

07 August 2024

Department of Climate Change, Energy, the Environment & Water (DCCEW)  
South Australia & Northern Territory Section  
GPO Box 3090  
Canberra ACT 2601

### **Submission to the Draft South Australian Assessment Bilateral Agreement Consultation Process**

The South Australian Chamber of Mines & Energy (SACOME) is the leading industry association representing resource and energy companies with interests in the South Australian resources sector, including minerals, energy, extractives and petroleum.

SACOME welcomes the opportunity to provide comment on the Department of Climate Change, Energy, the Environment & Water's (DCCEEW) Draft South Australian Bilateral Agreement consultation process.

SACOME notes that the bilateral agreement will allow for the South Australian Government to use its own processes to assess controlled actions under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for declared 'classes of actions' as defined in Schedule 1 of the draft assessment bilateral agreement.

SACOME further notes that the draft bilateral applies strictly to the South Australian *Mining Act 1971* ('Mining Act') and the *Planning, Development and Infrastructure Act 2016* ('PDI Act').

SACOME recognises that the draft bilateral agreement has been developed in consultation with the South Australian Government, noting that the prior Assessment Bilateral Agreement expired in 2021; and the passage of the PDI Act, along with significant amendments to the Mining Act necessitate the update of the South Australian Assessment Bilateral Agreement to reflect these changes.

SACOME notes that 'classes of action' under the Mining Act 1971 set out in Schedule 1 of the draft bilateral are taken to correspond to assessment by environmental impact statement under Division 6 of Part 8 of the EPBC Act.

They comprise:

- actions that are assessed as an application for a program for environment protection and rehabilitation for an exploration licence under Part 10A of the Mining Act 1971 (SA);
- actions that are assessed as an application for a mining lease under Part 6 of the Mining Act 1971 (SA);
- actions that are assessed as an application for a retention lease under Part 7 of the Mining Act 1971 (SA);
- actions that are assessed as an application for a miscellaneous purposes licence under Part 8 of the Mining Act 1971 (SA);
- actions that are assessed as an application for a change in operations under Division 7 of Part 8B of the Mining Act 1971 (SA);
- actions that are assessed as a special mining enterprise under Part 8A of the Mining Act 1971 (SA)

SACOME and its member companies were key stakeholders in the South Australian Mining Act amendment process and recognise that the proposed changes in the draft Assessment Bilateral Agreement reflect the amendments made to the Mining Act.

SACOME expresses support for draft South Australian Assessment Bilateral Agreement, consistent with its support for the precedent Agreement.

As a general statement of principle, SACOME supports the purpose of the South Australian Assessment Bilateral Agreement, namely to remove the need for separate Commonwealth and State assessments, resulting in less duplication of process for industry.

Yours sincerely



**Rebecca Knol**

Chief Executive Officer

South Australian Chamber of Mines and Energy