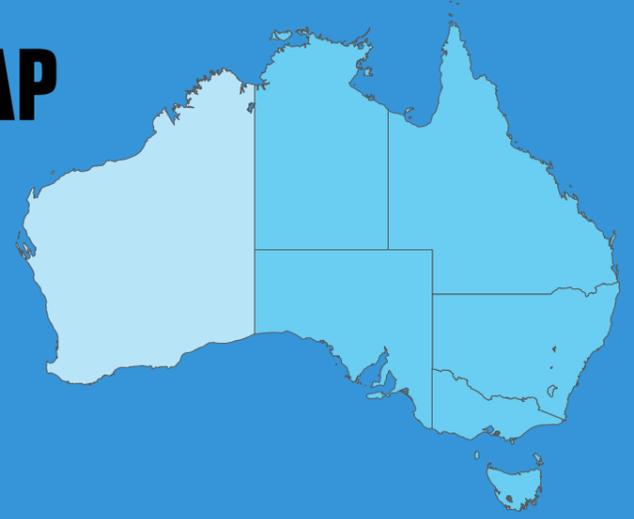


# MINING LICENCE PROCESS MAP

## AUSTRALIA (WESTERN AUSTRALIA)

**LICENCE:****MINING LEASE****RESOURCE TYPE:****ALL MINERALS****SCALE:****LARGE-SCALE****ACTORS:**

Applicant (Miner)



Minister for Mines and Petroleum (WA)



Department of Mines, Industry Regulation and Safety (WA)



Other authorities



Native Title Parties



Public

This process map describes the steps involved in applying for a mining lease to mine (extract and sell) minerals in Western Australia (WA).

In the 2020 [Fraser Institute](#) survey of mining companies, WA ranked number 4 out of 76 global jurisdictions for investment attractiveness. [WA is the main exporter](#) of minerals and petroleum in Australia, accounting for 56% of Australia's mining gross value added in 2018-19. Mining accounted for 36% of WA's gross state product in 2018-19. Iron ore accounted for 60% of WA minerals and petroleum sales in 2019-20, and in 2019 WA contributed 32% to global iron ore production. Other minerals mined in WA include gold and bauxite, nickel, base metals and lithium.

In Australia, minerals are the property of the state and each state and territory has its own mining legislation. State ownership of minerals means the government controls who is given the right to mine rather than private landowners. Mining activities in Western Australia are primarily regulated by the *Mining Act 1978 (WA)* and the *Mining Regulations 1981 (WA)*, which are administered by the Minister for Mines and Petroleum.

Before a mining lease is granted in WA, mining applicants need to satisfy a number of related approval requirements. These can include environmental approvals, native title and Aboriginal cultural heritage agreements, compensating private landowners and addressing any objections to the application.

The WA Department of Mines, Industry Regulation and Safety (DMIRS) is responsible for assessing all mining lease applications. Mining leases [have a term](#) of 21 years and may be renewed for a further term of 21 years. A mining lease may also include authorisation for activities associated with mining – such as infrastructure to support mining operations, the processing of minerals, tailings dams, various types of water storage or treatment plants and rehabilitation and remediation associated with these activities.

In WA, the mining lease application must include one of the following: mining proposal, mineralisation report with supporting statement, or resource report with supporting statement. A mining proposal is much more detailed than the other documents and includes information on activities to be carried out as part of the mining lease, and identification, evaluation and management of significant environmental impacts.

**MINING****STEPS:****ACTORS:****1 APPLICATION****1.1 Mark out ground**

The applicant must first mark out the boundary of the land for which they are seeking the mining lease, using form 20 (notice of marking out).



# MINING LICENCE PROCESS MAP AUSTRALIA (WA)

14  
DAYS

## 1.2 Lodge application

The applicant lodges their application electronically via the Department of Mines, Industry Regulation and Safety (DMIRS) Minerals Titles Online (MTO) website or at any of the DMIRS' Mining Registrar offices. The application must include form 21, the application fee, rent for the first year, and one of the following: mining proposal, mineralisation report with supporting statement, or resource report with supporting statement.

## 1.3 Public notification

The DMIRS notifies the public of the application by publishing it on the MTO website and posting it on the Mining Registrar's office noticeboard. The applicant must provide affected parties with a copy of the application within 14 days of lodgement. Affected parties are those that have an interest in the relevant land such as the owner, any leaseholder or mortgagee, the local council, and Native Title Claimants.



35  
DAYS



## 2 PUBLIC OBJECTIONS

Any person can object to the application within 35 days of the application being lodged. The objection must be made by completing the prescribed form, which can be lodged online through the MTO website or in person at any of the Mining Registrar offices. The objector must provide the applicant with a copy of their objection within 14 days of lodging the objection.



## 3 ASSESSMENT

**3.1 Assessment by Director, Geological Survey** (If the application is submitted with a mineralisation report). The Director, Geological Survey (within the DMIRS), completes an assessment and writes a report on whether or not there is significant mineralisation. The Director gives the report to the Minister for Mines and Petroleum, the Mining Registrar and the Mining Warden.



### 3.2 Assessment by Mining Registrar

If no objections have been lodged, the mining registrar (within the DMIRS) assesses if the applicant has complied with the relevant requirements and sends a report to the Minister. The report outlines if the mining registrar recommends granting or refusing the mining lease, and their reasons for the recommendation.



### 3.3 Assessment by Mining Warden

If objections have been lodged, the matter is heard before the Mining Warden in the Warden's Court (within the DMIRS), where both the applicant and objector(s) can present evidence. After the hearing, the Mining Warden sends a report to the Minister. The report outlines if the Mining Warden recommends granting or refusing the mining lease, and their reasons for the recommendation.



### 3.4 Assessment by departmental officer

A departmental officer assesses the application for compliance.



### 3.5 Assessment by relevant minister (reserve land only)

Where the application is over reserve land or proposed reserves, the application is referred to the relevant department/agency/authority for recommendations of the relevant minister.



# MINING LICENCE PROCESS MAP AUSTRALIA (WA)

