

South Australia

Mining (Rental and Prescribed Fees) Amendment Regulations 2024

under the *Mining Act 1971*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Mining Regulations 2020*

- 3 Amendment of regulation 87—Ministerial notices in connection with certain prescribed fees
 - 4 Amendment of Schedule 2—Rental
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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Mining (Rental and Prescribed Fees) Amendment Regulations 2024*.

2—Commencement

These regulations come into operation on 1 July 2024 immediately after the *Mining (Rental Fees) Amendment Regulations 2024* come into operation.

Part 2—Amendment of *Mining Regulations 2020*

3—Amendment of regulation 87—Ministerial notices in connection with certain prescribed fees

Regulation 87(4) to (7) (inclusive)—delete subregulations (4) to (7) and substitute:

- (4) The Minister may, in connection with an application for approval under section 56R of the Act to make a change to which Part 8B Division 7 of the Act applies, determine by notice in the Gazette that a change of a kind specified in the notice is of a specified level (beginning with *level 1*) for the purposes of a prescribed fee payable in relation to that specified level of change.
 - (5) A level of change determined by the Minister under subregulation (4) may vary in its application according to the matter to which it is expressed to apply.
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- (6) The Minister must, in connection with prescribed fees payable on the submission of—
- (a) a draft of objectives and criteria submitted to the Director under section 73G of the Act; or
 - (b) a revised program submitted to the Minister under Part 10A of the Act,
- publish a notice in the Gazette setting out—
- (c) a series of tiers (beginning with *tier 1*) that apply for the purposes of classifying such drafts or programs; and
 - (d) criteria to be used in determining the tier to which particular drafts or programs belong.
- (7) A draft of objectives and criteria or a revised program is of a tier specified in a notice under subregulation (6) for the purposes of a prescribed fee if it is classified as such by the notice.

4—Amendment of Schedule 2—Rental

- (1) Schedule 2, items 1 and 2—delete items 1 and 2 and substitute:

1 Mining lease—

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| (a) | if the lease authorises the production of primarily extractive minerals; or | \$248.00 or \$64.50 for each hectare or part of a hectare in the area of the lease, whichever is the greater |
| (b) | in any other case | \$293.00 or \$78.00 for each hectare or part of a hectare in the area of the lease, whichever is the greater |

- (2) Schedule 2, item 3—delete item 3 and substitute:

3 Retention lease—

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|------|--|---|
| (a) | if the retention lease authorises the carrying out of only exploration operations under the lease— | |
| (i) | within the period beginning on the day on which the lease was granted and ending on the day immediately before the 5th anniversary of the day on which the lease was granted; or | \$1090.00 or \$25.25 per km ² in the area of the lease, whichever is the greater |
| (ii) | within the period beginning on the 5th anniversary of the day on which the lease was granted and ending on the day immediately before the 10th anniversary of the day on which the lease was granted; or | \$1090.00 or \$39.50 for each hectare or part of a hectare in the area of the lease, whichever is the greater |

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| (iii) | on or after the 10th anniversary of the day on which the lease was granted; or | \$1090.00 or \$114.00 for each hectare or part of a hectare in the area of the lease, whichever is the greater |
| (b) | in any other case | \$293.00 or \$39.50 for each hectare or part of a hectare in the area of the lease, whichever is the greater |

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments 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 23 May 2024

No 39 of 2024