proposed operations, including an estimate of the existing traffic movements.

**1.14 Exempt Land**

Provide a description and map (as per 5.1.1.4) of any applicable exempt land under Section 9 of the *Mining Act 1971*.

**1.15 Amenity**

Provide a description of scenic or aesthetic values for the application area and immediate surrounds, including features of community, tourist or visitor interest.

**1.16 Air Quality**

Provide a description of the existing levels of dust and contributors to air quality including odour (both natural and anthropogenic).

**1.17 Noise**

Provide a description and measurement data of the existing levels of noise and contributors to noise (both natural and anthropogenic).

**1.18 Heritage (Aboriginal, European, Geological)**

Detail and show on a map (as per 5.1.1.1):

- any registered heritage sites in or adjacent to the application areas that are protected under legislation (in so far as may be permitted under the relevant legislation); and
- include a statement concerning whether or not an Aboriginal cultural heritage survey has been conducted by the proponent and if so, the results of the survey.

**1.19 Proximity to Conservation Areas**

Provide:

- information and a map (as per 5.1.1.1) showing proximity to national parks and reserves, private conservation areas, Commonwealth recognised conservation areas, heritage agreement areas and geological heritage sites; and
- a statement as to whether the application area falls within the Adelaide Dolphin Sanctuary, Adelaide International Bird Sanctuary or a Marine Park.

**1.20 Pre-existing Site Contamination and Previous Disturbance**

Provide information and a map (as per 5.1.1.1) showing:

- any known existing contamination of the site and of any disturbance by previous operations or other activities.

## 2. DESCRIPTION OF THE PROPOSED OPERATIONS

In specifying the nature and extent of the authorised operations that are proposed in accordance with sections 36(1)(c)(i) and 49(1)(c)(i) of the *Mining Act 1971*, the Minister determines in accordance with regulation 46(6)(e) of the *Mining Regulations 2020* that a proposal must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in clauses 2.1–2.10 must be described only to the extent that they apply to the proposed mine operation.

### 2.1 General Description and Maps/Plans of Operations

Provide a summary description of all elements of the proposed operation, including mining, processing and waste management (include maps/plans and cross sections as per 5.1.2 and 5.2.2).

#### 2.1.1 Options

Provide a summary description of relevant options considered for mining, processing and mine waste management strategies, and provide justification for the chosen strategies, including a description of any elimination or substitution strategies that have been adopted to control a hazard in order to protect the environment.

### 2.2 Reserves, Products and Market

#### 2.2.1 Ore Reserves or Mineral Resources (or both)

Provide:

- a statement of the current Australasian Joint Ore Reserves Committee (JORC) compliant ore reserve or mineral resource estimates (or both) in the application area; and
  - a statement of what reserve and/or resource forms the basis for the application;
- or (if a JORC compliant reserve or resource (or both) has not been reported)
- an estimate of the resource to be mined and the basis of this estimate.

Provide steps that have been taken to ensure proposed mining operations will not sterilize/prevent future extraction of mineral resources.

#### 2.2.2 Production Rate and Products

Provide:

- a statement of the relevant commodities that are proposed to be extracted, recovered, processed and sold, and the expected market or end use;
- a statement of any other commodities present in the application area that are not proposed to be recovered for sale, and the reasons for this decision;
- a quantitative estimate of production of mine gate product(s) for the life of mine, and a schedule of the annual production of mine gate product(s); and
- a statement if any extractive minerals (as defined by Section 6 of the *Mining Act 1971*) will leave the lease.

### 2.3 Exploration Activities

Provide information that details all exploration activities to be undertaken within the application area as a part of the proposed mining operation, including:

- purpose of the activities (i.e. resource drill-out or resource extension);
- types of drilling;
- geophysical techniques likely to be used;
- earthworks required to conduct exploration activities;
- equipment required to conduct exploration activities; and
- rehabilitation methods for exploration works (including that not yet rehabilitated from previous tenure).

### 2.4 Mining Activities

#### 2.4.1 Type or Types of Proposed Mining Operation to be Carried Out

Provide a clear statement on the type or types of mining operation proposed to be carried out, such as:

- the mining method(s) to be adopted.

#### 2.4.2 Open Pit

Describe proposed open pit workings, including (but not limited to):

- overall pit wall angles, bench height, berm width;
- dimensions and depth of pit;
- access ramps; and
- maps, plans and cross-sections (as per 5.1.2 and 5.2.2).

#### 2.4.3 Underground Workings

Describe proposed underground workings, including (but not limited to):

- proposed stoping methods;
- potential surface disturbance resulting from underground mining;
- declines, shafts, tunnels, bore holes, ventilation intakes and exhausts; and
- maps, plans and cross-sections (as per 5.1.2 and 5.2.2).

Where underground fill is proposed, describe:

- type of fill to be used;
- the volume percentage of underground void to be filled;
- sequence of filling;
- source and proportion of fill; and
- maps, plans and cross-sections showing the proposed fill (as per 5.1.2 and 5.2.2).

#### **2.4.4 Material Movements**

Provide:

- expected life of mine (including scope for extension);
- annual mine production rates and mine production schedule of ore and waste rock over the life of mine; and
- life of mine and annual strip ratios.

#### **2.4.5 Stockpiles**

Describe for all ore, product, subsoil and topsoil stockpiles the:

- location, size, shape and height of all stockpiles;
- method of placement;
- method of stabilisation and erosion control of all stockpiles; and
- water movement through stockpiles.

The location, maximum height and extent of all stockpiles must be shown on a map (as per 5.1.2.1).

#### **2.4.6 Use of Explosives**

If explosives are proposed to be used, describe:

- type of explosives used on the site;
- proposed timing and frequency of blasting;
- size of blasts; and
- storage of explosives (amount, type, detailed location and method of storage).

#### **2.4.7 Type of Mining Equipment**

Provide a description of the equipment (fixed and mobile) proposed to be used in the mining operation in terms of:

- type, size and capacity of machines;
- approximate number of units;
- noise outputs;
- exhaust outputs; and
- fire ignition sources.

The location of fixed equipment must be shown on a map (as per 5.1.2.1).

#### **2.4.8 Mine Dewatering**

Provide:

- estimated inflows of groundwater, stormwater and water from any other mining activities into mine workings;
- details of proposed mine dewatering infrastructure, and mine water management and disposal;
- contingency measures for greater than planned water inflows into mine workings; and
- a mine water balance of water inflows and water outflows during operations and at completion (if not included in the water balance in clause 2.5.4).

#### **2.4.9 Sequence of Mining and Rehabilitation Operations**

Provide the following information on the sequence of operations in both text and map form (as per 5.1.2.2):

- description of the sequence of mining stages;
- proposed sequencing of progressive and final rehabilitation, including demonstration that progressive rehabilitation has been integrated with the mining plan;
- an estimation of the quantities of sulfide minerals that have the potential to generate acid or mobilise metals, or other hazardous minerals to be mined at each mining stage; and
- any mineral resource that may be sterilised from future mining by the proposed mining operations.

#### **2.4.10 Rehabilitation Strategies and Timing**

Describe all activities, strategies and designs relating to mine closure for rehabilitation of open pit and/or underground workings, stockpiles, explosives storage, mining equipment and mine dewatering infrastructure. Include timing of these activities and all opportunities for progressive rehabilitation. Include (but not limited to) the maximum area of land disturbed by proposed mining operations at any time, battering of mining faces and other earthworks, mine void backfilling, abandonment bunds, sealing of portals and ventilation shafts, soil management, revegetation and expected water infill rates.

**2.4.11 Modes and Hours of Operation**

State if the proposed mining operation will be worked on a continuous (24 hour, 7 days a week), regular periodical or campaign basis.

If the proposed mining operation is to be worked on a regular periodical basis, specify:

- proposed period(s) (daily, weekly and public holidays) to be worked; and
- proposed start and finish hours the site is to be worked per period.

If the operation is to be worked on a campaign basis, specify:

- minimum hours the site is to be worked per year;
- the minimum time of each campaign;
- the maximum and minimum time between campaigns;
- define the beginning and end of each campaign;
- hours of mining operations during campaign;
- days of mining operations during campaign;
- determining factors for initiating and ceasing a campaign;
- maximum and minimum tonnage of each campaign; and
- maximum and minimum tonnage of production per year.

**2.5 Crushing, Grinding, Processing and Product Transport****2.5.1 Crushing and Grinding Plant**

Provide a description of the crushing/grinding plant including:

- area, size, type of construction and location;
- throughput rate;
- a description of ore preparation for processing;
- grind size of the ore;
- noise sources;
- dust sources and composition;
- fire ignition sources; and
- plans (as per 5.1.2.3)

**2.5.2 Processing Plant**

Provide a description of the processing plant including:

- the methods and details of processing and value adding proposed;
- number, location, area, size, type of construction (including lining and drainage systems, as appropriate) of processing plant;
- any ancillary plant and infrastructure to be used for processing the minerals on site; examples of associated structures are concrete batching plants, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage/use, reverse osmosis plants and bore fields;
- if chemicals are to be used in the beneficiation or processing of ore, describe the nature and quantities of the chemicals to be used, their reactions with ore and their ultimate fate;
- noise sources;
- dust sources and composition;
- fire ignition sources;
- other potential air emissions (including odour) and their composition; and
- plans (as per 5.1.2.3).

**2.5.3 Heap Leach**

Provide a description of the Heap Leach Pad and process including:

- type, size and location of the Heap Leach Pad;
- construction and operating specifications for the Heap Leach Pad and process, including solution containment measures;
- geochemical and geotechnical assessment of the material placed on the Heap Leach Pad before and after leaching;
- method and rate of ore deposition and removal;
- chemical characteristics of the leach solution, pregnant liquor and raffinate solutions;
- solution application rates, and method of application;
- removal (where proposed) of the Heap Leach Pad at cessation of production and the method/location of disposal of leached material;
- method of stabilisation and erosion control of Heap Leach Pad;
- an assessment of the long term chemical and physical stability of the Heap Leach Pad post completion;
- the source, pathway and ultimate fate of any potential mobile contaminants; and
- plans (as per 5.1.2.4).

**2.5.4 Process Water Management**

Provide a water balance including:

- approximate water volumes required;
- a summary of the inputs and outputs (with consideration of any purge requirements);
- determination of net surplus or deficit; and
- process flowsheet showing all streams including stormwater management and mine dewatering where these are connected to the processing circuit.

Provide a description of all water ponds, including:

- size, capacity, layout and location of ponds;
- design and construction methods;
- chemical composition of the solution to be stored in each pond;
- minimum freeboard to be maintained; and
- plans (as per 5.1.2.1).

**2.5.5 Type of Mobile Equipment**

For mobile equipment to be used in crushing/grinding, processing ore and in transporting the mine product to the point of sale, describe:

- type, size and capacity of machines;
- approximate number of units;
- noise outputs;
- exhaust outputs; and
- fire ignition sources.

**2.5.6 Conveyors and Pipelines**

Provide a description of any conveyors or pipelines to be used for transporting material to or from the mine, processing facilities and the point of sale including:

- length, size (volumes to be transported), design and type of construction and location;
- the material being transported;
- noise sources;
- dust sources and composition;
- fire ignition sources; and
- plans (as per 5.1.2.1).

**2.5.7 Hours of Operation**

Describe the proposed hours of operation of crushing/grinding, processing and transport activities.

**2.5.8 Rehabilitation Strategies and Timing**

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of processing facilities, and material transport systems, including timing of these activities.

**2.6 Wastes****2.6.1 Waste Rock and Tailings Storage Facilities**

For waste rock and tailings storage facilities (TSF) provide:

- the estimated tonnes and volumes of all waste rock and tailings to be stored;
- the reserve and any resource or potential resource that the estimated tonnes and volumes of waste rock and tailings is based on;
- the type, location, size, shape, height and method of construction of permanent and temporary waste storage facilities;
- a geochemical and geotechnical assessment of the waste rock and tailings based on the geochemical and geotechnical properties determined from the analysis of representative sampling of all waste rock types and tailings to be disposed;
- an assessment on the weathering and erosive potential of waste rock to be disposed;
- conceptual specifications, drawings and plans for the design, construction, operation and completion of all facilities (as per 5.1.2.5);
- the method and rate of waste rock/tailings disposal;
- where relevant, a description and plan (as per 5.1.2.5) of the placement and encapsulation of waste material deemed to be hazardous, including potentially acid forming material (PAF);
- the method of stabilisation and erosion control of waste storage facilities, both during operations and post completion;
- surface water runoff control on disturbed and rehabilitated areas;
- a geotechnical stability assessment and a factor of safety analysis;
- an assessment of seepage of liquids through the waste rock and tailings storage facilities;
- strategies for the containment of any seepage that has the potential to impact the environment;
- an assessment of the post completion chemical and physical stability of the structure following rehabilitation, including the expected extent of erosion;

- an assessment of the source, pathway and ultimate fate of any potential mobile contaminants; and
- a description of the governance arrangements for the design, construction, operation and closure including when it is proposed to use third party verification.

Include a water balance for the TSF (if not included in the water balance in clause 2.5.4).

#### **2.6.2 Other Processing Wastes**

Provide:

- the volumes and composition of all solid and liquid wastes produced;
- estimated volumes of waste processing water, reverse osmosis reject water, water content of solid wastes, and method of disposal or recycling;
- waste water composition;
- disposal and management of any hazardous material or contaminants within waste including radioactive, toxic, corrosive or flammable materials; and
- the source, pathway and ultimate fate of any potential mobile contaminants.

#### **2.6.3 Industrial and Commercial Wastes**

List any industrial and commercial wastes generated including, but not limited to:

- putrescible waste, including sewage;
- oils and other hydrocarbons; and
- tyres.

For each waste type, describe the method of disposal including:

- offsite disposal;
- on site waste disposal (including size, location on a plan (as per 5.1.2.1 and 5.1.2.7) and construction details);
- recycling (either on or offsite);
- the type, area and layout of sewage systems to be installed at the site; and
- describe what, if any approvals are required for the disposal of waste.

For each type of waste, describe any potential contaminants that may be generated from onsite storage, and the ultimate fate of those contaminants.

#### **2.6.4 Rehabilitation Strategies and Timing**

Detail all activities, strategies and designs relating to mine closure, including timing of these activities and all opportunities for progressive rehabilitation of waste rock and tailings and any other waste to be left on site.

### **2.7 Supporting Surface Infrastructure**

#### **2.7.1 Access and Roads**

Describe:

- access route to the proposed operations and show on a map (as per 5.1.2.1 and 5.1.2.6);
- indicate if any new roads are to be constructed, or if existing roads or intersections (public and private) are to be upgraded;
- transport system(s) used to and from the proposed operations and the estimated number of vehicle movements per day; and
- airport/airstrips to be constructed.

#### **2.7.2 Accommodation and Offices**

Describe onsite personnel accommodation and offices, including (but not limited to):

- number, area, size, type of construction and location of accommodation, office, meals or laboratory buildings, caravans or camp, and associated structures to be used on site; and
- if temporary or permanent.

#### **2.7.3 Public and Private Services and Utilities Used by the Operation**

Describe:

- sources of services or utilities that are, or are to be supplied to the proposed site, including but not limited to power, water, telecommunications;
- if new connections to services and utilities are required, the proposed routes for connection; and
- the effects to any existing services or utilities that have been or may be affected by the proposed operations.

#### **2.7.4 Visual Screening**

Describe the type of screening, including existing or proposed vegetation (i.e. species and density of plantings) and show on a map (as per 5.1.2.1).

#### **2.7.5 Fuel and Chemical Storage**

For all fuels and chemicals proposed to be stored on site show the proposed location of storage on a map (as per 5.1.2.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- proposed storage, bunding and containment for all chemical and fuel storage vessels.

**2.7.6 Site Security**

Describe and show on a map (as per 5.1.2.1) infrastructure and measures that will be adopted to prevent unauthorised access by the public, including but not limited to:

- fencing; and
- signage.

**2.7.7 Erosion, Sediment and Silt Control**

Describe and show on a plan (as per 5.1.2.1):

- location and design of silt management structures;
- management and disposal of silt;
- strategies to control runoff on disturbed and rehabilitated areas;
- storage, diversion and release of clean water (discharge water must comply with the current Environment Protection (Water Quality) Policy; and
- a whole of site stormwater balance, if not included in the water balance in clause 2.5.4.

**2.7.8 Rehabilitation Strategies and Timing**

Detail all activities, strategies and designs relating to mine closure for rehabilitation of supporting surface infrastructure. Provide details for timing of closure activities, including all opportunities for progressive rehabilitation.

**2.8 Vegetation Clearance****2.8.1 Description of Vegetation Clearance**

If clearing of native vegetation is proposed, a map (as per 5.1.2.2) and description of the vegetation present in the application area must be provided, showing:

- the extent of any proposed vegetation clearance; and
- the likelihood of the presence of threatened flora.

State the estimated quantum of significant environmental benefit (SEB) to be gained in exchange for the proposed clearance and describe how the SEB will be provided.

**2.9 Completion****2.9.1 Description of Site at Completion**

Provide a description, plans and cross sections (as per 5.1.2.7 and 5.2.2.2) of the site as it will be at completion after all rehabilitation and closure activities have been completed, including:

- potential land use options;
- landforms;
- proposed vegetation covers (including native vegetation that will not be disturbed due to proposed operations);
- natural contours of land not to be disturbed by proposed operations;
- any infrastructure that will remain on site and will become the responsibility of the landowner;
- location, description and management of waste disposal areas;
- location of reshaped and rehabilitated areas showing proposed surface contours and revegetation;
- mine voids (open pit and/or underground);
- location of stored and/or exposed PAF material and/or other hazardous materials;
- expected final water level and time to reach this level, and water quality of mine voids;
- location of surface water infrastructure including ponds and diversions; and
- representative plans and cross-sections (as per 5.1.2.7 and 5.2.2.2) that show:
  - pre-mining natural surface;
  - emplacement areas, waste disposal areas and disturbed areas;
  - final rehabilitated surface;
  - where relevant, backfilled and remaining underground workings;
  - predicted final groundwater elevations; and
  - interpreted geology including all rock types.

Provide a description of the proposed mechanism for transferring responsibility for any potential residual liability (i.e. ongoing maintenance or monitoring) subsequent to surrender of the tenement.

**2.10 Resource Inputs****2.10.1 Workforce and local procurement**

For the proposed workforce (for all operations including mining, processing, waste management and supporting surface infrastructure) describe:

- how operations on the site will be managed;
- number and workforce breakdown by job type;
- number of full-time employee positions that would be directly created by the proposal (not to include existing positions);
- the proportion of the workforce that would reside in the local community and the estimated impact on local employment;
- any programs to target and assist Indigenous or local employment at the quarry;

- training to be provided to employees and potential employees;
- approximate timelines for creation of the positions; and
- potential for local business participation, and procurement of local goods and services.

#### 2.10.2 Energy Sources

For the proposed energy sources and usage provide:

- estimates of total annual energy usage (from all sources, including personnel transport and ore transport to point of sale);
- expected sources of energy;
- potential for efficiency gains;
- amount and percentage of zero emission energy to be utilised;
- equivalent annual CO<sub>2</sub> generated; and
- any carbon offsets proposed.

#### 2.10.3 Water Sources

Provide details on the source(s) of water to be used at the mine, expected usage and any discharge, including:

- expected annual water usage by source;
- indicate if any water usage by source will be more than 5% of the total annual water withdrawal for that source;
- percentage of water that will be recycled; and
- water discharge by quality and destination.

### 3. CONSULTATION

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with sections 36(1)(c)(iv) and 49(1)(c)(iv) of the *Mining Act 1971* and regulation 47 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include:

A description of:

- the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the proposed operation;
- the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders;
- if any individual or group of similar affected persons were not able to be consulted, what steps were taken to consult with them; and
- the extent to which the outcomes proposed in clause 4.2.2 have been developed in consultation with the landowner and any other person who may be directly affected by the proposed mine operations.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted;
- any concerns/issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

### 4. MANAGEMENT OF ENVIRONMENTAL IMPACTS

#### 4.1 Assessment of Environmental Impacts

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include an assessment of the environment as set out in this Terms of Reference.

##### 4.1.1 Elements of the Environment

Describe the specific elements of the environment (the environment is defined in Section 6(4) of the *Mining Act 1971*) that may reasonably be expected to be impacted by the proposed operation during construction, operation, and indefinitely post completion.

For each element of the environment identified:

- provide a summary of any issues or considerations raised by stakeholders, and any relevant legislated or recognised standards in relation to the element of the environment;
- describe all potential environmental receptors; and
- undertake an impact assessment of how the element could be potentially impacted by proposed operations (during construction, operation and post completion) through the provision of the information listed in the following clause 4.1.2.

##### 4.1.2 Potential Impact Events

Describe potential impact events associated with each phase of the proposed operations (construction, operation and post completion) and relevant to each element of the environment.

For the purpose of the impact assessment, a potential impact event is the combination of a source, a pathway and an environmental receptor.

The source, pathway and environmental receptor of each potential impact event must be described prior to the implementation of engineering or administrative control measures.



For each potential impact event identified in clause 4.1.2, provide:

**4.1.2.1 Source**

A description of the source of the potential impact event which alone or in combination has the potential to cause harm to an environmental receptor.

**4.1.2.2 Pathway**

A description of the potential pathway, means or route (with consideration of any natural barriers) by which an identified environmental receptor can be exposed to, or may reasonably be expected to be impacted by an identified source.

**4.1.2.3 Environmental Receptor**

A description of the environmental receptors that may reasonably be expected to be adversely impacted by the source, taking into account the considerations for the element of the environment described under 4.1.1

**4.1.2.4 Description of Uncertainty**

Describe any significant degree of uncertainty pertaining to the evaluation of sources, pathways and environmental receptors, including (but not limited to) lack of site specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made, including whether a change in assumption may result in a new environmental impact.

**4.1.2.5 Confirmation of Impact Events**

For each potential impact event provide:

- an analysis of whether a source, pathway and receptor does exist (and if not, or if it remains uncertain, provide an explanation for the conclusion); and
- a description of the likely impact from the source on the environmental receptor.

**4.2 Control and Management Strategies, Uncertainty Assessment, Statement of Environmental Outcomes and Criteria**

For each impact event confirmed in clause 4.1.2.5, the information listed in clauses 4.2.1-4.2.4 must be provided:

**4.2.1 Control and Management Strategies**

In setting out an outline of the measures that the applicant intends to take to manage, limit or remedy environmental impacts as confirmed in clause 4.1.2.5 in accordance with sections 36(1)(c)(ii)(B) and 49(1)(c)(ii)(B) of the *Mining Act 1971* and regulation 46(3) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must:

- Include a description of the strategies proposed to manage, limit or remedy each impact event;
- Demonstrate that the control and management strategies proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation;
- Include a description of any significant degree of uncertainty pertaining to the likely effectiveness of proposed control and management strategies, including (but not limited to) lack of site specific information, limitations on modelling and quality of data
- Include a description of any assumptions connected with the identified uncertainty; and
- So far as is relevant, identify the sensitivity to change of any assumption that has been made and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect.

**4.2.2 Statement of Proposed Environmental Outcomes**

Statements of the environmental outcomes that are expected to occur are required in accordance with sections 36(1)(c)(ii)(C) and 49(1)(c)(ii)(C) of the *Mining Act 1971* and regulation 46(4) of the *Mining Regulations 2020* and must be made for each impact event confirmed in clause 4.1.2.5. The Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must:

- Provide a statement of the proposed environmental outcome(s) (including completion outcomes assessed on a long term basis) for each impact event confirmed in clause 4.1.2.5.
- Ensure that the statement of environmental outcome(s) describe the likely consequence of the expected impact on the environment by the proposed mine operations subsequent to the implementation of the control measures described in clause 4.2.1.
- Provide a statement that demonstrates the environmental outcomes would be able to be achieved taking into consideration the effectiveness of the control strategies (clause 4.2.1) and description of uncertainty (clause 4.2.2).

**4.2.3 Draft Measurement Criteria**

In preparing a draft statement of the criteria to be adopted to measure each of the proposed environmental outcomes in accordance with sections 36(1)(c)(iii) and 49(1)(c)(iii) of the *Mining Act 1971* and regulation 46(5) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that the draft criteria must:

- as far as practical comply with the five elements set out in regulation 46(5) of the *Mining Regulations 2020*;
- include demonstration of the successful implementation for the significant environmental benefit, if native vegetation is proposed to be cleared and an on-ground off-set proposed;
- be developed separately for construction, operation and completion, as appropriate; and
- where appropriate, recognised industry standards, codes of practice or legislative provisions from other Acts should be used as criteria.

**4.2.4 Draft Leading Indicator Criteria**

Where there is a high level of reliance on control measures strategies to achieve an environmental outcome, provide a draft statement of leading indicator criteria that will be used to give an early warning that a control measure strategy may fail or be failing.

## 5. MAPS, PLANS AND CROSS SECTIONS

In preparing a proposal in accordance with sections 36(1)(c) and 49(1)(c) of the *Mining Act 1971* and regulation 46 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that all maps and plans must comply with the following requirements relating to the amount of detail or information to be provided:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, north arrow, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission; and
- be accompanied by a map showing the orientation of the cross-sections.

### 5.1 List of Maps

#### 5.1.1 Maps required for Description of the Existing Environment (as per clause 2)

##### 5.1.1.1 Topographic Map showing:

- application area boundaries;
- existing surface contours;
- existing vegetation;
- location of watercourses, including ephemeral and permanent rivers, creeks, swamps, streams, wetlands and any man-made water management structures;
- surface water catchment boundaries;
- direction of drainage and discharge from the application area;
- location and extent of all previously disturbed areas associated with previous mining;
- location and extent of any known existing contamination; and
- location and extent of any adjacent conservation reserves, heritage sites (in so far as may be permitted by the relevant legislation) or any other significant areas.

##### 5.1.1.2 Local Geological Map showing:

- application area boundaries;
- geology within the application area, including but not limited to location, dimensions and orientation (dip and strike), and extent of the mineral resource and ore reserve;
- topsoil/subsoil variation if there is a variation in soils over the application area; and
- natural geohazards in the application area.

##### 5.1.1.3 Aquifer Potentiometric Surface Map(s) showing:

- application area boundaries;
- potentiometric surface contours/groundwater elevation contours and the time (or time period) the contours relate to;
- interpreted direction(s) of groundwater flow; and
- location of representative bores (where measurements were obtained of which the contours are based on) used to establish this information.

##### 5.1.1.4 Land Access Map showing:

- application area boundaries;
- cadastral information for the Tenement (including land title(s) and ownership);
- any exempt land;
- location of residences within and near the application area; and
- human infrastructure as per 1.13.

##### 5.1.1.5 Caves Map showing:

- application area boundaries; and
- location of the cave(s).

**5.1.2 Map(s) and Plan(s) required for Description of Proposed Mine Operations (as per clause 3)****5.1.2.1 Site Layout Map showing all components of the proposed mine operation including (but not limited to):**

- application area boundaries;
- location of surface water and sediment management infrastructure;
- location of process water dams;
- location of fuel and chemical storage areas;
- location of haul/access roads;
- location of fixed plant;
- location of mobile plant for stage 1 of mining;
- location of visual screening measures;
- location of fencing;
- location and extent of topsoil/subsoil and product stockpiles.
- location and extent of all areas proposed to be disturbed from mining including waste rock, silt/slimes dams, mine infrastructure, processing plant, process water ponds, waste disposal facilities; and
- location and extent of open pit(s) and/or underground workings.
- location of key environmental features that are within or in close proximity to the Tenement and that are relevant to the design of the Site Layout Plan, including but not limited to housing and infrastructure, existing heritage sites, existing ephemeral and permanent rivers, watercourses, creeks or dams and/or existing native vegetation

**5.1.2.2 Sequence of Mining and Progressive Rehabilitation Map showing:**

- application area boundaries;
- staging of each progressive mining stage;
- proposed native vegetation clearance;
- location and applicable buffer zones for protection of native vegetation that will not be cleared; and
- conceptual staging of each progressive rehabilitation stage.

**5.1.2.3 Crushing, Grinding and Processing Plant Plan**

- application area boundaries
- layout of crushing, grinding and processing plant(s) and ancillary plant and infrastructure; and
- if required; including lining and drainage systems.

**5.1.2.4 Heap Leach Pad Plan**

- application area boundaries
- construction and design drawings of heap leach pad (including size and batters); and
- solution containment measures

**5.1.2.5 Tailings Storage Facility (TSF) Plan**

- application area boundaries
- conceptual drawings and plans for design, construction, operation and completion of all facilities;
- size, shape, height and method of construction; and
- location of any waste material deemed to be hazardous including potentially acid forming material.

**5.1.2.6 Access Route Map showing:**

- application area boundaries
- access route for heavy vehicles;
- exit route for heavy vehicles; and
- any road upgrades or new roads to be constructed.

**5.1.2.7 Completion Map showing:**

- application area boundaries
- conceptual final landforms (including rehabilitated and non-disturbed areas);
- proposed topographical contours of the entire site (including rehabilitated and non-disturbed areas);
- backfilled and remaining underground workings;
- location of waste disposal areas (including waste rock dumps, tailings storage facilities and paf encapsulation); and
- interpreted geology including all rock types

**5.2 Summary of Cross-Sections and Long Sections**

Following is a summary of all cross-sections and long sections required in the proposal:

**5.2.1 Cross-Sections required for Description of the Existing Environment (as per clause 2)****5.2.1.1 Long Section and Geological Cross-Section(s) showing:**

- a representation of the geological profile within the application area; and
- depth of the resource and any overlying overburden.

**5.2.1.2 Hydrogeological Cross-Section(s) showing:**

Include a series of hydrogeological cross-sections that represent the following at a regional scale and/or tenement application scale, as specified:

- application area boundaries;
- major geological units (regional scale);
- geological units showing aquifer and confining units (tenement scale);
- aquifer systems (regional and tenement scale) including any palaeochannels;
- interpreted hydrostratigraphy showing the known and inferred groundwater heads/groundwater elevations, interpreted groundwater flow direction, recharge and discharge mechanisms (if applicable);
- location of GDEs;
- interpreted faults (regional and tenement scale);
- mineralised zone (tenement scale);
- location of representative drill log sites from which geological information was obtained (regional and tenement scale); and
- location of representative monitoring bores from which baseline groundwater information was obtained.

**5.2.2 Cross-Sections required for Description of Operations (as per clause 3)****5.2.2.1 Mining Operation Cross-Section(s) showing:**

- pre-mining natural surface;
- proposed pit depth;
- proposed pit dimensions (length and width);
- proposed pit batters and benches;
- location of underground shafts and stopes; and
- stages of operation.

**5.2.2.2 Completion Cross Section(s) showing:**

- pre mining natural surface;
- proposed conceptual rehabilitated final batters and benches;
- location of underground backfill in shafts and stopes;
- predicted final groundwater elevations; and
- proposed conceptual final rehabilitated surface.

**ADDITIONAL INFORMATION TO ACCOMPANY APPLICATION**

An application for an ML and/or MPL must be accompanied by additional information as set out in regulations 30, 37 and 48 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

**6. REASONABLE PROSPECT OF ACCESS TO LAND**

In preparing a statement under regulation 30(1)(e)(i) of the *Mining Regulations 2020* that demonstrates that there is a reasonable prospect that the land in respect of which an ML is sought could be effectively and efficiently mined, the Minister determines in accordance with regulation 30(2) of the *Mining Regulations 2020* that this statement must be supported by the following evidence:

- A description of any waivers of exemption obtained, and/or information on the status of waivers of exemption yet to be negotiated/finalised under Section 9AA of the *Mining Act 1971*; and
- A description of any native title mining agreements obtained under the *Mining Act 1971* or *Indigenous Land Use Agreements (ILUA) under the Native Act 1993 (Cth)*.

**7. DESCRIPTION OF CONTRIBUTIONS TO THE ECONOMY**

For the purposes of regulation 30(1)(g) of the *Mining Regulations 2020*, the Minister determines that the following information must accompany an application for an ML:

Describe:

- goods and services used in the local community, state and external to state;
- wages and other employee benefits;
- economic benefits derived from local employment;
- approximate royalty payments and other direct state government taxes; and
- any other potential economic contributions proposed during the development of the mine, operation of the proposed mine and post completion.

**8. RESERVES OR RESOURCES (OR BOTH)**

Provide:

- a JORC compliant reserve or resource estimate (or both); and
  - the accompanying JORC Public Report and competent person statement;
- or (if a JORC compliant reserve or resource (or both) has not been reported)
- a detailed estimate of the resource to be mined, the basis of this estimate, and evidence that demonstrates that the resource can be economically mined at current market prices.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

## SECTION 36

*Terms of Reference for Uranium ISR Applications*

An application for a mining lease (ML) for the recovery of uranium using the In Situ Recovery (ISR) method must be accompanied by:

- a proposal that complies with section 36 of the *Mining Act 1971*, regulations 46 and 47 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- information that complies with regulation 30 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

An application for a miscellaneous purposes licence (MPL) for operations ancillary to the recovery of uranium using the In Situ Recovery (ISR) method must be accompanied by:

- a proposal that complies with section 49 of the *Mining Act 1971*, regulations 46 and 47 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- information that complies with regulations 37 and 38 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

**FORM OF APPLICATION**

In accordance with section 36(1)(a) of the *Mining Act 1971* an application for a mining lease for the recovery of uranium using the In Situ Recovery (ISR) method must be made in the form and contain such information as set out in this Terms of References, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 36(1)(a) of the *Mining Act 1971*, it is determined that an application for a mining lease must contain the information as follows:

- Applicant name(s) (company and/or individual and/or related body corporate) and each applicants percentage share in the application
- Name of project
- Mineral type
- Mineral(s) to be authorised
- Primary mineral(s) sought
- Other mineral(s) sought
- Proposed lease area details including a detailed map/plan (if required)
- Native title land
- Details of relevant land ownership, notices, consents and agreements
- Declaration of accuracy
- Applicant(s) details including:
  - Name of Company and/or Individual
  - ABN (if applicable)
  - ACN (if applicable)
  - Registered address
  - Applicant contact details including:
    - Postal Address
    - Email
    - Website
    - Phone number(s)
  - Contact Person details including:
    - Name
    - Position Title
    - Email
    - Phone number(s)
    - Consent to receive electronic correspondence (or otherwise)
    - Certification of correctness

In accordance with section 36(1)(a) of the *Mining Act 1971* an application for a miscellaneous purpose licence ancillary to the recovery of uranium using the In Situ Recovery (ISR) method must be made in the form and contain such information as set out in this Terms of References, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 36(1)(a) of the *Mining Act 1971*, it is determined that an application for a mining lease must contain the information as follows:

- Applicant name(s) (company and/or individual and/or related body corporate) and each applicants percentage share in the application
- Name of project
- Related applications/mining operations
- Location of proposed licence including a detailed map/plan (if required)
- Purpose of proposed licence
- Pegging details relating to proposed licence area
- Native title land
- Details of relevant land ownership, notices, consents and agreements
- Declaration of accuracy
- Applicant(s) details including:
  - Name of Company and/or Individual
  - ABN (if applicable)
  - ACN (if applicable)
  - Registered address
  - Applicant contact details including:
    - Postal Address
    - Email
    - Website
    - Phone number(s)
  - Contact Person details including:
    - Name
    - Position Title
    - Email
    - Phone number(s)
    - Consent to receive electronic correspondence (or otherwise)
    - Certification of correctness

An application for an ML and/or MPL must in accordance with section 36(1)(a) and 49(1)(a) of the *Mining Act 1971* be in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- an electronic version of the Proposal must be submitted in accordance with regulation 88 of the *Mining Regulations 2020*; hardcopies must be submitted upon request; the information in all must be identical;
- each page, plan or other separate sheet of the Proposal must include the mineral claim, retention lease or exploration licence number(s), date of the application submission and sequential page numbering;
- the electronic version of the Proposal must be submitted in one single Acrobat PDF file or if requested by the Director of Mines or an authorised officer, Microsoft WORD compatible files must be submitted; and
- all environmental water data relevant to the Proposal is to be provided in electronic tabulated or spreadsheet format.

## PROPOSAL

An application for an ML and/or MPL must be accompanied by a proposal that complies with sections 36 and 49 of the *Mining Act 1971* and regulations 46 and 47 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

### 1. DESCRIPTION OF THE EXISTING ENVIRONMENT

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include a description and assessment of the environment as set out in this Terms of Reference. Each of the elements of the existing environment (as defined in section 6(4) of the *Mining Act 1971*) listed in clause 1.1- 1.20 must be described only to the extent that they may need to be considered in assessing the potential impacts of the proposed operations. If the element is not likely to be impacted by the operation, a statement to that effect must be included.

#### 1.1 Topography and landscape

Provide a description and map (as per 5.1.1.1) of the topography and landscape, detailing the:

- application area; and
- general surroundings.

#### 1.2 Climate

Provide:

- a summary of rainfall and temperature patterns, evaporation rates, and wind directions and speed;
- an analysis of the variability of annual rainfall based on rainfall records representative of the local area;
- details of the maximum average recurrence interval or annual exceedance probability rainfall event used for design of the project, and the justification for the value selected; and
- an estimate of the Probable Maximum Flood.

### 1.3 Topsoil and subsoil

Provide:

- a description of the soil profile (type and depth), and the characteristics and productivity of all soils on the application area (show this information on a map as per 5.1.1.2 if there is a variation in soils over the application area); and
- identify any soil characteristics, including (but not limited to) erodibility, acid sulfate, sodic or non-wettable soils, that may require control measures to reduce environmental impacts during operations or rehabilitation.

### 1.4 Geological Environment

Provide a description of the following as a minimum:

- regional geology;
- local geology within the application area and geological map(s) as per 5.1.1.2, including but not limited to:
  - location, dimensions and orientation (dip and strike), and extent of the mineral resource and ore reserve;
  - location and composition of all rock types and rock units that are proposed to be disturbed;
  - interpretation of the stratigraphy of the rocks hosting the deposit as well as any overlying and adjacent rock units; and
  - an indication of the potential for extension to the orebody;
- representative cross-sections and long section (as per 5.2.1.1) of the geology of the application area; and
- the exploration data on which the geological interpretation was based on.

### 1.5 Geohazards

In addition to the radioactive minerals to be mined, provide an assessment of the potential for any of the following natural geohazards to be present in the application area:

- structural instability, including slips, interpreted faults (with a discussion on supporting information), or geological unit boundaries; and
- major seismic events (based on historical data).

### 1.6 Groundwater

Provide:

- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019* and details on the current availability of groundwater resources within the prescribed area;
- a description of the local and regional hydrogeology, detailing both the stratigraphy and hydrostratigraphy;
- a detailed baseline description of the groundwater characteristics and flow dynamics for aquifers within the application area which includes:
  - static water levels and groundwater heads/groundwater elevations, including seasonal fluctuations for each aquifer;
  - baseline groundwater hydrochemistry and mineralogy, including any seasonal fluctuations and spatial variability for each aquifer;
  - aquifer properties including hydraulic conductivity, transmissivity, specific yield, storage coefficient, total porosity, effective porosity and aquifer thickness;
  - recharge and discharge mechanisms,
  - hydrogeological characteristics of confining strata, including hydraulic conductivity and thickness;
  - connectivity between the proposed mining and disposal aquifers and lateral, overlying or underlying aquifers and surface water;
  - conceptualisation of the hydrogeology: a summary of all above and a description of the hydrogeological setting considered important for impact assessment; and
  - a preliminary numerical model of groundwater flow (and contaminant transport model, if applicable), based on the conceptual hydrogeology.
- local and regional potentiometric surface/groundwater elevation map(s) (as per 5.1.1.3) for each aquifer within the application area;
- cross-section(s) (as per 5.2.1.2) of the hydrostratigraphy;
- the environmental value of each aquifer determined according to the most recent version of the Environment Protection (Water Quality) Policy 2015 and the Australian and New Zealand guidelines for fresh and marine water quality (National Water Quality Management Strategy, Australian Government 2018);
- a description of the existence, location, condition and value of all aquatic, terrestrial and subterranean Groundwater Dependent Ecosystems (GDEs) within the application area and within and immediately surrounding the extent of predicted hydrogeological impact of the proposed mine operations; and
- an assessment of any current or historical use of local groundwater by the landowner(s) and other users which includes a baseline survey of bores, including depth to groundwater, groundwater quality, bore construction details, status and purpose and collar/ground elevations.

### 1.7 Surface water

Provide a topographic map (as per 5.1.1.1) and description of the current drainage patterns for the application area and water catchment including:

- location of watercourses, drains, dams and wetlands;
- surface water catchment boundaries;
- direction of drainage and discharge from the application area;

- a statement describing if the application area is within an area where the surface water resources are prescribed under the *Landscapes Act SA 2019*, and provide details on the current availability of surface water resources within the prescribed area;
- a statement if the application area is within a water protection area including areas under the *River Murray Act 2003*;
- a statement as to whether the application falls within the Murray Darling Basin; and
- groundwater—surface water interactions, including a description of, or quantitative estimate of fluxes between surface and groundwater resources.

Provide water quality data for identified watercourses, where there is potential for discharge into that watercourse from the proposed operation (whether intentional or not). Should identified watercourses be ephemeral, and it is not possible to collect water samples, provide a characterisation of sediments sampled from the watercourse bed upstream and downstream of the application area.

If there is potential for changing a flow regime (timing, duration and flow volume) or discharge into these watercourses from the proposed operations, an assessment of the use of this water by the landowner, downstream users and water dependent ecosystems must be included.

#### **1.8 Vegetation, weeds and plant pathogens**

Provide:

- a description of the existing flora (native and introduced) in the application area and surroundings, and display on a map (as per 5.1.1.1);
- the State conservation status and habitat value of native vegetation present in the application area;
- a description of the presence of *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, listed species and ecological communities;
- a description of the extent the application area and adjoining land is affected or potentially affected by pathogens and declared weeds; and
- if known, the history of land use to identify if the existing vegetation is the result of deliberate cultivation or natural regrowth arising from previous clearance.

#### **1.9 Fauna**

Describe the native and feral fauna that may be present in the application area noting State or Commonwealth conservation status of all species.

#### **1.10 Local community**

Provide:

- a description of the local population, the economy, services and employment; and
- details of nearest town or urban areas, with a summary of the demographics of the local population.

#### **1.11 Landowners and land use**

Provide a description of:

- land ownership for all titles within and adjacent to the application area;
- land use (historical and current) for the application area and the surrounding areas;
- the zoning as defined by the Planning and Design Code or relevant council development plans;
- policies relevant to the application area, including region or council wide, zone specific and sub areas within a zone;
- known plans for potential future land use changes by other parties; and
- other interests or restrictions on the application area, including:
  - public utility easements;
  - if the application is within land used for defence purposes, including (but not limited to) the Woomera Prohibited Area or the Cultana Army Training Area;
  - any overlapping or adjacent tenements under the *Mining Act 1971* or *Petroleum and Geothermal Energy Act 2000*.

#### **1.12 Proximity to infrastructure and housing**

Provide information and a map (as per 5.1.1.4) identifying:

- residences within and near the application area;
- other human infrastructure including (but not limited to) schools, hospitals, commercial or industrial sites, roads, sheds, bores, dams, ruins, pumps, cemeteries, scenic lookouts, roads, railway lines, fences, transmission lines, gas and water pipelines, and telephone lines (both underground and above ground); and
- public roads to be utilised or affected as part of proposed operations, including an estimate of the existing traffic movements

#### **1.13 Exempt land**

Provide a description and map (as per 5.1.1.4) of any applicable exempt land under Section 9 of the *Mining Act 1971*.

#### **1.14 Amenity**

Provide a summary description of scenic or aesthetic values for the application area and immediate surrounds, including features of community, tourist or visitor interest.

#### **1.15 Air quality**

Provide a description of the existing levels of dust and contributors to air quality including odour (both natural and anthropogenic).

#### **1.16 Noise**

Provide a description of existing noise levels of noise and contributors to noise (both natural and anthropogenic).



**1.17 Heritage (Aboriginal, European, Geological)**

Detail and show on a map (as per 5.1.1.1):

- any registered heritage sites in or adjacent to the application areas that are protected under legislation (in so far as may be permitted under the relevant legislation); and
- include a statement concerning whether or not an Aboriginal cultural heritage survey has been conducted by the proponent and if so, the results of the survey.

**1.18 Proximity to conservation areas**

Provide:

- information and a map (as per 5.1.1.1) showing proximity to national parks and reserves, private conservation areas, Commonwealth recognised conservation areas, heritage agreement areas and geological heritage sites; and
- a statement as to whether the application area falls within the Adelaide Dolphin Sanctuary, Adelaide International Bird Sanctuary or a Marine Park.

**1.19 Pre-existing site contamination and previous disturbance**

Provide information and show on a map (as per 5.1.1.1) any known existing contamination of the site and/or any disturbance by previous mining operations or other activities.

**1.20 Natural radioactivity**

Provide a pre-mining baseline survey of existing levels of radionuclides in the application area and show on a map (as per 5.1.1.5). The survey is to include (where applicable):

- gamma radiation levels at spacing commensurate with the degree of natural variation;
- concentration of radionuclides within soils, surface waters, ephemeral creek beds;
- radon gas or radon decay product concentrations;
- concentrations of radionuclides in air; and
- such information necessary to undertake a radiological risk assessment of the proposed operations on flora and fauna.

**2. DESCRIPTION OF THE PROPOSED OPERATIONS**

In specifying the nature and extent of the authorised operations that are proposed in accordance with sections 36(1)(c)(i) and 49(1)(c)(i) of the *Mining Act 1971*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in clauses 2.1–2.13 must be described.

**2.1 General description and maps/plans of operations**

Provide a summary description of all elements of the proposed operation, including mining, processing, uranium product storage and waste management (include maps/plans and cross sections as per 5.1.2.1 and 5.2.2.1).

**2.1.1 Options**

Provide a summary description of relevant options considered for mining, processing, uranium product storage and mine waste management strategies, and provide justification for the chosen strategies, including a description of any elimination or substitution strategies that have been adopted to control a hazard in order to protect the environment.

**2.2 Reserves, Products and Market****2.2.1 Ore reserves or mineral resources (or both)**

Provide:

- a statement of the current Australasian Joint Ore Reserves Committee (JORC) compliant ore reserve or mineral resource estimates (or both) in the application area; and
- a statement of what reserve and/or resource forms the basis for the application; or (if a JORC compliant reserve or resource (or both) has not been reported)
- an estimate of the resource to be mined and the basis of this estimate.

Provide steps that have been taken to ensure proposed operations will not sterilise/prevent future extraction of mineral resources.

**2.2.2 Production rate and products**

Provide:

- type(s) of product to be exported from the application area;
- a statement of the expected product market or end use;
- a quantitative estimate of production of mine gate product(s) for the life of mine, and a schedule of the annual production of mine gate product(s); and
- a statement if any extractive minerals (as defined by Section 6 of the *Mining Act 1971*) will leave the lease.

**2.3 Exploration Activities**

Provide information that details all exploration activities to be undertaken within the application area as a part of the proposed operation, including:

- purpose of the activities (i.e. resource drill-out or resource extension);
- types of drilling;
- geophysical techniques likely to be used;
- earthworks required to conduct exploration activities;
- equipment required to conduct exploration activities; and
- rehabilitation methods for exploration works (including that not yet rehabilitated from previous tenure).

## 2.4 Mining Activities

### 2.4.1 Description of ISR mining process

Provide information on the ISR operation, including (but not limited to):

- acid or alkali leach process;
- extraction process technology to be used (e.g. ion exchange, solvent extraction, and associated processes);
- satellite plants proposed to be utilised, including the method for delivering uranium bearing resins or other products for further processing at the main processing plant; and
- any required initial groundwater flush or groundwater treatment.

### 2.4.2 Sequence of mining and progressive rehabilitation

Provide the following information on the sequence of operations in both text and map form (as per 5.1.2.2):

- indication of planned and potential production well fields and disposal wells;
- general description of the planned sequence and timing of well field mining stages (e.g. groundwater pre-treatment, acidification, uranium recovery);
- the circumstances that will determine the commencement of progressive and final rehabilitation;
- estimated production schedules and production rates; and
- estimated life of mine (including scope for extension).

### 2.4.3 Modes and hours of operation

State if the proposed operation will be worked on a continuous (24 hour, 7 days a week), regular periodical or campaign basis.

If the proposed operation is to be worked on a regular periodical basis, specify:

- proposed period(s) (daily, weekly and public holidays) to be worked; and
- proposed start and finish hours the site is to be worked per period.

## 2.5 Wellfield Operations

### 2.5.1 Well construction

Provide standard design and construction details for:

- injection wells;
- production wells;
- liquid disposal wells;
- water supply wells;
- compliance wells; and
- leading indicator wells.

Describe how wells have been designed to remain chemically resistant to the mining and liquid disposal fluids.

### 2.5.2 Wellfield configuration

Describe and show on a map and cross sections (as per 5.1.2.1 and 5.2.2.1) the basic configuration of well patterns and well field layout, including the design principles of well fields that minimises the disturbance and impact on sensitive receptors (e.g. native vegetation, cultural heritage sites, water courses etc.) and prevents excursions of mining solutions.

### 2.5.3 Well housed/filter skids

Provide a schematic diagram and a description of the design and construction techniques proposed for well houses/filter skids, including pumps and pressure monitoring.

### 2.5.4 Pipelines

Describe the standard design and construction techniques (including quality assurance processes) proposed for:

- trunk lines;
- gathering lines; and
- waste disposal lines.

### 2.5.5 Leak prevention and detection

Describe the leak prevention and detection system(s) which will enable the operator to promptly and accurately detect and control loss of liquids for all:

- wells;
- well houses/filter skids;
- pipelines; and
- associated connecting infrastructure.

### 2.5.6 Spill containment

Describe the spill containment or control system(s) as applicable, including bunding and leak prevention designs, for:

- wells;
- well houses/filter skids;
- well fields;
- pipelines; and
- associated connecting infrastructure.

### 2.5.7 Wellfield operation rehabilitation strategies and timing

Detail all activities, strategies and designs relating to mine closure for rehabilitation of well fields and associated infrastructure, including:

- the circumstances that will determine the commencement of progressive and final rehabilitation; and
- any opportunities for progressive rehabilitation.

Where natural attenuation is to be relied on for the remediation of aquifers to achieve post mining groundwater quality outcomes, include:

- a description of the nature and expected rates and distances of the attenuation processes;
- predictions of the rate and extent of attenuation supported by laboratory testing and modelling;
- a demonstration that the attenuation model can be validated in under 10 years from the cessation of mining; and
- a contingency plan if attenuation is not demonstrated to be occurring within expected timeframes.

Where active groundwater remediation is to be used as a rehabilitation strategy, detail must be provided on the proposed remediation technique to demonstrate how closure outcomes will ultimately be achieved.

## 2.6 Processing Plant

### 2.6.1 Processing plant specifications

Provide a description of the processing plant (for the primary processing plant and where relevant any satellite processing plant(s)), including:

- capacity of the plant and equipment;
- process diagram showing all chemical inputs, process steps and all waste and product generation;
- area, size, physical components, type of construction (including lining and drainage systems as appropriate) and location of processing plant and associated structures (e.g. liquor ponds, evaporation ponds, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage/use, reverse osmosis plants) to be used for uranium extraction and processing on site;
- the quantity and nature of the chemicals to be used, their reactions with processing water, and their ultimate fate;
- mining solution composition;
- waste solution composition;
- noise sources;
- dust sources and composition;
- radon sources and volumes;
- ignition sources;
- other potential air emissions (including odour) and their composition;
- leak detection system(s) which will enable the operator to promptly and accurately detect and control loss of fluid containment; and
- maps (as per 5.1.2.1).

### 2.6.2 Processing water balance

Provide a water balance, including:

- approximate water volumes required;
- process flow sheet showing all streams including stormwater management where connected to the processing circuit;
- a summary of the inputs and outputs (with consideration of any purge requirements); and
- determination of net surplus or deficit.

Provide a description of all water ponds, including:

- size, capacity, layout and location of ponds;
- design and construction methods;
- chemical composition of the solution to be stored in each pond; and
- minimum freeboard to be maintained.

### 2.6.3 Product storage and security

Provide confirmation that the storage and security for the final uranium product satisfies the requirements of the Australian Safeguards and Non-Proliferation Office.

### 2.6.4 Processing plant rehabilitation strategies and timing

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of processing plant infrastructure, including timing of these activities.

## 2.7 Supporting Surface Infrastructure

### 2.7.1 Access and roads

Describe:

- access route to the proposed operations and show on a map (as per 5.1.2.3);
- internal roads within the tenement application area proposed to be used for operations including the delivery of uranium bearing resins and other products, fuels and chemicals;
- indicate if any new roads are to be constructed, or if existing roads or intersections (public or private) are to be upgraded;

- transport system(s) used to and from the proposed operations and the estimated number of vehicle movements per day; and
- airport/airstrips to be constructed.

#### **2.7.2 Accommodation and offices**

Describe:

- number, area, size, type of construction and location of accommodation, office, meals or laboratory building, caravans or camp, and associated structures (e.g. car parks, water tanks, etc.) to be used on site; and
- if temporary or permanent.

#### **2.7.3 Public and private services and utilities used by the operation**

Describe:

- sources of services or utilities that are, or are to be supplied to the proposed site, (e.g. power, water, telecommunications);
- proposed routes for connection if any new connections to public infrastructure are required; and
- any existing surface infrastructure that has been and/or the extent it may be affected by the proposed operations.

#### **2.7.4 Visual screening**

Describe the type of screening, including existing or proposed vegetation (i.e. species and density of plantings) and show on a map (as per 5.1.2.1).

#### **2.7.5 Fuel and chemical storage**

For all fuels and chemicals to be stored on site show the proposed location of storage on a map (as per 5.1.2.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- proposed storage, bunding and containment for all chemical and fuel storage vessels.

#### **2.7.6 Site security**

Describe infrastructure and measures that will be adopted to prevent unauthorised access by the public, including (but not limited to) fencing and signage.

#### **2.7.7 Stormwater, silt control and drainage**

Describe and show on a map (as per 5.1.2.1):

- location and design of sediment management structures;
- management and disposal of silt;
- strategies to control runoff on disturbed areas and rehabilitated areas;
- storage, diversion and release of clean water; and
- a whole of site stormwater balance, if not included in the water balance in clause 2.6.2.

#### **2.7.8 Supporting surface infrastructure rehabilitation strategies and timing**

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of supporting surface infrastructure, including timing of these activities.

### **2.8 Solid waste facilities—non-radioactive and radioactive waste**

#### **2.8.1 Description of solid waste generated**

Detail the types, composition and quantities of all solid waste generated throughout the mining and processing operation, including:

- residue and precipitates in ponds and tanks (pregnant and barren);
- industrial waste, such as workshop waste, tyres, drums and oil filters;
- domestic wastes;
- solid waste from clean up of fuel and chemical spills;
- radioactive waste; and
- estimated volumes and chemical composition of drilling waste.

For each waste type, describe the method of disposal:

- off-site disposal;
- on-site waste disposal;
- recycling (either on site or off site); and
- contingency disposal arrangements in the event the preferred disposal method becomes unavailable during the life of the operation.

#### **2.8.2 Design of waste storage, treatment and disposal facilities**

Detail disposal of both non-radioactive and radioactive wastes, including:

- location on a map (as per 5.2.2.1), size, shape and depth of permanent and temporary waste storage facilities;
- dimensions and volumes of waste (taking into account any void space);
- method of construction;
- types of materials likely to be disposed of in the facility;
- type and thickness of liners;
- leakage collection and detection systems;

- type of base;
  - proposed capping methods; and
- proposed method of monitoring for leachate.

### **2.8.3 Solid waste storage, treatment and disposal infrastructure rehabilitation strategies and timing**

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of solid waste facilities, including timing of these activities.

## **2.9 Non-radioactive Liquid Waste**

### **2.9.1 Description of liquid waste generated**

Detail the types, composition and quantities of liquid waste generated through mining activities, including:

- oils and chemicals;
- brine from reverse osmosis plants;
- wastewater and sewage treatment plants; and
- hazardous liquid wastes.

### **2.9.2 Description of liquid waste treatment, storage and disposal facilities**

Detail the liquid waste treatment, storage and disposal systems, including:

- type, size and location (on a map as per 5.1.2.1) of sewage systems; state if the system is required to be approved by the relevant authority;
- type of other wastewater treatment to be undertaken on site, including location, layout, treatment process and final disposal;
- method of disposal of liquid waste streams (injection into aquifer, evaporation etc.);
- location on a map and cross sections (as per 5.1.2.1 and 5.2.2.1) of disposal wells or evaporation ponds;
- if aquifer disposal is proposed, the estimated capacity and disposal rates;
- if evaporation disposal is proposed, estimated evaporation rates;
- construction details for evaporation ponds and embankment height; and
- temporary storage facilities for wastes to be sent off site for recycling or disposal.

### **2.9.3 Non-radioactive liquid waste treatment, storage and disposal infrastructure rehabilitation strategies and timing**

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of non-radioactive liquid waste storage, treatment and disposal infrastructure, including timing of these activities.

## **2.10 Radioactive Liquid Waste**

### **2.10.1 Description of radioactive liquid waste generated**

Detail the types, composition and quantities of radioactive liquid waste generated through mining activities, in particular, bleed stream and other disposal fluids relating to the mining activity, including liquid waste stored in:

- retention ponds;
- evaporation ponds;
- injection of waste into designated aquifers; and

Describe probable environmental releases deriving from the above liquid wastes (e.g. radon).

The description of the liquid wastes generated must include an anticipated chemical composition of the fluids, and the anticipated volumes of disposal.

### **2.10.2 Detailed design of treatment, storage and disposal systems**

Detail the radioactive liquid processing wastes generated, including:

- schematic or process flow diagram showing the progression of liquid waste through the operations;
- equipment and facilities for each waste area;
- method of disposal (injection into aquifer, evaporation etc.), including:
  - estimated capacity and disposal rates if aquifer disposal is proposed.
  - estimated evaporation rates if evaporation disposal is proposed.
  - justification for chosen disposal option
- location of disposal wells or evaporation ponds (in terms of the site location shown on maps and cross sections (as per 5.1.2.1 and 5.2.2.1) and the hydrogeological setting if disposal is by re-injection); and
- construction details for evaporation ponds must include the layout of each area, dimensions, volumes and the method of pond construction.

Where radioactive liquid waste is to be re-injected to an aquifer, a prediction of the disposal plume extent and ultimate fate is required, as well as a prediction of the resulting groundwater quality (based on aqueous geochemistry). The predictions must be based on the quantified aquifer characteristics, volumes, rates and chemical makeup of liquid waste to be disposed.

**2.10.3 Radioactive liquid waste treatment, storage and disposal infrastructure rehabilitation strategies and timing**

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of radioactive liquid waste storage, treatment and disposal infrastructure, including timing of these activities.

Where natural attenuation is to be relied on for the remediation of aquifers to achieve post closure groundwater quality outcomes, include:

- a description of the nature and expected rates of the attenuation processes;
- predictions of the rate and extent of attenuation supported by laboratory tests and modelling;
- a demonstration that the attenuation model can be validated in under 10 years from the cessation of mining; and
- a contingency plan if attenuation is not demonstrated to be occurring within expected timeframes.

**2.11 Vegetation Clearance**

If clearing of native vegetation is proposed, a map (as per 5.1.2.2) and description of the vegetation present in the application area must be provided, showing:

- the extent of any proposed vegetation clearance; and
- the likelihood of the presence of threatened flora.

State the estimated quantum of significant environmental benefit (SEB) to be gained in exchange for the proposed clearance and describe how the SEB will be provided.

**2.12 Completion**

Provide a description, maps and cross sections (as per 5.1.2.4 and 5.2.2.2) of the site as it will be at completion after all rehabilitation and closure activities have been completed, including:

potential land use options;

potential aquifer use options;

proposed vegetation covers (including native vegetation that will not be disturbed due to proposed operations);

any infrastructure that will remain on site and will become the property and responsibility of the landowner;

location and description of waste disposal areas, including any required ongoing management and, if relevant, land use restrictions,

post completion radiological exposure assessments for the potential land use options (including, if relevant where there are no imposed post closure restrictions on land use), and

representative map and cross-sections (as per 5.1.2.4 and 5.2.2.2) that show:

- emplacement areas, waste disposal areas and disturbed areas;
- final rehabilitated surface;
- predicted extent of residual mining fluids; and
- predicted extent or reinjected liquid waste.

Provide a description of the proposed mechanism for transferring responsibility for any potential residual liability (i.e. ongoing maintenance or monitoring) subsequent to surrender of the tenement.

**2.13 Resource Inputs****2.13.1 Description of workforce and local procurement**

Describe:

- how operations on the site will be managed;
- number of full-time employee positions that would be directly created by the proposal (not to include existing positions);
- the proportion of the workforce that would reside in the local community and the estimated impact on local employment;
- any programs to target and assist Indigenous or local employment at the mine;
- training to be provided to employees and potential employees;
- approximate timelines for creation of the positions; and
- potential for local business participation, and procurement of local goods and services.

**2.13.2 Description of energy sources**

For the proposed energy sources and usage provide:

- estimates of total annual energy usage (from all sources, including personnel transport and ore transport to point of sale); and
- expected sources of energy;
- potential for efficiency gains;
- amount and percentage of zero emission energy to be utilised;
- equivalent annual CO<sub>2</sub> generated; and
- any carbon offsets.

### 2.13.3 Description of water sources, including borefields

Detail the source(s) of water to be used at the mine (other than in the ISR mining process), expected usage and any discharge, including:

- expected annual water usage by source;
- indicate if any water usage by source will be more than 5% of the total annual water withdrawal for that source;
- percentage of water that will be recycled; and
- water discharge (surface and/or underground) by quality and destination.

## 3. CONSULTATION

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with sections 36(1)(c)(iv) and 49(1)(c)(iv) of the *Mining Act 1971* and regulation 47 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include:

A description of:

- the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the proposed operations;
- the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders;
- if any individual or group of similar affected persons were not able to be consulted, the steps taken to consult with them; and
- the extent to which the outcomes proposed in clause 4.2.2 have been developed in consultation with the landowner and any other person who may be directly affected by the proposed operations.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted;
- any concerns/issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

## 4. MANAGEMENT OF ENVIRONMENTAL IMPACTS

### 4.1 Assessment of environmental impacts

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include an assessment of the environment as set out in this Terms of Reference.

#### 4.1.1 Elements of the environment

Describe the specific elements of the environment (the environment is defined in Section 6(4) of the *Mining Act 1971*) that may reasonably be expected to be impacted on by the proposed operation during construction, operation, and indefinitely post completion.

For each element of the environment identified:

- provide a summary of any issues or considerations raised by stakeholders, and any relevant legislated or recognised standards in relation to the element of the environment;
- describe all potential environmental receptors; and
- undertake an impact assessment of how the element could be potentially impacted by proposed operations (during construction, operation and post completion) through the provision of the information listed in the following clause 4.1.2.

#### 4.1.2 Potential impact events

Describe potential impact events associated with each phase of the proposed operations (construction, operation and post completion) and relevant to each element of the environment.

For the purpose of the impact assessment, a potential impact event is the combination of a source, a pathway and an environmental receptor.

The source, pathway and environmental receptor of each potential impact event must be described prior to the implementation of engineering or administrative control measures.

For each potential impact event identified in clause 4.1.2, provide:

##### 4.1.2.1 Source

A description of the source of the potential impact event, which alone or in combination has the potential to cause harm to an environmental receptor.

##### 4.1.2.2 Pathway

A description of the potential pathway (with consideration of any natural barriers) by which an identified environmental receptor can be exposed to, or may reasonably be expected to be impacted by an identified source.

##### 4.1.2.3 Environmental receptor

A description of the environmental receptors that may reasonably be expected to be adversely impacted by the source, taking into account the considerations for the element of the environment described under clause 4.1.1.

**4.1.2.4 Description of uncertainty**

Describe any significant degree of uncertainty pertaining to the evaluation of sources, pathways and environmental receptors, including (but not limited to) lack of site specific information, limitations on modelling and quality of data.

Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made, including whether a change in assumption may result in a new environmental impact.

**4.1.2.5 Confirmation of potential impact events**

For each potential impact event provide:

- an analysis of whether a source, pathway and receptor does exist (and if not, or if it remains uncertain, provide an explanation for the conclusion); and
- a description of the likely impact from the source on the environmental receptor.

**4.2 Control and management strategies, uncertainty assessment, statement of environmental outcomes and criteria**

For each impact event confirmed in clause 4.1.2.5, the information listed in clauses 4.2.1-4.2.3 must be provided:

**4.2.1 Control and management strategies**

In setting out an outline of the strategies that the applicant intends to take to manage, limit or remedy environmental impacts as confirmed in clause 4.1.2.5 in accordance with sections 36(1)(c)(ii)(B) and 49(1)(c)(ii)(B) of the *Mining Act 1971* and regulation 46(3) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must:

- Include a description of the control and management strategies proposed to manage, limit or remedy each impact event;
- Demonstrate that the control and management strategies proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation;
- Include a description of any significant degree of uncertainty pertaining to the likely effectiveness of proposed control and management strategies, including (but not limited to) lack of site specific information, limitations on modelling and quality of data. The description must include an analysis of uncertainty in:
  - groundwater modelling predictions, including natural attenuation modelling,
  - predictions on the fate and extent of residual mining fluid and reinjected liquid waste following mine completion; and
  - For information and guidelines on numerical groundwater modelling and uncertainty analysis, refer to <https://www.iesc.environment.gov.au/information-guidelines>.
- Include a description of any assumptions connected with the identified uncertainty;
- So far as is relevant, identify the sensitivity to change of any assumption that has been made and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect.

**4.2.2 Statement of proposed environmental outcomes**

Statements of the environmental outcomes that are expected to occur are required in accordance with sections 36(1)(c)(ii)(C) and 49(1)(c)(ii)(C) of the *Mining Act 1971* and regulation 46(4) of the *Mining Regulations 2020* and must be made for each impact event confirmed in clause 4.1.2.5. The Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must:

- Provide a statement of the proposed environmental outcome(s) (including completion outcomes assessed on a long term basis) for each impact event confirmed in clause 4.1.2.5;
- Ensure that the statement of environmental outcome(s) describe the likely consequence of the expected impact on the environment by the proposed operations subsequent to the implementation of the control measures described in clause 4.2.1; and
- Provide a statement that demonstrates the environmental outcomes would be able to be achieved taking into consideration the effectiveness of the control strategies (clause 4.2.1) and description of uncertainty (clause 4.2.1).

**4.2.3 Draft measurement criteria**

In preparing a draft statement of the criteria to be adopted to measure each of the proposed environmental outcomes in accordance with sections 36(1)(c)(iii) and 49(1)(c)(iii) of the *Mining Act 1971* and regulation 46(5) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that the draft criteria must:

- as far as practical comply with the five elements set out in Regulation 46(5);
- include demonstration of the successful implementation of the significant environmental benefit, if native vegetation is proposed to be cleared and an on-ground off-set proposed; and
- where attenuation is to be relied upon to demonstrate achievement of groundwater completion outcomes, a process must be provided for validation of predictive attenuation modelling, including a description of the model and assumptions used;
- be developed separately for construction, operation and completion, as appropriate;
- as required by Regulation 46(8) insofar as is reasonably practicable and appropriate, be expressed in quantitative terms (rather than qualitative terms); and
- where appropriate, recognised industry standards, codes of practice or legislative provisions from other Acts should be used as criteria.

**4.2.4 Draft leading indicator criteria**

Where there is a high level of reliance on control measures strategies to achieve an environmental outcome, provide a draft statement of leading indicator criteria that will be used to give an early warning that a control measure strategy may fail or be failing.



## 5. MAPS AND CROSS-SECTIONS

In preparing a proposal in accordance with sections 36(1)(c) and 49(1)(c) of the *Mining Act 1971* and regulation 46 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that all maps, plans and cross sections must comply with the following requirements relating to the amount of detail or information to be provided:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, north arrow, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information;
- be legible in both the hardcopy and electronic versions of the submission; and
- be accompanied by a map showing the orientation of the cross-sections.

### 5.1 List of Maps

#### 5.1.1 Maps required for Description of the Existing Environment (as per clause 1)

##### 5.1.1.1 Topographic Map showing:

- application area boundaries;
- existing surface contours; existing vegetation;
- location of watercourses, including ephemeral and permanent rivers, creeks, swamps, streams, wetlands and any man-made water management structures;
- surface water catchment boundaries;
- direction of drainage and discharge from the application area;
- location and extent of groundwater basins, aquifers and palaeochannels;
- location of caves;
- location and extent of all previously disturbed areas associated with previous mining;
- location and extent of any known existing contamination; and
- location and extent of any adjacent conservation reserves, heritage sites (in so far as may be permitted by the relevant legislation) or any other significant areas.

##### 5.1.1.2 Local Geological Map showing:

- application area boundaries;
- geology within the application area, including but not limited to; location, dimensions and orientation (dip and strike), and extent of the mineral resource and ore reserve;
- any known potential for extension of the mineral resource and reserve; and
- topsoil/subsoil variation if there is a variation in soils over the application area.

##### 5.1.1.3 Aquifer Potentiometric Surface Map showing:

For all aquifer systems that occur within the tenement application area include a map showing:

- application area boundaries
- potentiometric surface contours/groundwater elevation contours and the time (or time period) the contours relate to;
- interpreted direction(s) of groundwater flow; and
- location of representative bores (where measurements were obtained of which the contours are based on) used to establish this information

##### 5.1.1.4 Land Access Map showing:

- application area boundaries;
- cadastral information including land title(s) and ownership;
- any exempt land;
- location of residences within and near the application area; and
- human infrastructure as per clause 1.12.

##### 5.1.1.5 Natural Radioactivity Baseline Map showing:

The results of pre-mining radioactivity surveys including (where applicable):

- gamma radiation levels;
- concentration of radionuclides within soils, surface waters, ephemeral creek beds, flora and fauna; and
- radon gas or radon decay product concentrations.

**5.1.2 Maps required for Description of the Proposed Operations (as per clause 2)**

5.1.2.1 *Site Layout Map showing all components of the proposed operation including, but not limited to:*

- application area boundaries;
- location of surface water and sediment management infrastructure;
- location of process water dams;
- location of fuel and chemical storage areas;
- location of access and other roads;
- location of fixed plant;
- location and layout of all well field areas;
- location of all disposal wells;
- location of all monitoring wells;
- location of visual screening measures;
- location and extent of all areas proposed to be disturbed from mining including, mine infrastructure, processing plant, waste disposal facilities; and
- location of key environmental features that are within or in close proximity to the application area and that are relevant to the design of the Site Layout Plan, including but not limited to housing and infrastructure, existing heritage sites, existing ephemeral and permanent rivers, watercourses, creeks or dams and/or existing native vegetation.

5.1.2.2 *Sequence of Mining and Progressive Rehabilitation Maps showing:*

- application area boundaries;
- conceptual staging of each progressive mining stage;
- proposed native vegetation clearance;
- location and extent of all areas to be progressively rehabilitated during mining; and
- sequence of mining and rehabilitation in appropriate time intervals, or per stages (depicting progressive rehabilitation).

5.1.2.3 *Access Route Map showing:*

- application area boundaries;
- access route for heavy vehicles;
- exit route for heavy vehicles; and
- Any road upgrades or new roads to be constructed.

5.1.2.4 *Completion Map showing:*

- application area boundaries;
- conceptual final landforms (including rehabilitated and non-disturbed areas);
- vegetation covers (including native vegetation that will not be disturbed due to operations);
- any infrastructure that will remain on site and will become the property and responsibility of the landowner;
- location of decommissioned wells;
- location of waste disposal areas; and
- predicted extent of residual mining fluids and liquid waste reinjected to aquifers

**5.2 Summary of Cross-Sections**

Following is a summary of all cross-sections required in the proposal:

**5.2.1 Cross-Sections required for Description of the Existing Environment (as per clause 2)**

5.2.1.1 *Geological Cross-Section(s) and Long-section(s) showing:*

- a representation of the geological profile within the application area; and
- depth of the resource and any overlying overburden.

5.2.1.2 *Hydrogeological Cross-Section(s):*

Include a series of hydrogeological cross-sections that represent the following at a regional scale and/or tenement application scale, as specified:

- application area boundaries;
- major geological units (regional scale);
- geological units showing aquifer and confining units (tenement scale);
- aquifer systems (regional and tenement scale) including any palaeochannels;
- interpreted hydrostratigraphy showing the known and inferred groundwater heads/groundwater elevations, interpreted groundwater flow direction, recharge and discharge mechanisms (if applicable);
- location of GDEs;
- interpreted faults (regional and tenement scale);
- mineralised zone (tenement scale);
- location of representative drill log sites from which geological information was obtained (regional and tenement scale); and
- location of representative monitoring bores from which baseline groundwater information was obtained

**5.2.2 Cross-Sections required for Description of the Proposed Mining Operations (as per clause 3)****5.2.2.1 Proposed Mining Operation Cross-Section(s) showing:**

- natural surface;
- geological units showing aquifer systems, confining units and interpreted faults; and
- schematic of injection and production wells, liquid disposal wells and monitoring wells including screened intervals.

**5.2.2.2 Completion Cross Section(s) showing:**

- natural surface;
- any infrastructure that will remain on site and will become the property and responsibility of the landowner;
- decommissioned wells;
- location of waste disposal areas; and
- predicted extent of residual mining fluids and liquid waste reinjected to aquifers.

**ADDITIONAL INFORMATION TO ACCOMPANY APPLICATION**

An application for an ML and/or MPL must be accompanied by additional information as set out in regulations 30, 37 and 48 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

**6. Reasonable prospect of access to land**

In preparing a statement under regulation 30(1)(e)(i) of the *Mining Regulations 2020* that demonstrates that there is a reasonable prospect that the land in respect of which an ML is sought could be effectively and efficiently mined, the Minister determines in accordance with regulation 30(2) of the *Mining Regulations 2020* that this statement must be supported by the following evidence:

- A description of any waivers of exemption obtained, and/or information on the status of waivers of exemption yet to be negotiated/finalised under Section 9AA of the *Mining Act 1971*; and
- A description of any native title mining agreements obtained under the *Mining Act 1971* or *Indigenous Land Use Agreements (ILUA) under the Native Act 1993 (Cth)* and/or information on the status of waivers of exemption yet to be negotiated/finalised.

**7. Description of contributions to the economy**

For the purposes of regulation 30(1)(g) of the *Mining Regulations 2020*, the Minister determines that the following information must accompany an application for an ML:

- A description of the economic contributions of the proposed operations, including (but not limited to):
- goods and services used in the local community, state and external to state;
- wages and other employee benefits;
- economic benefits derived from local employment;
- approximate royalty payments and other direct state government taxes; and
- any other potential economic contributions proposed during the development of the quarry, operation of the proposed quarry and post quarry completion.

**8. Reserves or Resources (or both)**

Provide:

- a JORC compliant reserve or resource estimate (or both); and
- the accompanying JORC Public Report and competent person statement;

or (if a JORC compliant reserve or resource (or both) has not been reported)

- a detailed estimate of the resource to be mined, the basis of this estimate, and evidence that demonstrates that the resource can be economically mined at current market prices.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

**MINING ACT 1971****SECTION 56R***Terms of Reference for a Change in Operations Application*

An application for a change in operations under Part 8B Division 7 of the *Mining Act 1971* must:

- comply with section 56R of the *Mining Act 1971*, regulation 55 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference
- be accompanied by a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*
- be accompanied by a statement in accordance with regulation 55(1)(c) of the *Mining Regulations 2020*; and
- be accompanied by the relevant application fee.

**FORM OF THE CHANGE IN OPERATIONS APPLICATION**

In accordance with section 56R(1)(a) of the *Mining Act 1971* an application for a change in operations must be made in the form and contain such information as set out in this Terms of Reference, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 56R(1)(a) of the *Mining Act 1971*, it is determined that an application for a change in operations must contain the information as follows:

- Applicant name(s) (company and/or individual)
- Applicant contact details including:
  - postal address
  - email
  - phone number(s)
- Primary tenement the change applies to
- Statement of whether the application relates to a change in the following:
  - Authorised operations; and/or
  - Mineral intended to be recovered; and/or
  - Ability of the tenement holder to achieve a particular outcome of change in criteria to be adopted; and/or
  - Terms and/or conditions of the tenement.

An application for a change in operations must, in accordance with section 56(R)(b)(i) of the *Mining Act 1971*, be in the following form, unless otherwise specified by the Director of Mines or other authorised officer:

- An electronic version must be submitted in accordance with regulation 88 of the *Mining Regulations 2020*.
- Each page, plan or other separate sheet must include the tenement number(s), date of the application submission and sequential page numbering.
- The electronic version must be submitted in one single Acrobat PDF file or, if requested by the Director of Mines or an authorised officer, as Microsoft Word-compatible files.

## PROPOSAL

A proposal for a change in operations must comply with sections 56(R)(b)(i) of the *Mining Act 1971* and regulations 55 and 56 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

### 1. PURPOSE AND REASON FOR THE CHANGE

Provide a statement specifying whether the proposed change is:

- 1.1 a change to the authorised operations to be carried out under the tenement, and/or;
- 1.2 a change in the mineral that is intended to be recovered; and/or
- 1.3 a change that may reduce the ability of the tenement holder to achieve a particular outcome, including an environmental outcome, and/or;
- 1.4 a change to the criteria to be adopted to measure a particular outcome; and/or
- 1.5 a change to the terms or conditions of the tenement.

Describe the reasons why the proposed changes in operations are required.

If the purpose relates to clause 1.2, 1.3, 1.4 or 1.5 above, provide a detailed description of the proposed change.

### 2. CHANGE TO AUTHORISED OPERATIONS

If the purpose requires a change to the authorised operations to be carried out under the tenement (as per clause 1.1 above), then provide the information set out in section 2.1 to 2.2 below.

#### 2.1 Description of Change to Authorised Operations

In setting out any change in relation to the environmental impacts of the proposed authorised operations in accordance with regulation 55(1)(b)(i) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 55(4)(e) of the *Mining Regulations 2020* that a proposal must include the following:

##### 2.1.1 Describe all elements of the proposed change in operations.

A proposal must include a description of the proposed change in operations and address each of the elements listed in the following Terms of Reference to the extent that they apply to the proposed change in authorised operations:

- For metallic and industrial minerals: Terms of Reference TOR 005 Clause 2—Description of Operations.
- For extractive minerals: Terms of Reference TOR 002 Clause 2—Description of Operations.
- For uranium in situ recovery operations: Terms of Reference TOR 010 Clause 2—Description of Operations.

For retention leases:

- Describe the change to authorised operations.
- Provide a statement demonstrating that the operations and/or steps proposed are sufficient investigations to ensure the tenement holder can be in a position to make an application for a mining lease.
- Provide a schedule for undertaking the above described operations and/or steps up to a maximum term of five years.

##### 2.1.2 Maps, plans and cross-sections

Provide maps, plans and cross-sections relevant to the change in operations. The maps, plans and cross-sections must include the elements described in the following Terms of Reference, which are applicable to the proposed change in authorised operations:

- For metallic and industrial minerals: Terms of Reference TOR 005 Clause 5—Maps, Plans and Cross-sections.
- For extractive minerals: Terms of Reference TOR 002 Clause 5—Maps and Cross-sections.
- For uranium in situ recovery operations: Terms of Reference TOR 010 Clause 5—Maps and Cross-sections.

For retention leases, provide appropriate maps, plans and cross-sections relevant to supporting the change to authorised operations.

#### 2.1.3 *Scope of proposed change to authorised operations*

Provide an analysis of the key differences between the existing authorised operations and the proposed changed authorised operations, and provide an assessment of the significance of the differences and/or changes.

#### 2.1.4 *Assessment of alternatives*

Describe the alternative approaches and options that were considered when determining the proposed change to authorised operations.

Describe the consequence of not undertaking the proposed change to authorised operations.

### 2.2 **Assessment of Changes to Environmental Impacts**

In setting out any change in relation to the environmental impacts, measures, environmental outcomes and criteria of the proposed authorised operations in accordance with regulation 55(1)(b) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 55(4)(e) of the *Mining Regulations 2020* that a proposal must include the following:

#### 2.2.1 *Changes to environmental impacts of the authorised operations*

Describe potential impact events the proposed change in operations might have on the environment. The impact assessment must consider each phase of the proposed operations (construction, operation, rehabilitation/closure and post completion).

Describe whether the potential environmental impacts identified are additional to or different from those impacts identified in the initial application for a lease or license.

#### 2.2.2 *Control strategies*

Describe the measures proposed to manage, limit or remedy each additional or different impact. Demonstrate that the measures proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation.

#### 2.2.3 *Description of uncertainty*

Describe any significant degree of uncertainty pertaining to the impact assessment and effectiveness of control strategies, including (but not limited to) lack of site-specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made and assess:

- whether a change in assumption may result in a new environmental impact
- the likelihood of an outcome not being achieved if an assumption is later found to be incorrect.

#### 2.2.4 *Assessment of environmental outcomes*

Provide an assessment of whether the existing environmental outcomes, as included in the lease/licence and/or the currently approved PEPR, are appropriate or if new or modified environmental outcomes are required.

Where modified outcomes are required, provide a statement of the proposed modified environmental outcome(s), which describes the likely consequence of the expected impact on the environment by the proposed operations, subsequent to the implementation of the control strategies described in clause 2.2.2.

#### 2.2.5 *Changes to criteria*

Provide a description of any changes to the criteria to be adopted to measure the existing or modified environmental outcomes. For any proposed changes to criteria, include details about any change to the five elements of criteria set out in Regulation 55(2).

Where appropriate, use recognised industry standards, codes of practice or legislative provisions from other Acts as part of the criteria.

### 3. **EFFECTIVE AND EFFICIENT MINING (MINING LEASES ONLY)**

In preparing a statement in accordance with regulation 55(1)(c)(i) of the *Mining Regulations 2020* that demonstrates that the change will not adversely affect the ability of the tenement holder to ensure that land comprised in the tenement can be effectively and efficiently mined, the Minister determines in accordance with regulation 55(4)(e) of the *Mining Regulations 2020* that the statement must be supported by the following evidence:

#### 3.1 **Reserves or resources (or both)**

If the change involves the extraction of minerals that are not currently authorised, for those minerals provide:

- a JORC-compliant reserve or resource estimate (or both)
- the accompanying JORC Public Report and competent person statement.

If a JORC-compliant reserve or resource (or both) has not been reported provide:

- a detailed estimate of the resource to be mined, the basis of this estimate, and evidence that demonstrates that the resource can be economically mined at current market prices.

#### 3.2 **Reasonable prospect of access to land**

So far as is relevant to the proposed changes to authorised operations, provide the following evidence:

- A statement that demonstrates that any waivers of exemption under Section 9AA of the *Mining Act 1971* required for the proposed changes have been obtained, or there is a reasonable prospect that they can be; and
- A statement that demonstrates how the proposed changes relate to any native title mining agreements obtained under the *Mining Act 1971* or Indigenous Land Use Agreements (ILUA) under the *Native Title Act 1993 (Cth)*.

#### 4. ASSESSMENT OF LEASE AND/OR LICENCE TERMS/CONDITIONS AND THE ACT

In preparing a statement in accordance with regulation 55(1)(c)(iii) of the *Mining Regulations 2020* that demonstrates that the change will not adversely affect the ability of the tenement holder to comply with the other requirements of the Act, the Minister determines in accordance with regulation 55(4)(e) of the *Mining Regulations 2020* that the statement must be supported by the following evidence:

- With the exception of any proposed changes to lease and/or licence terms and conditions (as per clause 1.3), provide an assessment that demonstrates the proposed change in operations would be compliant with the terms and conditions of the lease/licence.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

### MINING ACT 1971

#### PART 10A

##### *Terms of Reference for Mineral Exploration PEPRS*

A Program for Environment Protection and Rehabilitation (PEPR) under Part 10A of the *Mining Act 1971* for the conduct of exploration operations on an Exploration Licence (EL), Mineral Claim (MC) or a Retention Lease (RL) must:

- comply with sections 70B and 70C of the *Mining Act 1971*, regulations 63, 64 and 66 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference
- be accompanied by a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- be accompanied by the relevant application fee.

#### FORM OF APPLICATION

An application for an Exploration PEPR must in accordance with section 70B(4a) be in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- An electronic version of the PEPR must be submitted using the exploration PEPR template(s) provided on the DEM Minerals website: [www.energymining.sa.gov.au](http://www.energymining.sa.gov.au).
- The electronic version must be submitted online through the DEM website.
- The electronic version must be submitted in one single Acrobat PDF file.
- Microsoft Word-compatible files must be submitted if requested by the Director of Mines (or delegate), or other authorised officers.
- The PEPR can be submitted by email or hard copy if requested by the Director of Mines, or other authorised officers.

If the PEPR being submitted is a review of an approved PEPR, provide a description or summary of all content changes made to the submitted PEPR.

#### PEPR

An exploration PEPR must comply with sections 70B and 70C of the *Mining Act 1971*, and regulations 63, 64 and 66 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

##### 1. GENERAL INFORMATION

Provide general details of the proposal including:

- tenement number(s)
- tenement holder(s) name
- operating company (name, address and contact details)
- the duration of the proposed operations (up to 12 months, or exceeding 12 months (ongoing))
- contact person(s) - phone, email, qualifications/job title - responsible for preparation of the PEPR and person(s), or contractor if applicable, in charge of field supervision and implementing compliance monitoring requirements, including details of experience, qualifications etc
- proposed start and end dates of the program for operations with a limited duration—eg 12 months
- location details of the proposed program, including a general locality plan indicating the proposed activity in relation to tenement and landowner boundaries, and areas with environmental classifications or sensitivities
- 1:250 000 scale map sheet(s)
- A concise description of the proposed program, including the type of operations proposed, commodity type and mineralisation model.

##### 2. CONSULTATION

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with regulation 64 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a PEPR must include:

- a summary of the individual or group of similarly affected persons
- type of interested or affected party (resident, council, government agency etc)
- if any individual or group of similar affected persons were not able to be consulted, what steps were taken to consult with them
- any applicable exempt land under Section 9 of the *Mining Act 1971*, and any waivers of exemption obtained, and/or information on the status of waivers of exemption yet to be negotiated or finalised under Section 9AA of the *Mining Act 1971*; and
- any additional land access approvals/permits required to conduct the proposed exploration program.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted
- any concerns / issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

### 3. DESCRIPTION OF THE ENVIRONMENT

In accordance with regulation 63(1)(a)(i) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a PEPR must include a description of the features of the environment that are expected to be affected by the proposed operations as set out in these Terms of Reference. Each of the elements of the existing environment (as defined in section 6(4) of the *Mining Act 1971*) listed in clauses 3.1–3.10 must be described only to the extent that they may need to be considered in assessing the impacts that the proposed exploration operations are reasonably expected to have on the environment. If the element is not likely to be impacted by the operation, a statement to that effect must be included.

Where the terms and conditions of an RL do not include environmental outcomes, the Minister determines for the purposes of regulation 63(1)(a) that a PEPR proposing exploration operations on an RL must include a description of the features of the environment that are expected to be affected by the proposed operations in accordance with regulation 63(1)(a)(i) of the *Mining Regulations 2020* and as set out in these Terms of Reference.

Where the terms and conditions of an RL do include environmental outcomes, the Minister determines in accordance with regulation 63(1)(a) of the *Mining Regulations 2020* and as set out in these Terms of Reference, that a PEPR must include:

- any new baseline environmental data relevant to the control strategies, or criteria set out in section 6; and
- where changes to the environment are identified, provide an updated description of the environment to describe the changes.

#### 3.1 Proximity to infrastructure and housing

Provide the following information:

- Settlements—indicate the name and distance of the nearest town, and residences within, or near the proposed exploration operations.
- Roads and tracks—indicate existing fence lines, roads and tracks, including those which are to be used in the exploration program.
- Other human infrastructure such as schools, hospitals, commercial or industrial sites, roads, sheds, bores, dams, ruins, pumps, scenic lookouts.
- Railway lines, transmission lines, gas and water pipelines, communication lines—e.g. fibre optic cables etc., if these may be impacted by the exploration operations.

Provide this information on a map (as per clause 9).

#### 3.2 Land use and tenure

Provide a description of:

- land tenure within the project area
- the current land use within and surrounding the project area
- council policies (or out of council) development plans that may impact the program area
- known plans for future land use changes by other parties
- if the application area falls within the Murray Darling Basin, Adelaide Dolphin Sanctuary or a Marine Park; and
- any other interests or restrictions on the project area, including if the application is within land used for defence purposes, such as the Woomera Prohibited Area or the Cultana Army Training Area.

Where exploration operations are planned within the Woomera Prohibited Area or the Cultana Army Training Area, indicate if a resource exploration permit is in place, the expiry date of the permit and identify any restrictions that may apply to the program.

#### 3.3 Native title

Provide the following information:

- Indicate if the proposed area of exploration occurs within native title land (as defined in the *Native Title (South Australia) Act 1994*).
- Identify if any registered native title claimants occur in the area.
- Describe how you have complied with the requirements of part 9B of the *Mining Act 1971*.

#### 3.4 Landform and topography

Describe the topography of the general area affected by the exploration program. Include the susceptibility to erosion and visual attributes (steep or undulating slopes, plains, rocky outcrops, dunes, saltpans, claypans etc.).

#### 3.5 Soil and surface cover

Describe the soil types and surface cover—e.g. gibber, rocky—in the general area affected by the exploration program. Include the susceptibility to compaction, erosion, dust, runoff and any other soil characteristics—e.g. acid sulphate—that may require control strategies to reduce environmental impacts during operations or rehabilitation.

#### 3.6 Surface water

Describe the potential interference with surface water bodies and natural drainage—e.g. the presence of drainage lines, creeks, floodplains, wetlands—and identify whether the area is within any water protection areas defined under the *River Murray Act 2003*, or any prescribed watercourse, or surface water areas under the *Landscape South Australia Act 2019*.

### 3.7 Groundwater

Where groundwater is likely to be encountered provide:

- a description of the expected hydrogeological conditions within the exploration area, including:
  - approximate depth of drillholes
  - stratigraphy (including age) and hydrostratigraphy likely to be intersected
  - number, depth and stratigraphic location of aquifers likely to be intersected
  - type of aquifers likely to be intersected—e.g. confined, unconfined, artesian
  - aquifer salinity, standing water level and depth to water level, where possible
- the environmental value of each aquifer present determined according to the current Environment Protection (Water Quality) Policy
- a description of the existence, location and value of all Groundwater Dependent Ecosystems (GDEs) within and immediately surrounding the project area.
- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019*.

Where groundwater is not expected to be encountered, provide evidence or any supporting information demonstrating this.

### 3.8 Vegetation, weeds, plants and pathogens

Provide the following information when describing vegetation cover that is likely to be impacted by the proposed exploration operations:

- A description of the formation and structure of vegetation in the area—e.g. woodland, shrubland, grassland.
- A description of existing flora (dominant native and introduced species).
- The extent to which the area is affected, or potentially affected by pathogens and weeds—e.g. *Phytophthora*; Buffel grass *Cenchrus ciliaris*.
- The presence of significant habitats and any rare, or endangered species located (both federally and state listed) and/or reported to have been identified in the area. Include any known sightings of rare and endangered species on a locality plan/map where possible.

### 3.9 Fauna

Describe the native and feral fauna that may be present in the application area, noting the conservation status, particularly endangered, threatened or feral species. Include known sightings of rare and endangered species on a locality plan/map, where possible.

### 3.10 Environmentally sensitive locations

Detail the following and show on a map (as per clause 9) so that access roads or other activities can be planned and located effectively:

- Any environmentally sensitive locations within, or close to the proposed exploration area—e.g. areas having particular ecological, Aboriginal heritage, state heritage, geological heritage, scientific, aesthetic or conservation value.
- Include a statement concerning whether or not an Aboriginal heritage survey has been conducted by the proponent and if so, the results of the survey.
- The likely effects the proposed program may have on any identified areas of environmental sensitivity.

## 4. DESCRIPTION OF EXPLORATION OPERATIONS (s. 70B(2)(a))

In specifying the nature and extent of the proposed exploration operations that are proposed in accordance with section 70B(2)(a) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a PEPR must include a description of the proposed operations as set out in these Terms of Reference. Each of the elements listed in clauses 4.1–4.15 must be described only to the extent that they apply to the proposed exploration program.

### 4.1 Equipment and personnel requirements

Describe the equipment (size, number and contractor details), number and composition of field crews (contractors, geologists, field assistants), and proposed working hours/days required to conduct the proposed program.

For a PEPR approved for a period exceeding 12 months in duration, describe the equipment and personnel required for each activity that may be undertaken.

### 4.2 Low impact exploration activities

Where low impact exploration activities are not covered by the generic PEPR, describe the low impact exploration operations to be conducted during the proposed program.

### 4.3 Drilling

For PEPRs approved for 12 months, indicate the maximum number, location, size and depth of drillholes. Indicate drillsite locations, preparation methods, drilling method(s) and requirements for drilling sumps (number and size of sumps at each drillsite). State whether, excavating, levelling, or vegetation clearance is required. If drill pad construction is required, detail the volume of material to be excavated at each site.

For PEPRs approved for a period exceeding 12 months in duration, describe in detail all drilling methods that may be used and methods used to prepare sites, including vegetation clearance requirements, site levelling and digging of sumps.

Describe drillhole construction and decommissioning requirements, including:

- during construction, the casing material to be used, depth of casing, if the casing will be cemented, cementing intervals and the class of driller that will install the casing
- during decommissioning, the materials to be used, stratigraphic intervals where cement plugs will be placed, if the casing will be removed and when decommissioning will occur after drilling is completed; and
- where confined or artesian conditions are expected, include a schematic diagram demonstrating how drillholes will be constructed and decommissioned.

**Note:** Construction and abandonment requirements for mineral drillholes must be compliant with Mineral exploration drillholes—general specifications for construction and backfilling, Earth Resources Information Sheet M21, available on the DEM Minerals website.



#### 4.4 Costeans and bulk sample disposal pits

For PEPRs approved for 12 months, indicate the number and location, size (length, width and depth), excavation method, and maintenance and safety requirements for proposed costeans or bulk sample disposal pits. State whether vegetation removal is required and include the total area of disturbance.

For PEPRs approved for a period exceeding 12 months in duration, indicate the maximum dimensions (length, width and depth) of costeans or bulk sample disposal pits and describe site preparation methods, vegetation clearance, and safety and maintenance requirements.

#### 4.5 Sample management

Describe the size of samples collected (including bulk sampling), collection methods, materials used when collecting the sample, sample disposal methods (including removal of sample bags) and any other sample management requirements at the exploration site—e.g. tarps or matting used to contain cuttings. Include requirements for on-site geological sample management (splitting of archive samples, bag farms, core processing and storage).

#### 4.6 Access routes to work areas

Indicate planned access routes on a map, as per clause 9, and distinguish between existing and proposed new access tracks. Detail the method for gaining access if existing tracks are not available. Indicate if vegetation clearance is required and the method to be used to clear the vegetation.

For PEPRs requesting a 12-month approved period, include the total area of disturbance for all new access tracks ie length and width.

#### 4.7 Campsites, storage and equipment laydown areas

Describe the layout and the number of facilities such as tents, caravans, transportables, amenities, waste disposal and management procedures, including wastewater and hydrocarbon management. Indicate whether any vegetation clearance and/or earthworks are required and include the total area of disturbance (environmental footprint). For camps, include the maximum number of people that will use the site.

Indicate how the disturbance footprint will be managed to prevent sites/areas from inadvertently increasing in size.

Show the location of laydown areas and campsites on the locality plan, where possible.

Campsites that are outside of the scope defined in the generic PEPR must use wastewater facilities authorised by SA Health. Confirmation of this must be included within the PEPR.

#### 4.8 Other exploration methods and/or ancillary activities

Describe in detail any other proposed exploration methods—e.g. seismic—and/or ancillary exploration activities, including site preparation, vegetation clearance and safety and maintenance requirements.

#### 4.9 Water supply and management

Describe how and where water will be sourced for drilling, track maintenance and camping purposes—e.g. groundwater, surface water, mains. Provide details on the volume of water required and how wastewater or runoff water will be managed.

#### 4.10 Groundwater drilling and investigation activities

Describe any proposed water drilling and investigation activities—e.g. pump testing, water monitoring sites, water storage, turkey nests/dams, including site preparation, vegetation clearance, safety and maintenance requirements and permits/licences required in accordance with the *Landscape South Australia Act 2019*.

#### 4.11 Water affecting activities

Indicate if any water affecting activities other than well construction, closure and maintenance activities (refer to s.127 of the *Landscape South Australia Act 2019*), will be undertaken and whether permits have been obtained. Where water affecting activity permits are required, outline site preparation, vegetation clearance and safety and maintenance requirements.

#### 4.12 Management of hazardous material

Indicate if exploration activities will be conducted in areas of known uranium or thorium mineralisation and identify other hazardous materials that are likely to be encountered.

Where exploration is located within an area of known uranium or thorium mineralisation, a radiation management plan endorsed by the Environment Protection Authority (SA) (EPA) must be submitted to DEM along with the PEPR. Confirmation of EPA endorsement must also be provided as an attachment to the PEPR.

For all other hazardous material identified, provide a plan for how the materials will be managed.

#### 4.13 Vegetation clearance

If the proposed area of native vegetation to be cleared is not rehabilitated within the authorised period (refer to clause 4.15), the following information is required:

- A map (as per clause 9) and description of the vegetation present in the application area.
- The extent of any proposed vegetation clearance.
- The likelihood of the presence of threatened flora.

State the estimated quantum of significant environmental benefit (SEB) to be gained in exchange for the proposed native vegetation clearance and describe how the SEB will be provided.

#### 4.14 Duration of Operations

Detail the expected duration of the proposed exploration operations. Specifically, indicate:

- whether the exploration operations are proposed to be undertaken within 12 months, or are proposed to exceed 12 months\*;  
and
- the duration of rehabilitation operations in accordance with clause 4.15.

\* Where exploration operations are proposed to exceed 12 months, the Minister will impose a standard condition when approving the PEPR to require a program notification.

#### 4.15 Rehabilitation

Detail all the activities and strategies relating to the remediation of all impacts associated with the proposed exploration operations.

Completion of rehabilitation must be achieved within 3 months after the expiry of the 12-month proposed exploration operations and 3 months after the expiry of the program notification for PEPRs with an approval exceeding 12 months in duration (the Minister will impose a standard condition when approving the PEPR to require a program notification).

#### 5. RETENTION LEASES

Where the terms and conditions of an RL include environmental outcomes, the Minister determines for the purposes of regulation 63(1)(a) that a PEPR proposing exploration operations on an RL must demonstrate where the environmental outcomes have been addressed in the PEPR (if relevant), or demonstrate how otherwise they have, or will be complied with.

Where the terms and conditions of an RL do not include environmental outcomes, the Minister determines for the purposes of regulation 63(1)(a) that a PEPR proposing exploration operations on an RL must include a description of the environmental impacts that may reasonably be expected to occur in accordance with regulation 63(1)(a)(i) of the *Mining Regulations 2020* and as set out in these Terms of Reference.

#### 6. MANAGEMENT OF ENVIRONMENTAL IMPACTS

The applicant is required to conduct an impact assessment to identify all of the potential environmental, social and economic impact events that are likely to occur as a result of the proposed exploration operations, how each of the identified impacts will be managed, and the residual risk, i.e. the level of risk remaining after implementing control and management strategies. Identified potential impact events should be developed based on the aspects of the environment that may be impacted on and the proposed operational details.

##### 6.1 Assessment of environmental impacts

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with regulation 63(1)(a)(ii) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(e) of the *Mining Regulations 2020* that a PEPR must include information as set out in these Terms of Reference.

The assessment must identify the actual and/or credible potential impact events associated with the proposed mineral exploration program based on the environment components identified in clause 3 (the environment is defined in Section 6(4) of the *Mining Act 1971*) and proposed exploration operations described in Section 4.

The impact event analysis should take into account the:

- source—the source of the potential impact event which alone, or in combination, has the potential to cause harm to an environmental receptor
- pathway—the potential pathway, means or route (with consideration of any natural barriers) by which an identified environmental receptor can be exposed to, or may reasonably be expected to be affected by an identified source
- environmental receptor—the environmental receptors that may reasonably be expected to be adversely affected by the source, taking into account considerations for the aspect of the environment i.e. who, or what could be affected
- impact likelihood and consequences
- description of uncertainty - describe any significant degree of uncertainty pertaining to the evaluation of sources, pathways and environmental receptors, including (but not limited to) lack of site specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty.

With regards to uncertainty, so far as is relevant, identify the sensitivity to change of any assumption that has been made, including whether a change in assumption may result in a new environmental impact.

##### 6.2 Control strategies and uncertainty assessment, statement of environmental outcomes and criteria

For each impact event confirmed in clauses 6.1, the information listed in clauses 6.2.1–6.2.5 below must be provided.

###### 6.2.1 Control strategies

In setting out the control strategies adopted to demonstrate that the environmental outcomes can be and will continue to be achieved in accordance with regulation 63(1)(b) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a PEPR must:

Demonstrate that the strategies proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation where necessary.

The description of rehabilitation strategies must demonstrate that final rehabilitation will be completed within 3 months after the time allocated to complete the approved program.

###### 6.2.2 Description of uncertainty

Describe any significant degree of uncertainty pertaining to the likely effectiveness of proposed control strategies, including (but not limited to) the lack of site-specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect.

###### 6.2.3 Risk assessment

Where a potential impact event has been identified, determine the risk after the implementation of control and management strategies. Both the likelihood and severity of the consequences of impact events must be estimated.

The risk assessment of the potential impact event must take into account any uncertainty pertaining to the likely effectiveness of proposed control strategies.

Where risks are moderate to extreme, justify why the level of risk is acceptable, or develop additional control strategies to further lower the risk.

#### 6.2.4 Statement of environmental outcome(s)

Statements of the environmental outcomes that are expected to occur are required in accordance with section 70B(2)(b)(i) of the *Mining Act 1971*. The Minister determines in accordance with regulation 63(e) of the *Mining Regulations 2020* that a PEPR must:

- provide a statement of the proposed environmental outcomes for each impact event confirmed in clause 6.1; and
- ensure that the statement of environmental outcomes describe the likely consequence of the expected impact on the environment by the proposed exploration operations subsequent to the implementation of the control strategies described in clause 6.1.

#### 6.2.5 Measurement criteria

In preparing a statement of the criteria to be adopted to measure each of the proposed environmental outcomes in accordance with section 70B(2)(b)(ii) of the *Mining Act 1971* and regulation 63(c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(e) of the *Mining Regulations 2020* that the draft criteria must:

- as far as practical, comply with elements set out in regulation 63(c)
- include a demonstration of the successful implementation for the significant environmental benefit, if native vegetation is proposed to be cleared and an on-ground off-set proposed; and
- where appropriate, use recognised industry standards, codes of practice, or legislative provisions from other Acts as criteria.

**Note:** To streamline the environmental impact assessment process, DEM developed potential impact events, environmental outcomes and measurement criteria common to most exploration programs (located within the exploration PEPR templates available from the DEM website). Proponents that use the common potential impact events, environmental outcomes and measurement criteria are required to conduct an impact assessment, including a risk analysis of each impact event and how each impact will be managed i.e. control strategies. In some cases, additional potential impacts events may be identified that require corresponding environmental outcomes and measurement criteria to be developed.

Alternatively, proponents can modify or develop their own impacts events, environmental outcomes and measurement criteria as outlined in clause 6.1 and 6.2.

### 8. OPERATOR CAPABILITY

In preparing information about the ability of the tenement holder (and any other person who may be acting on behalf of the tenement holder) in accordance with section 70B(2)(c) of the *Mining Act 1971*, the Minister determines, in accordance with regulation 63(3)(e) of the *Mining Regulations 2020*, that information must be provided by the tenement holder (and any other person who may be acting on behalf of the tenement holder as an operator) that they have appropriate experience, processes and procedures in place to be able to achieve the environmental outcomes.

### 9. MAPS AND PLANS

All maps and sections must conform to the following standards:

- State the relevant datum—e.g. GDA2020, GDA94.
- Use metric units.
- Include a title, north arrow, scale bar, text and legend.
- State the date prepared and author.
- Be of appropriate resolution and scale to show the represented information.

The exploration proposal must be accompanied by a map(s) showing the following information, where applicable:

- Tenement boundaries.
- Cadastral information.
- Existing surface contours.
- Existing vegetation.
- Proposed exploration operations (includes drillholes, existing and new access tracks, drill traverses, overland tracking, water access routes, campsites, laydown areas and other applicable information) and/or the target exploration area(s).
- Existing ephemeral and permanent rivers, creeks, swamps, streams or watercourses and water management structures.
- Towns, houses and homesteads, existing roads, rails, fences, transmission lines, buildings, dams and pipelines.
- Known sightings of listed species.
- Location and extent of all environmentally sensitive areas.
- Any relevant land use types—eg parks and reserves, Aboriginal freehold land, Woomera Prohibited Area.

### 10. ADDITIONAL INFORMATION

An application for an Exploration PEPR must include additional information as set out in regulations 63(e) of the *Mining Regulations 2020*, and must comply with the determinations of these Terms of Reference as set out below:

#### 10.1 Exploration operations period

Where the exploration operations described in accordance with section 70B(2)(a) of the *Mining Act 1971* exceed 12 months in duration, the following additional information must be provided:

- Scope of the proposed exploration operations.
- All exploration methods to be covered by the PEPR.
- Extent of exploration operations—e.g. drillhole spacing and drill line density.
- Geographic extent of the area covered by the PEPR, including a general locality plan with tenement details, landowner boundaries and areas with environmental classifications or sensitivities.
- Specific environments where exploration operations will not be conducted—e.g. parks, reserves, salt lakes etc.

**10.2 Work undertaken in preparing the PEPR**

Summarise the research and fieldwork undertaken in preparing the PEPR including:

- Desktop reviews of existing information.
- Field visits for reconnaissance.
- Contractor consultation i.e. equipment scale, type.

Other information used when planning the proposed program.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING ACT 1971

## PART 10A

*Terms of Reference for Metallic and Industrial Mineral PEPRS*

A Program for Environment Protection and Rehabilitation (PEPR) under Part 10A of the *Mining Act 1971* for the recovery of metallic or industrial minerals must:

- comply with sections 70B and 70C of the *Mining Act 1971*, regulations 63, 64 and 66 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- be accompanied by a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- be accompanied by the relevant application fee.

**FORM OF THE PEPR**

A PEPR for a ML and/or MPL for minerals or industrial minerals must in accordance with section 70B(4a) of the *Mining Act 1971* be submitted to the Minister for approval in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- an electronic version of the PEPR must be submitted online through the relevant government website, or if approved by the Director of Mines or an authorised officer, submitted via email, post or courier and should be marked 'Attention: Mining Assessments';
- each page, plan or other separate sheet must include the tenement number(s), date of the PEPR preparation and sequential page numbering; and
- the electronic version must be submitted in one single Acrobat PDF file or if requested by the Director of Mines or an authorised officer, Microsoft Word compatible files must be submitted;

A reviewed PEPR submitted to the Minister for approval under section 70C of the *Mining Act 1971*, must in accordance with regulation 63(1)(e) include a description or summary of all content changes made to the submitted PEPR.

**PEPR**

A PEPR for a ML and/or MPL must comply with sections 70B and 70C of the *Mining Act 1971* and regulations 63, 64 and 66 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

**1. DESCRIPTION OF THE ENVIRONMENT**

In setting out a statement of criteria in accordance with section 70B(2)(b) of the *Mining Act 1971* and setting out strategies and criteria in accordance with regulation 63(b) and (c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a PEPR must include any new baseline environmental data relevant to the control strategies or criteria set out in clause 4, since the previous description of the environment or criteria was provided (in a proposal, approved PEPR or change to operations proposal).

Where changes to the environment are identified, a PEPR must provide an updated description of the environment to describe the changes.

**2. DESCRIPTION OF THE MINING OPERATIONS**

In specifying the authorised operations that are proposed in accordance with section 70B(2)(a) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a PEPR must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in clauses 2.1–2.10 must be described only to the extent that they apply to the mining operation.

**2.1. General Description and Maps/Plans of Operations**

Provide a summary description of all elements of the operation, including mining, processing and waste management (include maps/plans and sections as per clause 7).

**2.2. Reserves, Products and Market****2.2.1 Ore Reserves or Mineral Resources (or both)**

Provide:

- a statement of the current Australasian Joint Ore Reserves Committee (JORC) compliant ore reserve or mineral resource estimates (or both) in the tenement area; and
- a statement of what reserve and/or resource forms the basis for the mining operation;

or (if a JORC compliant reserve or resource (or both) has not been reported)

- an estimate of the resource to be mined and the basis of this estimate.

Provide steps that have been taken to ensure mining operations will not sterilise/prevent future extraction of mineral resources.

### 2.2.2 *Production Rate and Products*

Provide:

- a statement of the relevant commodities that are to be extracted, processed and sold, and the expected market or end use;
- a statement of any other commodities present in the tenement area that are not to be recovered for sale, and the reasons for this decision;
- a quantitative estimate of production of mine gate product(s) for the life of mine, and a schedule of the annual production of mine gate product(s); and
- a statement if any extractive minerals (as defined by Section 6 of the *Mining Act 1971*) will leave the lease.

## 2.3 **Exploration Activities**

Provide information that details all exploration activities to be undertaken within the tenement area as a part of the mining operation, including:

- purpose of the activities (i.e. resource drill-out or resource extension);
- types of drilling;
- geophysical techniques likely to be used;
- earthworks required to conduct exploration activities;
- equipment required to conduct exploration activities; and
- rehabilitation methods for exploration works (including that not yet rehabilitated from previous tenure).

Any clearance of native vegetation due to exploration activities that had not been rehabilitated at the grant of the mining lease or licence must be included within the significant environmental benefit calculations detailed within the native vegetation management plan.

## 2.4 **Mining Activities**

### 2.4.1 *Type or Types of Mining Operation to be Carried Out*

Provide a clear statement on the type or types of mining operation to be carried out, such as:

- the mining method(s) to be adopted.

### 2.4.2 *Open Pit*

Describe, for the life of mine from inception to cessation, all open pit workings, including (but not limited to):

- overall pit wall angles, bench height, berm width;
- dimensions and depth of pit;
- access ramps; and
- maps, plans and cross-sections (as per 7.1.1, 7.1.2, 7.1.7, 7.2.1 and 7.2.2).

### 2.4.3 *Underground Workings*

Describe underground workings, including (but not limited to):

- stoping methods;
- potential surface disturbance resulting from underground mining;
- declines, shafts, tunnels, bore holes, ventilation intakes and exhausts; and
- maps, plans and cross-sections (as per 7.1.1, 7.1.2, and 7.2.1). Where underground fill is used, describe:
  - type of fill to be used;
  - the volume percentage of underground void to be filled;
  - sequence of filling;
  - source and proportion of fill; and
  - maps, plans and cross-sections showing the fill (as per 7.1.7 and 7.2.2).

### 2.4.4 *Material Movements*

Provide:

- expected life of mine (including scope for extension);
- annual mine production rates and mine production schedule of ore and waste rock over the life of mine; and
- life of mine and annual strip ratios.

### 2.4.5 *Stockpiles*

Describe for all ore, product, subsoil and topsoil stockpiles the:

- location, size, shape and height of ore, product, subsoil and topsoil stockpiles;
- method of placement;
- method of stabilisation and erosion control of all stockpiles; and
- water movement through stockpiles.

The location, maximum height and extent of all stockpiles must be shown on a map (as per 7.1.1).

#### 2.4.6 *Use of Explosives*

If explosives are used, describe:

- type of explosives used on the site;
- timing and frequency of blasting;
- size of blasts; and
- storage of explosives (amount, type, detailed location and method of storage).

#### 2.4.7 *Type of Mining Equipment*

Provide a description of the equipment (fixed and mobile) to be used in the mining operation in terms of:

- type, size and capacity of machines;
- approximate number of units;
- noise outputs;
- exhaust outputs; and
- fire ignition sources.

The location of fixed equipment must be shown on a map (as per 7.1.2.1).

#### 2.4.8 *Mine Dewatering*

Provide:

- estimated inflows of groundwater, stormwater and water from any other mining activities into mine workings;
- details of mine dewatering infrastructure, and mine water management and disposal;
- contingency measures for greater than planned water inflows into mine workings; and
- a mine water balance of water inflows and water outflows during operations and at mine completion (if not included in the water balance in clause 2.5.4).

#### 2.4.9 *Sequence of Mining and Rehabilitation Operations*

Provide the following information on the sequence of operations in both text, map and cross section form (as per 7.1.2 and 7.2.1):

- description of the sequence of mining stages;
- sequencing of progressive and final rehabilitation, including demonstration that progressive rehabilitation has been integrated with the mining plan;
- an estimation of the quantities of sulfide minerals that have the potential to generate acid or mobilise metals, or other hazardous minerals to be mined at each mining stage; and
- any mineral resource that may be sterilised from future mining by the planned mining operations.

##### 2.4.9.1 *Rehabilitation Strategies and Timing*

Describe all activities, strategies and designs relating to mine closure for rehabilitation of open pit and/or underground workings, stockpiles, explosives storage, mining equipment and mine dewatering infrastructure. Include timing of these activities and all opportunities for progressive rehabilitation. Include (but not limited to) the maximum area of land disturbed by mining operations at any time, battering of mining faces and other earthworks, mine void backfilling, abandonment bunds, sealing of portals and ventilation shafts, soil management, revegetation and expected water infill rates.

#### 2.4.10 *Modes and Hours of Operation*

State if the operation will be worked on a continuous (24 hour, 7 days a week), regular periodical or campaign basis.

If the operation is to be worked on a regular periodical basis, specify:

- period(s) (daily, weekly and public holidays) to be worked; and
- start and finish hours the site is to be worked per period. If the operation is to be worked on a campaign basis, specify:
  - minimum hours the site is to be worked per year;
  - the minimum time of each campaign;
  - the maximum and minimum time between campaigns;
  - define the beginning and end of each campaign;
  - hours of mining operations during campaign;
  - days of mining operations during campaign;
  - determining factors for initiating and ceasing a campaign;
  - maximum and minimum tonnage of each campaign; and
  - maximum and minimum tonnage of production per year.

#### 2.4.11 *Care and Maintenance*

Detail all activities and strategies required for care and maintenance of the mine, should the mine suspend production, but not progress immediately to closure.

## 2.5 Crushing, Grinding, Processing and Product Transport

### 2.5.1 *Crushing and Grinding Plant*

Provide a description of the crushing / grinding plant including:

- area, size, type of construction and location;
- throughput rate;
- a description of ore preparation for processing;
- grind size of the ore;
- noise sources;
- dust sources and composition;
- fire ignition sources; and
- maps and plans (as per 7.1.3).

### 2.5.2 *Processing Plant*

Provide a description of the processing plant including:

- the methods and details of processing and value adding;
- number, location, area, size, type of construction (including lining and drainage systems, as appropriate) of processing plant;
- any ancillary plant and infrastructure to be used for processing the minerals on site; examples of associated structures are concrete batching plants, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage/use, reverse osmosis plants and bore fields;
- if chemicals are to be used in the beneficiation or processing of ore, describe the nature and quantities of the chemicals to be used, their reactions with ore and their ultimate fate;
- noise sources;
- dust sources and composition;
- fire ignition sources;
- other potential air emissions (including odour) and their composition; and
- maps and plans (as per 7.1.1 and 7.1.3).

### 2.5.3 *Heap Leach*

Provide a description of the Heap Leach Pad and process including:

- type, size and location of the Heap Leach Pad;
- construction and operating specifications for the Heap Leach Pad and process, including solution containment measures;
- geochemical and geotechnical assessment of the material placed on the Heap Leach Pad before and after leaching;
- method and rate of ore deposition and removal;
- chemical characteristics of the leach solution, pregnant liquor and raffinate solutions;
- solution application rates, and method of application;
- removal (where proposed) of the Heap Leach Pad at cessation of production and the method/location of disposal of leached material;
- method of stabilisation and erosion control of Heap Leach Pad;
- an assessment of the long term chemical and physical stability of the Heap Leach Pad post mine completion;
- the source, pathway and ultimate fate of any potential mobile contaminants; and
- maps and plans (as per 7.1.1 and 7.1.4).

### 2.5.4 *Process Water Management*

Provide a water balance including:

- approximate water volumes required;
- a summary of the inputs and outputs (with consideration of any purge requirements);
- determination of net surplus or deficit; and
- process flowsheet showing all streams including stormwater management and mine dewatering where these are connected to the processing circuit.

Provide a description of all water ponds, including:

- size, capacity, layout and location of ponds;
- design and construction methods;
- chemical composition of the solution to be stored in each pond;
- minimum freeboard to be maintained; and
- plans (as per 7.1.2.1).

### 2.5.5 *Type of Mobile Equipment*

For mobile equipment to be used in crushing / grinding, processing ore and in transporting the mine product to the point of sale, describe:

- type, size and capacity of machines;
- approximate number of units;
- noise outputs;
- exhaust outputs; and
- fire ignition sources.

### 2.5.6 *Conveyors and Pipelines*

Provide a description of any conveyors or pipelines to be used for transporting material to or from the mine, processing facilities and the point of sale including:

- length, size (volumes to be transported), design and type of construction and location;
- the material being transported;
- leak detection strategies for pipelines;
- noise sources;
- dust sources and composition;
- fire ignition sources; and
- maps, plans and cross-sections (as per 7.1.1).

### 2.5.7 *Hours of Operation*

Describe the hours of operation of crushing / grinding, processing and transport activities.

### 2.5.8 *Care and Maintenance*

Detail all activities and strategies required for care and maintenance of processing facilities, and material transport systems, should the mine suspend production, but not progress immediately to closure.

### 2.5.9 *Rehabilitation Strategies and Timing*

Detail all activities, strategies and designs relating to mine closure for removal, disposal, and rehabilitation of processing facilities, and material transport systems, including timing of these activities.

For rehabilitation strategies and timing related to Heap Leach, provide:

- a Heap Leach detoxification strategy;
- identification of the volumes of process solution and flush water to be disposed of at closure; and
- a methodology for the disposal of residual process solution and flush water at closure.

## 2.6 **Wastes**

### 2.6.1 *Waste Rock and Tailings Storage Facilities*

For waste rock and tailings storage facilities (TSF) provide:

- the estimated tonnes and volumes of all waste rock and tailings to be stored;
- the reserve and any resource or potential resource that the estimated tonnes and volumes of waste rock and tailings is based on;
- the type, location, size, shape, height and method of construction of permanent and temporary waste storage facilities;
- a geochemical and geotechnical assessment of the waste rock and tailings based on the geochemical and geotechnical properties determined from the analysis of representative sampling of all waste rock types and tailings to be disposed;
- an assessment on the weathering and erosive potential of waste rock to be disposed;
- specifications, drawings and plans for the design, construction, operation and completion of all facilities (as per 7.1.5);
- the method and rate of waste rock/tailings disposal;
- where relevant, a description of the placement and encapsulation of waste material deemed to be hazardous, including potentially acid forming material (PAF);
- the method of stabilisation and erosion control of waste storage facilities, both during operations and post completion;
- surface water runoff control on disturbed and rehabilitated areas;
- a geotechnical stability assessment and a factor of safety analysis;
- an assessment of seepage of liquids through the waste rock and tailings storage facilities;
- strategies for the containment of any seepage that has the potential to impact the environment;
- an assessment of the post completion chemical and physical stability of the structure following rehabilitation, including the expected extent of erosion;
- an assessment of the source, pathway and ultimate fate of any potential mobile contaminants; and
- a description of the governance arrangements for the design, construction, operation and closure including when it is proposed to use third party verification.

Include a water balance for the TSF (if not included in the water balance in clause 2.5.4).



### 2.6.2 *Other Processing Wastes*

Provide:

- the volumes and composition of all solid and liquid wastes produced;
- estimated volumes of waste processing water, reverse osmosis reject water, water content of solid wastes, and method of disposal or recycling;
- waste water composition;
- disposal and management of any hazardous material or contaminants within waste including radioactive, toxic, corrosive or flammable materials; and
- the source, pathway and ultimate fate of any potential mobile contaminants.

### 2.6.3 *Industrial and Commercial Wastes*

List any industrial and commercial wastes generated including, but not limited to:

- putrescible waste, including sewage;
- oils and other hydrocarbons; and
- tyres.

For each waste type, describe the method of disposal including:

- offsite disposal;
- on site waste disposal (including size, location and construction details);
- recycling (either on or offsite);
- the type, area and layout of sewage systems to be installed at the site; and
- describe what, if any approvals are required for the disposal of waste.

For each type of waste, describe any potential contaminants that may be generated from onsite storage, and the ultimate fate of those contaminants.

### 2.6.4 *Care and Maintenance*

Detail all activities and strategies required for care and maintenance of waste rock and tailings and any other waste left on site, should the mine suspend production, but not progress immediately to closure.

### 2.6.5 *Rehabilitation Strategies and Timing*

Detail all activities, strategies and designs relating to mine closure, including timing of these activities and all opportunities for progressive rehabilitation of waste rock and tailings and any other waste to be left on site.

## 2.7 **Supporting Surface Infrastructure**

### 2.7.1 *Access*

Describe:

- access route to the mining operations and show on a map (as per 7.1.6);
- indicate if any new roads are to be constructed, or if existing roads or intersections (public and private) are to be upgraded;
- transport system(s) used to and from the mining operations and the estimated number of vehicle movements per day; and
- airport/airstrips to be constructed.

### 2.7.2 *Accommodation and Offices*

Describe onsite personnel accommodation and offices, including (but not limited to):

- number, area, size, type of construction and location of accommodation, office, meals or laboratory buildings, caravans or camp, and associated structures to be used on site; and
- state if temporary or permanent.

### 2.7.3 *Public and Private Services and Utilities Used by the Operation*

Describe:

- sources of services that are supplied to the operations, including (but not limited to) power, water, telecommunications;
- routes for connection if any new connections to public infrastructure are required; and
- any existing surface infrastructure that has been and/or the extent it may be affected by the mining operations.

### 2.7.4 *Visual Screening*

Describe the type of screening, including existing or planned vegetation (i.e. species and density of plantings) and show on a map (as per 7.1.1).

### 2.7.5 *Fuel and Chemical Storage*

For all fuels and chemicals stored on site show the proposed location of storage on a map (as per 7.1.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- details on storage, bunding and containment for all chemical and fuel storage vessels.

### 2.7.6 *Site Security*

Describe and show on a map (as per 7.1.2.1) infrastructure and measures that will be adopted to prevent unauthorised access by the public, including fencing, signage etc.

### 2.7.7 *Stormwater, Silt Control and Drainage*

Describe:

- location and design of silt management structures;
  - runoff control on disturbed and rehabilitated areas;
  - storage, diversion and release of clean water (discharge water must comply with the applicable Environment Protection Authority South Australia water quality policy); and
  - a whole of site stormwater balance, if not included in the water balance in clause 2.5.4.
- Provide a plan showing the surface water movement for the whole mine site (as per 7.1.1).

### 2.7.8 *Care and Maintenance*

Detail all activities and strategies required for care and maintenance of supporting surface infrastructure, should the mine suspend production, but not progress immediately to closure.

### 2.7.9 *Rehabilitation Strategies and Timing*

Detail all activities, strategies and designs relating to mine closure for rehabilitation of supporting surface infrastructure. Provide details for timing of closure activities, including all opportunities for progressive rehabilitation.

## 2.8 **Vegetation Clearance**

If clearance of native vegetation is to occur, a Native Vegetation Management Plan (NVMP) prepared by an accredited consultant must be included with the PEPR.

The NVMP must:

- describe the vegetation type to be cleared and include a map (as per 7.1.2) showing the proposed clearance area; and
- state the quantum of significant environmental benefit (SEB) to be gained in exchange for the clearance and describe how the SEB will be provided.

## 2.9 **Mine Completion**

### 2.9.1 *Description of Mine Site at Completion*

Provide a description, plans and cross sections of the mine site (as per 7.1.7 and 7.2.2) as it will be at completion after all rehabilitation and closure activities have been completed, including:

- final post completion land use;
- landforms;
- vegetation covers (including native vegetation that will not be disturbed due to mining operations);
- natural contours of land not to be disturbed by mining operations;
- any mining infrastructure that will remain on site and will become the responsibility of the landowner;
- location, description and management of waste disposal areas;
- location of reshaped and rehabilitated areas showing surface contours and revegetation;
- mine voids (open pit and/or underground);
- location of stored and/or exposed PAF material and/or other hazardous materials;
- expected final water level and time to reach this level, and water quality of mine voids;
- location of surface water infrastructure including ponds and diversions; and
- representative plans and cross-sections that show:
  - pre-mining natural surface
  - emplacement areas, waste disposal areas and disturbed areas
  - final rehabilitated surface
  - where relevant, backfilled and remaining underground workings
  - predicted final groundwater levels
  - interpreted geology including all rock types.

Provide a description of the mechanism for transferring responsibility for any potential residual liability (i.e. ongoing maintenance or monitoring) subsequent to surrender of the tenement.

### 2.9.2 *Rehabilitation Liability Estimate*

Provide the maximum third party cost of rehabilitation at any time over the life of mine covered by the PEPR. The estimate must be based on reasonable third party costs of undertaking the rehabilitation strategies as outlined in clause 2 and include costs for project management, inflation, normal project variation, and contingency provision for risk associated with the strategies and uncertainty in the cost estimates.

## 2.10 **Resource Inputs**

### 2.10.1 *Workforce*

For the workforce for all operations (mining, processing, waste management and supporting surface infrastructure), describe:

- how operations on the site will be managed;
- number and workforce breakdown by job type;
- number of full-time employee positions that would be directly created by the proposal (not to include existing positions);
- the proportion of the workforce that would reside in the local community and the estimated impact on local employment;

- any programs to target and assist Indigenous or local employment at the mine;
- training to be provided to employees and potential employees;
- approximate timelines for creation of the positions; and
- potential for local business participation, and procurement of local goods and services.

#### 2.10.2 Energy Sources

For the energy sources and usage provide:

- estimates of total annual energy usage (from all sources, including personnel transport and ore transport to point of sale);
- expected sources of energy;
- potential for efficiency gains;
- amount and percentage of zero emission energy to be utilised;
- equivalent annual CO<sub>2</sub> generated; and
- any carbon offsets proposed.

#### 2.10.3 Water Sources

Provide details on the source(s) of water to be used, expected usage and any discharge, including:

- expected annual water usage by source;
- indicate if any water usage by source will be more than 5% of the total annual water withdrawal for that source;
- percentage of water that will be recycled; and
- water discharge by quality and destination.

### 3. CONSULTATION

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with regulation 64 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a PEPR must include:

A description of:

- the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the mining operation;
- the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders;
- if any individual or group of similar affected persons were not able to be consulted, the steps taken to consult with them.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted;
- any concerns / issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

### 4. ENVIRONMENTAL OUTCOMES, STRATEGIES, CRITERIA AND MONITORING

#### 4.1. Environmental Outcomes

A PEPR must set out environmental outcomes (including completion outcomes) in accordance with section 70B(2)(b)(i) of the *Mining Act 1971*, or as required by the lease/licence or change to operations proposal

For each environmental outcome, the information described in Clauses 4.2, 4.3 and 4.4 must be provided.

#### 4.2. Control and Management Strategies

In setting out the control and management strategies adopted to demonstrate that the environmental outcomes can be and will continue to be achieved in accordance with regulation 63(1)(b) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a PEPR must:

- demonstrate that the control and management strategies are commensurate with the impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation;
- describe any significant degree of uncertainty in accordance with regulation 63(3)(c) pertaining to the likely effectiveness of control and management strategies, including (but not limited to) lack of site specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty;
- so far as is relevant, identify the sensitivity to change of any assumption that has been made in accordance with regulation 63(3)(d) and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect;
- provide a description and list of current and future works (for example (but not limited to) trials, test work, studies, modelling, validations) that are to be undertaken to address the identified uncertainty or assumption;
- provide a schedule of the timing that the future works will be undertaken and completed; and
- based on the schedule of future works, state the timing for review of the PEPR in accordance with Section 70C (1) of the *Mining Act 1971*.

#### 4.3 Measurement Criteria

In preparing a statement of the criteria to be adopted to measure each of the environmental outcomes in accordance with section 70B(2)(c) of the *Mining Act 1971* and regulation 63(1)(c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* the following:

Set out a statement of criteria for each environmental outcome (including completion outcomes).

The criteria must comply with the five elements of regulation 63(1)(c) and must include details about:

- responsibility (who will measure);
- record keeping; and
- frequency of reporting to management and any external parties.

The statement of criteria must be developed separately for construction, operation and mine completion, as appropriate.

Where appropriate, recognised industry standards, codes of practice or legislative provisions from other Acts can be used as criteria.

All point-related measurement criteria, such as water bores, sampling points and photo points (including direction) must be included on a map.

When control or baseline data is used, this must be included in the PEPR.

Where groundwater modelling is to be relied upon to demonstrate achievement of groundwater completion outcomes, the statement of criteria must include a process must be provided for validation of predictive modelling, including a description of the model and assumptions used.

Where native vegetation clearance is planned and in the case where an on ground offset by the operator is to be used to demonstrate the Significant Environmental Benefit (SEB), the statement of criteria must demonstrate the successful implementation of the on ground offset through the native vegetation management plan.

#### 4.4 Leading Indicator Criteria

If required by the lease/licence and/or where there is a high level of reliance on control strategies to achieve an environmental outcome, set out leading indicator criteria as required by regulation 63(1)(d) of the *Mining Regulations 2020* that will be used to give an early warning that a control strategy may fail or be failing.

Set out leading indicator statement of criteria where required (including mine completion outcomes). The leading indicator criteria must comply with the five elements of regulation 63(1)(c) of the *Mining Regulations 2020* and the statement of criteria must include details about:

- responsibility (who will measure);
- record keeping; and
- frequency of reporting to management and any external parties.

### 5. OPERATOR CAPABILITY

In preparing information about the ability of the tenement holder (and any other person who may be acting on behalf of the tenement holder) in accordance with section 70B(2)(d) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that this information must be accompanied by relevant evidence demonstrating that the tenement holder (and any other person who may be acting on behalf of the tenement holder as an operator) has appropriate experience, processes and procedures in place to be able to achieve the environmental outcomes.

### 6. LEASE/LICENCE

Where the lease or licence includes specific conditions or requirements that are not environmental outcomes, in accordance with regulation 63(1)(e) a PEPR must include a section that demonstrates where the respective conditions or requirements have been addressed in the PEPR (if relevant) or demonstrates how otherwise they have or will be complied with.

### 7. MAPS, PLANS AND CROSS SECTIONS

In preparing a PEPR in accordance with section 70B(2) of the *Mining Act 1971* and regulation 63 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that all maps, plans and cross sections must comply with the following requirements relating to the amount of detail or information to be provided:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, north arrow, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information;
- be legible in both the hardcopy and electronic versions of the submission; and
- be accompanied by a map showing the orientation of the cross-sections.

#### 7.1 Map(s) and Plan(s) required for Description of Operations (as per clause 2)

7.1.1 *Site Layout Map showing all components of the operation including (but not limited to):*

- tenement area boundaries;
- location of surface water and sediment management infrastructure;
- location of process water dams;
- location of fuel and chemical storage areas;
- location of haul/access roads;
- location of fixed plant;
- location of mobile plant for stage 1 of mining;
- location of visual screening measures;
- location of fencing;

- location and extent of topsoil/subsoil and product stockpiles.
  - location and extent of all areas proposed to be disturbed from mining including waste rock, silt/slimes dams, mine infrastructure, processing plant, process water ponds, waste disposal facilities; and
  - location and extent of open pit(s) and/or underground workings.
  - location of key environmental features that are within or in close proximity to the Tenement and that are relevant to the design of the Site Layout Plan, including but not limited to housing and infrastructure, existing heritage sites, existing ephemeral and permanent rivers, watercourses, creeks or dams and/or existing native vegetation
- 7.1.2 *Sequence of Mining and Progressive Rehabilitation Map showing:*
- tenement area boundaries;
  - staging of each progressive mining stage;
  - native vegetation clearance;
  - location and applicable buffer zones for protection of native vegetation that will not be cleared; and
  - conceptual staging of each progressive rehabilitation stage.
- 7.1.3 *Crushing, Grinding and Processing Plant Plan*
- tenement area boundaries
  - layout of crushing, grinding and processing plant(s) and ancillary plant and infrastructure; and
  - if required; including lining and drainage systems.
- 7.1.4 *Heap Leach Pad Plan*
- tenement area boundaries
  - construction and design drawings of heap leach pad (including size and batters); and
  - solution containment measures
- 7.1.5 *Tailings Storage Facility (TSF) Plan*
- tenement area boundaries
  - conceptual drawings and plans for design, construction, operation and completion of all facilities;
  - size, shape, height and method of construction; and
  - location of any waste material deemed to be hazardous including potentially acid forming material.
- 7.1.6 *Access Route Map showing:*
- tenement area boundaries
  - access route for heavy vehicles;
  - exit route for heavy vehicles; and
  - any road upgrades or new roads to be constructed.
- 7.1.7 *Completion Map showing:*
- tenement area boundaries
  - conceptual final landforms (including rehabilitated and non-disturbed areas);
  - topographical contours of the entire site (including rehabilitated and non-disturbed areas);
  - backfilled and remaining underground workings;
  - location of waste disposal areas (including waste rock dumps, tailings storage facilities and PAF encapsulation); and
  - interpreted geology including all rock types.
- 7.2 Cross-Sections required for Description of Operations (as per clause 2)**
- 7.2.1 *Mining Operation Cross-Section(s) showing:*
- pre-mining natural surface;
  - pit depth;
  - pit dimensions (length and width);
  - pit batters and benches;
  - location of underground shafts and stopes; and
  - stages of operation.
- 7.2.2 *Completion Cross Section(s) showing:*
- pre mining natural surface;
  - rehabilitated final batters and benches;
  - location of underground backfill in shafts and stopes;
  - predicted final groundwater elevations; and
  - final rehabilitated surface.

## MINING ACT 1971

## PART 10A

*Terms of Reference for Metallic and Industrial Mineral Transitional PEPRS*

This Terms of Reference applies to mining leases (ML) and miscellaneous purpose licences (MPLs) for the recovery of metallic or industrial minerals (excluding coal and uranium), where, as at 1 January 2021, that ML or MPL:

1. has a PEPR that transitioned by virtue of regulation 114 of the repealed *Mining Regulations 2011*, being:
  - a. an exploration work approval (EWA) under regulation 56(b) of the repealed *Mining Regulations 1998*; or
  - b. a declaration of environmental factors (DEF) imposed under regulation 56(b) of the repealed *Mining Regulations 1998* or by a condition attached to an exploration licence (or both); or
  - c. a program for mining and rehabilitation of land (MARP) under regulation 42(b) of the repealed *Mining Regulations 1998*; or
2. has a PEPR that transitioned by virtue of section 70DA of the *Mining Act 1971*, being:
  - a. a development program (ADP) approved under regulation 9 of the *Mines and Works Inspection Regulations 2013*; or
3. was granted prior to 2011 and does not have a program under part 10A of the *Mining Act 1971* and must comply with the transitional provision in schedule 5, clause 7 of the *Mining Regulations 2020*.

A Program for Environment Protection and Rehabilitation (transitional PEPR) under Part 10A of the *Mining Act 1971* for the recovery of metallic or industrial minerals must:

- comply with sections 70B and 70C of the *Mining Act 1971*, regulations 63, 64 and 66 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- be accompanied by a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- be accompanied by the relevant application fee.

**FORM OF THE PEPR**

A transitional PEPR for an ML and/or MPL for minerals or industrial minerals must, in accordance with section 70B(4a) of the *Mining Act 1971*, be submitted to the Minister for approval in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- an electronic version of the transitional PEPR must be submitted online through the relevant government website, or if approved by the Director of Mines or an authorised officer, submitted via email, post or courier and should be marked 'Attention: Mining Assessments'
- each page, plan or other separate sheet must include the tenement number(s), date of the transitional PEPR preparation and sequential page numbering; and
- the electronic version must be submitted in one single Acrobat PDF file or if requested by the Director of Mines or an authorised officer, Microsoft Word compatible files must be submitted.

**PEPR**

A transitional PEPR for an ML and/or MPL must comply with sections 70B and 70C of the *Mining Act 1971* and regulations 63, 64 and 66 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

**1. DESCRIPTION OF THE ENVIRONMENT**

In accordance with regulation 63(1)(a), the Minister determines that a mineral tenement to which this Terms of Reference applies must include a description of the features of the environment that are expected to be affected by the proposed operations in accordance with regulation 63(1)(a)(i) of the *Mining Regulations 2020* and as set out in this Terms of Reference.

Each of the elements of the existing environment (as defined in section 6(4) of the *Mining Act 1971*) listed in clauses 1.1-1.20 must be described only to the extent that they may need to be considered in assessing the potential impacts of the proposed operations. If the element is not likely to be impacted by the operation, a statement to that effect must be included.

**1.1 Topography and landscape**

Provide a description and map (as per 7.1.1.1) of the topography and landscape, detailing the:

- tenement area; and
- general surroundings.

**1.2 Climate**

Provide:

- a summary of rainfall and temperature patterns, evaporation rates, and wind directions and speed (including maximum wind gusts); and
- details of the maximum average recurrence interval or annual exceedance probability rainfall event used for the operational and closure design of the project, and the justification for the value(s) selected.

**1.3 Topsoil and subsoil**

Provide:

- a description of the soil profile (type and depth), and the characteristics and/or productivity of all soils on the tenement area (show this information on a map as per 7.1.1.2 if there is a variation in soils over the tenement area); and
- identify any soil characteristics, including (but not limited to) erodibility, acid sulfate, sodic or non-wettable soils, that may require control measures to reduce environmental impacts during operations or rehabilitation.

#### 1.4 Geological environment

Provide a description of the following, as a minimum:

- regional geology
- local geology within the tenement area and geological map(s) (as per 7.1.1.2), including but not limited to:
  - location, dimensions and orientation (dip and strike), and extent of the mineral resource and ore reserve
  - location and composition of all rock types and rock units that are proposed to be disturbed
  - interpretation of the stratigraphy of the rocks hosting the deposit as well as any overlying and adjacent rock units; and
  - an indication of the potential for extension to the orebody
- representative cross-sections and long section (as per 7.2.1.1) of the geology of the tenement area; and
- the exploration data on which the geological interpretation was based.

#### 1.5 Geochemistry and geohazards

Provide:

- a geochemical assessment of all rock types that are proposed to be disturbed, based on representative sampling and analysis that includes the identification and quantification of, but not limited to, sulfide minerals that have the potential to generate acid or mobilise metals into the environment; and
- a mineralogical assessment of all the rock types that are proposed to be disturbed, based on representative sampling and analysis for the presence and quantification of (but not limited to) radioactive minerals, asbestiform minerals or minerals that have the potential to produce respirable silica.

Describe the potential for any of the following natural geohazards to be present in the tenement area and show on a map:

- structural instability, including slips, faults, karst features or geological discontinuities; and
- major seismic events (based on historical data).

#### 1.6 Groundwater

If all proposed mining operations are to occur at least 3 m above the seasonally high water table, provide:

- a statement that all proposed mining operations are to occur at least 3 m above the seasonally high water table
- a statement that the proposed mining operations will not /are unlikely to increase the seasonally high water table to within 3 m of the mining operations anywhere within the lease tenement area
- an assessment of the position of the seasonally high water table beneath the entire lease tenement area; and
- the drillhole, borehole and hydrogeological data and information the assessment is based on.

If any part of the proposed mining operations is likely to occur within 3 m of the seasonally high water table, or the proposed mining operations will/are likely to increase the seasonally high water table to within 3 m of the mining operations, or the proposed mining operations are likely to intersect aquifer unit(s), provide:

- a statement describing if the tenement area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019* and details on the current availability of groundwater resources within the prescribed area
- a description of the local and regional hydrogeology, detailing both the stratigraphy and hydrostratigraphy
- a detailed baseline description of the groundwater characteristics and flow dynamics for aquifers within the tenement area which includes:
  - static water levels and groundwater heads/groundwater elevations, including seasonal fluctuations for each aquifer
  - baseline groundwater hydrochemistry and mineralogy, including any seasonal fluctuations and spatial variability for each aquifer
  - aquifer properties including hydraulic conductivity, transmissivity, specific yield, storage coefficient, total porosity, effective porosity and aquifer thickness
  - recharge and discharge mechanisms
  - hydrogeological characteristics of confining strata, including hydraulic conductivity and thickness
  - connectivity between the proposed mining aquifer and lateral, overlying or underlying aquifers and surface water
  - conceptualisation of the hydrogeology: a summary of all above and a description of the hydrogeological setting considered important for impact assessment; and
  - a preliminary impact assessment/numerical model of groundwater flow (and contaminant transport model, if applicable), based on the conceptual hydrogeology.
- local and regional potentiometric surface/groundwater elevation map(s) (as per 7.1.1.3) for each aquifer within the tenement area
- cross-section(s) (as per 7.2.1.2) of the hydrostratigraphy
- the environmental value of each aquifer determined according to the Environment Protection (Water Quality) Policy 2015, or any subsequent updates
- a description of the existence, location, condition and value of all aquatic, terrestrial and subterranean Groundwater Dependent Ecosystems (GDEs) within the tenement area and within and immediately surrounding the extent of predicted hydrogeological impact of the proposed mine operations; and
- an assessment of any current or historical use of local groundwater by the landowner(s) and other users which includes a baseline survey of bores, including depth to groundwater, groundwater quality, bore construction details, status and purpose and collar/ground elevations.

**1.7 Surface water**

Provide a topographic map (as per 7.1.1.1) and description of the current drainage patterns for the tenement area and water catchment including:

- location of watercourses, drains, dams and wetlands
- surface water catchment boundaries
- direction of drainage and discharge from the tenement area
- a statement describing if the tenement area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019*, and provide details on the current availability of water resources within the prescribed area
- a statement if the tenement area is within a water protection area including areas under the *River Murray Act 2003*
- a statement as to whether the application falls within the Murray Darling Basin; and
- groundwater—surface water interactions.

Provide water quality data for identified watercourses where there is potential for discharge into that watercourse from the proposed operation (whether intentional or not). Should identified watercourses be ephemeral, and it is not possible to collect water samples, provide a characterisation of sediments sampled from the watercourse bed upstream and downstream of the tenement area.

If there is potential for changing a flow regime (including change in flow volume) or discharge into these watercourses from the proposed operations, an assessment of the use of this water by the landowner, downstream users and water dependent ecosystems must be included.

**1.8 Vegetation, weeds and plant pathogens**

Provide:

- a description and map (as per 7.1.1.1) of existing flora (native and introduced) in the tenement area and surroundings
- the State conservation status and habitat value of native vegetation present in the tenement area
- a description of the presence of *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, listed species and ecological communities
- a description of the extent the tenement area and adjoining land is affected or potentially affected by pathogens and prescribed weeds; and
- if known, a description of the history of land use to identify if the existing vegetation is the result of deliberate cultivation or natural regrowth arising from previous clearance.

**1.9 Fauna**

Describe the native and feral fauna that may be present in the tenement area noting State or Commonwealth conservation status of all species.

**1.10 Caves**

If the tenement area is within, or near to, known caves or significant limestone formations, a survey for the presence of caves must be performed.

Provide a summary of the results of the survey and describe the presence of any caves in karst (limestone) areas within, or near to, the tenement area and show on a map (as per 7.1.1.5).

**1.11 Local community**

Provide:

- a description of the local population, the economy, services and employment; and
- details of nearest town or urban areas, with a summary of the demographics of the local population.

**1.12 Landowners and land use**

Provide a description of:

- land ownership for all titles within and adjacent to the tenement area
- land use (historical and current) for the tenement area and the surrounding areas
- the zoning as defined by the Planning and Design Code or relevant council development plans
- policies relevant to the tenement area, including region or council wide, zone specific and sub areas within a zone
- known plans for potential future land use changes by other parties; and
- any other interests or restrictions on the tenement area, including:
  - public utility easements
  - if the application is within land used for defence purposes, including (but not limited to) the Woomera Prohibited Area or the Cultana Army Training Area
  - any overlapping or adjacent tenements under the *Mining Act 1971*, or *Petroleum and Geothermal Energy Act 2000*.

**1.13 Proximity to infrastructure and housing**

Provide information and a map (as per 7.1.1.4):

- identifying residences within and near the tenement area
- identifying other human infrastructure such as (but not limited to) schools, hospitals, commercial or industrial sites, roads, sheds, bores, dams, ruins, pumps, cemeteries, scenic lookouts, roads, railway lines, fences, transmission lines, gas and water pipelines, and telephone lines (both underground and above ground); and
- identifying public roads to be utilised or affected as part of proposed operations, including an estimate of the existing traffic movements.



**1.14 Exempt land**

Provide a description and map (as per 7.1.1.4) of any applicable exempt land under Section 9 of the *Mining Act 1971*.

**1.15 Amenity**

Provide a description of scenic or aesthetic values for the tenement area and immediate surrounds, including features of community, tourist or visitor interest.

**1.16 Air quality**

Provide a description of the existing levels of dust and contributors to air quality including odour (both natural and anthropogenic).

**1.17 Noise**

Provide a description and measurement data of the existing levels of noise and contributors to noise (both natural and anthropogenic).

**1.18 Heritage (Aboriginal, European, geological)**

Detail and show on a map (as per 7.1.1.1):

- any registered heritage sites in or adjacent to the tenement areas that are protected under legislation (in so far as may be permitted under the relevant legislation); and
- include a statement concerning whether or not an Aboriginal cultural heritage survey has been conducted by the proponent and if so, the results of the survey.

**1.19 Proximity to conservation areas**

Provide:

- information and a map (as per 7.1.1.1) showing proximity to national parks and reserves, private conservation areas, Commonwealth-recognised conservation areas, heritage agreement areas and geological heritage sites; and
- a statement as to whether the tenement area falls within the Adelaide Dolphin Sanctuary, Adelaide International Bird Sanctuary or a Marine Park.

**1.20 Pre-existing site contamination and previous disturbance**

Provide information and a map (as per 7.1.1.1) showing:

- any known existing contamination of the site and of any disturbance by previous operations or other activities.

**2. DESCRIPTION OF THE MINING OPERATIONS**

In specifying the authorised operations that are proposed in accordance with section 70B(2)(a) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a transitional PEPR must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in clauses 2.1–2.10 must be described only to the extent that they apply to the mining operation.

**2.1. General description and maps/plans of operations**

Provide a summary description of all elements of the operation, including mining, processing and waste management (include maps/plans and sections as per clause 7).

**2.2. Reserves, products and market****2.2.1 Ore reserves or mineral resources (or both)**

Provide:

- a statement of the current Australasian Joint Ore Reserves Committee (JORC) compliant ore reserve or mineral resource estimates (or both) in the tenement area; and
  - a statement of what reserve and/or resource forms the basis for the mining operation;
- or if a JORC compliant reserve or resource (or both) has not been reported:
- an estimate of the resource to be mined and the basis of this estimate.

Provide steps that have been taken to ensure mining operations will not sterilise/prevent future extraction of mineral resources.

**2.2.2 Production rate and products**

Provide:

- a statement of the relevant commodities that are to be extracted, processed and sold, and the expected market or end use
- a statement of any other commodities present in the tenement area that are not to be recovered for sale, and the reasons for this decision
- a quantitative estimate of production of mine gate product(s) for the life of mine, and a schedule of the annual production of mine gate product(s); and
- a statement if any extractive minerals (as defined by Section 6 of the *Mining Act 1971*) will leave the lease.

**2.3 Exploration activities**

Provide information that details all exploration activities to be undertaken within the tenement area as a part of the mining operation, including:

- purpose of the activities (ie resource drill-out or resource extension)
- types of drilling
- geophysical techniques likely to be used
- earthworks required to conduct exploration activities
- equipment required to conduct exploration activities; and
- rehabilitation methods for exploration works (including that not yet rehabilitated from previous tenure).

Any clearance of native vegetation due to exploration activities that had not been rehabilitated at the grant of the mining lease or licence must be included within the significant environmental benefit calculations detailed within the native vegetation management plan.

## 2.4 Mining activities

### 2.4.1 *Type or types of mining operation to be carried out*

Provide a clear statement on the type or types of mining operation to be carried out, such as:

- the mining method(s) to be adopted.

### 2.4.2 *Open pit*

Describe, for the life of mine from inception to cessation, all open pit workings, including (but not limited to):

- overall pit wall angles, bench height, berm width
- dimensions and depth of pit
- access ramps; and
- maps, plans and cross-sections (as per 7.1.2.1, 7.1.2.2, 7.1.2.7, 7.2.2.1 and 7.2.2.2).

### 2.4.3 *Underground workings*

Describe underground workings, including (but not limited to):

- stoping methods
- potential surface disturbance resulting from underground mining
- declines, shafts, tunnels, bore holes, ventilation intakes and exhausts; and
- maps, plans and cross-sections (as per 7.1.2.1, 7.1.2.2, and 7.2.2.1).

Where underground fill is used, describe:

- type of fill to be used
- the volume percentage of underground void to be filled
- sequence of filling
- source and proportion of fill; and
- maps, plans and cross-sections showing the fill (as per 7.1.2.7 and 7.2.2.2).

### 2.4.4 *Material movements*

Provide:

- expected life of mine (including scope for extension)
- annual mine production rates and mine production schedule of ore and waste rock over the life of mine; and
- life of mine and annual strip ratios.

### 2.4.5 *Stockpiles*

Describe for all ore, product, subsoil and topsoil stockpiles the:

- location, size, shape and height of ore, product, subsoil and topsoil stockpiles
- method of placement
- method of stabilisation and erosion control of all stockpiles; and
- water movement through stockpiles.

The location, maximum height and extent of all stockpiles must be shown on a map (as per 7.1.2.1).

### 2.4.6 *Use of explosives*

If explosives are used, describe:

- type of explosives used on the site
- timing and frequency of blasting
- size of blasts; and
- storage of explosives (amount, type, detailed location and method of storage).

### 2.4.7 *Type of mining equipment*

Provide a description of the equipment (fixed and mobile) to be used in the mining operation in terms of:

- type, size and capacity of machines
- approximate number of units
- noise outputs
- exhaust outputs; and
- fire ignition sources.

The location of fixed equipment must be shown on a map (as per 7.1.2.1).

### 2.4.8 *Mine dewatering*

Provide:

- estimated inflows of groundwater, stormwater and water from any other mining activities into mine workings
- details of mine dewatering infrastructure, and mine water management and disposal
- contingency measures for greater than planned water inflows into mine workings; and
- a mine water balance of water inflows and water outflows during operations and at mine completion (if not included in the water balance in clause 2.5.4).

#### 2.4.9 *Sequence of mining and rehabilitation operations*

Provide the following information on the sequence of operations in both text, map and cross section form (as per 7.1.2.2 and 7.2.2.1):

- description of the sequence of mining stages
- sequencing of progressive and final rehabilitation, including demonstration that progressive rehabilitation has been integrated with the mining plan
- an estimation of the quantities of sulfide minerals that have the potential to generate acid or mobilise metals, or other hazardous minerals to be mined at each mining stage; and
- any mineral resource that may be sterilised from future mining by the planned mining operations.

##### 2.4.9.1 *Rehabilitation strategies and timing*

Describe all activities, strategies and designs relating to mine closure for rehabilitation of open pit and/or underground workings, stockpiles, explosives storage, mining equipment and mine dewatering infrastructure. Include timing of these activities and all opportunities for progressive rehabilitation. Include (but not limited to) the maximum area of land disturbed by mining operations at any time, battering of mining faces and other earthworks, mine void backfilling, abandonment bunds, sealing of portals and ventilation shafts, soil management, revegetation and expected water infill rates.

#### 2.4.10 *Modes and hours of operation*

State if the operation will be worked on a continuous (24 hour, 7 days a week), regular periodical or campaign basis.

If the operation is to be worked on a regular periodical basis, specify:

- period(s) (daily, weekly and public holidays) to be worked; and
- start and finish hours the site is to be worked per period. If the operation is to be worked on a campaign basis, specify:
  - minimum hours the site is to be worked per year
  - the minimum time of each campaign
  - the maximum and minimum time between campaigns
  - define the beginning and end of each campaign
  - hours of mining operations during campaign
  - days of mining operations during campaign
  - determining factors for initiating and ceasing a campaign
  - maximum and minimum tonnage of each campaign; and
  - maximum and minimum tonnage of production per year.

#### 2.4.11 *Care and maintenance*

Detail all activities and strategies required for care and maintenance of the mine, should the mine suspend production, but not progress immediately to closure.

## 2.5 **Crushing, grinding, processing and product transport**

### 2.5.1 *Crushing and grinding plant*

Provide a description of the crushing/grinding plant including:

- area, size, type of construction and location
- throughput rate
- a description of ore preparation for processing
- grind size of the ore
- noise sources
- dust sources and composition
- fire ignition sources; and
- maps and plans (as per 7.1.2.3).

### 2.5.2 *Processing plant*

Provide a description of the processing plant including:

- the methods and details of processing and value adding
- number, location, area, size, type of construction (including lining and drainage systems, as appropriate) of processing plant
- any ancillary plant and infrastructure to be used for processing the minerals on site; examples of associated structures are concrete batching plants, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage/use, reverse osmosis plants and bore fields
- if chemicals are to be used in the beneficiation or processing of ore, describe the nature and quantities of the chemicals to be used, their reactions with ore and their ultimate fate
- noise sources
- dust sources and composition
- fire ignition sources
- other potential air emissions (including odour) and their composition; and
- maps and plans (as per 7.1.2.1 and 7.1.2.3).

### 2.5.3 *Heap leach*

Provide a description of the Heap Leach Pad and process including:

- type, size and location of the Heap Leach Pad
- construction and operating specifications for the Heap Leach Pad and process, including solution containment measures
- geochemical and geotechnical assessment of the material placed on the Heap Leach Pad before and after leaching
- method and rate of ore deposition and removal
- chemical characteristics of the leach solution, pregnant liquor and raffinate solutions
- solution application rates, and method of application
- removal (where proposed) of the Heap Leach Pad at cessation of production and the method/location of disposal of leached material
- method of stabilisation and erosion control of Heap Leach Pad
- an assessment of the long term chemical and physical stability of the Heap Leach Pad post mine completion
- the source, pathway and ultimate fate of any potential mobile contaminants; and
- maps and plans (as per 7.1.2.1 and 7.1.2.4).

### 2.5.4 *Process water management*

Provide a water balance including:

- approximate water volumes required
- a summary of the inputs and outputs (with consideration of any purge requirements)
- determination of net surplus or deficit; and
- process flowsheet showing all streams including stormwater management and mine dewatering where these are connected to the processing circuit.

Provide a description of all water ponds, including:

- size, capacity, layout and location of ponds
- design and construction methods
- chemical composition of the solution to be stored in each pond
- minimum freeboard to be maintained; and
- plans (as per 7.1.2.1).

### 2.5.5 *Type of mobile equipment*

For mobile equipment to be used in crushing/grinding, processing ore and in transporting the mine product to the point of sale, describe:

- type, size and capacity of machines
- approximate number of units
- noise outputs
- exhaust outputs; and
- fire ignition sources.

### 2.5.6 *Conveyors and pipelines*

Provide a description of any conveyors or pipelines to be used for transporting material to or from the mine, processing facilities and the point of sale including:

- length, size (volumes to be transported), design and type of construction and location
- the material being transported
- leak detection strategies for pipelines
- noise sources
- dust sources and composition
- fire ignition sources; and
- maps, plans and cross-sections (as per 7.1.2.1).

### 2.5.7 *Hours of operation*

Describe the hours of operation of crushing/grinding, processing and transport activities.

### 2.5.8 *Care and maintenance*

Detail all activities and strategies required for care and maintenance of processing facilities, and material transport systems, should the mine suspend production, but not progress immediately to closure.

### 2.5.9 *Rehabilitation strategies and timing*

Detail all activities, strategies and designs relating to mine closure for removal, disposal, and rehabilitation of processing facilities, and material transport systems, including timing of these activities.

For rehabilitation strategies and timing related to heap leach, provide:

- a heap leach detoxification strategy
- identification of the volumes of process solution and flush water to be disposed of at closure; and
- a methodology for the disposal of residual process solution and flush water at closure.

## 2.6 Wastes

### 2.6.1 *Waste rock and tailings storage facilities*

For waste rock and tailings storage facilities (TSF) provide:

- the estimated tonnes and volumes of all waste rock and tailings to be stored
- the reserve and any resource or potential resource that the estimated tonnes and volumes of waste rock and tailings is based on
- the type, location, size, shape, height and method of construction of permanent and temporary waste storage facilities
- a geochemical and geotechnical assessment of the waste rock and tailings based on the geochemical and geotechnical properties determined from the analysis of representative sampling of all waste rock types and tailings to be disposed
- an assessment on the weathering and erosive potential of waste rock to be disposed
- specifications, drawings and plans for the design, construction, operation and completion of all facilities (as per 7.1.2.5)
- the method and rate of waste rock/tailings disposal
- where relevant, a description of the placement and encapsulation of waste material deemed to be hazardous, including potentially acid forming material (PAF)
- the method of stabilisation and erosion control of waste storage facilities, both during operations and post completion
- surface water runoff control on disturbed and rehabilitated areas
- a geotechnical stability assessment and a factor of safety analysis
- an assessment of seepage of liquids through the waste rock and tailings storage facilities
- strategies for the containment of any seepage that has the potential to impact the environment
- an assessment of the post completion chemical and physical stability of the structure following rehabilitation, including the expected extent of erosion
- an assessment of the source, pathway and ultimate fate of any potential mobile contaminants; and
- a description of the governance arrangements for the design, construction, operation and closure including when it is proposed to use third-party verification.

Include a water balance for the TSF (if not included in the water balance in clause 2.5.4).

### 2.6.2 *Other processing wastes*

Provide:

- the volumes and composition of all solid and liquid wastes produced
- estimated volumes of waste processing water, reverse osmosis reject water, water content of solid wastes, and method of disposal or recycling
- waste water composition
- disposal and management of any hazardous material or contaminants within waste including radioactive, toxic, corrosive or flammable materials; and
- the source, pathway and ultimate fate of any potential mobile contaminants.

### 2.6.3 *Industrial and commercial wastes*

List any industrial and commercial wastes generated including, but not limited to:

- putrescible waste, including sewage
- oils and other hydrocarbons; and
- tyres.

For each waste type, describe the method of disposal including:

- offsite disposal
- on site waste disposal (including size, location and construction details)
- recycling (either on or offsite)
- the type, area and layout of sewage systems to be installed at the site; and
- describe what, if any, approvals are required for the disposal of waste.

For each type of waste, describe any potential contaminants that may be generated from onsite storage, and the ultimate fate of those contaminants.

### 2.6.4 *Care and maintenance*

Detail all activities and strategies required for care and maintenance of waste rock and tailings and any other waste left on site should the mine suspend production, but not progress immediately to closure.

### 2.6.5 *Rehabilitation strategies and timing*

Detail all activities, strategies and designs relating to mine closure, including timing of these activities and all opportunities for progressive rehabilitation of waste rock and tailings and any other waste to be left on site.

## 2.7 Supporting surface infrastructure

### 2.7.1 Access

Describe:

- access route to the mining operations and show on a map (as per 7.1.2.6)
- indicate if any new roads are to be constructed, or if existing roads or intersections (public and private) are to be upgraded
- transport system(s) used to and from the mining operations and the estimated number of vehicle movements per day; and
- airport/airstrips to be constructed.

### 2.7.2 Accommodation and offices

Describe onsite personnel accommodation and offices, including (but not limited to):

- number, area, size, type of construction and location of accommodation, office, meals or laboratory buildings, caravans or camp, and associated structures to be used on site; and
- state if temporary or permanent.

### 2.7.3 Public and private services and utilities used by the operation

Describe:

- sources of services that are supplied to the operations, including (but not limited to) power, water, telecommunications
- routes for connection if any new connections to public infrastructure are required; and
- any existing surface infrastructure that has been and/or the extent it may be affected by the mining operations.

### 2.7.4 Visual screening

Describe the type of screening, including existing or planned vegetation (i.e. species and density of plantings) and show on a map (as per 7.1.2.1).

### 2.7.5 Fuel and chemical storage

For all fuels and chemicals stored on site show the proposed location of storage on a map (as per 7.1.2.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- details on storage, bunding and containment for all chemical and fuel storage vessels.

### 2.7.6 Site security

Describe and show on a map (as per 7.1.2.1) infrastructure and measures that will be adopted to prevent unauthorised access by the public, including fencing, signage etc.

### 2.7.7 Stormwater, silt control and drainage

Describe:

- location and design of silt management structures
- runoff control on disturbed and rehabilitated areas
- storage, diversion and release of clean water (discharge water must comply with the applicable Environment Protection Authority South Australia water quality policy); and
- a whole of site stormwater balance, if not included in the water balance in clause 2.5.4.

Provide a plan showing the surface water movement for the whole mine site (as per 7.1.2.1).

### 2.7.8 Care and maintenance

Detail all activities and strategies required for care and maintenance of supporting surface infrastructure should the mine suspend production, but not progress immediately to closure.

### 2.7.9 Rehabilitation strategies and timing

Detail all activities, strategies and designs relating to mine closure for rehabilitation of supporting surface infrastructure. Provide details for timing of closure activities, including all opportunities for progressive rehabilitation.

## 2.8 Vegetation clearance

If clearance of native vegetation is to occur, a Native Vegetation Management Plan (NVMP) prepared by an accredited consultant must be included with the transitional PEPR.

The NVMP must:

- describe the vegetation type to be cleared and include a map (as per 7.1.2.2) showing the proposed clearance area; and
- state the quantum of significant environmental benefit (SEB) to be gained in exchange for the clearance and describe how the SEB will be provided.

## 2.9 Mine completion

### 2.9.1 *Description of mine site at completion*

Provide a description, plans and cross sections of the mine site (as per 7.1.2.7 and 7.2.2.2) as it will be at completion after all rehabilitation and closure activities have been completed, including:

- final post completion land use
- landforms
- vegetation covers (including native vegetation that will not be disturbed due to mining operations)
- natural contours of land not to be disturbed by mining operations
- any mining infrastructure that will remain on site and will become the responsibility of the landowner
- location, description and management of waste disposal areas
- location of reshaped and rehabilitated areas showing surface contours and revegetation
- mine voids (open pit and/or underground)
- location of stored and/or exposed PAF material and/or other hazardous materials
- expected final water level and time to reach this level, and water quality of mine voids
- location of surface water infrastructure including ponds and diversions; and
- representative plans and cross-sections that show:
  - pre-mining natural surface
  - emplacement areas, waste disposal areas and disturbed areas
  - final rehabilitated surface
  - where relevant, backfilled and remaining underground workings
  - predicted final groundwater levels
  - interpreted geology including all rock types.

Provide a description of the mechanism for transferring responsibility for any potential residual liability (ie. ongoing maintenance or monitoring) subsequent to surrender of the tenement.

### 2.9.2 *Rehabilitation liability estimate*

Provide the maximum third-party cost of rehabilitation at any time over the life of mine covered by the transitional PEPR. The estimate must be based on reasonable third-party costs of undertaking the rehabilitation strategies as outlined in clause 2 and include costs for project management, inflation, normal project variation, and contingency provision for risk associated with the strategies and uncertainty in the cost estimates.

## 2.10 Resource inputs

### 2.10.1 *Workforce*

For the workforce for all operations (mining, processing, waste management and supporting surface infrastructure), describe:

- how operations on the site will be managed
- number and workforce breakdown by job type
- number of full-time employee positions that would be directly created by the proposal (not to include existing positions)
- the proportion of the workforce that would reside in the local community and the estimated impact on local employment
- any programs to target and assist Indigenous or local employment at the quarry
- training to be provided to employees and potential employees
- approximate timelines for creation of the positions; and
- potential for local business participation, and procurement of local goods and services.

### 2.10.2 *Energy sources*

For the energy sources and usage provide:

- estimates of total annual energy usage (from all sources, including personnel transport and ore transport to point of sale)
- expected sources of energy
- potential for efficiency gains
- amount and percentage of zero emission energy to be utilised
- equivalent annual CO<sub>2</sub> generated; and
- any carbon offsets proposed.

### 2.10.3 *Water sources*

Provide details on the source(s) of water to be used, expected usage and any discharge, including:

- expected annual water usage by source
- indicate if any water usage by source will be more than 5% of the total annual water withdrawal for that source
- percentage of water that will be recycled; and
- water discharge by quality and destination.

### 3. CONSULTATION

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with regulation 64 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a transitional PEPR must include:

A description of:

- the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the mining operation
- the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders
- if any individual or group of similar affected persons were not able to be consulted, the steps taken to consult with them.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted
- any concerns / issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

### 4. ENVIRONMENTAL OUTCOMES, STRATEGIES, CRITERIA AND MONITORING

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with regulation 63(1)(a)(ii) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a transitional PEPR must include information as set out in this Terms of Reference.

#### 4.1 Assessment of environmental impacts

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include an assessment of the environment as set out in this Terms of Reference.

##### 4.1.1 Elements of the environment

Describe the specific elements of the environment (the environment is defined in Section 6(4) of the *Mining Act 1971*) that may reasonably be expected to be impacted by the proposed operation during construction, operation, and indefinitely post completion.

For each element of the environment identified:

- provide a summary of any issues or considerations raised by stakeholders, and any relevant legislated or recognised standards in relation to the element of the environment
- describe all potential environmental receptors; and
- undertake an impact assessment of how the element could be potentially impacted by proposed operations (during construction, operation and post completion) through the provision of the information listed in the following clause 4.1.2.

##### 4.1.3 Potential impact events

Describe potential impact events associated with each phase of the proposed operations (construction, operation and post completion) and relevant to each element of the environment.

For the purpose of the impact assessment, a potential impact event is the combination of a source, a pathway and an environmental receptor.

The source, pathway and environmental receptor of each potential impact event must be described prior to the implementation of engineering or administrative control measures.

For each potential impact event identified in clause 4.1.2, provide:

###### 4.1.3.1 Source

A description of the source of the potential impact event which alone or in combination has the potential to cause harm to an environmental receptor.

###### 4.1.3.2 Pathway

A description of the potential pathway, means or route (with consideration of any natural barriers) by which an identified environmental receptor can be exposed to, or may reasonably be expected to be impacted by an identified source.

###### 4.1.3.3 Environmental receptor

A description of the environmental receptors that may reasonably be expected to be adversely impacted by the source, taking into account the considerations for the element of the environment described under 4.1.1

###### 4.1.3.4 Description of uncertainty

Describe any significant degree of uncertainty pertaining to the evaluation of sources, pathways and environmental receptors, including (but not limited to) lack of site-specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made, including whether a change in assumption may result in a new environmental impact.

###### 4.1.3.5 Confirmation of impact events

For each potential impact event provide:

- an analysis of whether a source, pathway and receptor does exist (and if not, or if it remains uncertain, provide an explanation for the conclusion); and
- a description of the likely impact from the source on the environmental receptor.



## 4.2 Control and management strategies, uncertainty assessment, statement of environmental outcomes and criteria

For each impact event confirmed in clause 4.1.2.5, the information listed in clauses 4.2.1-4.2.4 must be provided:

### 4.2.5 Control and management strategies

In setting out the control and management strategies adopted to demonstrate that the environmental outcomes can be and will continue to be achieved in accordance with regulation 63(1)(b) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a transitional PEPR must:

- include a description of the strategies proposed to manage, limit or remedy each impact event
- demonstrate that the control and management strategies proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation
- describe any significant degree of uncertainty in accordance with regulation 63(3)(c) pertaining to the likely effectiveness of control and management strategies, including (but not limited to) lack of site-specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty
- so far as is relevant, identify the sensitivity to change of any assumption that has been made in accordance with regulation 63(3)(d) and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect
- provide a description and list of current and future works (for example (but not limited to) trials, test work, studies, modelling, validations) that are to be undertaken to address the identified uncertainty or assumption
- provide a schedule of the timing that the future works will be undertaken and completed; and
- based on the schedule of future works, state the timing for review of the PEPR in accordance with Section 70C(1) of the *Mining Act 1971*.

### 4.2.6 Statement of proposed environmental outcomes

A transitional PEPR must set out environmental outcomes (including completion outcomes) in accordance with section 70B(2)(b)(i) of the *Mining Act 1971*.

- Provide a statement of the proposed environmental outcome(s) (including completion outcomes assessed on a long-term basis) for each impact event confirmed in clause 4.1.2.5.
- Ensure that the statement of environmental outcome(s) describe the likely consequence of the expected impact on the environment by the proposed mine operations subsequent to the implementation of the control measures described in clause 4.2.1.
- Provide a statement that demonstrates the environmental outcomes would be able to be achieved taking into consideration the effectiveness of the control strategies (clause 4.2.1) and description of uncertainty (clause 4.2.1).

### 4.2.7 Measurement criteria

In preparing a statement of the criteria to be adopted to measure each of the environmental outcomes in accordance with section 70B(2)(c) of the *Mining Act 1971* and regulation 63(1)(c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* the following:

- Set out a statement of criteria for each environmental outcome (including completion outcomes).
- As far as practical comply with the five elements set out in Regulation 46(5).
- Be developed separately for construction, operation and completion, as appropriate; and
- Where appropriate, recognised industry standards, codes of practice or legislative provisions from other Acts should be used as criteria.
- The criteria must comply with the five elements of regulation 63(1)(c) and must include details about:
  - responsibility (who will measure)
  - record-keeping; and
  - frequency of reporting to management and any external parties.
- All point-related measurement criteria, such as water bores, sampling points and photo points (including direction) must be included on a map.
- When control or baseline data is used, this must be included in the PEPR.
- Where groundwater modelling is to be relied upon to demonstrate achievement of groundwater completion outcomes, the statement of criteria must include a process must be provided for validation of predictive modelling, including a description of the model and assumptions used.
- Where native vegetation clearance is planned and in the case where an on ground offset by the operator is to be used to demonstrate the Significant Environmental Benefit (SEB), the statement of criteria must demonstrate the successful implementation of the on ground offset through the native vegetation management plan.

### 4.2.8 Leading indicator criteria

If required by the lease/licence and/or where there is a high level of reliance on control strategies to achieve an environmental outcome, set out leading indicator criteria as required by Regulation 63(1)(d) that will be used to give an early warning that a control strategy may fail or be failing.

Set out leading indicator statement of criteria where required (including mine completion outcomes). The leading indicator criteria must comply with the five elements of regulation 63(1)(c) and the statement of criteria must include details about:

- responsibility (who will measure)
- record keeping; and
- frequency of reporting to management and any external parties.

## 5. OPERATOR CAPABILITY

In preparing information about the ability of the tenement holder (and any other person who may be acting on behalf of the tenement holder) in accordance with section 70B(2)(d) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that this information must be accompanied by relevant evidence demonstrating that the tenement holder (and any other person who may be acting on behalf of the tenement holder as an operator) has appropriate experience, processes and procedures in place to be able to achieve the environmental outcomes.

## 6. LEASE/LICENCE

Where the ML or MPL includes specific conditions or requirements that are not environmental outcomes, in accordance with regulation 63(1)(e) a transitional PEPR must include a section that demonstrates where the respective conditions or requirements have been addressed in the transitional PEPR (if relevant) or demonstrates how otherwise they have or will be complied with.

## 7. MAPS, PLANS AND CROSS SECTIONS

In preparing a transitional PEPR in accordance with section 70B(2) of the *Mining Act 1971* and regulation 63 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that all maps, plans and cross sections must comply with the following requirements relating to the amount of detail or information to be provided:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred)
- be in metric units
- include title, north arrow, scale bar, text and legend
- list date prepared and author
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred)
- be in metric units
- include title, scale bar, text and legend
- list date prepared and author
- be of appropriate resolution and scale for represented information
- be legible in both the hardcopy and electronic versions of the submission; and
- be accompanied by a map showing the orientation of the cross-sections.

### 7.1.1 *Map(s) and plan(s) required for description of the existing environment (as per clause 1)*

#### 7.1.1.1 *Topographic map showing:*

- tenement area boundaries
- existing surface contours
- existing vegetation
- location of watercourses, including ephemeral and permanent rivers, creeks, swamps, streams, wetlands and any man-made water management structures
- surface water catchment boundaries
- direction of drainage and discharge from the tenement area
- location and extent of all previously disturbed areas associated with previous mining
- location and extent of any known existing contamination; and
- location and extent of any adjacent conservation reserves, heritage sites (in so far as may be permitted by the relevant legislation) or any other significant areas.

#### 7.1.1.2 *Local geological map showing:*

- tenement area boundaries
- geology within the tenement area, including but not limited to location, dimensions and orientation (dip and strike), and extent of the mineral resource and ore reserve
- topsoil/subsoil variation if there is a variation in soils over the tenement area; and
- natural geohazards in the tenement area.

#### 7.1.1.3 *Aquifer potentiometric surface map(s) showing:*

- tenement area boundaries
- potentiometric surface contours/groundwater elevation contours and the time (or time period) the contours relate to
- interpreted direction(s) of groundwater flow; and
- location of representative bores (where measurements were obtained of which the contours are based on) used to establish this information.

#### 7.1.1.4 *Land access map showing:*

- tenement area boundaries
- cadastral information for the Tenement (including land title(s) and ownership)
- any exempt land
- location of residences within and near the tenement area; and
- human infrastructure as per 1.13.

- 7.1.1.5 *Caves map showing:*
- tenement area boundaries; and
  - location of the cave(s).
- 7.1.2 *Map(s) and plan(s) required for description of operations (as per clause 2)*
- 7.1.2.1 *Site layout map showing all components of the operation including (but not limited to):*
- tenement area boundaries
  - location of surface water and sediment management infrastructure
  - location of process water dams
  - location of fuel and chemical storage areas
  - location of haul/access roads
  - location of fixed plant
  - location of mobile plant for stage 1 of mining
  - location of visual screening measures
  - location of fencing
  - location and extent of topsoil/subsoil and product stockpiles
  - location and extent of all areas proposed to be disturbed from mining including waste rock, silt/slimes dams, mine infrastructure, processing plant, process water ponds, waste disposal facilities
  - location and extent of open pit(s) and/or underground workings; and
  - location of key environmental features that are within or in close proximity to the tenement and that are relevant to the design of the site layout plan, including but not limited to housing and infrastructure, existing heritage sites, existing ephemeral and permanent rivers, watercourses, creeks or dams and/or existing native vegetation.
- 7.1.2.2 *Sequence of mining and progressive rehabilitation map showing:*
- tenement area boundaries
  - staging of each progressive mining stage
  - native vegetation clearance
  - location and applicable buffer zones for protection of native vegetation that will not be cleared; and
  - conceptual staging of each progressive rehabilitation stage.
- 7.1.2.3 *Crushing, grinding and processing plant plan showing:*
- tenement area boundaries
  - layout of crushing, grinding and processing plant(s) and ancillary plant and infrastructure; and
  - if required, including lining and drainage systems.
- 7.1.2.4 *Heap leach pad plan showing:*
- tenement area boundaries
  - construction and design drawings of heap leach pad (including size and batters); and
  - solution containment measures
- 7.1.2.5 *Tailings storage facility (TSF) plan showing:*
- tenement area boundaries
  - conceptual drawings and plans for design, construction, operation and completion of all facilities
  - size, shape, height and method of construction; and
  - location of any waste material deemed to be hazardous including potentially acid forming material.
- 7.1.2.6 *Access route map showing:*
- tenement area boundaries
  - access route for heavy vehicles
  - exit route for heavy vehicles; and
  - any road upgrades or new roads to be constructed.
- 7.1.2.7 *Completion map showing:*
- tenement area boundaries
  - conceptual final landforms (including rehabilitated and non-disturbed areas)
  - topographical contours of the entire site (including rehabilitated and non-disturbed areas)
  - backfilled and remaining underground workings
  - location of waste disposal areas (including waste rock dumps, tailings storage facilities and PAF encapsulation); and
  - interpreted geology including all rock types.

7.2.1 *Cross-sections required for description of the existing environment (as per clause 1)*

7.2.1.1 *Long section and geological cross-section(s) showing:*

- a representation of the geological profile within the tenement area; and
- depth of the resource and any overlying overburden.

7.2.1.2 *Hydrogeological cross-section(s):*

Include a series of hydrogeological cross-sections that represent the following at a regional scale and/or tenement application scale, as specified:

- mineral claim boundaries
- major geological units (regional scale)
- geological units showing aquifer and confining units (tenement scale)
- aquifer systems (regional and tenement scale) including any palaeochannels
- interpreted hydrostratigraphy showing the known and inferred groundwater heads/groundwater elevations, interpreted groundwater flow direction, recharge and discharge mechanisms (if applicable)
- location of GDEs
- interpreted faults (regional and tenement scale)
- mineralised zone (tenement scale)
- location of representative drill log sites from which geological information was obtained (regional and tenement scale); and
- location of representative monitoring bores from which baseline groundwater information was obtained.

7.2.2 *Cross-sections required for description of operations (as per clause 2)*

7.2.2.1 *Mining operation cross-section(s) showing:*

- pre-mining natural surface
- pit depth
- pit dimensions (length and width)
- pit batters and benches
- location of underground shafts and stopes; and
- stages of operation.

7.2.2.2 *Completion cross-section(s) showing:*

- pre-mining natural surface
- rehabilitated final batters and benches
- location of underground backfill in shafts and stopes
- predicted final groundwater elevations; and
- final rehabilitated surface.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

MINING ACT 1971

PART 10A

*Terms of Reference for Uranium ISR Projects*

A Program for Environment Protection and Rehabilitation (PEPR) under Part 10A of the *Mining Act 1971* for the recovery of uranium using the In Situ Recovery (ISR) method must:

- comply with sections 70B and 70C of the *Mining Act 1971*, regulations 63, 64 and 66 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- be accompanied by:
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

**FORM OF THE PEPR**

A PEPR for a ML and/or MPL for uranium ISR projects must in accordance with section 70B(4a) of the *Mining Act 1971* be submitted to the Minister for approval in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- an electronic version of the PEPR must be submitted online through the relevant government website in accordance with regulation 88 of the *Mining Regulations 2020*, or if approved by the Director of Mines or an authorised officer, submitted via email, post or courier and should be marked 'Attention: Mining Assessments';
- each page, plan or other separate sheet must include the tenement number(s), date of the PEPR preparation and sequential page numbering;
- the electronic version must be submitted in one single Acrobat PDF file or if requested by the Director of Mines or an authorised officer, Microsoft WORD compatible files must be submitted; and
- all environmental water data relevant to the PEPR is to be provided in electronic tabulated or spreadsheet format.

A reviewed PEPR being submitted to the Minister for approval under section 70C of the *Mining Act 1971*, must in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* include a description or summary of all content changes made to the submitted PEPR.

**PEPR**

A PEPR for an ML and/or MPL must comply with sections 70B and 70C of the *Mining Act 1971* and regulations 63, 64 and 66 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

**1. DESCRIPTION OF THE ENVIRONMENT**

In setting out a statement of criteria in accordance with section 70B(2)(b) of the *Mining Act 1971* and setting out strategies and criteria in accordance with regulation 63(b) and (c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a PEPR must include any new baseline environmental data relevant to the control strategies or criteria set out in Clause 5, since the previous description of the environment or criteria was provided (in a proposal, approved PEPR or change to operations proposal).

Where changes to the environment are identified, a PEPR must provide an updated description of the environment to describe the changes.

**2. DESCRIPTION OF MINING OPERATIONS**

In specifying the authorised operations that are proposed in accordance with section 70B(2)(a) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a PEPR must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in Clause 2.1-2.13 must be described.

**2.1 General description and maps/plans of operations**

Provide a summary description of all elements of the operation, including mining, processing, uranium product storage and waste management (include maps/plans and cross sections as per 7.1.1.1 and 7.2.1.1).

**2.2 Reserves, Products and Market****2.2.1 Ore reserves and mineral resources (or both)**

Provide:

- a statement of the current Australasian Joint Ore Reserves Committee (JORC) compliant ore reserve or mineral resource estimates (or both) in the tenement area and a brief description of the basis of this estimate; and
  - a statement of what reserve and/or resource forms the basis for the application;
- or (if a JORC compliant reserve or resource (or both) has not been reported);
- an estimate of the resource to be mined and the basis of this estimate;

Provide steps that have been taken to ensure operations will not sterilise/prevent future extraction of mineral resources.

**2.2.2 Production rate and products**

Provide:

- type(s) of product to be exported from the application area;
- a statement of the expected product market or end use;
- a quantitative estimate of production of mine gate product(s) for the life of mine, and a schedule of the annual production of mine gate product(s); and
- a statement if any extractive minerals (as defined by Section 6 of the *Mining Act 1971*) will leave the lease.

**2.3 Exploration Activities**

Provide information that details all exploration activities to be undertaken within the application area as a part of the operation, including:

- purpose of the activities (i.e. resource drill-out or resource extension);
- types of drilling;
- geophysical techniques likely to be used;
- earthworks required to conduct exploration activities;
- equipment required to conduct exploration activities; and
- rehabilitation methods for exploration works (including that not yet rehabilitated from previous tenure).

**2.4 Mining Activities****2.4.1 Description of ISR mining process**

Provide information on the ISR operation, including (but not limited to):

- acid or alkali leach process;
- extraction process technology to be used (e.g. ion exchange, solvent extraction, and associated processes);
- satellite plants to be utilised, including the method for delivering uranium bearing resins or other products for further processing at the main processing plant; and
- any required initial groundwater flush or groundwater treatment.

**2.4.2 Sequence of mining and progressive rehabilitation**

Provide the following information on the sequence of operations in both text and map form (as per 7.1.1.2):

- indication of planned and potential production well fields and disposal wells;
- general description of the planned sequence and timing of well field mining stages (e.g. groundwater pre-treatment, acidification, uranium recovery);
- the circumstances that will determine the commencement of progressive and final rehabilitation;
- estimated production schedules and production rates; and
- estimated life of mine (including scope for extension).

### 2.4.3 *Modes and hours of operation*

State if the operation will be worked on a continuous (24 hour, 7 days a week), regular periodical or campaign basis.

If the operation is to be worked on a regular periodical basis, specify:

- period(s) (daily, weekly and public holidays) to be worked; and
- start and finish hours the site is to be worked per period.

## 2.5 **Wellfield Operations**

### 2.5.1 *Well construction*

Provide standard design and construction details for:

- injection wells;
- production wells;
- liquid disposal wells;
- water supply wells;
- compliance wells; and
- leading indicator wells.

Describe how wells have been designed to remain chemically resistant to the mining and liquid disposal fluids.

### 2.5.2 *Wellfield configuration*

Describe and show on a map and cross sections (as per 7.1.1.1 and 7.2.1.1) the basic configuration of well patterns and well field layout, including the design principles of well fields that minimises the disturbance and impact on sensitive receptors (e.g. native vegetation, cultural heritage sites, water courses etc.) and prevents excursions of mining solutions.

### 2.5.3 *Well housed/filter skids*

Provide a schematic diagram and a description of the design and construction techniques for well houses/filter skids, including pumps and pressure monitoring.

### 2.5.4 *Pipelines*

Describe the standard design and construction techniques (including quality assurance processes) for:

- trunk lines;
- gathering lines; and
- waste disposal lines.

### 2.5.5 *Leak prevention and detection*

Describe the leak prevention and detection system(s) which will enable the operator to promptly and accurately detect and control loss of liquids for all:

- wells;
- well houses/filter skids;
- pipelines; and
- associated connecting infrastructure.

### 2.5.6 *Spill containment*

Describe the spill containment or control system(s) as applicable, including bunding and leak prevention designs, for:

- wells;
- well houses/filter skids;
- well fields;
- pipelines; and
- associated connecting infrastructure.

### 2.5.7 *Care and maintenance*

Detail all activities and strategies required for care and maintenance of the wellfield, should the mine suspend production, but not progress immediately to closure.

### 2.5.8 *Wellfield operation rehabilitation strategies and timing*

Detail all activities, strategies and designs relating to mine closure for rehabilitation of well fields and associated infrastructure, including:

- the circumstances that will determine the commencement of progressive and final rehabilitation; and
- any opportunities for progressive rehabilitation.

Where natural attenuation is to be relied on for the remediation of aquifers to achieve post mining groundwater quality outcomes, include:

- a description of the nature and expected rates and distance of the attenuation processes;
- predictions of the rate and extent of attenuation supported by laboratory testing and modelling;
- a demonstration that the attenuation model can be validated in under 10 years from the cessation of mining;
- a program of field monitoring for the early validation of attenuation predictions for wellfields as they are progressively closed; and
- a contingency plan if attenuation is not demonstrated to be occurring within expected timeframes.

Where active groundwater remediation is to be used as a rehabilitation strategy, detail must be provided on the remediation technique to demonstrate how closure outcomes will ultimately be achieved.

## 2.6 Processing Plant

### 2.6.1 Processing plant specifications

Provide a description of the processing plant (for the primary processing plant and where relevant any satellite processing plant(s)), including:

- capacity of the plant and equipment;
- process diagram showing all chemical inputs, process steps and all waste and product generation;
- area, size, physical components, type of construction (including lining and drainage systems as appropriate) and location of processing plant and associated structures (e.g. liquor ponds, evaporation ponds, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage/use, reverse osmosis plants) to be used for uranium extraction and processing on site;
- the quantity and nature of the chemicals to be used, their reactions with processing water, and their ultimate fate;
- mining solution composition;
- waste solution composition;
- noise sources;
- dust sources and composition;
- radon sources and volumes;
- ignition sources;
- other potential air emissions (including odour) and their composition;
- leak detection system(s) which will enable the operator to promptly and accurately detect and control loss of fluid containment; and
- maps (as per 7.1.1.1).

### 2.6.2 Processing water balance

Provide a water balance, including:

- approximate water volumes required;
- process flow sheet showing all streams including stormwater management where connected to the processing circuit;
- a summary of the inputs and outputs (with consideration of any purge requirements); and
- determination of net surplus or deficit.

Provide a description of all water ponds, including:

- size, capacity, layout and location of ponds;
- design and construction methods;
- chemical composition of the solution to be stored in each pond; and
- minimum freeboard to be maintained.

### 2.6.3 Product storage and security

Provide confirmation that the storage and security for the final uranium product satisfies the requirements of the Australian Safeguards and Non-Proliferation Office.

### 2.6.4 Care and maintenance

Detail all activities and strategies required for care and maintenance of processing facilities, should the mine suspend production, but not progress immediately to closure.

### 2.6.5 Processing plant rehabilitation strategies and timing

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of processing plant infrastructure, including timing of these activities.

## 2.7 Supporting Surface Infrastructure

### 2.7.1 Access and roads

Describe:

- access route to the operations and show on a map (as per 7.1.1.3);
- internal roads within the tenement application area to be used for operations including the delivery of uranium bearing resins and other products, fuels and chemicals;
- indicate if any new roads are to be constructed, or if existing roads or intersections (public or private) are to be upgraded;
- transport system(s) used to and from the operations and the estimated number of vehicle movements per day; and
- airport/airstrips to be constructed.

### 2.7.2 Accommodation and offices

Describe:

- number, area, size, type of construction and location of accommodation, office, meals or laboratory building, caravans or camp, and associated structures (e.g. car parks, water tanks, etc.) to be used on site; and
- if temporary or permanent.

2.7.3 *Public and private services and utilities used by the operation*

Describe:

- sources of services or utilities that are, or are to be supplied to the site, (e.g. power, water, telecommunications);
- routes for connection if any new connections to public infrastructure are required; and
- any existing surface infrastructure that has been and/or the extent it may be affected by the operations.

2.7.4 *Visual screening*

Describe the type of screening, including existing or planned vegetation (i.e. species and density of plantings) and show on a map (as per 7.1.1.1).

2.7.5 *Fuel and chemical storage*

For all fuels and chemicals stored on site show the location of storage on a map (as per 7.1.1.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- bunding and containment for all chemical and fuel storage vessels.

2.7.6 *Site security*

Describe infrastructure and measures that will be adopted to prevent unauthorised access by the public, including, (but not limited to) fencing and signage.

2.7.7 *Stormwater, silt control and drainage*

Describe and show on a map (as per 7.1.1.1):

- location and design of sediment management structures;
- management and disposal of silt;
- strategies to control runoff on disturbed areas and rehabilitated areas;
- storage, diversion and release of clean water; and
- a whole of site stormwater balance, if not included in the water balance in clause 2.6.2.

2.7.8 *Care and maintenance*

Detail all activities and strategies required for care and maintenance of the solid waste facilities, should the mine suspend production, but not progress immediately to closure.

2.7.9 *Supporting surface infrastructure rehabilitation strategies and timing*

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of supporting surface infrastructure, including timing of these activities.

**2.8 Solid waste facilities – non-radioactive and radioactive waste**

2.8.1 *Description of solid waste generated*

Detail the types, composition and quantities of all solid waste generated throughout the mining and processing operation, including:

- residue and precipitates in ponds and tanks (pregnant and barren);
- industrial waste, such as workshop waste, tyres, drums and oil filters;
- domestic wastes;
- solid waste from clean up of fuel and chemical spills;
- radioactive waste; and
- estimated volumes and chemical composition of drilling waste.

For each waste type, describe the method of disposal:

- off-site disposal;
- on-site waste disposal;
- recycling (either on site or off site); and
- contingency disposal arrangements in the event the preferred disposal method becomes unavailable during the life of the operation.

2.8.2 *Design of waste storage, treatment and disposal facilities*

Detail disposal of both non-radioactive and radioactive wastes, including:

- location on a map (as per 7.1.1.1), size, shape and depth of permanent and temporary waste storage facilities;
- dimensions and volumes of waste (taking into account any void space);
- method of construction;
- types of materials likely to be disposed of in the facility;
- type and thickness of liners;
- leakage collection and detection systems;
- type of base;
- capping methods; and
- method of monitoring for leachate.



### 2.8.3 *Care and maintenance*

Detail all activities and strategies required for care and maintenance of the solid waste facilities, should the mine suspend production, but not progress immediately to closure.

### 2.8.4 *Solid waste storage, treatment and disposal infrastructure rehabilitation strategies and timing*

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of solid waste facilities, including timing of these activities.

## 2.9 **Non-radioactive Liquid Waste**

### 2.9.1 *Description of liquid waste generated*

Detail the types, composition and quantities of liquid waste generated through mining activities, including:

- oils and chemicals;
- brine from reverse osmosis plants;
- wastewater and sewage treatment plants; and
- hazardous liquid wastes.

### 2.9.2 *Description of liquid waste treatment, storage and disposal facilities*

Detail the liquid waste treatment, storage and disposal systems, including:

- type, size and location (on a map as per 7.1.1.1) of sewage systems; state if the system is required to be approved by the relevant authority;
- type of other wastewater treatment to be undertaken on site, including location, layout, treatment process and final disposal;
- method of disposal of liquid waste streams (injection into aquifer, evaporation etc.);
- location on a map and cross sections (as per 7.1.1.1 and 7.2.1.1) of disposal wells or evaporation ponds;
- if aquifer disposal is to be undertaken, the estimated capacity and disposal rates;
- if evaporation disposal is to be undertaken, estimated evaporation rates;
- construction details for evaporation ponds and embankment height; and
- temporary storage facilities for wastes to be sent off site for recycling or disposal.

### 2.9.3 *Care and maintenance*

Detail all activities and strategies required for care and maintenance of the non-radioactive liquid waste facilities, should the mine suspend production, but not progress immediately to closure.

### 2.9.4 *Non-radioactive liquid waste treatment, storage and disposal infrastructure rehabilitation strategies and timing*

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of non-radioactive liquid waste storage, treatment and disposal infrastructure, including timing of these activities.

## 2.10 **Radioactive Liquid Waste**

### 2.10.1 *Description of radioactive liquid waste generated*

Detail the types, composition and quantities of radioactive liquid waste generated through mining activities, in particular, bleed stream and other disposal fluids relating to the mining activity, including liquid waste stored in:

- retention ponds;
- evaporation ponds;
- injection of waste into designated aquifers; and

Describe probable environmental releases deriving from the above liquid wastes (e.g. radon).

The description of the liquid wastes generated must include an anticipated chemical composition of the fluids, and the anticipated volumes of disposal.

### 2.10.2 *Detailed design of treatment, storage and disposal systems*

Detail the radioactive liquid processing wastes generated, including:

- schematic or process flow diagram showing the progression of liquid waste through the operations;
- equipment and facilities for each waste area;
- method of disposal (injection into aquifer, evaporation etc.), including:
  - estimated capacity and disposal rates if aquifer disposal is to be undertaken
  - estimated evaporation rates if evaporation disposal is to be undertaken
  - justification for chosen disposal option
- location of disposal wells or evaporation ponds (in terms of the site location shown on maps and cross sections (as per 7.1.1.1 and 7.2.1.1) and the hydrogeological setting if disposal is by re-injection); and
- construction details for evaporation ponds must include the layout of each area, dimensions, volumes and the method of pond construction.

Where radioactive liquid waste is to be re-injected to an aquifer, a prediction of the disposal plume extent and ultimate fate is required, as well as a prediction of the resulting groundwater quality (based on aqueous geochemistry). The predictions must be based on the quantified aquifer characteristics, volumes, rates and chemical makeup of liquid waste to be disposed.

### 2.10.3 *Care and maintenance*

Detail all activities and strategies required for care and maintenance of the radioactive liquid waste storage, treatment and disposal systems, should the mine suspend production, but not progress immediately to closure.

### 2.10.4 *Radioactive liquid waste treatment, storage and disposal infrastructure rehabilitation strategies and timing*

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of radioactive liquid waste storage, treatment and disposal infrastructure, including timing of these activities.

Where natural attenuation is to be relied on for the remediation of aquifers to achieve post closure groundwater quality outcomes, include:

- a description of the nature and expected rates of the attenuation processes;
- predictions of the rate and extent of attenuation supported by laboratory tests and modelling;
- a demonstration that the attenuation model can be validated in under 10 years from the cessation of mining; and
- a contingency plan if attenuation is not demonstrated to be occurring within expected timeframes.

## 2.11 **Vegetation Clearance**

If clearance of native vegetation is to occur, a Native Vegetation Management Plan (NVMP) prepared by an accredited consultant must be included with the PEPR.

The NVMP must:

- describe the vegetation type to be cleared and include a map (as per 7.1.1.2) showing the proposed clearance area; and
- state the quantum of significant environmental benefit (SEB) to be gained in exchange for the clearance and describe how the SEB will be provided.

## 2.12 **Completion**

### 2.12.1 *Description of mine site at completion*

Provide a description, plans and cross sections (as per 7.1.1.4 and 7.2.1.2) of the site as it will be at completion after all rehabilitation and closure activities have been completed, including:

- final post completion land use(s);
- final post completion aquifer use(s);
- vegetation covers (including native vegetation that will not be disturbed due to operations);
- any infrastructure that will remain on site and will become the property and responsibility of the landowner;
- location and description of waste disposal areas, including any required ongoing management and, if relevant, land use restrictions;
- post completion radiological exposure assessment for the post completion land;
- representative plans and cross-sections (as per 7.1.1.4 and 7.2.1.2) that show:
  - emplacement areas, waste disposal areas and disturbed areas;
  - final rehabilitated surface;
  - predicted extent of residual mining fluids; and
  - predicted extent or reinjected liquid waste
- Provide a description of the mechanism for transferring responsibility for any potential residual liability (i.e. ongoing maintenance or monitoring) subsequent to surrender of the tenement.

### 2.12.2 *Rehabilitation liability estimate*

Provide the maximum third party cost of rehabilitation at any time over the life of mine covered by the PEPR. The estimate must be based on reasonable third party costs of undertaking the rehabilitation strategies as outlined in Section 2 and include costs for project management, inflation, normal project variation, and contingency provision for risk associated with the strategies and uncertainty in the cost estimates.

## 2.13 **Resource Inputs**

### 2.13.1 *Description of workforce and local procurement*

For the proposed workforce (for all mining operations including mining, processing, waste management and supporting surface infrastructure) describe:

- how operations on the site will be managed;
- number of full-time employee positions that would be directly created by the proposal (not to include existing positions);
- the proportion of the workforce that would reside in the local community and the estimated impact on local employment;
- any programs to target and assist Indigenous or local employment at the mine;
- training to be provided to employees and potential employees;
- approximate timelines for creation of the positions; and
- potential for local business participation, and procurement of local goods and services.

### 2.13.2 Description of energy sources

For the energy sources and usage provide:

- estimates of total annual energy usage (from all sources, including personnel transport and ore transport to point of sale); and
- expected sources of energy;
- potential for efficiency gains;
- amount and percentage of zero emission energy to be utilised;
- equivalent annual CO<sub>2</sub> generated; and
- any carbon offsets.

### 2.13.3 Description of water sources, including borefields

Detail the source(s) of water to be used at the mine (other than in the ISR mining process), expected usage and any discharge, including:

- expected annual water usage by source;
- indicate if any water usage by source will be more than 5% of the total annual water withdrawal for that source;
- percentage of water that will be recycled; and
- water discharge (surface and/or underground) by quality and destination.

## 3. CONSULTATION

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with regulation 64 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a PEPR must include:

A description of:

- the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the quarry operation;
- the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders; and
- if any individual or group of similar affected persons were not able to be consulted, the steps taken to consult with them.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted;
- any concerns / issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

## 4. ENVIRONMENTAL OUTCOMES, STRATEGIES, CRITERIA AND MONITORING

### 4.1 Environmental Outcomes

A PEPR must set out environmental outcomes (including completion outcomes) in accordance with section 70B(2)(b)(i) of the *Mining Act 1971*. For each environmental outcome, a PEPR must include the information described in clause 4.2, 4.3 and 4.4.

### 4.2 Control and Management Strategies

In setting out the control and management strategies adopted to demonstrate that the environmental outcomes can be and will continue to be achieved in accordance with regulation 63(1)(b) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a PEPR must:

- Demonstrate that the control and management strategies are commensurate with the impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation;
- Describe any significant degree of uncertainty in accordance with regulation 63(3)(c) pertaining to the likely effectiveness of control and management strategies, including (but not limited to) lack of site specific information, limitations on modelling and quality of data. The description must include an analysis of uncertainty in:
  - groundwater modelling predictions, including natural attenuation modelling;
  - predictions on the fate and extent of residual mining fluid and reinjected liquid waste following mine completion; and
  - For information and guidelines on numerical groundwater modelling and uncertainty analysis, refer to <https://www.iesc.environment.gov.au/information-guidelines>.
- Describe any assumptions connected with the identified uncertainty;
- So far as is relevant, identify the sensitivity to change of any assumption that has been made in accordance with regulation 63(3)(d) and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect;
- Provide a description and list of current and future works (for example (but not limited to) trials, test work, studies, modelling, validations) that are to be undertaken to address the identified uncertainty or assumption;
- Provide a schedule of the timing that the future works will be undertaken and completed; and
- Based on the schedule of future works, state the timing for review of the PEPR in accordance with Section 70C (1) of the *Mining Act 1971*.

### 4.3 Measurement Criteria

In preparing a statement of the criteria to be adopted to measure each of the environmental outcomes in accordance with sections 70B(2)(c) of the *Mining Act 1971* and regulation 63(1)(c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* the following:

Set out measurement statement of criteria for each environmental outcome (including completion outcomes). The measurement criteria must comply with the five elements of regulation 63(1)(c), and the statement of criteria must include details about:

- responsibility (who will measure);
- record keeping; and
- frequency of reporting to management and any external parties.
- The statement of criteria must be developed separately for construction, operation and completion, as appropriate.
- As required by Regulation 61(3) measurement criteria must insofar as is reasonably practicable and appropriate, be expressed in quantitative terms (rather than qualitative terms).
- Where appropriate, recognised industry standards, codes of practice or legislative provisions from other Acts can be used as criteria.
- All point-related measurement criteria, such as water bores, sampling points and photo points (including direction) must be included on a map.
- When control or baseline data is used, this must be included in the PEPR.
- Where attenuation is to be relied upon to demonstrate achievement of groundwater completion outcomes, a process must be provided for validation of predictive attenuation modelling, including a description of the model and assumptions used.
- Measurement criteria must be provided in relation to demonstrating achievement of radiological and soil completion outcomes.
- Where native vegetation clearance is planned and in the case where an on ground offset by the operator is to be used to demonstrate the Significant Environmental Benefit (SEB), the statement of criteria must demonstrate the successful implementation of the on ground offset through the native vegetation management plan.

### 4.4 Leading Indicator Criteria

If required by the lease/licence and/or where there is a high level of reliance on control strategies to achieve an environmental outcome, set out a statement of the leading indicator criteria as required by Regulation 63(1)(d) that will be used to give an early warning that a control strategy may fail or be failing.

In preparing a statement of the leading indicator criteria, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* the following:

The statement of leading indicator criteria must comply with Regulation 63(1)(d), and must include details about:

- what is to be measured and the form of the measurements that are to be used;
- the locations where the relevant measurements are to be taken, or how such locations are to be determined;
- what is proposed to be taken to constitute the achievement of the relevant outcomes (with consideration given to any inherent errors of measurement);
- the frequency of any measuring or monitoring; and
- any background or control data that is to be used, or how any such data is to be acquired.
- The statement of leading indicator criteria must include details about:
  - responsibility (who will measure);
  - record keeping; and
  - frequency of reporting to management and any external parties.

## 5. OPERATOR CAPABILITY

In preparing information about the ability of the tenement holder (and any other person who may be acting on behalf of the tenement holder) in accordance with section 70B(2)(d) of the *Mining Act 1971*, the Minister determined in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that this information must be accompanied by relevant evidence demonstrating that the tenement holder (and any other person who may be acting on behalf of the tenement holder as an operator) has appropriate experience, processes and procedures in place to be able to achieve the environmental outcomes.

## 6. LEASE/LICENCE

Where the lease or licence includes specific conditions or requirements that are not environmental outcomes, in accordance with regulation 63(1)(e) a PEPR must include a section that demonstrates where the respective conditions or requirements have been addressed in the PEPR (if relevant) or demonstrates how otherwise they have or will be complied with.

## 7. MAPS AND CROSS-SECTIONS

In preparing a PEPR in accordance with section 70B(2) of the *Mining Act 1971* and regulation 63 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that all maps, plans and cross sections must comply with the following requirements relating to the amount of detail or information to be provided:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, north arrow, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, scale bar, text and legend;
- date prepared and author;

- be of appropriate resolution and scale for represented information;
- be legible in both the hardcopy and electronic versions of the submission; and
- be accompanied by a map showing the orientation of the cross-sections.

## 7.1 List of Maps

Following is a list of all maps required in the PEPR based on the relevant sections of this determination:

### 7.1.1 Maps required for Description of the Mining Operations (as per clause 2)

#### 7.1.1.1 Site Layout Map showing all components of the operation including (but not limited to):

- tenement boundaries;
- location of surface water and sediment management infrastructure;
- location of process water dams;
- location of fuel and chemical storage areas;
- location of access and other roads;
- location of fixed plant;
- location and layout of all well field areas;
- location of all disposal wells;
- location of all monitoring wells;
- location of visual screening measures;
- location and extent of all areas proposed to be disturbed from mining including, mine infrastructure, processing plant, waste disposal facilities; and
- location of key environmental features that are within or in close proximity to the Tenement and that are relevant to the design of the Site Layout Plan, including but not limited to housing and infrastructure, existing heritage sites, existing ephemeral and permanent rivers, watercourses, creeks or dams and/or existing native vegetation.

#### 7.1.1.2 Sequence of Mining and Progressive Rehabilitation Map showing:

- tenement boundaries;
- conceptual staging of each progressive mining stage;
- proposed native vegetation clearance;
- location and extent of all areas to be progressively rehabilitated during mining; and
- sequence of mining and rehabilitation in appropriate time intervals, or per stages (depicting progressive rehabilitation).

#### 7.1.1.3 Access Route Map showing:

- access route for heavy vehicles;
- exit route for heavy vehicles; and
- any road upgrades or new roads to be constructed.

#### 7.1.1.4 Completion Map showing:

- final landforms (including rehabilitated and non-disturbed areas);
- vegetation covers (including native vegetation that will not be disturbed due to operations);
- any infrastructure that will remain on site and will become the property and responsibility of the landowner;
- location of decommissioned wells;
- location of waste disposal areas; and
- predicted extent of residual mining fluids and liquid waste reinjected to aquifers

## 7.2 Summary of Cross-Sections

Following is a summary of all cross-sections required in the PEPR:

### 7.2.1 Cross-Sections required for Description of Operations (as per clause 2)

#### 7.2.1.1 Mining Operation Cross-Section(s) showing:

- natural surface;
- geological units showing aquifer systems, confining units and interpreted faults; and
- schematic of injection and production wells, liquid disposal wells and monitoring wells including screened intervals.

#### 7.2.1.2 Completion Cross Section(s) showing:

- natural surface;
- any infrastructure that will remain on site and will become the property and responsibility of the landowner;
- decommissioned wells;
- location of waste disposal areas; and
- predicted extent of residual mining fluids and liquid waste reinjected to aquifers.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

## REGULATION 65

*Program for Environment Protection and Rehabilitation*

For the purposes of Section 70B (8) of the *Mining Act 1971* and Regulation 65 of the Mining Regulations 2020, the Minister for Energy and Mining determines by publication in the Gazette that the following Program for Environment Protection and Rehabilitation be adopted for low impact exploration operation carried out within the area of a mineral claim, an exploration licence, a mining lease or a retention lease.

In accordance with Section 70B (8) of the *Mining Act 1971*, this notice will have effect from 1 January 2021.

**GENERIC PROGRAM FOR ENVIRONMENT PROTECTION AND REHABILITATION—LOW IMPACT EXPLORATION IN SOUTH AUSTRALIA**

This Generic Program for Environment Protection and Rehabilitation—Low Impact Exploration in South Australia (Generic PEPR) identifies the potential impacts, outcomes and measurement criteria developed by the Department of Energy and Mining (DEM) that must be adopted by explorers when undertaking low impact exploration operations in South Australia.

This Generic PEPR applies to all low impact exploration operations listed within Part A of this determination, that are carried out within the area of an Exploration Licence (EL), Minerals Claim (MC) for the purpose of exploring for extractive minerals only, Retention Lease (RL) and Mining Lease (ML).

This Generic PEPR will not be adopted and a program under Part 10A of the *Mining Act 1971* must be submitted for approval where required by an express condition of an Exploration Licence (EL) or where low impact exploration operations listed within Part A of this determination are to occur within the area of an exploration licence (EL) or mineral claim (MC) within one or more of the following “excluded areas”:

1. a specially protected area as defined in the *Mining Act 1971*;
2. land dedicated as a conservation reserve under section 5 of the *Crown Lands Act 1929* or section 18 of the *Crown Land Management Act 2009* or land in relation to which a declaration is in force under section 55 of the *Crown Land Management Act 2009*;
3. a regional reserve as defined in the *National Parks and Wildlife Act 1971*;
4. a State Heritage Area or a State Heritage Place as defined in the *Heritage Places Act 1993*;
5. a declared RAMSAR wetland as defined in the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*;
6. land subject to a heritage agreement entered under section 23 of the *Native Vegetation Act 1991*;
7. a national park as defined in the *National Parks and Wildlife Act 1971*;
8. a conservation park as defined in the *National Parks and Wildlife Act 1971*; and
9. a recreation park as defined in the *National Parks and Wildlife Act 1971*.

**PART A: Scope*****Environment***

This Generic PEPR will include all features of the environment within the area of an Exploration Licence (EL), Minerals Claim (MC), Retention Lease (RL) and Mining Lease (ML) (noting that this Generic PEPR will not be adopted within excluded areas as defined above).

***Operations***

The following low impact exploration operations **are covered and within scope** of this Generic PEPR:

- Reconnaissance
- Cultural clearance surveys
- Soil sampling
- Geological mapping
- Geochemical surveys - surface sampling
- All geophysical surveys including passive seismic - excludes all other types seismic surveys
- Biochemical sampling
- Rock-chip sampling
- Sampling using hand held augers
- Fly camps comprising tents or swags for short periods of time (days)
- Small, short term camp sites defined as:
  - Having a maximum of 5 people
  - Required for a maximum time period of one month
  - Equipment limited to a maximum of two caravans, tents and generators
  - Associated 4WD vehicles, helicopters, ATVs and/or Quad bikes
  - Low impact exploration equipment
- Use of 4WD vehicles off existing tracks required to conduct the above listed activities
- Environmental studies required to support the development of a RL/ML application and a PEPR submission, which are not reasonably expected to have any significant adverse impacts on the environment.

The following low impact exploration operations are **not covered** within this Generic PEPR:

- All activities requiring the use of Declared Equipment. This includes drilling equipment defined under the Mining Act as “any mechanically driven machinery capable of drilling to depths greater than 2.5 metres below the ground” in order to recover subsurface geological samples or information
- Costeans and trenches
- Any type of seismic survey (excluding passive seismic)
- Any camp site outside of the scope documented above
- Airborne surveys—separate notification to the Department is required in accordance with EL conditions.

Low impact exploration operations not covered in this Generic PEPR will require a PEPR to be submitted for approval by the Minister (or delegate) pursuant to Part 10A of the Mining Act.

**PART B: Potential impacts, controls, outcomes and measurement criteria**

Receptors	Potential Impacts	Control Strategies	Outcomes	Outcome Measurement Criteria
<b>Stakeholders</b> <ul style="list-style-type: none"> <li>• Freehold land owners</li> <li>• Perpetual Lease holders</li> <li>• Pastoral Lease holders</li> <li>• Aboriginal Land (Anangu Pitjantjatjara Lands (Maralinga Tjarutja Lands)</li> <li>• Department of Defence</li> <li>• State Government Departments</li> <li>• Local Government (councils)</li> <li>• Commonwealth Government</li> <li>• Native Title Parties</li> <li>• Traditional Owners</li> </ul>	<p>Interference to:</p> <ul style="list-style-type: none"> <li>• Existing or permissible land use,</li> <li>• Buildings, structures or other infrastructure</li> <li>• Aesthetic values of an area.</li> </ul> <p>Non-compliance with legislative requirements</p>	<p>Develop early exploration engagement plan to guide consultation with landowners in accordance with DEM guidelines, to facilitate clear and open discussions regarding access requirements.</p> <p>Serving all required Statutory Forms under the Mining Act (including Part 9B of the Mining Act where required).</p> <p>Negotiate agreements, where required, with relevant landowners in accordance with section 9AA of the Mining Act.</p> <p>Negotiate formal access agreements (e.g. deed of access for Aboriginal land and Woomera Prohibited Area deed of access), where required, in accordance with EL Conditions.</p> <p>Obtain approval/authorisation from the relevant Council for work on public road verges.</p> <p>Have an awareness of all other relevant legislation and abide by their requirements.</p>	<p>All Statutory Forms served and agreements obtained in accordance with the Mining Act.</p> <p>All other relevant legislative requirements are met.</p>	<p>No reasonable complaints received from affected stakeholders.</p> <p><i>*Keep records of all complaints received and results of internal investigations to demonstrate compliance with the outcome.</i></p> <p>Provide evidence that statutory forms were served and agreements obtained in accordance with the Mining Act and licence/lease conditions, with all appropriate stakeholders.</p> <p><i>*Keep copies of all statutory forms and agreements from previous and current programs to demonstrate compliance with the outcome.</i></p> <p>Maintain an up to date exploration engagement plan (or equivalent documents) and keep records demonstrating the results of consultation, including:</p> <ul style="list-style-type: none"> <li>• a list of the persons consulted;</li> <li>• any issues of concerns raised by the persons consulted;</li> <li>• the steps (if any) taken or proposed to be taken to address those concerns.</li> </ul>
<b>Flora &amp; fauna</b>	<p>Loss/modification of native vegetation and associated habitats.</p>	<p>Appropriate fire control strategies implemented.</p> <p>Vehicles must be thoroughly cleaned prior to entry off existing tracks into exploration areas to prevent the spread of weeds and soil/plant diseases.</p> <p>Exploration sites chosen to minimise impacts to native vegetation (e.g. camp sites located in naturally cleared or previously disturbed areas).</p> <p>Existing tracks used where possible.</p> <p>Prevent third party access by disguising entry and exit points off existing tracks.</p> <p>All rubbish (including food scraps) removed from exploration sites, reducing the likelihood of attracting feral predators to the area.</p> <p>Low impact exploration activities conducted in accordance with DEM's M33 guideline.</p>	<p>No permanent loss/degradation of native habitats as a result of exploration activities.</p>	<p>All entry/exit points off existing tracks are disguised/rehabilitated within 6 months of completion of the program.</p> <p><i>*Take before and after photos of exit and entry points to demonstrate compliance with the outcome.</i></p> <p>No uncontrolled fires as a result of exploration activities. Uncontrolled = no fires that escape outside of the exploration work area.</p> <p><i>*Keep records of all fires and take photographs after the incident to demonstrate compliance with outcome.</i></p> <p>Demonstrate that all vehicles were clean and free of weeds/seeds prior to entry into the exploration area.</p> <p><i>*Keep records indicating that vehicles were cleaned prior to entry (e.g. log sheets to demonstrate compliance with the outcome).</i></p>

Receptors	Potential Impacts	Control Strategies	Outcomes	Outcome Measurement Criteria
<b>Farming Land/Landowners</b>	Loss or damage to crops.	Use existing tracks where possible. Appropriate fire control strategies implemented. Vehicles cleaned to prevent the spread of weeds and plant diseases prior to entering and exiting properties. Consultation/liasion with landowners in accordance with DEM guidelines, including clear and open discussions with regarding access requirements. Adhere to agreement with Landholder in accordance with section 9AA of the Mining Act.	No unauthorised interference with land use activities.	No reasonable complaints received from affected landowners. <i>*Keep records of all complaints received and results of internal investigations to demonstrate compliance with the outcome.</i>
<b>Farming Land/Landowners</b>	Loss of livestock.	No pets on site. Appropriate speed limits adhered to. Consultation/liasion with landowners in accordance with DEM guidelines, including clear and open discussions regarding access requirements.	No unauthorised interference with land use activities.	No reasonable complaints received from affected landowners. <i>*Keep records of all complaints received and results of internal investigations to demonstrate compliance with the outcome.</i>
<b>Soil and water courses</b>	Erosion.	Use existing tracks where possible. Appropriate speed limits adhered to. Reduce/stop movements during wet weather. Select appropriate vehicle for activity requirements. Avoid creek crossing where possible. Low impact exploration activities conducted in accordance with DEM's M33 guideline.	Soil surface profile consistent with the natural relief.	Demonstrate that the original surface profile is consistent with the surrounding natural relief. <i>*Take photos of sites requiring rehabilitation once completed to demonstrate compliance with the outcome.</i>
<b>Soil</b>	Contamination.	All domestic and/or industrial waste is disposed of in accordance with relevant legislation (e.g. contaminated soil disposed of at approved EPA waste facilities). Fuel required for exploration activities is banded in accordance with EPA requirements.	No contamination of soil as a result of exploration activities. All waste is disposed of in accordance with relevant legislation.	Record of receipts show that all domestic or industrial waste is disposed off site in accordance with the Environment Protection Act. <i>*Keep all receipts showing contaminated soil was taken to an approved EPA waste facility.</i>



Receptors	Potential Impacts	Control Strategies	Outcomes	Outcome Measurement Criteria
<b>Aboriginal Heritage</b>	Damage to Aboriginal Heritage sites, objects or remains.	<p>Identify any known Aboriginal sites, objects or Aboriginal remains listed on the Central Archive, which is administered by Aboriginal Affairs and Reconciliation (AAR) under the <i>Aboriginal Heritage Act 1988</i>.</p> <p>Requests for searches of the Central Archive can be made thorough DPC-AAR's Aboriginal Cultural Heritage Register and Information Management System, Taa wika, which can be accessed at <a href="https://taawika.sa.gov.au">https://taawika.sa.gov.au</a>.</p> <p>For any assistance regarding the search request process, contact DPC-AAR's heritage sites email address at <a href="mailto:dpc-aar.heritagesites1@sa.gov.au">dpc-aar.heritagesites1@sa.gov.au</a>.</p> <p>Liaise with relevant native title groups and traditional owners and conduct a risk assessment to identify if a work area clearance or equivalent process, is required to manage areas of Aboriginal heritage prior to conducting exploration operations.</p> <p>Ensure that all works activities avoid known Aboriginal sites, objects and remains (i.e. through the use of buffer zones).</p> <p>Employees, contractors and visitors inducted to understand their obligations under the AHA.</p>	No disturbance to Aboriginal sites, objects or remains unless prior approval under the relevant legislation is obtained.	<p>Where culturally appropriate, provide before and after photos of heritage sites in the vicinity of the works area to demonstrate compliance with the outcome.</p> <p><i>* Demonstrate that relevant Native Title groups and Traditional Owners have been contacted; document any advice or requests received from such groups and confirm any measures undertaken to manage Aboriginal heritage.</i></p> <p><i>*Keep records of all correspondence with Traditional Owners and Native Title bodies to demonstrate compliance with the outcome.</i></p> <p>Demonstrate Aboriginal heritage sites were appropriately identified/recorded and reported to AAR if not previously known.</p> <p><i>*Keep records of heritage sites reported to AAR to demonstrate compliance with outcomes.</i></p>
<b>Places, areas and objects of national, state or local heritage significance</b>	Damage areas and objects of national, state or local heritage significance	<p>Routes planned to avoid sites</p> <p>Identify any heritage sites, places or objects of state significance on the South Australian heritage places database</p> <p>Identify any heritage sites of national significance on the Australian Heritage Database</p> <p>Identify any places of local significance on Naturemaps</p> <p>Implement appropriate buffer zones to avoid impact.</p>	No disturbance to places, areas and objects of national, state or local heritage significance unless prior approval under the relevant legislation is obtained.	<p>Demonstrate no impact to places, areas and objects of national, state or local heritage significance unless prior approval has been obtained under the appropriate legislation.</p> <p><i>*Provide maps showing the location of exploration operations compared to the location of sites, and/or before and after photos of sites to determine compliance with the outcome.</i></p>

Receptors	Potential Impacts	Control Strategies	Outcomes	Outcome Measurement Criteria
<b>Public</b>	Impacts to public health and safety.	Use appropriate signage to warn the public when working in publicly accessible areas. Avoid working in areas accessible to the public during peak tourist times where possible. Adopt appropriate traffic management strategies.	No accidents involving the public that could have been reasonably prevented by the licensee.	Independent investigation of all accidents involving the public that demonstrates the licensee could not have reasonably prevented the accident through implementation of precautionary measures. <i>*Keep copies of all independent investigation reports to demonstrate compliance with the outcome.</i>

*\*Note: Comments in Italics within the measurement criteria column are only examples of how the criteria can be used to demonstrate compliance with the outcome. Explorers have the option to use their own methods to demonstrate compliance.*

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

### REGULATION 78

#### *Terms of Reference for a Technical Exploration Report*

A technical exploration report is required to be submitted where the tenement holder carries out exploration operations on exploration licences and any other tenements issued under the *Mining Act 1971*. It must comply with the requirements under regulation 78 of the *Mining Regulations 2020* (the Mining Regulations) and departmental guidelines on exploration reporting.

In accordance with Regulation 78 of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

#### **1 Submission**

For the purposes of subregulation 78(5)(a) of the Mining Regulations, it is determined that a technical exploration report must be provided within sixty (60) days after the end of each reporting period.

Where a technical exploration report is submitted by the tenement holder in respect to more than one tenement, the Minister determines for the purposes of subregulation 78(4)(b) of the *Mining Regulations 2020* that:

- in the case of clause 3.1.3 of this Term of Reference, the summary of all activities conducted must be provided to the Minister on a per tenement basis each 12 month period ending on the anniversary of the day on which the relevant mineral tenement was granted; and
- the remaining information required by this Terms of Reference, can be provided to the Minister in respect to more than one tenement on a date each year notified to the Minister by the tenement holder.

#### **2 Manner and form**

For the purposes of subregulation 78(5)(b) of the Mining Regulations, it is determined that a technical exploration report must be submitted in the following manner and form:

- An electronic (digital) version must be submitted to the Department for Energy and Mining in one single Acrobat PDF file in accordance with regulation 88 of the *Mining Regulations 2020* or, if requested by the Minister, Director of Mines or an authorised officer, Microsoft Word-compatible files via the Department electronic mailbox.
- If the technical exploration report is more than 20 megabytes in size it should be submitted via the Department's nominated secure file transfer software [such as Kiteworks].
- Each page, plan or other separate sheet must include the mineral claim, retention lease or exploration licence number(s), date of report, and sequential page numbering.
- All reports must be submitted in English to the standards specified in the Australian requirements for the submission of digital exploration data, which can be found on <http://www.australianminerals.gov.au/legislation-regulations-and-guidelines>.
- A digital backup copy of all digital information submitted to the Department should be kept by the tenement holder for seven (7) years.

#### **3 Information**

For the purposes of subregulation 78(5)(c) of the Mining Regulations, it is determined that a technical exploration report must contain the information as follows:

- Information of sufficient scope and detail to substantiate the expenditure claimed and the activities undertaken within the reporting period.
- Complete and consistent records of all geoscientific activities undertaken, the information obtained and the technical results and geological interpretation of exploration during the reporting period.
- Data and any consultant or laboratory reports as digital appendixes in the appropriate format, as per the Australian requirements for the submission of digital exploration data.

The required structure of a technical report is based on the national uniform guidelines developed for the Chief Government Geologists (Australian requirements for the submission of digital exploration data) and consists of three sections: front matter, body of report and end matter.

### 3.1 Front matter

The information specified under 'front matter' is required to be included with the digital copy.

#### 3.1.1 Title page

The title page should include:

- type of report (annual, partial surrender, final)
- reporting period (period covered by the report)
- tenement number(s)
- name of tenement(s)/project or combined reporting group
- name of tenement holder(s)
- name of operator
- author of report (and company name if not the operator)
- date of report
- company internal report reference number (if applicable).

#### 3.1.2 Table of contents

The table of contents included at the start of the first volume should list:

- the contents of all volumes showing section headings
- all figures, tables, plates, plans, maps and their sequential numbers and scales
- all appendixes (with meaningful titling, including sub-appendixes if any). If an appendix contains a collation of basic data - eg. drillhole logs, then a summary of the contents of the appendix must be included at its start
- digital files submitted with the report, including their name, file size and file type.

Each subsequent volume to the first must have its own volume contents list.

#### 3.1.3 Summary of all activities conducted

The summary of activities should include:

- a brief outline of target(s) sought and work carried out
- a table listing the activities by tenement and the key results. The table should contain details such as the scale of geological mapping; type of sampling, number of samples and elements analysed; type of geophysical survey and number of line kilometres; and type of drilling and number of holes and metres drilled using the table of drilling statistics as below:

Table of Drilling Statistics:

**TABLE—Drilling statistics\***

Cored		Open (RC)		Open (other)	
Number of holes	Total metres	Number of holes	Total metres	Number of holes	Total metres

\*If more than one type of drilling occurred for a hole, please add the total metres for each type in the appropriate columns above. In such cases the 'number of holes' should be allocated to the drilling type column accounting for the majority of metres drilled.

- Expenditure. The summary should also include the total expenditure for the reporting period and a detailed expenditure using the table below.

Table of detailed expenditure:

Group	Item	Detail	Cost
Management	Tenement mgt and reporting		\$
	Statutory fees		\$
Logistics	Food, accommodation and travel		\$
	Vehicle costs		\$
	Salaries	Employees	\$
		Consultants and contractors	\$
	Insurance	(pro-rata across all projects)	\$
	Data review		\$
Geological	Mapping	Geological, structural, etc.	\$
	Geochemistry	Rock chip sampling	\$

Group	Item	Detail	Cost
		Soil/calcrete sampling	\$
		Biogeochemistry	\$
		Other:	\$
	Geophysics (Where applicable, please indicate if conducted by air or ground)	Magnetic (air/ground)	\$
		Radiometric (air/ground)	\$
		Gravity (air/ground)	\$
		Electromagnetic (air/ground)	\$
		Induced polarisation (air/ground)	\$
		Magnetotelluric (air/ground)	\$
		Seismic	\$
		Other:	\$
	Drilling	Auger	\$
		RAB	\$
		Air core	\$
		Sonic	\$
		Rotary mud	\$
		RC	\$
		Diamond	\$
		Other:	\$
	<b>Remote sensing</b>	Landsat	\$
		ASTER/multispectral	\$
		Aerial photography and DTM	\$
		Other:	\$
	<b>Technical studies</b>	Hydrogeology	\$
		Geotechnical	\$
		Petrology	\$
	<b>Survey</b>	Downhole (gyro/density/etc.)	\$
		Surface locations	\$
	<b>Other</b>	Trench/costean	\$
		Site preparation	\$
		Rehabilitation	\$
		Sample assays	\$
Land access	Native title negotiations		\$
	Aboriginal heritage survey		\$
	Environmental survey		\$

Group	Item	Detail	Cost
	Landowner negotiations		\$
	Compensation payments		\$
Project studies and research	Project development studies	Scoping study	\$
		Prefeasibility study	\$
		Feasibility study	\$
	University research project		\$
Other	(Please justify below)	Item:	\$
		Item:	\$
<b>Subtotal</b>			\$
<b>Administration</b>		<b>10% of subtotal</b>	\$
<b>Total</b>			\$

All areas of exploration activities in the summary should be shown on the exploration index map (see Clause 3.1.4).

#### 3.1.4 Exploration index map

Include an index map, or maps, at an appropriate standard scale to show the areas where the different exploration activities have been carried out during the reporting period.

The exploration index map(s) should show a standard map grid (MGA2020 (GDA2020) preferred) and major landmarks—eg. towns, roads, topographic features, plus the following types of activities as polygons:

- Boundaries of tenements (with tenement numbers) covered by the report.
- Boundaries of areas covered by:
  - survey grids—it is not necessary to show individual grid lines
  - geological mapping—specify the scales used
  - drilling programs—specify type of drilling—eg. rotary air blast, reverse circulation, diamond drillhole
  - geochemical surveys—specify type: soil (A,B,C horizon), stream sediment, rock chip etc
  - airborne/ground geophysical surveys—specify type: magnetic, gravity, electromagnetic etc
  - aerial photography, satellite imagery or airborne remote sensing imagery.
- Position of identified mineral resources or pre-resource mineralisation.

#### 3.1.5 Keywords

Provide relevant bibliographic indexing keywords, such as map sheet names, location names, commodity sought, exploration methods, geological units targeted, prospect name, geological province, geological age and any other relevant earth science and related terms, to identify the main points of the reports and so assist any future computer searches. Use the [Geoscience, mineral and petroleum thesaurus \(GeMPeT\)](#) as a guide.

### 3.2 Body of report

The body of the report should be structured using the headings given below and may be in the form of either:

- a series of topic-related sections—eg. geology or geophysics, each of which contains relevant information for all locations or prospects within the licence area
- a series of region or prospect-related sections in which all topics are covered.

#### 3.2.1 Introduction, history and exploration rationale

- Summarise the tenure details ie. EL number(s), grant date(s), term(s), project name, operator/joint venture status.
- Give a general description of the location. Include a simple map showing the location of the tenement(s) within South Australia.
- Provide results of literature searches.
- Include a brief summary of the exploration/mining history of the area.
- Describe exploration targets, objectives and rationale.

### 3.2.2 Geology

- Describe the regional setting and the results of geological mapping.
- Report on models of structural interpretation and/or mineralisation.
- Include appropriate geological maps and cross-sections (see Clause 3.3.2).
- Provide results and a summary of any mineralogy, petrology, palaeontology or geochronology studies on surface or sub-surface (drilling) samples. Append detailed descriptions to the report, with sample locations provided in a nationally recognised coordinate system—eg. MGA2020 (GDA2020, and shown on appropriate plans or drilling logs.
- Include results of any spectral analyses and interpretation conducted.

### 3.2.3 Geophysics

Describe the airborne and ground-based geophysical exploration, excluding downhole surveys, which should be addressed under drilling (see Clause 3.2.6). Where appropriate the following should be included:

#### 3.2.3.1 Airborne surveys (excluding remote sensing)

Within the text/appendixes of the report include:

- standard scale maps (as per Clause 3.3.2) showing survey locations and flight lines, together with any cultural features which may affect results—eg. power lines
- processed data map(s) tied to a nationally recognised map grid (MGA2020 (GDA2020) is preferred) and at the same scales as other presented maps—eg. geological map—to enable easy comparison
- details of data processing techniques used
- interpretations of results—discussions of what constitutes an anomaly, and the relation of anomalies to geochemistry, geology and drilling results
- separate reports on the results and interpretations of surveys as an appendix
- specifications of surveys and instruments (as below) so that another operator can extend or reinterpret the survey:
  - survey specifications—survey type, date, contractor, parameters recorded, instruments used, line orientation, line and tie spacing and, where applicable, mean terrain clearance and aircraft type
  - instrument specifications—instrument type, design, power, units of measurement (preferably SI), order of accuracy and mode of recording data ie. analogue or digital
  - other information—conversion factors for units outside the SI system, data on terrain conditions, nature of the ground, quality of electrical contacts, and extent of drifts, to aid in any extension or reinterpretation of the survey
- survey company logistics report detailing data acquisition operations and processing
- all drift/diurnal/tie corrections applied, and calibration constants and null values defined
- calibration parameters and procedures, and any quality control data.

Include as digital files accompanying the report, as per the [Australian requirements for the submission of digital exploration data](#):

- field data (ASEG GDF2 format or fixed column ASCII with a header)
- gridded data (ER Mapper format)
- final located data (ASEG GDF2 format or fixed column ASCII with a header)
- survey company logistics report detailing data acquisition operations and processing
- 256 channel radiometrics data where acquired.

Airborne surveys that cover more than one tenement must be submitted as one complete survey, including original raw data as received from the survey company and survey company logistics report. Attach a covering letter stating all tenement numbers the survey covers.

#### 3.2.3.2 Gravity surveys

Include:

- located basic data (tabulated or as line profiles), including station number, latitude/longitude or MGA2020 position (specify datum—GDA2020 preferred), AHD elevation, observed gravity (specify datum) and terrain correction (if calculated)
- processed data map(s) tied to a nationally recognised map grid (MGA2020 (GDA2020) is preferred) and at the same scales as other presented maps—eg. geological map, to enable easy comparison
- standard scale maps (as per Clause 3.3.2) showing survey location, gravity station position and base station position
- survey company logistics report detailing data acquisition operations and processing
- base station information—details of base stations established/used should include:
  - name—eg. isogal station
  - location ie. latitude/longitude or easting/northing; specify datum—GDA2020 preferred
  - observed gravity value used to tie into national gravity network (specify datum)
  - method of tie to control ie. ‘ABABA’
  - description of locality, including sketch map and description of monumentation (photos are often useful).
- if a floating grid, ie. not tied into the national network, then provide:
  - base station assumed gravity value
  - description of locality, including sketch map and description of monumentation (photos are often useful).

### 3.2.3.3 *Other geophysical surveys*

Within the text/appendixes of the report include:

- standard scale maps (as per Clause 3.3.2) showing survey locations, traverse lines and/or stations and any cultural features that may affect results
- processed data map(s) tied to a nationally recognised map grid (MGA2020 (GDA2020) is preferred) and at the same scales as other presented maps—eg. geological map to enable easy comparison
- details of data processing techniques used
- interpretations of results—discussions of what constitutes an anomaly, and the relation of anomalies to geochemistry, geology and drilling results
- separate reports on the results and interpretations of surveys as an appendix
- specifications of surveys and instruments (as below) so that another operator can extend or reinterpret the survey:
  - survey specifications—survey type, date, contractor, parameters recorded, instruments used, line orientation, line and tie spacing, and station spacing
  - instrument specifications—instrument type, design, power, units of measurement (preferably SI), order of accuracy and mode of recording data ie. analogue or digital
  - other information—conversion factors for units outside the SI system, data on terrain conditions, nature of the ground, quality of electrical contacts, and extent of drifts, to aid in any extension or reinterpretation of the survey
- survey company logistics report detailing data acquisition operations and processing
- all corrections applied, and calibration constants and null values defined
- calibration parameters and procedures, and any quality control data.

Include as digital files accompanying the report, as per the [Australian requirements for the submission of digital exploration data](#):

- field data (ASEG GDF2 format or fixed column ASCII with a header)
- gridded data (ER Mapper format)
- final located data (ASEG GDF2 format or fixed column ASCII with a header).

All geophysical survey data, including airborne surveys, should be submitted with the technical exploration report. Digital data must conform with requirements as outlined by the [Australian requirements for the submission of digital exploration data](#).

### 3.2.4 **Remote sensing data**

Describe the remote sensing survey, including the following where applicable:

- standard scale maps (as per Clause 3.3.2) showing survey locations and flight lines
- specifications of surveys and instruments (as below) so that another operator can extend or reinterpret the survey:
  - survey specifications—survey type, date, contractor, parameters recorded, instruments used, line orientation, line spacing and, where applicable, mean terrain clearance and aircraft type
  - instrument specifications—instrument type, design, power, units of measurement (preferably SI), order of accuracy and mode of recording data ie. analogue or digital
  - other information—conversion factors for units outside the SI system, data on terrain conditions and nature of the ground
  - raw data with associated calibration data—calibration parameters and procedures, and any quality control data.
- processed data tied to MGA2020 (GDA2020) and at the same scales as other presented maps—eg. geological map—to enable easy comparison.
- survey company logistics report detailing data acquisition operations and processing
- details of data processing techniques used
- written reports on the results and interpretations of surveys
- interpretations of results—discussions of what constitutes an anomaly, and the relation of anomalies to geochemistry, geology and drilling results
- flight diagrams and specifications of aerial photography should be supplied ie. scale, black and white or colour, contractor, date flown etc, as well as the location and ownership of prints and negatives
- results and specifications from other remote sensing surveys—eg. Landsat, airborne multispectral scanner (Geoscan), spot, radar—must be reported in text of the report, together with the storage location and ownership of any digital data
- where available, a digital copy of the raw and processed data should be submitted as an image data file (see [Australian requirements for the submission of digital exploration data](#) for acceptable formats). Otherwise images produced may be submitted within the report as appropriately labelled 35 mm slides or colour photographs, with a description of each scene and the process used to produce each image
- if the data is protected by copyright laws which prevent the inclusion of contour maps or image prints, then a detailed interpretation plan must be submitted
- images must have some means of locating the data on the ground—ideally these should be referenced to MGA2020 (GDA2020)
- where appropriate, identify the individual bands included in each image and their colour allocation. Provide a brief description of the process used to develop the image (if not proprietary).

Remote sensing survey data should be submitted with the **technical exploration report**. This data must conform with the requirements as outlined by the [Australian requirements for the submission of digital exploration data](#).

### 3.2.5 Surface geochemistry

Describe geochemical surveys undertaken (excluding drill assays which should be described under Clause 3.2.6.2), their results, and their relationship to other components of the exploration program. Describe geochemical surveys in sufficient detail to allow them to be reproduced or reinterpreted.

The following information should be provided:

- A map of the surveyed area (as per Clause 3.3.2) showing:
  - sample locations with sample number and type—rock chip, soil, stream sediment etc
  - relevant geographic features, including drainage lines and topographic contours, or the general gradient along traverses
  - relevant geological features, if appropriate
  - a standard coordinate grid such as MGA2020 (GDA2020), with datum and projection clearly specified.
- Field sampling procedures nominating sample type—eg. rock chip, soil, stream sediment, calcrete, water, gossan or mineralisation, costean, bulk, air, vegetation, material sampled, sample weight, sampled depth (soil horizon, if applicable) and method of collection.
- Where important, a description of sample preparation, such as size fraction analysed, and any concentration of samples—eg. heavy mineral separation, fraction, panned concentrate.
- Details of analytical procedures including:
  - name of the analytical laboratory
  - elements, oxides, isotopes etc analysed
  - laboratory methods/codes, including description of sample preparation, digestion and determination
  - analytical methods with detection limits and accuracy.
- Full assay results in tabular form. Refer to [Australian requirements for the submission of digital exploration data](#) for the required digital format.
- Processed data (optional)—for example, contour plans, preferably for each of the elements analysed, with individual values and sample numbers plotted. Include interpretations of the results, showing any anomalies encountered and their relationship to geology and geophysical anomalies, where appropriate.
- A description of methods used for processing and interpretation of data to determine anomalies, particularly if advanced data processing or statistical methods have been used.
- Results of geochemical/mineralogical exploration—eg. for diamonds, heavy mineral sands—should be reported as above but also include the following information:
  - mineralogy
  - grain size analyses
  - analysis of indicator minerals and/or other minerals
  - results of bulk sampling.
- Storage location and the possibility of access to the samples at conclusion of the exploration program.

### 3.2.6 Drilling

Discussion of drilling programs should include, in the text of the report:

- a statement of the purpose and targets of the program, including project/program/prospect names
- a summary of the drilling, describing the type of drilling, number of holes, total metres drilled, hole and line spacing if grid based, method and accuracy of hole location, drilling contractor, rig type, duration of the program, method of sample (for record purposes) and assay, storage of record samples, and a statement on the nature of completion/abandonment of drillholes
- a summary table of hole header information, showing hole name, drilling method if not the same for all holes, MGA2020 location (specify datum—GDA2020 preferred), zone, depth, declination and azimuth if not vertical, completion date and sample number range
- a statement of geochemical testing carried out, including laboratory, elements/compounds assayed, methods, detection limits, and if appropriate, regarding significant results
- a statement of other tests carried out on the samples, such as petrology, palaeontology, mineralogy, geochronology, grain size analysis and petrophysical. Results and interpretation of petrology, palaeontology, mineralogy and geochronology should be discussed under Clause 3.2.2
- a statement of any downhole surveys carried out, indicating the nature of the survey and the contractor and, if appropriate, a discussion of the results of the surveys
- a summary of any photographs or digital images of core submitted
- for surrender reports, an indication of how and when the requirement for submission of samples to the South Australia Drill Core Reference Library will be met.



### 3.2.6.1 *Drillhole log data*

Drillhole log data should be included in digital form, as per the [Australian requirements for the submission of digital exploration data](#), and as logs in an appendix to the report showing:

- header information including:
  - company name
  - tenement number
  - project name
  - hole name
  - drilling contractor
  - rig type
  - drilling method(s)
  - commencement and completion dates
  - MGA2020 coordinates, including zone (or latitude/longitude) with datum clearly specified (GDA2020 is preferred), and accuracy of coordinates
  - declination and azimuth if not vertical
  - collar elevation, indicating height datum
  - total depth.
- a geological log in full English text (preferred); where codes are used, include a full and complete code descriptor. Logs should detail the lithology and mineralogy of each interval, and include a summary stratigraphic interpretation ie. probable formation or age names
- sample recovery, if pertinent—eg. diamond core
- sampled intervals and sample numbers
- analytical results
- petrophysical results when tests were made on samples, including magnetic susceptibility, scintillometer counts, density etc
- details of downhole directional surveys, including instrument type
- where drilling methods permit, record groundwater information on depth water first cut, depth of any samples taken, standing water level and an estimate of the flow rate (L/s) on the logs and in a summary table. Provide a copy of the summary table to the Department for Environment and Water if this has been requested in the letter of approval for a [Notice of use of declared equipment](#).

### 3.2.6.2 *Analytical results*

Analytical results should be included in digital form, as per the [Australian requirements for the submission of digital exploration data](#), and as a fully detailed table in an appendix to the report showing:

- laboratory
- laboratory report number
- hole number
- sample number
- sampled interval
- elements/compounds assayed
- laboratory method code with sample preparation and analytical method description as for surface samples
- units, detection limits.

Copies of laboratory reports are acceptable provided they have been annotated to show hole and sample details or a separate table is provided showing these details.

### 3.2.6.3 *Downhole geophysical survey results*

Downhole geophysical survey results should be included in digital form, as per the Australian requirements for the submission of digital exploration data, and as an appendix of the report including:

- a statement describing the type of logs run, the name of the contractor, a description of the techniques and equipment used, and the dates and duration of the surveys if not concurrent with the drilling
- a copy of each log with detailed header information, including hole name, prospect name, tenement number, date logged, relevant operating parameters and, if possible, a geological interpretation
- a discussion of the results of the geophysical surveys in so far as they relate to the objectives and targets of the drilling program.

### 3.2.6.4 *Core photographs/images*

Core photographs/images—where available in digital form these should be included in the digital report, as per the [Australian requirements for the submission of digital exploration data](#)

### 3.2.6.5 *Other tests*

Report other tests undertaken on drilling samples in detail in appendices. It is preferable that petrological and mineralogical investigation of samples be presented as full copies of the consultant's report(s), including any discussion and/or interpretation, and annotation or an accompanying table referencing the sample to the appropriate drillhole. Discussions of the results of mineralogical, petrological and paleontological work (in relation to the geological understanding of the area) should be included under Clause 3.2.2.

### 3.2.6.6 Maps

Maps must be provided as per Clause 3.3.2 and show:

- individual drillhole locations identified by drillhole name, without confusion due to overwrite. Maps should be at a scale or scales appropriate to show this
- the location and orientation of any drillhole sections.

### 3.2.7 Other studies or work

Any other studies or work, such as metallurgical and mineral processing studies, mining feasibility studies, and hydrogeological studies, should be reported and summarised in the text under this heading. Where separate consultant reports or study reports have been produced these can be added as appendixes to the main technical report.

Where a survey grid has been established as a location control for exploration activities on the ground, a grid plan should be included. The plan should show the grid orientation, the grid origin, and its relationship to a nationally recognised grid such as MGA2020 (GDA2020).

### 3.2.8 Reporting on ore reserves and resources

Statements of any resources or reserves identified must be reported.

Statements must be reported in accordance with most recent version of:

- [The JORC code: Australasian code for reporting of exploration results, mineral resources](#) and ore reserves (Australasian Joint Ore Reserves Committee, JORC).
- [Australian guidelines for the estimation and classification of coal resources](#).

If pre-resource mineralisation, identified mineral resources or ore reserves were identified during the reporting period, then report full details of these as a separate appendix or volume including:

- plans and sections showing significant results and ore blocks and ore outlines
- summary table of significant results
- description of the method(s) used for calculating ore reserves.

Later annual updates and revisions of resource or reserve estimates should be provided only in summary form, based on the recommendations of the *JORC code* on the reporting of mineral resources and ore reserves.

Reporting of pre-resource mineralisation, or identified resources in the category of inferred mineral resources, may be prepared by a qualified geoscientist who need not be a 'competent person' as specified in the code.

### 3.2.9 Conclusion

Summarise the main results and conclusions drawn from the work completed over the reporting period. Reference to summarised geological interpretations such as maps and drillhole cross-sections (showing significant results) would be useful.

In the case of expiry or surrender of the tenement, give reasons for this.

### 3.2.10 References

List references to other reports used in compiling the technical report.

## 3.3 End matter

The end matter of the report should include items separate from the main body of the report such as maps, plans, images, sections and appendixes.

All appendixes and attachments should have a separate title/contents page.

### 3.3.1 Appendixes

Appendices may contain a variety of information, including consultant studies and reports, and various tabular data such as drill logs and assay results.

### 3.3.2 Maps, plans, images and cross-sections

Maps, plans, figures, images and sections should:

- be at a standard metric map series scale, i.e. 1:250,000, 1:100,000, 1:50,000, 1:25,000, 1:10,000, 1:5,000, 1:2,000, 1:1,000 or 1:500
- use metric measurements throughout
- show a graphic bar scale to allow for digital image manipulation
- have a north point (grid, true and magnetic north)
- be clearly annotated and labelled, including tenement boundaries and number(s), author, plan/figure number, date of drafting and date of any revisions
- show a standard coordinate grid with datum and projection clearly specified (MGA2020 (GDA2020) is preferred), or show any local grid lines indicating their relationship to a standard coordinate grid such as MGA2020 (GDA2020)
- show sufficient base information to relate the map to standard topographic maps—eg. homesteads, mine workings, prospects, bores, roads, peaks, names of streams, datum points, drill sites
- clearly distinguish between 'fact' and interpretation—eg. for geological maps
- geological maps be presented as line drawings with graphical and/or alphabetical symbols for rock units. Make use of an abbreviations index in the report where a complicated system of abbreviations is used
- have a clear and comprehensive legend. [Symbols used on geological maps](#) provide a useful standard
- acknowledge sources of information shown that are not the result of original work.

Plans and maps compiled from aerial photographs should state full details ie. photo number, run number, survey number, date etc.

Use an exploration index map to show the relationship of all plans to each other.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Minister

## MINING REGULATIONS 2020

### REGULATION 80

#### *Notification of an Airborne Survey Template*

For the purpose of Regulation 80 (2) of the *Mining Regulations 2020*, the Minister for Energy and Mining determines that a notification of an airborne survey must be provided to the Minister in the manner and form and contain such information as set out in this template.

In accordance with Regulation 80 (2) of the *Mining Regulations 2020* this notice will have effect from 1 January 2021.

#### *Instructions*

1. This form should be completed accurately with as much detail as is available.
2. Submit this completed form online to the Department for Energy and Mining (DEM) website via [sa.gov.au](http://sa.gov.au).
3. The template can be downloaded via the DEM website.
4. Detailed survey specifications and all airborne survey data must be submitted in accordance with departmental guidelines on exploration reporting.

#### NOTICE

### TENURE INFORMATION

Tenement(s) .....

Operator .....

### SURVEY INFORMATION

**Type of survey:**  Magnetic  Radiometric  EM  Gravity  
(tick appropriate)  Remote sensing  Drone (UAV)  Other (specify):

Survey name .....

Contractor .....

Total line km .....

Line orientation .....

Flight line spacing .....

Flight height .....

Planned commencement date .....

Planned completion date .....

**A map and GIS layer (e.g. shape file) showing the area to be surveyed in relation to the tenement boundaries and topographic features must accompany this form.**

### LANDOWNER NOTIFICATION

It is the responsibility of the licensee/operator to notify occupiers of the land prior to undertaking any low level airborne surveys.

Have the occupiers of the land to be surveyed been notified?  YES  NO

If 'no' give reason (e.g. not low level) .....

If 'yes' how were occupiers notified? .....

**If access to the land is required, appropriate statutory forms under the *Mining Act 1971* and *Mining Regulations 2020* must be completed.**

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

*Notice under Regulation 88(2) of the Mining Regulations 2020*

NOTICE is hereby given pursuant to the provision of regulation 88 of the *Mining Regulations 2020*, to specify the manner to which a notice or document must be provided, given or served on the Minister for Energy and Mining.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to regulation 88(2) of the *Mining Regulations 2020* do hereby:

SPECIFY that the manner to which a notice or document must be provided, given or served on the Minister for Energy and Mining by either:

1. email sent to an email address provided by the Minister for Energy and Mining, published on the Department for Energy and Mining's website, or provided for on the relevant application form (physical or electronic form); or
2. electronic means approved by the Minister for Energy and Mining for the purpose of the relevant notice or document (for example, iApply).

In accordance with regulation 88(2) of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

*Notice under Regulation 88(2) of the Mining Regulations 2020*

NOTICE is hereby given pursuant to the provision of regulation 88 of the *Mining Regulations 2020*, to specify the manner to which a notice or document must be provided, given or served on the Director of Mines.

TAKE notice that I, Paul Heithersay, Director of Mines, pursuant to regulation 88(2) of the *Mining Regulations 2020* do hereby:

SPECIFY that the manner to which a notice or document must be provided, given or served on the Director of Mines by either:

1. email sent to an email address provided by the Director of Mines, published on the Department for Energy and Mining's website, or provided for on the relevant application form (physical or electronic form); or
2. electronic means approved by the Director of Mines for the purpose of the relevant notice or document (for example, iApply).

In accordance with regulation 88(2) of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

Dated: 14 December 2020

DR PAUL HEITHERSAY  
Director of Mines

## MINING REGULATIONS 2020

*Notice under Regulation 88(2) of the Mining Regulations 2020*

NOTICE is hereby given pursuant to the provision of regulation 88 of the *Mining Regulations 2020*, to specify the manner to which a notice or document must be provided, given or served on the Mining Registrar.

TAKE notice that I, Junesse Martin, Mining Registrar, pursuant to regulation 88(2) of the *Mining Regulations 2020* do hereby:

SPECIFY that the manner to which a notice or document must be provided, given or served on the Mining Registrar by either:

1. email sent to an email address provided by the Mining Registrar, published on the Department for Energy and Mining's website, or provided for on the relevant application form (physical or electronic form); or
2. electronic means approved by the Mining Registrar for the purpose of the relevant notice or document (for example, iApply).

In accordance with Regulation 88(2) of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

Dated: 14 December 2020

JUNESSE MARTIN  
Mining Registrar

## MINING REGULATIONS 2020

*Notice under Regulation 81(5) of the Mining Regulations 2020*

NOTICE is hereby given pursuant to the provision of regulation 81(5) of the *Mining Regulations 2020*, to specify the manner and form of notification under regulation 81(4) of the *Mining Regulations 2020*.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to regulation 81(5) of the *Mining Regulations 2020* do hereby:

DETERMINE that a notice under regulation 81(4) of the *Mining Regulations 2020* must be in the following manner and form:

- a. state the tenement number(s) covered by the insurance policy;
- b. state the insured party or parties;
- c. if relevant, state the lapse date of the insurance policy; and
- d. if relevant, state the nature of the change in the insurance policy.

In accordance with regulation 81(5) of the *Mining Regulations 2020* this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

*Notice under Regulation 87(4) of the Mining Regulations 2020*

NOTICE is hereby given in accordance with regulation 87(4) of the *Mining Regulations 2020* to declare whether a change of a specified kind is a level 1, level 2, level 3 or level 4 change.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to regulation 87(4) of the *Mining Regulations 2020* do hereby:

DECLARE that an application for approval under section 56R of the *Mining Act 1971* to make a change sought under section 56Q(3)(b) of the *Mining Act 1971* in relation to a mining lease that is authorised to recover, use and sell or dispose of solely extractive minerals or industrial minerals with the application fee as set out in Schedule 1 item 9(a) of the Mining (Fees) Notice 2020 is a Level 1 change.

DECLARE that change of a specified kind for each level for an application for approval under section 56R of the *Mining Act 1971* to make a change sought under section 56Q(3)(a) or 56Q(3)(c) of the *Mining Act 1971* in relation to a mining lease that is authorised to recover, use and sell or dispose of solely extractive minerals or industrial minerals with the application fee as set out in Schedule 1 item 9(a) of the Mining (Fees) Notice 2020 is as follows:

**Level 2**—a change in respect of operations with production of extractive minerals or industrial minerals less than 100,000 tonnes per annum.

**Level 3**—a change in respect of operations with production of extractive minerals or industrial minerals great than 100,000 tonnes per annum.

DECLARE that change of a specified kind for each level for an application for approval under section 56R of the *Mining Act 1971* to make a change sought under section 56Q(3)(b) of the *Mining Act 1971* in relation to a mining lease that is authorised to recover, use and sell or dispose of minerals with the application fee as set out in Schedule 1 item 9(b) of the Mining (Fees) Notice 2020 is as follows:

**Level 1**—a change in relation to a mining lease that has an approved PEPR rehabilitation liability estimate or bond of less than \$1 million.

**Level 2**—a change in relation to a mining lease that an approved PEPR rehabilitation liability estimate or bond of more than \$1 million but less than \$10 million.

**Level 3**—a change in relation to a mining lease that an approved PEPR rehabilitation liability estimate or bond of more than \$10 million.

DECLARE that change of a specified kind for each level for an application for approval under section 56R of the *Mining Act 1971* to make a change sought under section 56Q(3)(a) or 56Q(3)(c) of the *Mining Act 1971* in relation to a mining lease that is authorised to recover, use and sell or dispose of minerals with the application fee as set out in Schedule 1 item 9(b) of the Mining (Fees) Notice 2020 is as follows:

**Level 2**—a change in relation to a mining lease that has an approved PEPR rehabilitation liability estimate or bond of less than \$1 million.

**Level 3**—a change in relation to a mining lease that an approved PEPR rehabilitation liability estimate or bond of more than \$1 million but less than \$10 million.

**Level 4**—a change in relation to a mining lease that an approved PEPR rehabilitation liability estimate or bond of more than \$10 million.

For the purpose of this Gazette notice:

1. the tonnes per annum for the purpose of annual production of extractive minerals and industrial mineral is determined from royalty returns submitted under section 17CA of the *Mining Act 1971*;
2. an approved PEPR rehabilitation liability is an estimated liability for the rehabilitation of the operations as set out in an approved program under Part 10A of the *Mining Act 1971*; and
3. a bond is an amount held as security by the Minister in respect to a tenement under section 62 of the *Mining Act 1971*.

In accordance with regulation 87(4) of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

*Notice under Regulation 87(2) of the Mining Regulations 2020*

NOTICE is hereby given in accordance with regulation 87(2) of the *Mining Regulations 2020*, to revoke the previous notice published under regulation 109(3) of the *Mining Regulations 2011* on 19 December 2019 at page 4343.

NOTICE is hereby given in accordance with regulation 87(2) of the *Mining Regulations 2020* to declare that an area of the State is an exploration regulation fee zone.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to regulation 87(2) of the *Mining Regulations 2020* do hereby:

DECLARE in accordance with regulation 87(2) of the *Mining Regulations 2020* that **zone 1 exploration regulation fee zone** comprises all that part of the State of South Australia and adjacent coastal waters on the landward side of the baseline of the territorial sea, but excluding the areas of **zone 2 exploration regulation fee zone** and **zone 3 exploration regulation fee zone**.

DECLARE in accordance with regulation 87(2) of the *Mining Regulations 2020* that zone 2 exploration regulation fee zone comprises the area of the Gawler Craton Airborne Survey Region but excluding—

- (a) any coastal waters on the seaward side of the baseline of the territorial sea; and
- (b) the area of zone 3 exploration regulation fee zone.

DECLARE in accordance with regulation 87(2) of the *Mining Regulations 2020* that **zone 3 exploration regulation fee zone** comprises all that part of the State of South Australia both—

- (a) within the area of the Gawler Craton Airborne Survey Region defined above; and

(b) within 200 kilometres of latitude 30°26'25.18" South, longitude 136°53'21.73" East (Olympic Dam).

For the purpose of this Gazette notice, the Gawler Craton Airborne Survey Region comprises all that part of the State of South Australia and adjacent coastal waters contained within and bounded by a line commencing at latitude 27°20'59.95" South, longitude 135°51'00.03" East, then to latitude 27°20'59.95" South, longitude 136°30'00.03" East, then to latitude 27°59'59.95" South, longitude 136°30'00.03" East, then to latitude 27°59'59.95" South, longitude 137°00'00.03" East, then to latitude 28°59'59.95" South, longitude 137°00'00.03" East, then to latitude 29°59'49.16" South, longitude 137°59'49.23" East, then to latitude 29°59'49.16" South, longitude 138°00'00.03" East, then to latitude 29°59'59.98" South, longitude 138°00'00.04" East, then to latitude 30°59'59.98" South, longitude 138°00'00.03" East, then to latitude 31°59'59.95" South, longitude 138°00'00.03" East, then to latitude 32°00'00.14" South, longitude 137°54'12.19" East, then to latitude 32°17'13.07" South, longitude 137°54'03.45" East, then to latitude 32°20'04.55" South, longitude 137°52'11.38" East, then to latitude 32°25'47.65" South, longitude 137°52'18.69" East, then to latitude 32°25'47.95" South, longitude 137°36'00.03" East, then to latitude 32°36'35.95" South, longitude 137°36'00.03" East, then to latitude 32°36'35.95" South, longitude 137°11'57.94" East, then to latitude 32°39'53.95" South, longitude 137°12'00.03" East, then to latitude 32°39'53.95" South, longitude 136°29'59.96" East, then to latitude 32°39'53.95" South, longitude 135°00'00.03" East, then to latitude 32°39'53.95" South, longitude 134°15'00.03" East, then to latitude 32°31'29.95" South, longitude 134°15'00.03" East, then to latitude 32°31'29.95" South, longitude 133°51'00.04" East, then to latitude 32°14'59.95" South, longitude 133°51'00.03" East, then to latitude 32°14'59.95" South, longitude 133°45'00.03" East, then to latitude 32°11'59.95" South, longitude 133°45'00.03" East, then to latitude 32°11'59.95" South, longitude 133°40'30.03" East, then to latitude 32°08'59.95" South, longitude 133°40'30.03" East, then to latitude 32°12'35.95" South, longitude 133°30'00.03" East, then to latitude 32°12'35.95" South, longitude 133°16'12.03" East, then to latitude 32°12'35.96" South, longitude 133°07'12.03" East, then to latitude 32°10'11.96" South, longitude 133°07'12.04" East, then to latitude 32°05'59.96" South, longitude 133°01'12.03" East, then to latitude 32°05'59.96" South, longitude 132°58'12.03" East, then to latitude 32°04'47.95" South, longitude 132°58'12.03" East, then to latitude 31°58'29.95" South, longitude 132°48'00.03" East, then to latitude 31°57'35.95" South, longitude 132°45'00.03" East, then to latitude 31°57'35.95" South, longitude 132°40'12.03" East, then to latitude 31°56'59.95" South, longitude 132°37'12.03" East, then to latitude 31°56'59.95" South, longitude 132°33'00.03" East, then to latitude 31°56'59.95" South, longitude 132°29'24.03" East, then to latitude 31°58'11.95" South, longitude 132°28'48.03" East, then to latitude 32°01'47.95" South, longitude 132°28'48.03" East, then to latitude 32°01'47.95" South, longitude 132°12'00.03" East, then to latitude 32°01'11.95" South, longitude 132°09'36.03" East, then to latitude 31°56'59.95" South, longitude 132°06'00.03" East, then to latitude 31°52'29.95" South, longitude 131°58'30.03" East, then to latitude 31°40'29.95" South, longitude 131°39'00.03" East, then to latitude 31°34'29.95" South, longitude 131°25'30.03" East, then to latitude 31°29'59.95" South, longitude 131°13'48.03" East, then to latitude 31°29'59.95" South, longitude 131°00'00.03" East, then to latitude 31°14'59.95" South, longitude 131°00'00.03" East, then to latitude 30°29'59.95" South, longitude 131°00'00.03" East, then to latitude 29°38'59.95" South, longitude 131°00'00.03" East, then to latitude 29°38'59.95" South, longitude 131°30'00.03" East, then to latitude 29°29'59.95" South, longitude 131°30'00.03" East, then to latitude 29°23'32.23" South, longitude 131°30'00.03" East, then to latitude 28°01'22.64" South, longitude 133°28'01.25" East, then to latitude 27°59'59.94" South, longitude 133°28'01.25" East, then to latitude 27°59'59.94" South, longitude 133°30'00.05" East, then to latitude 27°46'29.94" South, longitude 133°52'30.07" East, then to latitude 27°46'29.95" South, longitude 135°00'00.03" East, then to latitude 27°46'29.95" South, longitude 135°22'30.03" East, then to the point of commencement.

Unless otherwise specified all lines are geodesics based on the Geocentric Datum of Australia 2020 (GDA2020), which is defined as having the same meaning as The National Measurement (Recognized-Value Standard of Measurement of Position) Determination made under the *National Measurement Act 1960 (Cth)* and all coordinates are expressed in terms of GDA2020.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

### *Notice under Regulation 62 of the Mining Regulations 2020*

NOTICE is hereby given pursuant to the provision of regulation 62(3)(a) of the *Mining Regulations 2020*, to specify the manner and form of a notice of intent to have a mineral tenement transferred following the recommendation of forfeiture by the Warden's Court.

In accordance with regulation 62(3)(a) of the *Mining Regulations 2020* this notice will have effect from 1 January 2021.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to regulation 62(3)(a) of the *Mining Regulations 2020*, do hereby:

DETERMINE that notice under regulation 62(3)(a) of the *Mining Regulations 2020* must be in the following manner and form:

- state the full name(s) (including ACN or ABN), business address(es) and email address(es) of the applicant(s);
- provide a copy of the court order that recommends forfeiture of the mineral tenement(s);
- provide number(s) of the mineral tenement(s); and
- include a statement that the applicant(s) wish to have the mineral tenement(s) transferred to them.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

### *Notice under Regulation 87(6) of the Mining Regulations 2020*

NOTICE is hereby given in accordance with regulation 87(6) of the *Mining Regulations 2020*, to revoke the previous notice published under regulation 109A(11) of the *Mining Regulations 2011* on 19 December 2019 at page 4344.

NOTICE is hereby given in accordance with regulation 87(6) of the *Mining Regulations 2020* to publish criteria to be used in determining whether a draft of objectives and criteria, or a revised program, is a tier 1, tier 2, tier 3 or tier 4.

In accordance with regulation 87(6) of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to regulation 87(4) of the *Mining Regulations 2020* do hereby:

DECLARE that criteria for each tier for the submission to the Director of a draft of objectives or criteria as altered under section 73G(4) of the *Mining Act 1971* with the application fee as set out in schedule 2 item 7 of the Mining (Fees) Notice 2020 is as follows:

**Tier 1**—a draft of objectives and criteria that requires new or modified environmental objectives and/or criteria for operations with production of extractive minerals or industrial minerals less than 100,000 tonnes per annum.

**Tier 2**—a draft of objectives and criteria that requires new or modified environmental objectives and/or criteria for operations for minerals (excluding extractive minerals or industrial minerals).

**Tier 3**—draft of objectives and criteria that requires new or modified environmental objectives and/or criteria for operations with production of extractive minerals or industrial minerals more than 100,000 tonnes per annum.

DECLARE that criteria for each tier for the submission to the Minister of a revised program under part 10A of the *Mining Act 1971* in respect of a mining lease that authorises mining operations for the recovery of extractive minerals or industrial minerals with the application fee as set out in schedule 2 item 9(b) of the Mining (Fees) Notice 2020 is as follows:

**Tier 1**—a program that requires no new or modified environmental outcomes and/or criteria for operations with production of extractive minerals or industrial minerals less than 100,000 tonnes per annum.

**Tier 2**—a program that requires:

- (a) new or modified environmental outcomes and/or criteria for operations with production of extractive minerals or industrial minerals less than 100,000 tonnes per annum; or
- (b) no new or modified environmental outcomes and/or criteria for operations with production of extractive minerals or industrial minerals more than 100,000 tonnes per annum.

**Tier 3**—a program that requires new or modified environmental outcomes and/or criteria for operations with production of extractive minerals or industrial minerals more than 100,000 tonnes per annum.

DECLARE that criteria for each tier for the submission to the Minister of a revised program under part 10A of the *Mining Act 1971* in respect of a mining lease that authorises mining operations for the recovery of minerals (other than extractive minerals or industrial minerals) with the application fee as set out in schedule 2 item 9(d) of the Mining (Fees) Notice 2020 is as follows:

**Tier 1**—a program that requires no new or modified environmental outcomes and/or criteria and has an approved PEPR rehabilitation liability estimate or bond of less than \$1 million.

**Tier 2**—a program that requires,

- (a) new or modified environmental outcomes and/or criteria and has an approved PEPR rehabilitation liability estimate or bond of less than \$1 million; or
- (b) no new or modified environmental outcomes and/or criteria and has an approved PEPR rehabilitation liability estimate or bond of more than \$1 million but less than \$10 million.

**Tier 3**—a program that requires,

- (a) new or modified environmental outcomes and/or criteria and has an approved PEPR rehabilitation liability estimate or bond of more than \$1 million but less than \$10 million; or
- (b) no new or modified environmental outcomes and/or criteria and has an approved PEPR rehabilitation liability estimate or bond of more than \$10 million.

**Tier 4**—a program that requires new or modified environmental outcomes and/or criteria and has an approved PEPR rehabilitation liability estimate or bond of more than \$10 million.

For the purpose of this Gazette notice:

1. the tonnes per annum for the purpose of annual production of extractive minerals and industrial mineral is determined from royalty returns submitted under section 17CA of the *Mining Act 1971*;
2. an approved PEPR rehabilitation liability is an estimated liability for the rehabilitation of the operations as set out in an approved program under Part 10A of the *Mining Act 1971*; and
3. a bond is an amount held as security by the Minister in respect to a tenement under section 62 of the *Mining Act 1971*.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

### REGULATION 77

#### *Terms of Reference for Mining Compliance Reports*

The tenement holder must submit a compliance report in accordance with regulation 77 of the *Mining Regulations 2020* and determinations set out in this Terms of Reference. This Terms of Reference applies to authorised operations undertaken on a mining lease (ML) (including operations for the recovery of extractive minerals (EML)), private mine (PM) and miscellaneous purpose licence (MPL) ancillary to a mining lease.

In accordance with regulation 77 of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

#### **1 FORMAT AND SUBMISSION OF REPORTS**

A compliance report must be submitted in accordance with regulation 77(4)(b) and 77(6)(b) of the *Mining Regulations 2020* in the following form unless otherwise specified by the Director of Mines or delegate:

- An electronic version of the report must be submitted using the mining compliance report templates provided on the DEM Minerals website.
- The electronic version must be submitted online through the DEM website.
- The electronic version must be submitted in one single Acrobat PDF file.
- Microsoft Word-compatible files must be submitted if requested by the Director of Mines (or delegate), or other authorised officers.
- The report can be submitted by email or hard copy if requested by the Director of Mines or other authorised officers.
- Include a signed (digital signatures allowed) statement by the tenement holder declaring that the content of the report has been reviewed and is accurate.

## 2 REQUIREMENT FOR SUBMISSION AND REPORTING PERIOD

Where the anniversary of the day on which the relevant mineral tenement was granted falls within 1 January 2021 and 30 June 2021, the Minister determines that the:

- reporting period for the purposes of regulation 77(3)(b) will be a period commencing on 1 January 2021 and ending on the anniversary of the day on which the mineral tenement was granted in the calendar year of 2022; and
- the period after the end of the reporting period for the purposes of regulation 77(4)(a) is 60 days.

This determination expires on 30 June 2022 and is subject to any determinations made by the Minister on case-by-case basis.

Where a compliance report is submitted by the tenement holder in respect to more than one tenement, the Minister determines for the purposes of subregulation 77(3)(b) of the *Mining Regulations 2020* that a compliance report must be provided to the Minister;

1. each 12-month period ending on the anniversary of the day on which the oldest of mineral tenement was granted; or
2. where the tenement holder submitted a compliance report for more than one tenement under regulation 86 of the repealed *Mining Regulations 2011*—on the date and on the frequency that the tenement holder submitted reports under the repealed *Mining Regulations 2011*.

For the purposes of regulation 77(4)(a) of the *Mining Regulations 2020*, it is determined that a mining compliance report must be submitted annually within 60 days after the end of each reporting period.

## 3 CONTENT OF MINING COMPLIANCE REPORT

A compliance report must, in accordance with regulation 77(4)(c) and 77(6)(c) of the *Mining Regulations 2020*, contain the following information as determined by the Minister:

### 3.1 General information

Include:

- tenement details (type and tenement number—ML, MLP, EML or PM)
- name(s) of the tenement holder and mine operator(s)
- name of the mine operation
- general location details
- site contact details
- approval date of a program approved under part 10A of the *Mining Act 1971* (PEPR) or a mine operations plan approved under section 73G of the *Mining Act 1971* (MOP) being reported against
- dates of the reporting period and report submission date
- report author and contact details.

### 3.2 Tenements

Provide:

- a summary list and the status of currency of all tenements covered by the approved PEPR/MOP; and
- where the authorised operations extract an amount exceeding 100,000 tonnes per annum or have an estimated rehabilitation liability (as set out in the PEPR/MOP) above \$1,000,000AUD—a plan(s) of the authorised operations showing all tenement boundaries covered by the approved PEPR/MOP.

### 3.3 Other approvals

Provide a summary list and the status of currency of any other approvals obtained to authorise the operations that are relevant to the achievement of environmental outcomes/objectives within the approved PEPR/MOP and or compliance with the tenement conditions.

### 3.4 Ore reserves and mineral resources

Provide:

- a statement of the estimated mine life; and
- where the authorised operations extract an amount exceeding 100,000 tonnes per annum or have an estimated rehabilitation liability (as set out in the PEPR/MOP) above \$1,000,000AUD—
  - a statement of the current mineral resource and ore reserve estimates in the tenement area, broken down by individual deposits where possible. Reporting should be compliant with Joint Ore Reserve Committee (JORC) standards or equivalent international codes accepted by the Committee for Mineral Reserves International Reporting Standards (CRIRSCO). Where reporting of mineral resources or ore reserves is provided outside of the scope of these codes, a brief description of the basis of the estimates must be provided (to the satisfaction of DEM), including demonstration that the resource continues to be economically mined at current commodity prices
  - a statement of any change in the mineral resource and ore reserves from those that form the basis for the authorised operation in the approved PEPR/MOP; and
  - a summary of any new delineation or exploration drilling activities on the tenement, or any other potential sources of ore—eg. from nearby mines—that may have a significant effect on the future production levels and mine life.

### 3.5 Mining, processing and waste storage activities

Where the authorised operations extract an amount exceeding 100,000 tonnes per annum or have an estimated rehabilitation liability (as set out in the PEPR/MOP) above \$1,000,000AUD, provide:

- a summary of the quantity of ore mined and processed in the reporting period, and the expected quantity to be mined and processed in the next reporting period
- a summary of the quantity of ore currently stockpiled on the tenement, the amount of concentrate or other products exported from the tenement in the reporting period, and the amount expected to be exported in the next reporting period; and
- a summary of the amount of overburden/waste mined during the reporting period, the amount of overburden/waste to be mined during the next period and the amount of overburden/waste mined since commencement of authorised operations.



**3.6 Compliance with environmental outcomes/objectives and leading indicator criteria**

Provide:

- a statement that operations were, or were not, compliant with each environmental outcome/objective (including completion outcomes/objectives) specified in the tenement conditions or approved PEPR/MOP. The statement must be supported by a summary of measurement criteria data that clearly demonstrates the conclusion that the environmental outcome/objective was (or was not) fully achieved; and
- summarise data relating to any leading indicator criteria in the approved PEPR/MOP. If any leading indicator criteria have been or will become relevant to the operation of any control strategy, the report must state the actions that were taken and whether the relevant controls strategies continue to be effective.

**3.7 Compliance with non-outcome-based tenement conditions**

Provide:

- a statement on the compliance status of any tenement conditions that do not relate to an environmental outcome in the approved PEPR; and
- evidence to support the statement of compliance.

**3.8 Rectification of non-compliance**

Where instances of non-compliance have occurred during the current reporting period, provide the following information for each non-compliance (excluding regulation 79(4)(d) leading indicator of the *Mining Regulations 2020*):

- The date of the incident.
- Type and description of the reportable incident.
- The date the incident was reported under regulation 79 of the *Mining Regulations 2020* or other reporting protocol endorsed by the Government of SA (including the South Australian Uranium Incident Reporting Protocol).
- The cause of the non-compliance.
- Any actions taken or yet to be taken to rectify the non-compliance and to prevent the reoccurrence of any such non-compliance.
- Where non-compliances under regulation 79 of the *Mining Regulations 2020* have previously been reported in compliance reports and not fully rectified at the time of reporting, a status update to assess the effectiveness of rectification.

**3.9 Disturbance and rehabilitation activities**

Provide a summary of the disturbance and rehabilitation activities, including:

- the amount of land disturbed, and activity that created the disturbance, in the reporting period
- rehabilitation works carried out in the reporting period
- the amount of land where rehabilitation works are completed
- an estimated amount of land to be rehabilitated in the next reporting period
- strategies implemented to avoid or minimise disturbance; and
- any potential improvements learned from previous rehabilitation activities.

**3.10 Reconciliation of native vegetation clearance**

Where the PEPR/MOP includes an approved native vegetation management plan (NVMP) for the clearance of native vegetation under the *Native Vegetation Act 1991*, include:

- the approved maximum native vegetation clearance, as described in the PEPR/MOP (in hectares and shown on a plan)
- the amount of native vegetation cleared in the reporting period (in hectares and shown on a plan)
- the total amount cleared to date
- an estimated amount proposed to be cleared in the next reporting period; and
- provision of information, including annual monitoring and progress reports to demonstrate compliance with the NVMP where the Significant Environmental Benefit (SEB) is being provided by the tenement holder or mine operator by way of an on-ground SEB offset.

**3.11 Environment Protection and Biodiversity Conservation Act 1999 reporting**

Where the authorised operations were the subject of an approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), include a summary report demonstrating compliance with all EPBC Act approval conditions.

**3.12 Exempt land**

Provide:

- a statement that all waivers for land relevant to the authorised operations are in place, and compliant with exempt land provisions, in accordance with Section 9 of the *Mining Act 1971*
- an update on whether notice has been given to the Mining Registrar that an exempt land agreement has been entered into
- where the authorised operations extract an amount exceeding 100,000 tonnes per annum or have an estimated rehabilitation liability (as set out in the PEPR/MOP) above \$1,000,000AUD—provide:
  - the status of exempt land, including:
    - name of person entitled to exemption
    - certificate of title or crown land details
    - reason for exemption

- area of exemption (hectares)
- date waiver registered; and
- any relevant condition
- a plan showing all exempt land relevant to the authorised operations. The plan must detail the extent of authorised operations at the end of the reporting period.

### 3.13 Complaints

Provide a summary of any complaints received during the reporting period. For each complaint provide:

- the date of complaint
- the nature of the complaint
- whether or not it related to a non-compliance
- what action was taken to address the complaint (or yet to be taken); and
- the date the complaint was resolved.

### 3.14 Management system reviews

Where the authorised operations extract an amount exceeding 100,000 tonnes per annum or have an estimated rehabilitation liability (as set out in the PEPR/MOP) above \$1,000,000AUD, provide a summary of any management system reviews undertaken during the reporting period in order to ensure compliance with relevant tenement conditions and environmental outcomes/objectives (including mine completion outcomes/objectives), including:

- when an audit or review was undertaken
- who undertook the audit or review
- what aspect(s) of the management system was audited or reviewed
- what issues, or recommendations for improvement, were noted
- an assessment of any issues identified in the audit or review with the potential to lead to a non-compliance with approved environmental outcomes/objective; and
- what corrective action has been, or will be, taken to address any issues identified.

### 3.15 Verification of uncertainty

Where the authorised operations extract an amount exceeding 100,000 tonnes per annum or have an estimated rehabilitation liability (as set out in the PEPR/MOP) above \$1,000,000AUD, provide:

- a description and status of works undertaken during the reporting period or proposed to be undertaken to address any identified uncertainties or assumptions made in the approved PEPR/MOP; and
- a description and status of works undertaken during the reporting period or proposed to be undertaken to address any additional uncertainties or assumptions identified since the PEPR/MOP was approved.

### 3.16 Changes to authorised operations and emerging environmental hazards

For the reporting period, provide a summary list of:

- any change(s) to authorised operations submitted as a review of a PEPR/MOP or submitted as a change notification in accordance with any guidelines published by the department from time to time
- any PEPR/MOP approvals
- any changes to the tenement terms and conditions approved for the reporting period; and
- a description of any new or emerging environmental hazards that apply, or appear to be arising, in relation to authorised operations.

### 3.17 Technical reports

Provide a summary list of all technical data, studies and reports generated during the reporting period that support the achievement of tenement conditions and environmental outcomes/objectives in the approved PEPR/MOP.

### 3.18 Maps, plans and cross-sections

All maps, plans and cross-sections included within the report must conform to the following standards:

- State the relevant datum—eg. GDA2020, GDA94.
- Use metric units.
- Include a title, north arrow, scale bar, text and legend.
- State the date prepared and author.
- Be of appropriate resolution and scale to show the represented information.

### 3.19 Public liability insurance

Provide an update on whether the tenement holder holds public liability insurance (third party or self-insured) and whether a certificate evidencing the insurance and any endorsements or waivers relating to insurance coverage have been provided.

### 3.20 Appendices

Appendices are required in the compliance report where detailed information regarding monitoring, investigations and technical reports is required to demonstrate compliance with environmental outcomes/objectives (including completion outcomes/objectives). Key principles to be followed in the preparation of appendices are as follows:

- When appending a technical report, a summary of the main findings and conclusions must be included in the technical report. Conclusions must be linked back to the approved PEPR/MOP and the relevant environmental outcome/objectives or tenement conditions.
- Where large sets of data have been collected, charts and tables are to be used to summarise findings.
- Graphic representations of the data must clearly display labels, units and values.

For the purpose of this Terms of Reference:

1. the tonnes per annum for the purpose of annual production of extractive minerals and industrial mineral is determined from royalty returns submitted under section 17CA of the *Mining Act 1971*; and
2. an approved PEPR rehabilitation liability is an estimated liability for the rehabilitation of the operations as set out in an approved program under Part 10A of the *Mining Act 1971*.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## MINING REGULATIONS 2020

### REGULATION 77

#### *Terms of Reference for Mineral Exploration Compliance Reports*

The tenement holder must submit a compliance report in accordance with regulation 77 of the *Mining Regulations 2020* and determinations set out in this Terms of Reference.

In accordance with regulation 77 of the *Mining Regulations 2020*, this notice will have effect from 1 January 2021.

#### **1 FORMAT AND SUBMISSION OF REPORTS**

A compliance report must be submitted in accordance with regulation 77(4)(b) and 77(6)(b) of the *Mining Regulations 2020* in the following form unless otherwise specified by the Director of Mines or delegate:

- An electronic version of the report must be submitted using the exploration compliance report template provided on the DEM Minerals website.
- The electronic version must be submitted online through the DEM website.
- The electronic version must be submitted in one single Acrobat PDF file.
- Microsoft Word-compatible files must be submitted if requested by the Director of Mines (or delegate), or other authorised officers.
- The report can be submitted by email or hard copy if requested by the Director of Mines or other authorised officers.
- Include a signed (digital signatures allowed) statement by the tenement holder declaring that the content of the report has been reviewed and is accurate.

#### **2 REQUIREMENT FOR SUBMISSION AND REPORTING PERIOD**

For the purposes of regulation 77(4)(a) of the *Mining Regulations 2020*, it is determined that an exploration compliance report must be submitted annually within 60 days after the end of each reporting period.

Where a compliance report is submitted by the tenement holder in respect to more than one tenement, the Minister determines for the purposes of subregulation 77(3)(b) of the *Mining Regulations 2020* that an exploration compliance report must be provided to the Minister;

1. each 12-month period ending on the anniversary of the day on which the oldest of mineral tenement was granted; or
2. where the tenement holder submitted a compliance report for more than one tenement under regulation 86 of the repealed *Mining Regulations 2011*—on the date and on the frequency that the tenement holder submitted reports under the repealed *Mining Regulations 2011*.

#### **3 CONTENT OF EXPLORATION COMPLIANCE REPORT**

A compliance report must, in accordance with regulation 77(4)(c) and 77(6)(c) of the *Mining Regulations 2020*, contain the following information as determined by the Minister:

##### **3.1 General information**

Include:

- tenement details (type and tenement number i.e. EL, MC or RL). If joint reporting arrangements exist, include all relevant tenements, agreed submission date and the joint reporting project name
- tenement holder(s) (include company name, address and contact details)
- any operating company(s), other than the tenement holder(s), that have worked on the listed tenements during the reporting period (include company name, address and contact details)
- report author and contact details
- general location details
- project/prospect name (if applicable)
- indicate either yes or no to the following questions:

Have any exploration operations been conducted during the current reporting period (excludes work conducted in accordance with the generic PEPR)?

Have rehabilitation operations been undertaken during the reporting period?

Is there any outstanding rehabilitation from current or previous reporting periods to be undertaken?

If the answer is 'yes' to any one of the above questions, complete all sections of the exploration compliance report template. If the answer is 'no' to all of the above questions, complete only the general details and declaration in section A of the exploration compliance report template.

##### **3.2 Exploration operations**

Provide a summary of exploration PEPR approvals and program notifications, if applicable, obtained during the current and previous reporting period. This includes ELs prior to the grant of subsequent licences. Display this information using table 1 in the exploration compliance report template.

Provide a summary of all exploration operations undertaken (that required a PEPR to be approved) during the current reporting period. Display this information using table 2 in the exploration compliance report template.

### 3.3 Changes to exploration operations and emerging environmental hazards

For the reporting period, provide a summary list of:

- any change(s) to authorised operations submitted as a review of a PEPR; and
- a description of any new or emerging environmental hazards—eg. risks and/or impacts - that apply, or appear to be arising, in relation to authorised exploration operations.

### 3.4 Compliance with environmental outcomes

This section must include a clear statement that operations were, or were not, compliant with each environmental outcome stated within approved PEPRs, and compliance criteria data that clearly demonstrates whether the outcome was (or was not) fully achieved. Display this information using table 3 in the exploration compliance report template.

### 3.5 Rectification of noncompliance

Where instances of non-compliance have occurred during the current reporting period, provide the following information for each non-compliance:

- Date of the incident.
- Type and description of the reportable incident.
- Date the incident was reported under regulation 79 of the *Mining Regulations 2020*.
- Cause of the non-compliance.
- Any actions taken, or yet to be taken, to rectify the non-compliance and to prevent the reoccurrence of any such non-compliance.
- Where non-compliances under regulation 79 of the *Mining Regulations 2020* have previously been reported in compliance reports, and not fully rectified at the time of reporting, a progress report to assess the effectiveness of rectification.

Display this information using table 4 in the exploration compliance report template.

List any DEM compliance inspection reports (date of inspection and tenements) where additional rehabilitation has been requested and demonstrate how these issues have been addressed.

### 3.6 Landowner consultation

Where land was entered to conduct exploration operations during the reporting period (includes rehabilitation), provide the following information:

- Landowner details (name and contact details) and a description of land use/tenure.
- Any landowner(s) concerns raised during the reporting period.
- How concerns raised by the landowner(s) were addressed.
- Date when notice of entry (Form 21) forms were served on the landowners or alternatively, if an agreement was entered into with the landowner in lieu of Form 21, the date the agreement was signed by all relevant parties.
- Where applicable, indicate the class of exempt land where exploration operations were undertaken and specify the date waivers (Form 23) were signed by the relevant parties.
- Indicate if notice of entry forms and waivers of exemptions have been served on the Mining Registrar.
- Where applicable, provide evidence that approvals were obtained from relevant land managers such as local councils, Department of Defence (Woomera Prohibited Area), Dog Fence Board and pipeline authorities.

Display this information using table 5 in the exploration compliance report template.

Note: Landowner details are only required for properties entered during the reporting period.

### 3.7 Complaints

Indicate how concerns or complaints raised by third parties were resolved by providing the following information:

- Date of complaint.
- Nature of complaint.
- Whether or not it related to a non-compliance.
- What action was taken to address the complaint (or yet to be taken).
- Date the complaint was resolved.

Display this information using table 6 in the exploration compliance report template.

### 3.8 Rehabilitation activities

Include the following information:

- Describe the rehabilitation methods used to achieve compliance with approved PEPRs—eg. how drillsites/lines, tracks, camps and costeans were rehabilitated, and indicate if any of these methods differ from those outlined in approved PEPR(s).
- Summarise the rehabilitation status, including overall disturbance, of all exploration sites during the current and previous reporting period. This includes ELs prior to the grant of subsequent licences. Display this information using table 7 in the exploration compliance report template.
- Detail the location and rehabilitation status of all exploration sites during the current reporting period and un-rehabilitated sites from previous reporting periods. Display this information using tables 8–12 in the exploration compliance report template.
- Provide a description of rehabilitation activities planned for the next reporting period.

**Note:** Excel spreadsheets can be used in place of tables 8-12 provided standard headers outlined in the template are maintained.

### 3.9 Reconciliation of native vegetation clearance

Where the PEPR includes an approved native vegetation management plan (NVMP) for the clearance of native vegetation under the *Native Vegetation Act 1991*, include:

- The approved maximum native vegetation clearance, as described in the PEPR (in hectares and shown on a plan).
- The amount of native vegetation cleared in the reporting period (in hectares and shown on a plan) x the total amount cleared to date, and x an estimated amount proposed to be cleared in the next reporting period.
- Provision of information, including annual monitoring and progress reports to demonstrate compliance with the NVMP where the Significant Environmental Benefit (SEB) is being provided by the tenement holder or mine operator by way of an on-ground SEB offset.

### 3.10 Groundwater

Include the following information:

- Indicate if drilling was conducted in a prescribed wells or water resource area (prescribed under the *Landscape South Australia Act 2019*).
- Indicate the name of the drilling company used to conduct the program.
- A description of the groundwater conditions encountered during drilling—eg. artesian, sub-artesian, confined and/or multiple aquifers, no aquifers or a single unconfined aquifer.
- Where groundwater was encountered, provide supporting evidence that confirms the groundwater conditions.
- Specify the well driller's licence class i.e. 1, 2 or 3 of the driller(s) used.
- If groundwater was encountered, indicate if the Department for Environment and Water (DEW) drilling inspector was notified 14 days prior to commencement of the program.
- The environmental value of each aquifer present determined according to the current Environment Protection (Water Quality) Policy.
- Where a single confined aquifer, multiple aquifers or artesian aquifers were intersected, provide evidence demonstrating that drillholes were constructed and abandoned in accordance with Mineral exploration drillholes—general specifications for construction and backfilling, Earth Resources Information Sheet M21, available on the DEM Minerals website. Provide specific details on how this was achieved, including details on the placement of cement grout plugs required to restore controlling geological conditions prior to drilling. Display this information in a drillhole abandonment or completion diagram(s) and using table 13 in the exploration compliance report template.
- If cement grout plugs were required, indicate if plugs were set to the satisfaction of the DEW drilling inspector.

### 3.11 Photos

Include photographs that:

- have been obtained during site visits
- help describe relevant environmental and operational aspects in the PEPR
- are required to demonstrate compliance with approved programs and environmental outcomes.

Photos should be clearly labelled and include GPS coordinates (GDA2020, GDA94), site identification details and the date taken.

### 3.12 Maps

In addition to any maps provided to demonstrate compliance with approved outcomes, provide an appropriate map of exploration operations showing:

- relevant tenement boundaries
- local topographic features and other pertinent information, including environmentally sensitive area(s)
- property boundaries with landowner names
- drillhole/costean locations
- water bores
- existing access routes, new tracks created and cross-country access routes
- campsite locations
- any other exploration or ancillary operations undertaken during the course of the exploration program
- rehabilitation status with indicative symbology/colours.

Maps included within the report must conform to the following standards:

- state the relevant datum—eg. GDA2020, GDA94
- use metric units
- include a title, north arrow, scale bar, text and legend
- state the date prepared and author
- be of appropriate resolution and scale to show the represented information.

### 3.13 Public liability insurance

Provide an update on whether the tenement holder holds public liability insurance (third party or self-insured) and whether a certificate evidencing the insurance and any endorsements or waivers relating to insurance coverage have been provided.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

For the purposes of regulation 77(8) of the *Mining Regulations 2020*, it is determined that the holder of an exploration licence is exempted from the requirement to furnish the Minister with a compliance report under regulation 77(2) of the *Mining Regulations 2020* where the operations on that licence are limited to operations within the ambit of an adopted program under section 70B(8) of the *Mining Act 1971* and regulation 65 of the *Mining Regulations 2020* (unless determined otherwise on a case by case basis).

Dated: 15 December 2020

DR PAUL HEITHERSAY  
Director of Mines

## MINING REGULATIONS 2020

### REGULATION 79

#### *Incident Report Template*

For the purposes of regulation 79(3) of the *Mining Regulations 2020*, the Minister for Energy and Mining determines that an incident report must be provided to the Minister in the manner and form and contain such information as set out in this template.

In accordance with regulation 79(3) of the *Mining Regulations 2020* this template will have effect from 1 January 2021.

#### **Instructions**

1. This form should be completed accurately with as much detail as is available.
2. Submit this completed form online to the Department for Energy and Mining (DEM) website via [sa.gov.au](http://sa.gov.au).
3. A comprehensive written report template can be downloaded via the DEM website.
4. A leading indicator criteria triggered template can be downloaded via the DEM website.

#### **Definitions**

##### **Reportable incident**

- (a) a contravention of, or a failure to comply with, a condition of a mineral tenement; or
- (b) a failure to achieve, or a breach of, an outcome specified in a program under Part 10A of the Act; or
- (c) a contravention of, or a failure to comply with, a condition of a program under Part 10A of the Act; or
- (d) a triggering of any leading indicator criteria set out in a program under Part 10A of the Act; or
- (e) action that causes undue damage to the environment in connection with any operations carried out under a mineral tenement; or
- (f) a failure to comply with a direction under Part 10B of the Act within the time allowed in the direction; or
- (g) action that constitutes an authorised operation without being duly authorised by or under the Act; or
- (h) a failure to achieve, or a breach of, an outcome specified in a mine operations plan under Part 11B of the Act; or
- (i) a breach of the general duty under Part 11B of the Act; or
- (j) a failure to comply with an order under Part 11B of the Act within the time allowed in the order.

##### **Leading indicator criteria**

Criteria used to give an early warning that a control strategy in a program under Part 10A of the Act may fail or be failing.

#### **Acronyms**

<b>SA EPA</b>	South Australian Environment Protection Authority
<b>DEM</b>	Department for Energy and Mining
<b>PEPR</b>	Program for Environment Protection and Rehabilitation

# Initial incident report

## TENEMENT HOLDER IDENTIFICATION DETAILS

Project/Mine name(s)	Include the commonly used name of the exploration project or mine(s)		
Tenement holder(s)	Include the full name and business address of the holder of the mining tenement		
Operating company(s)	Include company name and address of company(s) that have worked on the listed tenements during the reporting period (other than the tenement holder)		
Contact person	Name	Click to enter text	
	Email	Click to enter text	
	Phone	Click to enter text	
Tenement number(s)	Click to enter text		
PEPR/MOP document	Provide the name, version and submission date of the approved PEPR/MOP document	PEPR/MOP No.	Click to enter text
		PEPR/MOP approval date	Click to enter a date

Enter text as required and click the + at right to add another row

## INCIDENT REPORT DETAILS

Date and time of incident	Click to enter text		
Date incident reported to DEM	Click to enter a date		
Select other authorities notified and date of notification (if applicable)	<input type="checkbox"/> SA EPA	Click to enter a date	
	<input type="checkbox"/> SafeWork SA	Click to enter a date	
	<input type="checkbox"/> Other	Click to enter a date	
State the date a comprehensive report is to be provided to DEM (where applicable)	Click to enter a date		
Incident location	Provide details of the location of the incident and approximate area impacted (e.g. m <sup>2</sup> , Ha, etc.). Include a map, plan and photos as required in the supporting information section overleaf.		
Incident description	Describe circumstances constituting the incident. Attach separate sheet, if necessary.		
Current status	Click to enter text		
Probable cause	Click to enter text		
Emergency or remedial actions (taken or planned)	Click to enter text		

## RELEVANT ENVIRONMENTAL OUTCOMES/OBJECTIVES, TENEMENT CONDITIONS AND MEASUREMENT CRITERIA

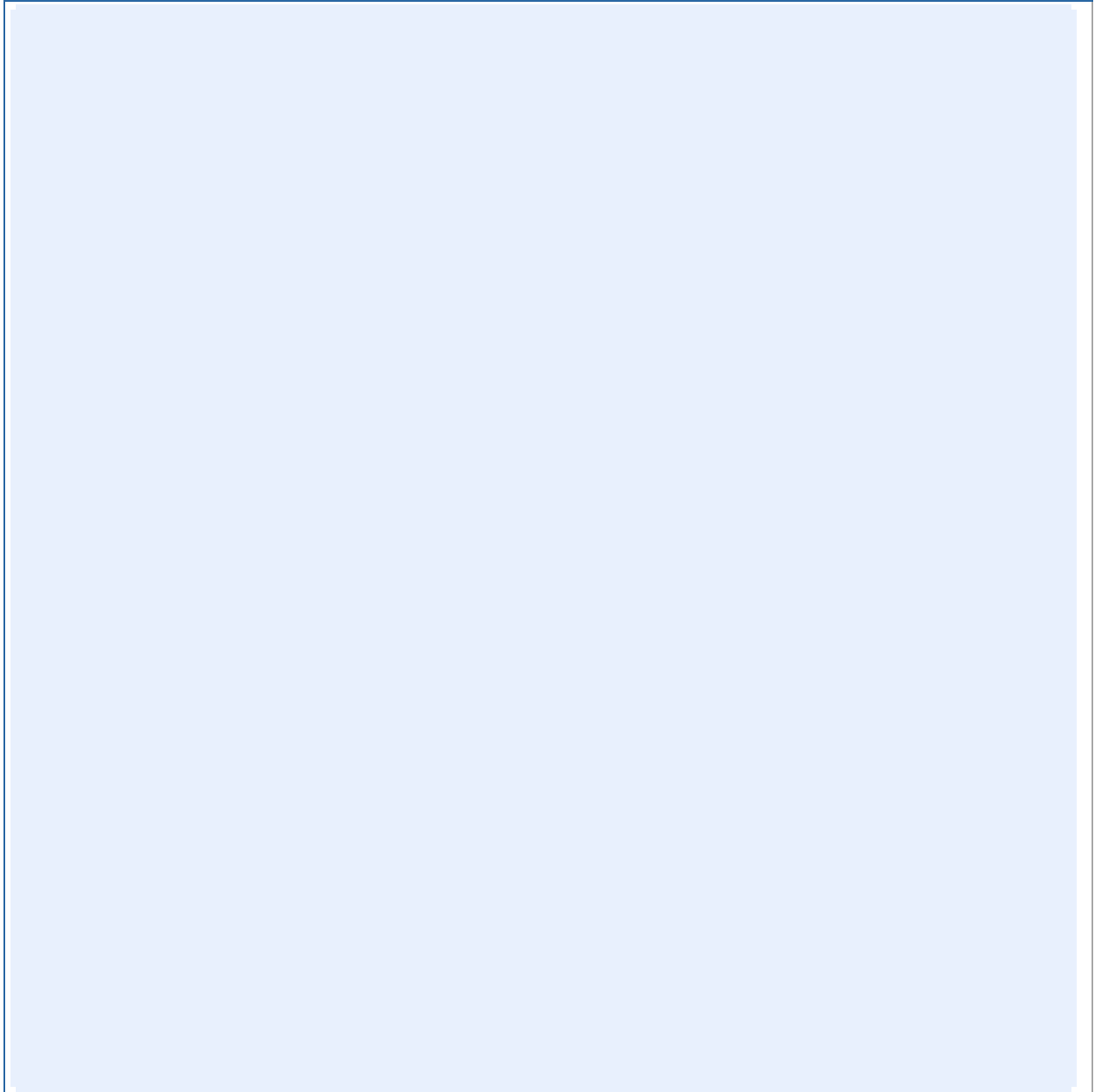
State the environmental outcome(s)/objectives or tenement condition(s) relevant to the incident	Click to enter text
State all relevant measurement criteria breached (or potentially breached)	Click to enter text
Provide any data relevant to the measurement criteria	Click to enter text

**SUPPORTING INFORMATION**

Additional information

Click to enter text

Provide a supporting map, plan or photos of the incident.



*Enter text as required and click the + at right to add another row*

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

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## OPAL MINING REGULATIONS 2012

*Notice of Service of Documents under Regulation 34(2) of the Opal Mining Regulations 2012*

NOTICE is hereby given pursuant to Regulation 34 of the *Opal Mining Regulations 2012*, to specify the manner in which a notice or document must be provided, given or served on the Minister for Energy and Mining.

TAKE notice that I, Daniel van Holst Pellekaan, Minister for Energy and Mining, pursuant to Regulation 34(2) of the *Opal Mining Regulations 2012* do hereby:

SPECIFY that the manner to which a notice or document must be provided, given or served on the Minister for Energy and Mining must be by:

1. lodgement at an office of the Opal Mining Registrar, specified in regulation 28 of the *Opal Mining Regulations 2012*;
2. email sent to an email address provided by the Minister for Energy and Mining, published on the Department for Energy and Mining's website, or provided for on the relevant application form (physical or electronic form); or
3. electronic means approved by the Minister for Energy and Mining for the purpose of the relevant notice or document (for example, iApply).

In accordance with Regulation 34(2) of the *Opal Mining Regulations 2012*, this notice will have effect from 1 January 2021.

Dated: 11 December 2020

HON. DANIEL VAN HOLST PELLEKAAN  
Minister for Energy and Mining

## ROAD TRAFFIC ACT 1961

*Authorisation to Operate Breath Analysing Instruments*

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 8 December 2020, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

- Road Traffic Act 1961;
- Harbors and Navigation Act 1993;
- Security and Investigation Industry Act 1995; and
- Rail Safety National Law (South Australia) Act 2012.

PD Number	Officer Name
76687	BAKER, Peter Scott
76891	BANKS, Gabrielle Amelia
77191	BATES, Jason Michael
15888	HAEBICH, Simon David
77033	HUNTER, Emily Meg
76904	MACINTYRE, Scott Cameron
10143	SCHMIDT, Tenille Courtney
10077	SINGH, Manveer
76818	SLOAN, James Rennie M
10505	WEBB, Prue Anne

Dated: 17 December 2020

GRANT STEVENS  
Commissioner of Police

Reference: 2020-0176

## ROAD TRAFFIC ACT 1961

*Authorisation to Operate Breath Analysing Instruments*

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 8 December 2020, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

- Road Traffic Act 1961;
- Harbors and Navigation Act 1993;
- Security and Investigation Industry Act 1995; and
- Rail Safety National Law (South Australia) Act 2012.

PD Number	Officer Name
10314	BRUMPTON, Jenna Karen
76541	DUTSCHKE, Zachariah Kym
10675	ELLIS, Mae Louise
76943	NISBET, Emma Kate
77367	REARDON, Georgia Louise
10139	SEARLE, Jayden Philip
10443	SMITH, Annabel Juliet
10551	WRIGHT, Elliott

Dated: 17 December 2020

GRANT STEVENS  
Commissioner of Police

Reference: 2020-0180

## TRAINING AND SKILLS DEVELOPMENT ACT 2008

## Part 4—Apprenticeships/Traineeships

PURSUANT to the provision of the *Training and Skills Development Act 2008*, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the Gazette notices of:

- |                        |                        |                        |                        |
|------------------------|------------------------|------------------------|------------------------|
| 1. 25 September 2008   | 2. 23 October 2008     | 3. 13 November 2008    | 4. 4 December 2008     |
| 5. 18 December 2008    | 6. 29 January 2009     | 7. 12 February 2009    | 8. 5 March 2009        |
| 9. 12 March 2009       | 10. 26 March 2009      | 11. 30 April 2009      | 12. 18 June 2009       |
| 13. 25 June 2009       | 14. 27 August 2009     | 15. 17 September 2009  | 16. 24 September 2009  |
| 17. 9 October 2009     | 18. 22 October 2009    | 19. 3 December 2009    | 20. 17 December 2009   |
| 21. 4 February 2010    | 22. 11 February 2010   | 23. 18 February 2010   | 24. 18 March 2010      |
| 25. 8 April 2010       | 26. 6 May 2010         | 27. 20 May 2010        | 28. 3 June 2010        |
| 29. 17 June 2010       | 30. 24 June 2010       | 31. 8 July 2010        | 32. 9 September 2010   |
| 33. 23 September 2010  | 34. 4 November 2010    | 35. 25 November 2010   | 36. 16 December 2010   |
| 37. 23 December 2010   | 38. 17 March 2011      | 39. 7 April 2011       | 40. 21 April 2011      |
| 41. 19 May 2011        | 42. 30 June 2011       | 43. 21 July 2011       | 44. 8 September 2011   |
| 45. 10 November 2011   | 46. 24 November 2011   | 47. 1 December 2011    | 48. 8 December 2011    |
| 49. 16 December 2011   | 50. 22 December 2011   | 51. 5 January 2012     | 52. 19 January 2012    |
| 53. 1 March 2012       | 54. 29 March 2012      | 55. 24 May 2012        | 56. 31 May 2012        |
| 57. 7 June 2012        | 58. 14 June 2012       | 59. 21 June 2012       | 60. 28 June 2012       |
| 61. 5 July 2012        | 62. 12 July 2012       | 63. 19 July 2012       | 64. 2 August 2012      |
| 65. 9 August 2012      | 66. 30 August 2012     | 67. 13 September 2012  | 68. 4 October 2012     |
| 69. 18 October 2012    | 70. 25 October 2012    | 71. 8 November 2012    | 72. 29 November 2012   |
| 73. 13 December 2012   | 74. 25 January 2013    | 75. 14 February 2013   | 76. 21 February 2013   |
| 77. 28 February 2013   | 78. 7 March 2013       | 79. 14 March 2013      | 80. 21 March 2013      |
| 81. 28 March 2013      | 82. 26 April 2013      | 83. 23 May 2013        | 84. 30 May 2013        |
| 85. 13 June 2013       | 86. 20 June 2013       | 87. 11 July 2013       | 88. 1 August 2013      |
| 89. 8 August 2013      | 90. 15 August 2013     | 91. 29 August 2013     | 92. 6 February 2014    |
| 93. 12 June 2014       | 94. 28 August 2014     | 95. 4 September 2014   | 96. 16 October 2014    |
| 97. 23 October 2014    | 98. 5 February 2015    | 99. 26 March 2015      | 100. 16 April 2015     |
| 101. 27 May 2015       | 102. 18 June 2015      | 103. 3 December 2015   | 104. 7 April 2016      |
| 105. 30 June 2016      | 106. 28 July 2016      | 107. 8 September 2016  | 108. 22 September 2016 |
| 109. 27 October 2016   | 110. 1 December 2016   | 111. 15 December 2016  | 112. 7 March 2017      |
| 113. 21 March 2017     | 114. 23 May 2017       | 115. 13 June 2017      | 116. 18 July 2017      |
| 117. 19 September 2017 | 118. 26 September 2017 | 119. 17 October 2017   | 120. 3 January 2018    |
| 121. 23 January 2018   | 122. 14 March 2018     | 123. 14 June 2018      | 124. 5 July 2018       |
| 125. 2 August 2018     | 126. 9 August 2018     | 127. 16 August 2018    | 128. 30 August 2018    |
| 129. 27 September 2018 | 130. 4 October 2018    | 131. 18 October 2018   | 132. 1 November 2018   |
| 133. 15 November 2018  | 134. 22 November 2018  | 135. 29 November 2018  | 136. 6 December 2018   |
| 137. 20 December 2018  | 138. 24 January 2019   | 139. 14 February 2019  | 140. 30 May 2019       |
| 141. 6 June 2019       | 142. 13 June 2019      | 143. 20 June 2019      | 144. 27 June 2019      |
| 145. 11 July 2019      | 146. 8 August 2019     | 147. 22 August 2019    | 148. 12 September 2019 |
| 149. 19 September 2019 | 150. 14 November 2019  | 151. 28 November 2019  | 152. 12 December 2019  |
| 153. 19 December 2019  | 154. 23 January 2020   | 155. 27 February 2020  | 156. 21 April 2020     |
| 157. 25 June 2020      | 158. 10 September 2020 | 159. 17 September 2020 | 160. 8 October 2020    |
| 161. 29 October 2020   | 162. 12 November 2020  | 163. 10 December 2020  | 164. 17 December 2020  |

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE FOOD, BEVERAGE AND PHARMACEUTICAL (FBP), PRINTING AND GRAPHIC ARTS (ICP), AEROSKILLS (MEA) AND MANUFACTURING AND ENGINEERING (MEM) TRAINING PACKAGES

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Qualification Title	Nominal Term of Training Contract	Probationary Period
Pharmaceutical Manufacturing #	FBP20418	Certificate II in Pharmaceutical Manufacturing	18	60
Pharmaceutical Manufacturing #	FBP30818	Certificate III in Pharmaceutical Manufacturing	24	60
Converting, Binding and Finishing #	ICP20120	Certificate II in Printing and Graphic Arts	24	60
Pre-Press Operations #	ICP20120	Certificate II in Printing and Graphic Arts	24	60
Printing #	ICP20120	Certificate II in Printing and Graphic Arts	24	60
Sack and Bag Manufacture #	ICP20120	Certificate II in Printing and Graphic Arts	24	60
Printing #	ICP31220	Certificate III in Printing	36	90
Printing Machining *	ICP31220	Certificate III in Printing	48	90
Screen Printing Stencil Preparation #	ICP31220	Certificate III in Printing	48	90
Binding and Finishing *	ICP31320	Certificate III in Print Binding, Finishing and Packaging	48	90
Carton Manufacture and Corrugating Operations #	ICP31320	Certificate III in Print Binding, Finishing and Packaging	48	90
Mail House Operations #	ICP31320	Certificate III in Print Binding, Finishing and Packaging	36	90

<b>*Trade/ #Declared Vocation/ Other Occupation</b>	<b>Qualification Code</b>	<b>Qualification Title</b>	<b>Nominal Term of Training Contract</b>	<b>Probationary Period</b>
Sack and Bag Manufacture #	ICP31320	Certificate III in Print Binding, Finishing and Packaging	48	90
Graphic Pre-Press *	ICP31420	Certificate III in Prepress Graphic Design Production	48	90
Multimedia Production #	ICP31420	Certificate III in Prepress Graphic Design Production	48	90
Pre-Press Operations #	ICP31420	Certificate III in Prepress Graphic Design Production	48	90
Licensed Aircraft Maintenance Engineer (Mechanical) *	MEA50219	Diploma of Aeroskills (Mechanical)	48	90
Engineering Tradesperson (Mechanical) *	MEM31319	Certificate III in Engineering— Mechanical Trade	48	90
Engineering Tradesperson (Mechanical) *	MEM31419	Certificate III in Engineering— Fixed and Mobile Plant Mechanic	48	90
Engineering Tradesperson (Mechanical) *	MEM31519	Certificate III in Engineering— Fixed and Mobile Plant Mechanic	48	90
Engineering Tradesperson (Fabrication) *	MEM31719	Certificate III in Engineering— Fabrication Trade	48	90
Silversmith *	MEM31719	Certificate III in Engineering— Fabrication Trade	48	90

# LOCAL GOVERNMENT INSTRUMENTS

CITY OF HOLDFAST BAY

South Australia

## Liquor Licensing (Dry Areas) Notice 2020

*under section 131 of the Liquor Licensing Act 1997*

### 1—Short title

This notice may be cited as the Liquor Licensing (Dry Areas) Notice 2020

### 2—Commencement

This notice comes into operation on 31 December 2020.

### 3—Interpretation

(1) In this notice—

*principal notice* means the Liquor Licensing (Dry Areas) Notice 2020 published in the Gazette on 17.12.2020, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

### 4—Consumption etc of liquor prohibited in dry areas

(1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.

(2) The prohibition has effect during the periods specified in the Schedule.

(3) The prohibition does not extend to private land in the area described in the Schedule.

(4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—

(a) a person who is genuinely passing through the area if—

(i) the liquor is in the original container in which it was purchased from licensed premises;  
and

(ii) the container has not been opened; or

(b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or

(c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

## Schedule 1—Glenelg Area 2

### 1—Extent of prohibition

The consumption of liquor is prohibited. The possession of liquor is prohibited, and the prohibition extends to possession in each of the circumstances referred to in Clause 4 (4). This also includes the total prohibition of alcohol in sealed and/or unsealed containers on community land.

### 2—Period of prohibition

From 6pm on Thursday, 31 December 2020 to 6am on Friday, 1 January 2021.

### 3—Description of area

The area in Glenelg bounded as follows: commencing at the point at which the eastern boundary of Colley Terrace intersects the northern boundary of Augusta Street, then generally easterly along the northern boundary of Augusta Street (including around the western, northern and eastern boundaries of Torrens Square) to its intersection with the eastern boundary of Brighton Road, then southerly along that boundary of Brighton Road to the northern boundary of Dunbar Terrace, then easterly along that boundary of Dunbar Terrace to the point at which it meets the western boundary of First Avenue, then in a straight line by the shortest route (across Dunbar Terrace and Maxwell Terrace) to the point at which the southern boundary of Maxwell Terrace meets the eastern boundary of Fortrose Street, then westerly along that boundary of Maxwell Terrace to the eastern boundary of Brighton Road, then southerly along that boundary of Brighton Road to its intersection with the prolongation in a straight line of the southern boundary of High Street, then generally westerly along that prolongation and boundary of High Street to the point at which the prolongation in a straight line of that southern boundary of High Street intersects the western boundary of Moseley Street, then northerly along that boundary of Moseley Street to the southern boundary of College Street, then westerly along that boundary of College Street and the prolongation in a straight line of that boundary to the western boundary of St John's Row, then northerly along that boundary of St John's Row to the southern boundary of South Esplanade Lane (the northern boundary of Lot 101 FP 6859), then westerly along that boundary of South Esplanade Lane to the eastern boundary of the South Esplanade, then south-westerly along that boundary of the South Esplanade to the northern boundary of Kent Street, then westerly along that boundary of Kent Street and the prolongation in a straight line of that boundary to the low water mark of Gulf St Vincent, then generally northerly along the low water mark (including the low water mark around the outer boundary of any breakwater or groyne) to the entrance to the Patawalonga River, then generally southeasterly, easterly, northerly, easterly and northerly along the southern and eastern bank of the River to the point at which the eastern bank of the River intersects the prolongation in a straight line of the southern boundary of St Anne's Terrace, then easterly along that prolongation to the western boundary of Adelphi Terrace, then southerly along that western boundary of Adelphi Terrace and the prolongation in a straight line of that boundary to the southern boundary of Anzac Highway, then westerly along that boundary of Anzac Highway to the eastern boundary of Colley Terrace, then southerly along that boundary of Colley Terrace to the point of commencement. The area includes the Glenelg Jetty and any other jetty, wharf, mooring, dock or other structure (apart from the Patawalonga Weir) projecting into the Gulf or River from the area described above, as well as any area beneath such a structure.



## CITY OF PORT ADELAIDE ENFIELD

## ROADS (OPENING AND CLOSING) ACT 1991: SECTION 10

*Notice of Proposed Road Closure—Portion of Anson Street, Blair Athol*

In accordance with section 10 of the *Roads (Opening & Closing) Act 1991*, NOTICE is hereby given that City of Port Adelaide Enfield proposes to make a Road Process Order to close and merge with the adjoining Council reserve, being Allotment (Reserve) 1002 in Deposited Plan 123920 and comprised in Certificate of Title Register Book Volume 6238 Folio 918, a portion of the public road known as 'Anson Street' Blair Athol that is more particularly delineated and lettered 'A' on Preliminary Plan 20/0050.

A copy of the Preliminary Plan, and a statement of persons affected, are available for public inspection at the City of Port Adelaide Enfield's Civic Centre located at 163 St Vincent Street Port Adelaide SA 5015 between the hours of 8.30am and 5.00pm, Monday to Friday or at the Adelaide office of the Surveyor-General, 101 Grenfell Street Adelaide during normal office hours.

Any person is entitled to object to the proposed road closure via written submission. An objection must state whether the objector wishes to make submissions to the Council at any meeting held by the Council for this purpose. A person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure.

An objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons.

An application for an easement must give full particulars of the nature and location of the easement that is being applied for and, where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

Any objection or application for an easement must be made in writing setting out full details and must be submitted to the Council by post to PO Box 110, Port Adelaide SA 5015, or via email to [service@cityofpae.sa.gov.au](mailto:service@cityofpae.sa.gov.au) within 28 days of the date of publication of this notice and a copy must be forwarded to the Surveyor-General at GPO Box 1354, Adelaide, SA 5001.

Where an objection or application for an easement is received, the Council will give notification of a meeting at which the matter will be considered so that the objector and/or applicant may attend if so desired.

Dated: 17 December 2020

MARK WITHERS  
Chief Executive Officer

## CITY OF WEST TORRENS

*Renaming of Public Reserve*

NOTICE is hereby given that at its meeting held on 8 December 2020, the West Torrens Council approved the renaming of the "Baroda Avenue Reserve", Netley, to "Wally Shiers Reserve", effective from 17 December 2020, pursuant to Section 219 (1) of the *Local Government Act 1999*.

Dated: 17 December 2020

ANGELO CATINARI  
Chief Executive Officer (Acting)

## DISTRICT COUNCIL OF FRANKLIN HARBOUR

*Change of Meeting Date*

NOTICE is hereby given that the District Council of Franklin Harbour resolved at its meeting held on 9 December 2020 to change the scheduled January 2021 Council Meeting from Wednesday, 13 January 2021 commencing at 1.00 pm to Wednesday, 20 January 2021 commencing at 1.00 pm.

Dated: 11 December 2020

SHANE GILL  
Chief Executive Officer

## KANGAROO ISLAND COUNCIL

## LOCAL GOVERNMENT ACT 1999

*Resignation*

NOTICE is hereby given in accordance with Section 54 (6) of the *Local Government Act 1999* that Graham Walkom has resigned as Councillor effective 9 December 2020.

Dated: 9 December 2020

G. GEORGOPOULOS  
Chief Executive Officer

PORT PIRIE REGIONAL COUNCIL  
ROADS (OPENING AND CLOSING) ACT 1991  
*Road Closure—Heath Street, Solomontown*

Notice is hereby given, pursuant to section 10 of the *Roads (Opening and Closing) Act 1991*, that the Port Pirie Regional Council proposes to make a Road Process Order to close portion of Heath Street as delineated and lettered 'A', 'B' & 'C' on the Preliminary Plan No. 20/0046.

Closed road 'A' is to merge with allotment 49 in D2446.

Closed road 'B' is to merge with allotment 106 in D42595.

Closed road 'C' is to merge with allotment 55 in D2446.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office, 115 Ellen Street, Port Pirie SA 5540 and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan may also be viewed at [www.sa.gov.au/roadsactproposals](http://www.sa.gov.au/roadsactproposals).

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, PO Box 45, Port Pirie SA 5540 within 28 days of this notice and a copy must be forwarded to the Surveyor-General at GPO Box 1354 Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated: 7 December 2020

PETER ACKLAND  
Chief Executive Officer  
LEON STEPHENS  
Mayor

YORKE PENINSULA COUNCIL  
*Review of Elector Representation*

NOTICE is hereby given that the Yorke Peninsula Council (Council) is undertaking a review to determine whether a change of arrangements in respect to elector representation will result in the electors of the area being more adequately and fairly represented.

Pursuant to the provisions of Section 12 (7) of the *Local Government Act 1999*, notice is hereby given that Council has prepared a Representation Options Paper that examines the advantages and disadvantages of the various options available in regards to the composition and structure of Council, and the division of the Council area into wards.

Copies of the Representation Options Paper are available for inspection and/or purchase at any of the Council's offices or via download from [www.yorke.sa.gov.au](http://www.yorke.sa.gov.au).

Interested persons are invited to make a written submission to the Chief Executive Officer, via email [admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au) or via mail to PO Box 57, Maitland 5573, for an extended consultation period by close of business on Friday, 12 February 2021.

A feedback form is also available to download via Council's website [www.yorke.sa.gov.au](http://www.yorke.sa.gov.au).

Further information regarding the representation review can be obtained by contacting Mary Herrmann Governance Officer on telephone (08) 8832 0000 or email [admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au).

Dated: 17 December 2020

ANDREW CAMERON  
Chief Executive Officer



## PUBLIC NOTICES

### TRUSTEE ACT 1936

#### PUBLIC TRUSTEE

#### *Estates of Deceased Persons*

In the matter of the estates of the undermentioned deceased persons:

ANDRIJASEVIC Mary Annie late of 75 Salisbury Street Unley of no occupation who died 4 August 2020  
ARNOLD Brian Allan late of 100 Seaford Road Seaford Retired Senior Clerk who died 22 May 2020  
DAVEY Carolyn Annette late of 6 James Street Cheltenham of no occupation who died 20 April 2020  
DOBSON Alan Michael late of 16 Portland Avenue Sturt of no occupation who died 19 June 2018  
GREDLEY Jacqueline Elizabeth late of 13 Black Top Road Hillbank of no occupation who died 2 July 2020  
MATTHEWS Leslie George late of 147 St Bernards Road Rostrevor Retired Technical Officer who died 25 April 2020  
PLATTEN Thomas Lewis late of 6 Canino Drive Kidman Park Retired Travel Consultant who died 1 April 2019  
REID William Patrick late of 102 Waymouth Street Adelaide of no occupation who died 3 August 2020  
SHAND Yvonne Claire late of 1-7 Cummock Street Jamestown Retired Laboratory Technician who died 27 May 2020  
SICILIANO Concetta late of 147 Frost Road Salisbury South of no occupation who died 3 February 2018

Notice is hereby given pursuant to the *Trustee Act 1936*, the *Inheritance (Family Provision) Act 1972* and the *Family Relationships Act 1975* that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee at GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 15 January 2021 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated: 17 December 2020

N. S. RANTANEN  
Public Trustee

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### NATIONAL ELECTRICITY LAW

#### *Making of Final Rules*

#### *Initiation of Rule Change Requests*

The Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law as follows:

Under ss 102 and 103, the making of the *National Electricity Amendment (Compensation following directions for services other than energy and market ancillary services) Rule 2020 No. 18* (Ref. ERC0287) and related final determination. Schedule 1 is due to commence on **21 March 2021**. Schedule 2 is due to commence on **17 December 2020**.

Under ss 102 and 103, the making of the *National Electricity Amendment (Prudent discounts in an adoptive jurisdiction) Rule 2020 No. 19* (Ref. ERC0317) and related final determination. All provisions commence on **17 December 2020**.

Under ss 102 and 103, the making of the *National Electricity Amendment (Minor changes 4) Rule 2020 No. 20* (Ref. ERC0321) and related final determination. All provisions commence on **17 December 2020**.

Under s 95, the COAG Energy Council has requested the *Enhancing operational resilience in relation to indistinct events* (Ref. ERC0304) proposal. The proposal seeks to implement a framework to manage indistinct events. Submissions must be received by **11 February 2021**.

Under s 95, the COAG Energy Council has requested the *Prioritising arrangements for system security during market suspension* (Ref. ERC0305) proposal. The proposal seeks to clarify arrangements for system security during market suspension. Submissions must be received by **4 February 2021**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website. Submissions should be made in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website, subject to certain exceptions.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission

Level 15, 60 Castlereagh St  
Sydney NSW 2000

Telephone: (02) 8296 7800

[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 17 December 2020

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## NATIONAL ENERGY RETAIL LAW

*Making of Draft Determination*

The Australian Energy Market Commission (AEMC) gives notice under the National Energy Retail Law as follows:

Under s 256, the making of a draft determination and related draft rule on the *Bill contents and billing requirements* (Ref. RRC0036) proposal. Written requests for a pre-determination hearing must be received by **24 December 2020**. Submissions must be received by **4 February 2021**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website. Submissions should be made in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website, subject to certain exceptions.

Written requests should be sent to [submissions@aemc.gov.au](mailto:submissions@aemc.gov.au) and cite the reference in the title. Before sending a request, please review the AEMC's privacy statement on its website.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission

Level 15, 60 Castlereagh St  
Sydney NSW 2000

Telephone: (02) 8296 7800  
[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 17 December 2020

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## NATIONAL GAS LAW

*Making of Final Rule*

The Australian Energy Market Commission (AEMC) gives notice under the National Gas Law as follows:

Under ss 311 and 313, the making of the *National Gas Amendment (DWGM maintenance planning) Rule 2021 No. 4* (Ref. GRC0058) and related final determination. Transitional arrangements in schedule 2 of the final rule will commence on **21 January 2021**. Operative provisions in schedule 1 of the final rule will commence on **22 April 2021**.

Under ss 311 and 313, the making of the *National Gas Amendment (Minor changes 4) Rule 2020 No. 5* (Ref. GRC0059) and related final determination. All provisions commence on **17 December 2020**.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission

Level 15, 60 Castlereagh St  
Sydney NSW 2000

Telephone: (02) 8296 7800  
[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 17 December 2020

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# NOTICE SUBMISSION

The South Australian Government Gazette is compiled and published each Thursday.

Notices must be submitted before 4 p.m. Tuesday, the week of intended publication.

All submissions are formatted per the gazette style and proofs are supplied as soon as possible. Alterations must be returned before 4 p.m. Wednesday.

Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

## **Gazette notices should be emailed as Word files in the following format:**

- Title—name of the governing Act/Regulation
- Subtitle—brief description of the notice
- A structured body of text
- Date of authorisation
- Name, position, and government department/organisation of the person authorising the notice

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**All instruments appearing in this gazette are to be considered official, and obeyed as such**