



# SOUTH AUSTRALIA BUDGET SUBMISSION 2024 - 2025

Association of Mining  
and Exploration Companies

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## ABOUT AMEC

The Association of Mining and Exploration Companies (AMEC) is a national industry association representing over 570 member companies across Australia, with over 37 member companies with direct project interests in South Australia. Our members are mineral explorers, emerging miners, producers, and a wide range of businesses working in and for the industry. Collectively, AMEC's member companies account for over \$100 billion of the mineral exploration and mining sector's capital value.

Mineral exploration and mining make a critical contribution to Australia's economy, directly employing over 274,000 people. In 2021/22 Industry generated a record high \$413 billion in resources exports, invested \$3.86 billion in exploration expenditure to discover the mines of the future, and collectively paid over \$63 billion in royalties and taxes.

### **A Budget for investing in short and long-term growth**

The 2024-25 South Australian Budget, the third of the Malinauskas Labor Government, is one that must demonstrate how the State has managed economic constraints and frontline challenges, whilst progressing opportunities to grow the state's economic interests and competitiveness. With ongoing high inflationary and cost of living pressures, and low unemployment levels persisting from the lingering effects of COVID-19, the State must grow its mineral exploration and mining sector to deliver real time benefits. This growth is paramount to the state's renewables ambitions, now and into the future.

There is a strong need for this Government to recognise the important role the minerals sector does and will play in South Australia's future. South Australia can emerge as a competitive investment jurisdiction of choice for mineral investment and development, but it will require concerted efforts from the State Government, working in collaboration with the Commonwealth and industry.

Mineral exploration and mining projects across South Australia are ripe for investment and development. The commodities explored and mined for, represent a wide range of minerals critical to the energy transition and a decarbonised future. The range of projects across the state that are seeking to enter into production, will ultimately deliver long-term, ongoing social, environmental and economic benefits for the state and its communities. However, it is only in optimal policy settings that investment to the state will be attracted, in this competitive environment.

AMEC has outlined key policy recommendations below, in addition to those provided in previous submissions, to support the South Australian Government's ambition to increase economic resilience. These recommendations, when implemented, are intended to drive investment and development across South Australia's diverse minerals industry, to be truly competitive.



## 2024-25 BUDGET RECOMMENDATIONS

In 2022-23 (FY), \$229.3M was spent on mineral exploration in South Australia, an 84.47% increase in original terms, from the \$124.3M<sup>1</sup> spent on mineral exploration in 2021-22 (FY). Mineral resources exports were recorded at \$6.8B for the 2022 financial year, while \$2.95B was spent on capital expenditure. In 2022-23, over \$286.9 million was generated in royalties from mineral commodity sales, representing a record high.

With strong output from the State, now is the opportune time to capitalise on significant growth opportunities for South Australian minerals, to meet heightened domestic and international demand. The minerals explored for and mined across South Australia represent long-term, innovative strengths for the State, which if advanced in optimal settings, can deliver wide-ranging, sustained benefits for the State and its communities.

AMEC and our members seek to support Government's mission to deliver a decarbonised economy, recognising the important role more mining will play. In order to achieve this, steps must be taken to ensure more mining occurs in South Australia. To be competitive and develop projects beyond the earliest stages of exploration, investment into reform and efficiencies is required.

The attractiveness of South Australia as a mining jurisdiction is reliant on a strong, stable Government with the ability to deliver effective and efficient regulatory outcomes, and progress project development in appropriate cost settings. The benefits industry can deliver will struggle to be realised by South Australia without sufficient and capable resourcing within its key regulatory agency, to deliver necessary reform, whilst applying best-practice regulation. It is important to recognise and reflect, that best-practice regulation is an equal combination of approvals, education, and compliance.

Globally, with economic uncertainty on the rise, raising capital and attracting investment is becoming more challenging, particularly for junior and emerging mineral exploration and mid-cap miners. The diversity of project proponents and commodities across South Australia is represented in large part by junior explorers and mid-cap miners. The support of a robust regulatory framework, that recognises the importance of the exploration to development life cycle and financial markets, is critical.

AMEC has outlined key policy recommendations for South Australia's 2024-25 Budget. When introduced, these recommendations can unlock long-term and wide-ranging benefits from the minerals sector, across the South Australian economy.

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<sup>1</sup> <https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/plans/sarig1/image/DDD/205102-001>

## Recommendations:

1: Facilitate effective multiple land use access by refreshing the State's existing multi land use framework (MLUF).

2: Progress legislative reform of the *Mining Act 1971*:

- a. Amend the 18-year compulsory relinquishment under the Mining Act;
- b. Shift from Part 9B to Right to Negotiate.

3: Release and extend the Accelerated Discovery Initiative (ADI) by a further three years, beyond 2025-26.

4: Fund and open the Critical Minerals Development Fund, under South Australia's Critical Minerals Strategy.

5: Progress vital infrastructure developments including road, rail and port access, and the Northern Water Project.

6: Establish a Heritage Assistance Program, enabling eligible resource tenement holders to receive a rebate from their heritage survey costs towards their exploration expenditure requirements.



## STATE OF THE INDUSTRY

As of September 2023, there were 13,700 direct employees in South Australia's mineral exploration and mining industry<sup>2</sup>, with forecasts that over 8,000 workers could be needed across the sector within the next year alone, to support the range of projects progressing through the development pipeline.

April 2023 saw the acquisition of Oz Minerals by BHP, reverting South Australia's minerals sector to again host one large multi-national enterprise, whilst a growing number of junior and mid-cap explorers and miners diligently work to advance their minerals projects across the state. Despite market uncertainty due to the lingering impact of COVID-19, inflationary pressures, and geopolitical tensions, investment into mineral exploration in South Australia increased by 84.47% year-on-year, to \$229.3M in 2022-23 (FY). The majority of this increase could be attributed to a substantial exploration campaign at Oak Dam, but in the right investor settings, projects across the landscape can also substantially increase their footprint and deliver sustained exploration investment to the state.

Royalties generated from mining sales alone in 2022-23 were valued at \$286.9M, a \$49.9M (20%) increase from 2020-21. In 2022-23 (FY), \$229.3M was spent on mineral exploration, an 84.47% increase in original terms, from the \$124.3M<sup>3</sup> spent on mineral exploration in 2021-22 (FY). Mineral resources exports were recorded at \$6.8B for the 2022 financial year, while \$2.95B was spent on capital expenditure.

These statistics demonstrate the significant investment being made into discovering and developing South Australia's future mines. There has been a continued increase in investment to discover critical minerals, base metals, and precious metals. However, further analysis must determine the distribution of the expenditure, across commodity type, location, and company size, to gain a greater understanding of the level of greenfield or brownfield exploration, and strategically plan for development and approvals.

In 2022 (CY), the average assessment time for Exploration Licence (EL) applications by the Department for Energy and Mining (DEM) was 161.25 days, against a target of 90 days or less<sup>4</sup>. The excess 71 days on average, represents foregone investment into further exploration and project development activity a company could more appropriately be investing in. It also took an average of 45.25 days for DEM to assess E-PEPRs against a 25-day target. The delay for those that are pending is reportedly due to 'complex land access issues'. This ambiguous categorization indicates the data may not be accurate, and assessments may in fact take much longer. Concerningly, on average, over 1.5 months is spent assessing applications which are typically valid for a 12-month period. With limited to no ability to track progress against applications or assessments between DEM and other co-regulatory agencies, the importance of accountability and transparency is highlighted by industry.

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<sup>2</sup> <https://www.abs.gov.au/statistics/labour/employment-and-unemployment/labour-force-australia-detailed/latest-release>

<sup>3</sup> <https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/plans/sarig1/image/DDD/205102-001>

<sup>4</sup> <https://www.energymining.sa.gov.au/industry/minerals-and-mining/mining/regulating-mining-activity/Mineral-resources-regulation-report/mineral-exploration#epepr-assessment>

AMEC welcomes the efficiencies sought to be delivered by the digital transformation project 'MERS', but urges that improvements to basic functions are required sooner rather than later.

Disappointingly, the first decision on a Mining Lease application (MLA) was delivered by the Malinauskas Government, with the Minister for Mining rejecting the Bird in Hand Gold Project (BIHGP) following a lengthy, extensive process. The impact of the uncertainty this decision and the surrounding process that has caused is yet to be demonstrated in a quantitative manner, at the time of writing, but has certainly cast doubt as to the management of the mining regulatory function in the state, and attractiveness to investors.

To capture investment momentum and deliver the maximum return to the state, investment must be made to ensure the state's regulatory framework and its application are fit for purpose. Competitiveness is key, as global and domestic competition for investment into the minerals sector tightens, while access to land faces increasing competition with other land uses. Despite its large land mass, in 2022 South Australia accounted for 4% of national mineral exploration expenditure, followed by only Tasmania.

In the right settings, South Australia has the opportunity to capture a greater share of exploration and mining investment than it currently does. However, this is contingent on recognition of enhancements that must be made, and a concerted Government and industry effort to address, in a timely manner.

**Table 1 Mineral Exploration Expenditure by State and Territory (A\$ million)<sup>5</sup> (calendar year)**

	NSW	Vic	QLD	SA	WA	TAS	NT	TOTAL
<b>2010</b>	131.7	69.3	500.9	189	1401.7	31	166.7	2490.2
<b>2011</b>	211.8	65	891.5	312.8	1825.3	38.7	228.4	3573.3
<b>2012</b>	209.8	44.1	844.4	311.6	2052.6	40.7	152.6	3655.8
<b>2013</b>	163	36.3	519.6	144.7	1508.2	37.5	113.3	2522.6
<b>2014</b>	135.6	27.4	389.5	106.7	1045.3	23.7	108	1839.5
<b>2015</b>	118.8	26.8	271.3	57.9	843.7	14.4	104.5	1438.6
<b>2016</b>	122.4	30.3	195.9	49.4	927.6	13.5	85.6	1426.9
<b>2017</b>	181.7	55.5	245	46.2	1108.7	21.2	91.2	1753.8

<sup>5</sup> <https://www.abs.gov.au/statistics/industry/mining/mineral-and-petroleum-exploration-australia/latest-release>

<b>2018</b>	235.9	92.5	303.1	76.9	1317.7	21.7	123.2	2171.4
<b>2019</b>	296	113	354	87	1648	16	133	2647
<b>2020</b>	288.4	153	408	80.2	1757.5	10.8	110.8	2808.8
<b>2021</b>	299.6	218.5	445.1	106.7	2351.4	20.9	153.9	3596.1
<b>2022</b>	330.8	201.1	555.3	164.8	2546.8	40.9	199.9	4060.1
<b>2023 (ytd)</b>	176.1	90	262.6	135	1194	21.4	86.9	1965.8

## RECOMMENDATIONS IN DETAIL

The following targeted policy recommendations have been developed with AMEC's South Australian member companies. They are made in addition to AMEC's ongoing advocacy to the South Australian Government.

### **Recommendation 1: Facilitate effective multiple land use access by refreshing the State's existing multi land use framework (MLUF).**

#### **a. Fund and resource the refresh of South Australia's MLUF.**

AMEC's top recommendation in the 2024-25 Budget is for Government to fund a refreshed Multi-Land Use Framework (MLUF) to effectively manage and facilitate fair, equitable, and sequential access to South Australian land.

The 2016-published existing MLUF<sup>6</sup> was a welcome development for South Australia from COAG, but has now become outdated. In its current form, it is not equipped for State or industry use to manage contemporary land access issues, nor increasing competition for land between pastoral, mining, renewable, hydrogen, and other land users.

Legislation protects the use of land, ensuring interested proponents comply with robust conditions to deliver optimal outcomes for the land, while maximising benefits from its use. This should continue, however, is consistently challenged and land access subject to litigious processes due to limited support for current and potential users across the State.

A consistent Government position via a refreshed MLUF can provide certainty to multiple user groups, of fair and reasonable access provisions and requirements. Where agreement cannot be reached,

<sup>6</sup> <https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/image/DDD/RB201600036.pdf>

and situations should be clearly identified in the MLUF, effective and appropriate dispute resolution pathways should be outlined in the MLUF.

There is significant concern the preservation of certain land for the 'business of primary production' and renewable energy sources will take precedence over land for mining use, mineral exploration and associated activities. This is an outcome that must be avoided. It would be detrimental to South Australia's ability to implement and maintain a multi-user land access framework, and deny significant economic opportunity for the State.

It is important to consider the size and scale of companies operating across regional South Australia. There is a strong desire to discover mineral resources and develop these resources into mines whilst working harmoniously with other land users. There is limited appetite to enter into legal disputes, land banking as a result of disputes, and lengthy, costly delays that ultimately come at the expense of not only the land users, but the broader State.

Mining currently occurs on approximately 1% of the State geographically, but much more land is subject to assessments and in-depth analysis for suitability of exploration, expert work is undertaken, often by exploration and mining companies in the development of their EPEPRs and Mining Lease Applications, outside of legislated expectations.

A balanced framework managing access to land, without detrimentally reducing certainty of land access for South Australia's mineral exploration and mining sector, must be a priority of this Government.

A refreshed MLUF is needed, provided by the South Australian Government, subject to extensive industry consultation, to mitigate these challenges which continue to emerge, and pre-empt challenges that may arise. With strong and continuously increasing competition for viable land, it is important Government can provide a single-source of truth that does not favour one user-group or industry over another. A refreshed MLUF can provide more transparency and consistent regulation, and a best-practice approach to land access across South Australia.

AMEC recommends appropriate funding and cross-agency resourcing to ensure a refreshed MLUF can be consulted on and delivered to the State in a timely manner.

## **Recommendation 2: Progress legislative reform of the *Mining Act 1971*.**

- a. Amend the 18-year compulsory relinquishment of tenure requirements.**
- b. Shift from Part 9B to Right to Negotiate.**

AMEC has strongly advocated for a reform to the *Mining Act 1971* (Mining Act) to address unintended consequences introduced by the compulsory 18-year relinquishment of tenure provisions. We welcomed the Minister's acknowledgement at AMEC's July 2023 'Breaking Ground' event that consideration was being given to alternatives, in recognition of the unintended consequence. We welcome an expedited time to commence these necessary reforms, to address growing uncertainty across industry.





AMEC supports the 'use it or lose it' principle, and in August 2022 provided the Department for Energy and Mining (DEM) with an Options Paper outlining a range of alternative arrangements to uphold the intent of the introduction, without unintentionally diminishing investor and project proponent confidence. Disappointingly, we are yet to see progress.

Companies are nearing the final 'end date' of their tenements under this arrangement. Raising capital to invest, or securing approval to further progress projects which may not have the ability to have the land on which they are located extended, is a high-risk activity that should not exist. This unintended diminishment of certainty and removal of flexibility to respond to market shifts and extenuating circumstances are unfavourable for the State's ability to attract investment to the sector.

Consultation on this reform should be treated as a priority, accompanied by a robust review of other possible amendments to ensure South Australia's legislative framework is best-practice. For example, in addition to our ongoing advocacy that Part 9b must shift to Right to Negotiate or risk losing its accreditation and support, we also recommended the three-exploration regulation fee zone model and corresponding fees is reformed, replaced with one consistent fee across the State; the Retention Lease policy is developed; clarity is provided around the 'Scoping' process introduced despite industry concern in the Regulations, and the Exploration Licence Compulsory Relinquishment policy is updated to align with Expenditure Conditions, supported by increasing industry self-regulation, via the Warden's Court.

Increasingly, the use of Part 9B finds companies held up in negotiations or attempted agreement making processes for approximately six-years, one third of a finite exploration licence term. The inability to access land prevents meeting legislative requirements including minimum expenditure, as industry recognises the importance of undertaking and engaging in early, ongoing, best-practice relationship building and engagement. The 'low-level activity' permitted under 9B, is no longer viewed as acceptable, and may threaten relationships, so it is not used as the competitive advantage it was once seen to be. A right to negotiate system can ensure that timeframes are supported by effective resourcing and certainty, whilst supporting the ongoing relationship building between stakeholders.

It is envisaged any potential review will deliver a well-consulted regulatory framework, supported by policies, guidelines and factsheets, that meet checks and balances, whilst maintaining a welcoming investment environment. With the rapid progression and development of the *Hydrogen and Renewable Energy Act 2023*, these modest amendments should be manageable in an acceptable timeframe.

AMEC recommends the prioritisation of these necessary reforms to the Mining Act, with consultation commencing expediently. This process can occur concurrent to the development of renewables legislation, and highlights the need for sufficient and capable resourcing strategies. A robust consultation process should be followed by the timely progression through the drafting and Parliamentary process, to ensure certainty can be reinstated to the sector.

**Recommendation 3: Release and extend the Accelerated Discovery Initiative (ADI) by a further three years, beyond 2025-26.**



The Accelerated Discovery Initiative (ADI) is the South Australian Government's innovative co-funded investment into mineral exploration. It is South Australia's version of a co-funded program to spur mineral exploration activity. From its initial days as the PACE program, this highly successful initiative has been replicated across jurisdictions to leverage private and State capital to ensure exploration efforts across the State continue, to fast-track the discovery of future mines.

AMEC has consistently advocated for the importance of this program, and welcomed the South Australian 2022-23 Budget's continuation of the program to 2025-26. Disappointingly, no ADI round has been released since the Malinauskas Government entered Parliament in 2022. This represents almost \$7M of foregone investment into mineral exploration efforts that could have been utilised across the state. Despite the program's popularity and oversubscription, there is yet to be clarity on why this simple to administer grant program, is not being utilised, and what the funds are instead being used for.

A 2021 WA Government funded-study of a similar co-funding program found that every \$1M invested stimulated exploration activity which generated \$10.3M in direct benefits for the state. Independent studies on other similar Government initiatives including the previous PACE program in South Australia, and Western Australia's Exploration Incentive Scheme (EIS) showed returns of 19:1 and 10:1 respectively. No other co-funded Government programs can offer such a significant return on investment. Co-funded programs demonstrate Government support for the industry. The Government of South Australia, and its Geological Survey (GSSA) are essentially the State's largest explorer. However, it is mineral explorers who make the discoveries of geological deposits that are developed into producing mines. These explorers are working in remote areas, under cover at greater depth. It is challenging to attract private investment, particularly to greenfield exploration efforts. Incentives are necessary to ensure exploration efforts continue to be undertaken by a wide variety of companies, across a range of commodities, in South Australia.

AMEC recommends the South Australian Government releases the currently stalled, back-dated rounds of the ADI for 2022 and 2023; and with the 2024-round, announces a further extension of the successful co-funded exploration program.

#### **Recommendation 4: Fund and open the Critical Minerals Development Fund under South Australia's Critical Minerals Strategy.**

AMEC has consistently led calls for a South-Australia specific critical minerals strategy, to capitalise on the opportunities the state's diverse mineral resources offer, and the downstream processing capabilities it can support. Specific funding mechanisms, such as the Critical Minerals Development Fund referred to in the developing South Australian Critical Minerals Strategy, are required to unlock the untapped potential of critical mineral deposits across the state.

With South Australian Government support, the Commonwealth Government should be encouraged to see the backing of the State's projects, when it too allocates its critical minerals funding to propel project development. Ongoing alignment between the State and Commonwealth is needed to best-

position South Australian companies to benefit from the US Inflation Reduction Act's US\$369B in funding for decarbonisation efforts.

Industry welcomes a Fund, comprised of competitive grant money similar to the Accelerated Discovery Initiative (ADI) for all minerals be introduced as a fixed line item to South Australia's Budget. It is important that this Fund is specific to critical minerals, while the ADI remains open to all mineral commodities. The Fund should sit separate to the establishment of common use infrastructure, research and development, and multi-use demonstration plants, as a source of funding to accelerate project development and ensure South Australia is competitive with other critical minerals jurisdictions.

It should be clearly outlined who will manage this Fund, if it will be comprised of one pool of money for a fixed period of time or instead have rounds of funding, the governance and eligibility criteria, if it is intended to attract new processing capacity to the State or ramp up existing capacity, and interaction with other funding mechanisms available in the state.

These incentives would benefit from being highlighted by the Department for Trade and Investment (DTI, SA), Austrade, and Commonwealth Critical Minerals Office (CMO) to showcase to the world, the support the State has for its minerals sector.

AMEC recommends the total funding amount for the initial phase of the Critical Minerals Development Fund is announced and open to applicants in this Budget period.

### **Recommendation 5: Progress vital infrastructure developments including road, rail and port access, and the Northern Water Project.**

As increasing demand for existing infrastructure continues to grow, strategic plans for expansion and maintenance must be carried out in a pragmatic manner. As mineral explorers and miners develop projects from early exploration, access to reliable infrastructure is vital to safety, secure and reliable access, and aligning to project timelines.

In regional areas, upgrades can take extended periods of time and come at a heightened cost. It is important access routes are not compromised, to ensure that conditions can be met, and development can continue.

With increasing demand from multiple user groups, planning for road, rail and port access improvements is long-overdue. AMEC appreciates the opportunity to participate in the State Government's Freight and Supply Chain Strategy Consultative Committee, but welcomes the expedition of the economic heatmap for minerals projects. We recommend this is overlaid with the infrastructure development pipeline, to ensure key growth minerals provinces have been accounted for in State and Commonwealth Government planning, and is subject to regular review.

Feasibility studies require cost and impact assessments for different modes of transport, import and export. Access to these modes is currently constrained, particularly ports, and must be addressed in order to enable the growth of the minerals industry and other industries, who are all competing for limited access.

Similarly, with water shortages across the nation and globe frequently cited as a growing risk, the finalisation of the Northern Water Project is vital to providing security of supply to South Australia's regional communities. The mining sector and multiple other users will have a reliable, secure source of water when this project progresses and is developed. We welcome the announcement of the further studies for the Project focussing on the Cape Hardy site, as this can unlock water sources for the northern and southern Eyre Peninsula and remote communities. Together with the Cape Hardy Port Project, there is strong potential to increase the provision of critical infrastructure and utilities to numerous user groups. Cape Hardy should be named as the preferred location for the port development, to facilitate these developments.

AMEC recommends the South Australian Government prioritises infrastructure developments with a specific view to secure and increase road, rail and port capacity, and progress the Northern Water Project.

**Recommendation 6: Establish a Heritage Assistance Program, enabling eligible resource tenement holders to receive a rebate from their heritage survey costs towards their exploration expenditure requirements.**

Heritage surveys are an important, fundamental part of agreement making and land access. Engagement and progress towards works, including surveys, start from the earliest stages of exploration, to establish long-lasting relationships with traditional owners and Aboriginal peoples.

The costs of heritage surveys continue to escalate, and limited legislative intervention has contained the growth in these costs. The increasing costs are a significant barrier to land access and mineral exploration. Greater support is needed from Government to ensure exploration can continue.

Western Australia has recently introduced the Heritage Assistance Program, following strong AMEC advocacy and recommendation, with Government recognition of the need for intervention following amendments to the *Aboriginal Heritage Act 1972 (WA)*.

For a period of five years, eligible mineral exploration and mining companies who are actively undertaking works and incurring Aboriginal heritage survey costs can apply for the rebate. Eligible holders of an exploration licence may apply for assistance and if successful will receive a rebate for heritage survey costs incurred on their tenement.

The holder of an exploration licence can, for the first three years of the Program, apply for a rebate of heritage survey costs incurred, up to a maximum of 50 per cent of the annual rent payable on the affected tenement. For the last two years of the Program, the holder of an exploration licence can apply for a rebate of heritage survey costs incurred, up to a maximum of 25 per cent of the annual rent payable on the affected tenement.

The holder of a prospecting licence will be able to apply for a rebate of heritage survey costs incurred, up to a maximum of the total of the annual rent payable on the affected tenement for the entire program.

The program will be administered by Department of Mining, Industry Regulation and Safety (DMIRS) through the Form 5 Reports on expenditure of mineral exploration.

It will be limited to the holder (or the authorised designated tenement consultant) of a prospecting licence or exploration licence may apply for the assistance. Producers with an annual gross production value of greater than \$600 million will be considered ineligible for the assistance.

AMEC recommends the Heritage Assistance Program is introduced in South Australia, to provide support to eligible mineral explorers via a rebate of their heritage survey costs towards their exploration expenditure requirements.

### **Final comment**

AMEC has provided six targeted recommendations to the South Australian Government ahead of the 2024-25 Budget. With modest Budgets for the minerals industry in the first two years of this Government, it is important investment is made into the sector now, to remain competitive and meet the ambitions set by the State and Commonwealth Government.

AMEC welcomes continued opportunity to work with Government to ensure industry's views are represented, and optimal outcomes for mineral explorers and emerging miners are delivered.

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