



# Compliance and Enforcement Report

## 1 July 2024–30 June 2025

### Executive summary

The Department of Mines, Petroleum and Exploration (DMPE) is committed to delivering high-quality, transparent regulatory services that meet the expectations of all stakeholders including the Western Australian community. The department's principal objective for environmental regulation is to ensure that resource industry activities are designed, operated, closed, decommissioned and rehabilitated in an ecologically sustainable manner, consistent with agreed environmental outcomes and post-mining and post-activity land uses without unacceptable liability to the State.

To achieve this objective, DMPE, through its Resource and Environmental Compliance (REC) Division, undertakes a broad compliance program across multiple regulatory areas.

This report summarises performance and outcomes from the former Department of Energy, Mines, Industry Regulation and Safety's REC Division's environmental and engineering compliance functions delivered under the 2024–25 Compliance Program. It focuses on oversight of environmental performance and engineering standards for operations regulated under the *Mining Act 1978* and State petroleum legislation, including the investigation and regulation of unauthorised and illegal resource activities. Results presented in this summary relate only to this subset and do not represent DMPE's full compliance program. The report is published to demonstrate how DMPE is undertaking compliance and to provide transparency for the community on how Western Australia's resources are being developed responsibly.

Within this scope, the division completed 674 compliance activities, combining desktop assessments with on-ground site inspections, equating to 102 per cent of the approved program. This approach enabled risk-based prioritisation during the year, directing regulatory effort toward matters with the greatest potential impact on environmental outcomes and engineering integrity.

The report is separated into mining and petroleum operations, addressing both environmental and engineering matters as appropriate.

For mining environment, compliance activities comprised 107 inspections and 238 desktop assessments. Overall, tenement holders demonstrated a sound compliance culture, however common themes were present throughout exploration and mining operations. Exploration compliance averaged 66 per cent, with recurring deficiencies in quality and timeliness of site rehabilitation and adherence to approved disturbance footprints. Mining operations compliance issues related to inadequate closure and poor management of waste rock, specifically in relation to surface water runoff.

For petroleum environment, the division undertook 14 inspections and four desktop assessments. Decommissioning remains a key regulatory focus area particularly as more infrastructure across Western Australia's petroleum sector reaches the end of its operational life. This also reinforces the importance of the timely removal of petroleum infrastructure to decrease the risk of environmental harm. Where necessary, formal notices were issued to require removal or remediation, and approved Environment Plans (EPs) were used to strengthen decommissioning commitments.

In petroleum engineering, 267 desktop assessments supported by six targeted site inspections were conducted. Outcomes from these activities highlighted progress and challenges in petroleum infrastructure integrity and compliance with regulatory approvals. Enforcement actions addressed instances where work was conducted beyond approved plans, verification for pressure systems or well barriers was incomplete, or integrity controls required strengthening.

Across the subset, the division concluded two prosecutions and issued more than \$300,000 in penalties. Where non-compliance matters were identified, the division applied proportionate enforcement action to drive behaviour change and restore compliance. The division used a variety of enforcement tools ranging from warning letters, directions to modify, investigative referrals, cease-work directives and mining security reviews. These were applied proportionately to the nature and significance of the non-compliance, reinforcing that the majority of operators comply while ensuring clear and timely consequences where they do not.

Looking ahead, priorities for the 2025–26 compliance period include early, evidence-based scrutiny of closure readiness and decommissioning of aging infrastructure. DMPE also intends to strengthen its enforcement action for poor surface water controls due to the multitude of instances that have occurred over the past 12 months. Mining operations that consistently fail to meet their environmental obligations can expect the application of mining securities, in addition to penalties and directions. The division will maintain predictable, proportionate enforcement, providing administrative warnings for minor issues and directions, and securities or prosecutions for material or repeated breaches. Through this approach, DMPE seeks to sustain community confidence in the responsible development of Western Australia's resources sector.

## 1. Introduction

DMPE is responsible for a broad range of compliance functions across multiple regulatory areas.

This report provides a summary of performance and key outcomes specifically relating to the REC Division’s technical environmental and engineering compliance functions under the 2024–25 Compliance Program (see Table 1). While the REC Division has a wider regulatory remit, this report focuses solely on those functions that oversee environmental performance and technical standards of operations regulated under the *Mining Act 1978* and petroleum legislation. This includes the investigation and regulation of unauthorised and illegal resource activities.

**Note:** This report excludes compliance data and activities relating to mine safety, which are independently reported by WorkSafe.

**Table 1 – Key compliance functions and focus areas: Resource and Environmental Compliance Division**

Function	Legislation	Focus areas
<b>Environmental compliance</b>	<ul style="list-style-type: none"> <li>• <i>Mining Act 1978</i></li> <li>• Environmental Protection (Clearing of Native Vegetation) Regulations 2004</li> <li>• <i>Petroleum and Geothermal Energy Resources Act 1967</i></li> <li>• <i>Petroleum (Submerged Lands) Act 1982</i></li> <li>• <i>Petroleum Pipelines Act 1969</i></li> <li>• <i>Barrow Island Act</i></li> </ul>	<p>Resource industry activities are designed, operated, closed, decommissioned and rehabilitated in a responsible and ecologically sustainable manner, consistent with agreed environmental outcomes and objectives.</p> <p>Unavoidable impacts to native vegetation are mitigated and managed.</p>
<b>Petroleum and energy engineering</b>	<ul style="list-style-type: none"> <li>• <i>Petroleum and Geothermal Energy Resources Act 1967</i></li> <li>• <i>Petroleum (Submerged Lands) Act 1982</i></li> <li>• <i>Petroleum Pipelines Act 1969</i></li> <li>• <i>Barrow Island Act 2003</i></li> </ul>	<p>Petroleum and energy resources oversight to ensure all activities adhere to “good oilfield practice” and are carried out in a proper and workmanlike manner. This includes assessing and approving key technical submissions at each stage (such as drilling proposals, well design plans, field management programs and eventual abandonment strategies) to verify that projects will be executed safely, efficiently, and in line with industry best practices.</p>
<b>Resource sector compliance investigations</b>	<ul style="list-style-type: none"> <li>• <i>Mining Act 1978</i></li> <li>• <i>Petroleum and Geothermal Energy Resources Act 1967</i></li> <li>• <i>Petroleum (Submerged Lands) Act 1982</i></li> <li>• <i>Petroleum Pipelines Act 1969</i></li> </ul>	<p>Ensuring statutory obligations are met by monitoring ongoing compliance via inspections, audits and performance reviews. Enforcing standards of well integrity, sound reservoir management and production efficiency to secure optimal resource recovery.</p>

## 2. Overview of compliance activities for the Resource and Environmental Compliance Division

### 2.1. Compliance target

At the beginning of each financial year, the REC Division sets compliance activity targets for the coming financial year. For the 2024–25 period, the REC Division planned to undertake a total of **661** environmental and engineering compliance activities. These activities were split between site inspections (**136**) and desktop compliance assessments (**525**).

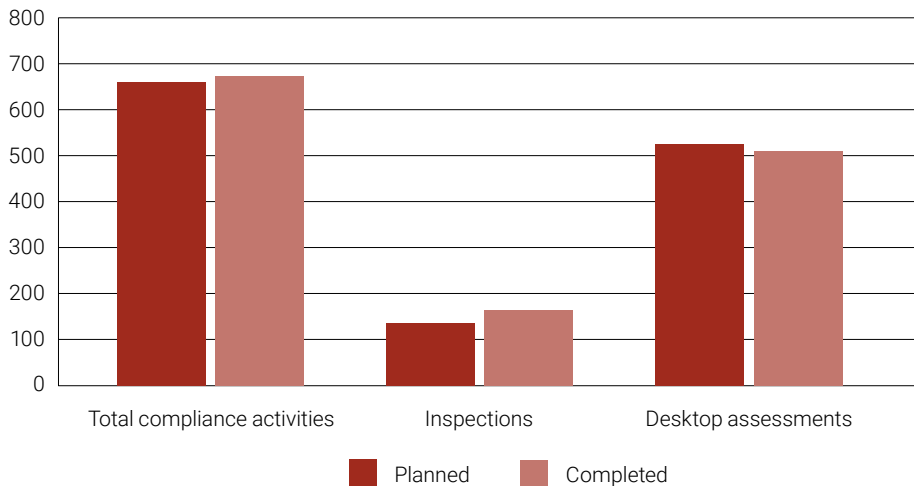
When setting a compliance target for the year, a risk-based compliance approach is used to identify areas for proactive work while retaining capacity to undertake reactive, additional, unexpected or ad hoc activities in response to acts of non-compliance that arise throughout the year.

Due to the scale of the WA resources industry, a risk-based approach means the department allocates resources in proportion to the level of risk an activity or operation poses to the environment.

### 2.2. Resource and Environmental Compliance Division’s overall performance against compliance target

During the 2024–25 reporting period, the REC Division completed **674** environmental and engineering compliance activities. This represents completion of 102 per cent of its planned compliance program.

**Figure 1 – Overview of REC Division’s compliance activities for the reporting period**



During the reporting period, the REC Division undertook a number of responsive or additional compliance activities and reprioritised planned desktop assessments as additional site inspections. This is reflective of the REC Division’s risk-based approach to compliance, where resources are directed towards high-risk operations and activities as they are identified during the year.

Further commentary on the REC Division’s performance against specific regulatory areas is outlined in the sections below.

### 3. Mining compliance

The REC Division assesses mining industry compliance with environmental conditions and obligations under the *Mining Act 1978* and associated regulations, both during operations and as operations progress towards closure<sup>1</sup>.

A summary of the compliance outcomes undertaken for the reporting period is displayed in Table 3 and a summary of corresponding enforcement actions and outcomes is included in section 7 of this report.

**Table 3 – Mining environmental compliance activities**

Compliance activities	Number completed in reporting period
<b>Inspections (onsite)</b> <i>These involve physical visits to mine or exploration sites to assess compliance with environmental and operational requirements firsthand.</i>	107
<b>Desktop compliance assessments</b> <i>These are remote reviews of submitted documentation, satellite imagery, monitoring data and reports to evaluate adherence to licence conditions and regulatory obligations without a site visit.</i>	238
<b>Open compliance matters under consideration</b> <i>This refers to ongoing investigations or enforcement cases where compliance issues have been identified but are yet to be resolved or closed.</i>	235

#### Key findings/outcomes:

This section summarises the key environmental compliance focus areas and outcomes for the 2024–25 reporting period, highlighting progress and challenges in exploration, waste management, rehabilitation and mine closure.

#### Exploration compliance

Exploration and prospecting are considered to be short-term, transient activities which should not result in a lasting impact to the environment. Due to the scale of exploration and prospecting activities occurring in Western Australia (WA), it is particularly important that environmental impacts are appropriately managed to reduce the cumulative impacts of the industry.

The exploration compliance rate, as determined through targeted inspections of exploration sites, was 66 per cent during the 2024–25 period. These inspections primarily focused on sites assessed as having a higher risk of non-compliance or where potential environmental impacts were considered particularly significant.

This compliance rate represents a modest improvement compared to previous years, with rates of 55 per cent in 2022–23 and 63 per cent in 2023–24. However, given variations in the number and selection of inspections conducted each year, this improvement is unlikely to be statistically significant. While this trend reflects encouraging progress, the department sees further opportunities for industry to continue strengthening compliance with environmental management requirements during exploration activities. Common themes or areas where non-compliances were identified include rehabilitation work not being completed to the required standard, not completed within the required timeframe and exploration activities not conducted in accordance with approval conditions.

<sup>1</sup> This section also includes compliance activities undertaken to ensure compliance with Native Vegetation Clearing Permit Conditions.

The timely and appropriate rehabilitation of exploration activities is critical in ensuring that all disturbances are temporary and are rehabilitated (as much as practicable) to pre-disturbance conditions, while being safe to humans and animals and being non-polluting with no permanent impact on ecological functions. The department has targeted guidance on [exploration and prospecting rehabilitation](#). Industry is encouraged to review these guidelines and all relevant tenement conditions prior to commencing exploitation work in order to ensure exploration is undertaken and rehabilitated in accordance with all regulatory requirements.

Activities that are conducted outside of approved areas or not in accordance with conditions of approval are a concern to the department, as these activities have the potential to cause environmental impacts beyond those considered during assessment. Conditions are a mechanism by which DMPE can ensure activities are undertaken in an environmentally acceptable manner and it is essential that companies are aware of, and comply with, all conditions of approval. Failure to do so may result in unacceptable environmental impacts.

**Info box:** One company was fined \$42,143 (across two tenements) for failing to rehabilitate exploration disturbance, including unplugged drill holes, within the required timeframe. Failure to rehabilitate exploration disturbance is a risk to environment due to potential land degradation and impacts to biodiversity and human safety. Unplugged drill holes act as pitfall traps for terrestrial and small avian fauna and can be a hazard to people working in the area if subsidence has occurred.

In another example, a company was fined \$30,000 for failing to conduct activities in accordance with a condition of their approval which required a flora survey to be undertaken prior to any clearing activities.

The department will continue to focus inspection efforts on higher-risk sites and work collaboratively with industry to promote best practices in exploration environmental management. Improving compliance in this area is critical to minimising cumulative environmental impacts and supporting sustainable resource development.

### **Progressive rehabilitation and progress towards closure outcomes**

Compliance activities undertaken as part of the 2024–25 program revealed that 54 per cent of assessed mine sites were undertaking some form of progressive rehabilitation. Whilst this is encouraging progress, this indicates there are opportunities for industry to improve the integration of progressive rehabilitation with operational activities, and strengthen alignment with approved closure outcomes.

At the same time, 60 per cent of compliance reviews identified concerns regarding whether mine sites were on a clear and credible path toward achieving their agreed closure objectives. Common issues observed during compliance reviews included the deferral of rehabilitation works without adequate justification, lack of material balance planning to support final landform construction and minimal integration of closure considerations into ongoing operational decisions. In some cases, operators were relying heavily on end-of-life rehabilitation strategies rather than embedding progressive rehabilitation throughout the mine-life cycle.

These findings highlight persistent challenges in how some operators are planning for and delivering on their mine closure obligations. In several cases, closure planning appears to be treated as a standalone exercise rather than being embedded in operational decision-making and progressively implemented throughout the life of the mine. This disconnect can result in delayed rehabilitation, increased residual risk and greater uncertainty around the viability of post-mining land use outcomes.

To address these issues, progressive rehabilitation and progress towards achieving closure outcomes will continue to be a focus in the 2025–26 Compliance Program, with a specific focus on the adequacy of closure planning for mines within three years of closure. Operators can expect a detailed examination of progressive rehabilitation progress, material balances, domain-specific closure strategies and contingency planning to ensure they remain on track to deliver safe, stable and non-polluting post-mining landforms that meet agreed land use outcomes.

Where required, the department will increase its use of existing regulatory tools where closure planning or implementation is found to be inadequate. This includes issuing Directions to Modify and/or applying or increasing Mining Securities.

**Info box:** During the 2024–25 compliance period, REC commenced a number of mining security reviews for mining operations throughout the State where concerns for sites at risk of non-compliance with closure and rehabilitation conditions were identified. The purpose of these reviews is to assess whether further financial security is necessary to ensure compliance with environmental obligations. Following one such review, a financial security of approximately \$6 million (across multiple tenements) was recommended for a site where REC identified significant concerns regarding the lack of progressive rehabilitation given the late stage of mine life remaining.

### Management of waste rock materials

In 2024–25, REC observed a concerning pattern of environmental incidents linked to the poor management of waste rock materials. These incidents were primarily associated with inadequate surface water management on constructed landforms and insufficient characterisation and segregation of waste rock properties. Such failures can undermine the achievement of end-of-mine-life closure outcomes, increasing the risk of long-term environmental harm, – particularly through acid and metalliferous drainage and the instability of final landforms.

In 2025–26, the department will increase its regulatory focus on surface water and mine waste management practices to ensure that constructed landforms are safe, stable, non-polluting and capable of supporting agreed post-mining land uses. Particular attention will be given to ensuring surface water runoff is effectively managed to prevent contamination and erosion. Departmental inspectors will undertake targeted inspections and desktop compliance reviews to assess whether operators are appropriately verifying, segregating and managing waste rock materials throughout the mine-life cycle.

Where deficiencies are identified, the department will apply the appropriate regulatory tools, such as Directions to Modify, Stop Work Orders and Mining Securities to enforce compliance with environmental conditions and ensure that necessary corrective actions are implemented. The department expects industry to proactively manage mine waste to a standard that supports effective rehabilitation and long-term environmental outcomes.

**Info box:** Over the course of the reporting period, REC issued over \$100,000 in penalties for incidences relating to surface water or waste rock management. These cases highlight ongoing gaps in industry practice and reinforce the need for more rigorous oversight and improved performance in this area.

## 4. Environmental compliance: Petroleum

The REC Division assesses petroleum industry compliance with environmental conditions and obligations under the State petroleum legislation, which aims to ensure that activities are conducted in an environmentally responsible manner – both during operations and decommissioning.

A summary of the compliance outcomes undertaken for the reporting period is displayed in Table 4 and corresponding enforcement actions are displayed in section 7 of this report.

**Table 4 – Petroleum environmental compliance activities**

Compliance activities	Number completed in reporting period
<p><b>Inspections (onsite)</b></p> <p><i>These involve physical visits to petroleum production, exploration or processing sites to assess compliance with environmental, safety and operational requirements firsthand.</i></p>	14
<p><b>Desktop compliance assessments</b></p> <p><i>These are remote reviews of submitted documentation, monitoring data and reports to evaluate adherence to petroleum licence conditions and regulatory obligations without conducting a site visit.</i></p>	4
<p><b>Open compliance matters under consideration</b></p> <p><i>This refers to ongoing investigations or enforcement cases where compliance issues have been identified but are yet to be resolved or closed.</i></p>	2

### Key findings/outcomes:

This section summarises the key environmental compliance focus areas and outcomes for the 2024–25 reporting period, including challenges associated with decommissioning, particularly in relation to the removal and decommissioning of aging infrastructure.

### Decommissioning/aging infrastructure

The department continues to monitor decommissioning activities across both onshore petroleum operations and those located in state waters. Decommissioning is a key regulatory focus area particularly as more infrastructure across Western Australia's petroleum sector reaches the end of its operational life. This includes wells, pipelines, flowlines and surface and subsea facilities that must be safely abandoned, removed or made safe in accordance with legislative and environmental requirements.

While industry has made encouraging progress in managing decommissioning obligations, particularly in planning and scheduling activities, challenges remain – especially for older infrastructure where technical complexity, environmental risk, and cost may increase. This is particularly relevant for facilities in state waters where additional safety, access and marine environmental considerations apply.

Properly executed decommissioning is essential to ensure long-term environmental protection, prevent legacy liabilities and demonstrate responsible resource development. It is also critical in supporting public confidence and aligning with community expectations regarding end-of-life petroleum operations. As more assets approach closure, DMPE will continue to prioritise oversight of decommissioning activities. Operators are expected to demonstrate clear planning, appropriate risk assessments and timely execution of works to ensure compliance and safe environmental outcomes.

**Info box:** During the reporting year, REC assessed and approved four Environment Plans (EPs) specifically for decommissioning activities. All EPs were required to include robust commitments for decommissioning and rehabilitation. These commitments included the plugging and abandonment of unsuccessful wells, progressive removal of equipment and infrastructure no longer in use and rehabilitation of native vegetation following petroleum exploration. Such measures reduce long-term environmental risks by preventing well integrity failures, minimising land disturbance and ensuring restoration of affected areas.

### Timely removal of infrastructure

The timely removal of petroleum infrastructure is essential because infrastructure left in place beyond the operational life of a project can deteriorate and increase the risk of environmental harm. Retained infrastructure also delays the rehabilitation of disturbed areas, prolonging environmental disturbance and delaying the return of land to agreed post-activity uses. Separately, infrastructure that is left in place represents an unacceptable risk of becoming a legacy liability for the State if operators fail to meet their obligations.

**Info box:** In February 2025, REC issued a notice under section 101(2) of the *Petroleum and Geothermal Energy Resources Act 1967* requiring a petroleum title holder to remove property, equipment and infrastructure from the licence area and remediate the site. Degrading infrastructure poses a risk to the environment through potential contamination, land degradation and impacts to surrounding land use. Remediation will restore the land to a condition suitable for adjacent land uses and reduce ongoing environmental impacts. The department encourages operators to reflect on these findings and continue to improve decommissioning strategies as a core element of responsible lifecycle management.

## 5. Petroleum energy engineering compliance

The REC Division assesses petroleum and energy engineering compliance under state petroleum legislation, which aims to ensure safe, efficient and environmentally responsible development of petroleum and energy resources.

A summary of the compliance outcomes undertaken for the reporting period is displayed in Table 5 and a summary of corresponding enforcement actions and outcomes is included in section 7 of this report.

**Table 5 – Petroleum and energy engineering compliance activities**

Compliance activities	Number completed in reporting period
<p><b>Inspections (onsite)</b></p> <p><i>These involve physical visits to petroleum production, exploration or processing sites to assess compliance with operational requirements firsthand.</i></p>	6
<p><b>Desktop compliance assessments</b></p> <p><i>These are remote reviews of submitted documentation, monitoring data and reports to evaluate adherence to petroleum licence conditions and regulatory obligations without conducting a site visit.</i></p>	267
<p><b>Open compliance matters under consideration</b></p> <p><i>This refers to ongoing investigations or enforcement cases where potential compliance issues in petroleum operations have been identified but are yet to be resolved or closed. These include wells for which annual well integrity reports have not been provided by the operator and other non-compliances with the approved well management plans.</i></p>	12

### Key findings/outcomes:

This section summarises the key engineering compliance focus areas and outcomes for the 2024–25 reporting period, highlighting progress and challenges in petroleum infrastructure integrity, well integrity management and decommissioning activities.

### Conducting activities without approval

It is a regulatory requirement that all petroleum companies obtain the necessary approvals before undertaking any field activities. During the reporting period, REC identified several instances whereby activities were conducted without the necessary approval including commencement of surface surveys and infrastructure construction. Regulatory approvals are essential because they ensure that proposed activities have been properly assessed for potential environmental impacts, engineering integrity and safety risks. Approvals allow the department to verify that operations comply with legislative and licence conditions, incorporate appropriate mitigation measures and minimise risks to surrounding land, infrastructure and communities.

**Info box:** During the reporting period, REC identified a company that had commenced a surface survey without obtaining the required approval of the Minister under regulation 9 of the Petroleum and Geothermal Energy Resources (Resource Management and Administration) Regulations 2015. The requirement to obtain survey approval is to ensure that the survey satisfies work commitments, the design and location is fit for purpose and that data, which is of current and future benefit to the State, is acquired at the right time in the asset's life cycle, while protecting the environment and stakeholders. Undertaking activities without approval is a compliance risk as it undermines data integrity and prevents the department from ensuring survey information is accurate, consistent and properly recorded. Following an investigation and site inspection by the department, the title holder implemented corrective action to address the non-compliance. In this instance, the department determined that pursuing prosecution was not in the public interest, and a warning letter was issued to the title holder.

In a separate case, REC identified a company that had constructed a flowline not covered under its approved Field Management Plan (FMP), contravening regulation 48(1) of the Petroleum and Geothermal Energy Resources (Resource Management and Administration) Regulations 2015. FMPs are documents that describe how a licensee will develop and subsequently manage a petroleum resource for the lifecycle of the field within their title and demonstrate how petroleum operations are carried out in accordance with good oilfield practice and compatible with the optimum long-term recovery of petroleum. Constructing infrastructure outside an approved FMP is a compliance risk as it may compromise the recovery of petroleum for the State. Following investigation and facility inspection the company was required to submit a revised FMP and implement measures to ensure future compliance.

## Well integrity

Well integrity remains a critical focus area within petroleum operations to ensure safety, environmental protection and the long-term containment of hydrocarbons. During the 2024–25 reporting period, well integrity issues were identified in several ageing petroleum wells where there was potential for hydrocarbon migration from gas-bearing formations into shallow groundwater.

In response, REC conducted site inspections at several wells, collected information and engaged with onsite personnel. Investigations into specific well integrity matters have also commenced and remain ongoing. In parallel, the department's technical team is holding quarterly engagements with operators to prioritise and implement appropriate plug and abandonment programs for affected wells.

The objective is to ensure that ageing infrastructure does not pose ongoing environmental or safety risks and that operators take timely and effective action to remediate or properly close wells that no longer meet integrity standards. This includes ensuring that incidents of compromised well integrity are reported promptly to the department.

**Info box:** During the reporting period, REC's site inspection program included visits to locations where potential hydrocarbon seepage had been identified. In one case a notice was issued under the relevant petroleum regulations requiring the operator to submit a revised EP with an updated risk assessment to address the changed risk profile. This regulatory action was taken in addition to ongoing well integrity investigations which will be reported in future compliance reports.

## 6. Investigations and prosecutions

This section outlines the department's investigations and prosecutions that focus on possible (or actual) contraventions of the Acts and Regulations related to mineral and petroleum activities. These activities include investigations into illegal or unlicensed mining and exploration activities as well as investigations and legal proceedings relating to petroleum activities.

Through a combination of intelligence gathering, targeted onsite inspections and enforcement actions, the department aims to uphold the integrity of the resource management framework, deter unlawful activities and protect environmental and community values.

**Table 6 – Compliance activities**

Compliance activities	Number completed in reporting period
<b>Inspections (onsite)</b> These onsite inspections are undertaken specifically to investigate suspected unauthorised resource activities, such as illegal mining.	38
<b>Open compliance matters under consideration</b>	25

### Key Findings/outcomes

During the 2024–25 reporting period, the REC Division undertook several investigations into suspected unauthorised resource activities across WA and finalised legal proceedings against a petroleum titleholder for operating in contravention of the relevant petroleum legislation.

### Illegal mining

Investigations were initiated in response to reports received from a range of stakeholders and intelligence suggesting operators are undertaking activities contrary to the provisions of the Act, which constitutes a criminal offence. The department continues to treat unauthorised operations as a priority compliance matter, recognising the environmental, economic and reputational risks posed by illegal activities in the resource sector. The Investigations team work closely with other regulatory agencies including the department of Planning, Lands and Heritage, the Western Australian Police and the Gold Stealing Detection Unit in order to identify any potential offences under the Act or other relevant legislation and investigate accordingly. Having strengthened these key external relationships, the team has noticed a significant increase in complaints being received in the previous reporting period as opposed to previous years, which should put industry on notice that any unlawful activity will be identified.

**Info box:** In March 2025, a contractor was fined \$38,000 (and ordered to pay costs of \$5,000), after being charged under the *Mining Act 1978* with mining on land without authorisation. This was the culmination of a REC investigation which had revealed that between May and June 2022 the contractor had conducted an illegal sand mining operation. Mining without authorisation undermines the rights of tenement holders and disrupts regulated industry practices. The department will continue to enforce compliance with mining regulations and prosecute any illegal activities.

## Petroleum prosecution

Penalties for non-compliance with the Petroleum Acts can only be applied through court action. For this reason, alongside investigating unauthorised mining, DMPE also investigates potential breaches of petroleum legislation and takes legal action where required.

**Info box:** In March 2022, a condensate spill occurred at Santos WA Northwest Pty Ltd's (Santos) Varanus Island Marine Terminal, resulting in the release of around 25,000 litres of condensate into the marine environment. Following an investigation by the department, Santos was charged with failing to operate its licensed pipeline in a proper and workmanlike manner and failing to prevent the escape of petroleum as required under the *Petroleum (Submerged Lands) Act 1982*.

## 7. Enforcement actions

Where the department's compliance activities conclude that a tenement or titleholder has failed to meet the requirements of its obligations, DMPE publishes the details of each noncompliance matter in a tiered basis. The tiered scale of reporting is as follows for any individual tenement or titleholder:

- Penalties below \$20,000 – DMPE will publicise the nature of the breach but withhold the tenement/title holder name.
- Penalties above \$20,000 – DMPE will publicise the tenement/title details (including the holder's name).

More information on this approach is provided within the [Environmental Compliance and Enforcement Procedure](#).

**Table 8 – Enforcement actions for 2024–25 mining compliance program**

Type of enforcement action	Number
<p><b>Warning letters</b></p> <p><i>Warning letters are formal communications issued to operators when minor or initial non-compliance issues are identified. They serve to notify the operator of the breach and request corrective action, often without escalating to more severe regulatory measures. Warning letters encourage voluntary compliance and timely resolution.</i></p>	29
<p><b>Directions to Modify</b></p> <p><i>Directions to Modify are legally binding orders under the Mining Act 1978 requiring an operator to change or adjust their activities to address specific non-compliance or risks. These directions ensure that operations are brought back into alignment with approved plans, licence conditions or legislative requirements.</i></p>	4
<p><b>Stop Work Orders</b></p> <p><i>Stop Work Orders are immediate enforcement actions that require the cessation of all or part of an operation. They are typically issued when activities pose a significant environmental, safety or regulatory risk, or where work is occurring without the necessary approvals. Stop Work Orders remain in effect until the operator rectifies the issues and obtains departmental approval to resume.</i></p>	0
<p><b>Investigative referrals</b></p> <p><i>These refer to referrals to the DMPE investigations team.</i></p>	8
<p><b>Cease mining directions</b></p> <p><i>Directions to cease mining are issued pursuant to section 158(3) of the Mining Act in response to potential illegal mining activities.</i></p>	2

**Table 9 – Enforcement actions for 2024–25 petroleum compliance program**

Type of action	Number
<p><b>Warning letters</b></p> <p><i>Warning letters are formal communications issued to operators when minor or initial non-compliance issues are identified. They serve to notify the operator of the breach and request corrective action often without escalating to more severe regulatory measures. Warning letters encourage voluntary compliance and timely resolution.</i></p>	29
<p><b>Revisions required by Minister or delegate under relevant regulations</b></p> <p><i>Under the various petroleum regulations, the Minister has the ability to give notice to an operator requesting revision/s to a range of management plans. These directions may be given where matters relevant to the operation change following approval of the plan and it is determined that an updated plan is required.</i></p>	3
<p><b>Notice of Intent to issue directions</b></p> <p><i>To afford procedural fairness to title holders, DMPE can notify a title holder of its intent to issue a direction and invite a submission to inform any further enforcement action.</i></p>	8
<p><b>Directions issued</b></p> <p><i>Under the various Petroleum Acts and Regulations, the Minister has the ability to direct title holders to undertake certain actions (i.e. removal of property).</i></p>	1
<p><b>Investigative referrals</b></p> <p><i>These refer to referrals to the DMPE investigations team.</i></p>	13

**Table 10 – Prosecutions active or determined during reporting period**

Prosecution detail	Legislation	Individual/company	Status	Outcome
s.97(4) Work practices	<i>Petroleum (Submerged Lands) Act 1982</i>	SANTOS Limited	Guilty plea and sentenced	\$10,000 fine, plus costs.
s.155(1) Mining without authority	<i>Mining Act 1978</i>	Individual	Guilty plea and sentenced	\$38,000 fine, plus costs
s.155(1) Mining without authority	<i>Mining Act 1978</i>	Two (2) body corporates and one (1) individual	Prosecution action commenced – ongoing	N/A
s.155(1) Mining without authority				
s.155(1) Mining without authority				

**Table 11 – Details of enforcement actions in line with [Environmental Compliance and Enforcement Procedure](#)**

Type of enforcement action	Tenement holder/ titleholder details	Date issued/ finalised	Tenement/s, title/s or activities	Description	Penalty
Penalty in lieu of forfeiture	N/A	31/07/2024	N/A	Breach of tenement conditions being failing to operate in accordance with approved Mining Proposal.	\$19,846
Penalty in lieu of forfeiture	N/A	31/07/2024	N/A	Breach of tenement condition being failing to conduct rehabilitation works within the required time.	\$11,977
Penalty in lieu of forfeiture	Iron Ore Company of Australia Pty Ltd; Windfield Metals Pty Ltd	22/08/2024	E47/3954	Breach of tenement condition being failing to receive approval prior to conducting exploration involving ground disturbing activities.	\$43,025
Penalty in lieu of forfeiture	N/A	28/08/2024	N/A	Breach of tenement condition being failing to rehabilitate disturbance within the required time.	\$9,660
Penalty in lieu of forfeiture	N/A	28/08/2024	N/A	Breach of tenement condition being failure to remove waste.	\$12,076
Penalty in lieu of forfeiture	N/A	28/08/2024	N/A	Breach of tenement condition being failing to rehabilitate disturbance within the required time.	\$7,751
Penalty in lieu of forfeiture	N/A	28/08/2024	N/A	Breach of tenement condition being failure to remove waste.	\$9,960
Penalty in lieu of forfeiture	N/A	16/09/2024	N/A	Breach of tenement condition being for failing to cap or permanently plug drill holes.	\$12,720
Penalty in lieu of forfeiture	GLR Australia Pty Ltd	24/09/2024	E28/2522	Breach of tenement condition being failing to rehabilitate disturbance within the required time.	\$21,064
Penalty in lieu of forfeiture	Emerald Resources (WA) Pty Ltd	16/12/2024	M37/1390	Breach of tenement conditions being failing to operate in accordance with approved Mining Proposal.	\$71,637

Type of enforcement action	Tenement holder/ titleholder details	Date issued/ finalised	Tenement/s, title/s or activities	Description	Penalty
Penalty in lieu of forfeiture	N/A	16/12/2024	N/A	Breach of tenement condition relating to failure to construct and operate in accordance with approval.	\$10,878
Penalty in lieu of forfeiture	Global Advanced Metals	27/3/2025	M45/923	Breach of tenement condition being failing to rehabilitate disturbance within the required time.	\$20,126
Penalty in lieu of forfeiture	Global Advanced Metals	27/3/2025	M45/351	Breach of tenement condition being failing to rehabilitate disturbance within the required time.	\$22,017
Penalty in lieu of forfeiture	N/A	1/4/2025	N/A	Breach of tenement condition being failing to operate in accordance with approved Mining Proposal.	\$11,977
Penalty in lieu of forfeiture	N/A	2/4/2025	N/A	Breach of tenement condition being failing to operate in a manner to minimise disturbance to existing vegetation and natural landform.	\$18,805
Penalty in lieu of forfeiture	N/A	2/4/2025	N/A	Breach of tenement condition being the failure to operate a Tailings Storage Facility to minimise seepage.	\$16,820
Penalty in lieu of forfeiture	Mt Ridley Mines Ltd	3/2/2025	E63/2112	Breach of tenement condition being failure to clear vegetation in accordance with approved Programme of Work.	\$30,000
Penalty in lieu of forfeiture	Barto Gold Mining Pty Ltd	6/5/2025		Breach of tenement condition being the failure to operate a Tailings Storage Facility to minimise seepage.	\$20,500
Direction to Modify	N/A	19/12/2024	N/A	A Direction to Modify the management of a tailings storage facility was issued under the Mining Regulations 1981 to encapsulate the surface using non-acid forming, stabilising material to prevent further migration of tailings and dust.	N/A

Type of enforcement action	Tenement holder/ titleholder details	Date issued/ finalised	Tenement/s, title/s or activities	Description	Penalty
Direction to Modify	N/A	19/12/2024	N/A	A Direction to Modify the management of a tailings storage facility was issued under the Mining Regulations 1981 for the removal of sediment from toe drains and the northern seepage pond and increase the capacity of this seepage pond to contain a 1:100 year Annual Exceedance Probability, 72-hour storm event and maintain a minimum embankment freeboard of 300 mm.	N/A
Direction to Modify	N/A	6/2/2025	N/A	A Direction to Modify a sand tailings stockpile was issued under the Mining Regulations 1981 to reduce dust generation through the application of a polymer soil binding agent and reapply as necessary.	N/A
Direction to Modify	N/A	2/5/2025	N/A	A Direction to Modify the management of sediment from a tailings storage facility and waste rock landform was issued under the Mining Regulations 1981 for the installation of sediment bunds designed to contain run-off from a 1:100 year Annual Exceedance Probability, 72-hour rainfall event.	N/A

### Reporting concerns

DMPE encourages the community to report incidents or concerns relating to mineral industry activities using the [Environmental Public Reporting form](#). Incidents or concerns relating to petroleum environmental or engineering matters should be reported to the Department using the Petroleum and Energy Compliance contacts listed on the DMPE website. All reports are assessed, and where breaches of conditions or risks of environmental harm are identified, the Department has a range of tools available to respond and ensure compliance.