



MINERAL EXPLORATION AND PRODUCTIVE MINING APPROVALS AND RESPONSIBILITIES REQUIRED BY THE GOVERNMENT

1. Aboriginal Sites

The provisions of the *Aboriginal Heritage Act 1972 (WA)* are endorsed on all tenements.

The Department of Mines, Industry Regulation and Safety (DMIRS) can provide companies and individuals with a set of guidelines for consultation with indigenous people, and the right to negotiate process, in order to help them comply with this legislation.

For more information about this process please contact:

Department of Mines, Industry Regulation and Safety
Tenure and Native Title Branch
100 Plain Street
East Perth WA 6004

Phone: 08 9222 3812

Fax: 08 9222 3808

2. Clearing of Native Vegetation (Including Trees)

A mining company cannot clear trees or native vegetation without a clearing permit under Part V of the *Environmental Protection Act 1986*, except where exemptions are granted under schedule 6 of the Act or prescribed by regulation in the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (WA)*. The responsibility for the administration, assessment and approval of clearing permit applications relating to mineral and Petroleum activities in WA is delegated to DMIRS.

For more information about this please contact:

Department of Mines, Industry Regulation and Safety
Environment Division
100 Plain St
East Perth WA 6004
Ph: 08 9222 3587
Fax: 08 9222 3860

3. Declared Rare Flora

If a company or individual is undertaking mining activity in an area where there is declared rare fauna they have certain responsibilities under by the *Wildlife Conservation Act 1950*. Currently, an endorsement is placed on all *Mining Act 1978* tenements which place the onus on the tenement holder to contact the Department of Environment and Conservation and comply with the *Wildlife Conservation Act 1950*.

For more information about this please contact:

Department of Biodiversity Conservation and Attractions
Species and Communities Branch
17 Dick Perry Avenue
Kensington WA 6151
Postal: Locked Bag 104, Bentley Delivery Centre WA 6983
General Enquiries: 08 9334 0455
Administrative Officer, Flora: 08 93340422

Department of Mines, Industry Regulation and Safety
Environment Division
100 Plain St
East Perth WA 6004
Ph: 08 9222 3587
Fax: 08 9222 3860

4. Protected Fauna

Section 38 of the *Environmental Protection Act 1986* requires DMIRS to refer to the Environmental Protection Authority any proposal that is likely, if implemented, to have a significant effect on the environment. Possible effects on the environment should be outlined in a Programme of Work or Mining Proposal that is submitted with mining tenement applications.

More information about areas with protected fauna can be obtained from:

Department of Biodiversity Conservation and Attractions

Wildlife Licensing Section

Locked Bag 30

Bentley Delivery Centre WA 6983

Ph: 08 9219 9831

Email: wildlifelicensing@dpaw.wa.gov.au

5. Electrical Installations

Part 5 of the *Mines and Safety Inspection Act 1994* sets out the requirements that a mining company must adhere to when establishing any electrical installations. More specifically, regulation 5.18 specifies requirements regarding high voltage installations, and regulation 5.24 outlines the requirements regarding the safety of earth leakage protection devices.

More information can be obtained from:

Department of Mines, Industry Regulation and Safety

Resources Safety Division

303 Sevenoaks Street

Cannington WA 6107

Phone: 08 9358 8001

Fax: 08 9358 8000

Email: dgsb@dmirs.wa.gov.au

Department of Mines, Industry Regulation and Safety

Energy Safety Division

303 Sevenoaks Street

Cannington WA 6107

Postal: PO Box 135, Cannington WA 6987

Ph: 08 9422 5282

Email: energylicensing@dmirs.wa.gov.au

6. Pollution

Before a mining company can construct, install, alter or operate a plant, if the plant is a prescribed class under the *Environmental Protection Act 1986* they must obtain a works approval and licence from the Department of Environment Regulation.

For more information about this process please contact:

Department of Water and Environmental Regulation
Level 4,168 St Georges Terrace
Perth WA 6000

Ph: 08 64675000
Fax: 08 64675562

7. Transport and Storage of Dangerous Goods

A licence may be required for storage of dangerous goods, and to transport dangerous goods on public roads. Users of explosives will also need to be licenced. For more information on this process please contact:

Department of Mines, Industry Regulation and Safety
Resources Safety Division
303 Sevenoaks St
Cannington WA 6107

Phone: 08 9358 8001
Fax: 08 9358 8000
Email: dgsb@dmirs.wa.gov.au

8. Road/Rail Reserves

A mining company or individual must seek approval from Main Roads or the Public Transport Authority to operate within the road or rail reserves

For more information about this process call:

Main Roads WA
Don Aitken Centre
Waterloo Crescent
East Perth WA 6004

Postal: PO Box 6202, East Perth WA 6892

Ph: 138 138
Email: enquiries@mainroads.wa.gov.au

Public Transport Authority
Network and Infrastructure Division
Public Transport Centre
West Parade, Perth
Postal: PO Box 8125, Perth Business Centre, WA 6849
Ph: 08 93262000
Email: enquiries@pta.wa.gov.au

9. Seed Collecting

Before a mining company can collect native seeds for rehabilitation it must obtain a licence from the Department of Conservation and Land Management. There are different types of licences depending on the classification of the land that the mining tenement lies over.

For more information on this please contact:

Department of Biodiversity Conservation and Attractions

Wildlife Licensing Section

Phone: 08 9219 9831

Email: wildlifelicensing@dpaw.wa.gov.au

10. Survey of Flora and Fauna

Exploration and prospecting activities may only have a low and short term impact upon the environment they are based on, however if they encroach on sensitive areas, or activities increase in intensity, it becomes more necessary to obtain information about the environment that the tenement is based upon.

Tenement holders are advised to consult Environmental Protection Authority Guidance Statement No. 51 "*Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia*" and No. 56 "*Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia*" on www.epa.wa.gov.au as a starting point for determining what level of survey may be required, however DMIRS may impose conditions for further surveys and studies.

For further information please contact:

Department of Biodiversity Conservation and Attractions

Wildlife Licensing Section

Locked Bag 30

Bentley Delivery Centre WA 6983

Ph: 08 9219 9831

Email: wildlifelicensing@dpaw.wa.gov.au

Department of Mines, Industry Regulation and Safety

Environment Division

100 Plain St

East Perth WA 6004

Ph: 08 9222 3587

Fax: 08 9222 3860

11. Water

The Department of Water and Environmental Regulation manages Western Australia's water resources, including wetlands, rivers, estuaries, inlets and groundwater. Operators should consult with the Department of Water during project development for all activities that have the potential to impact water resources. A licence or permit may be required to take water from a water management area or water catchment area, and permission is also needed to supply water to a third party.

For more information about this please contact:

Department of Water and Environmental Regulation

168 St Georges Terrace
Perth WA 6000

Postal: PO Box K822, Perth, WA 6842

Phone: 08 6364 7600

Fax: 08 63647601

Email: atrium.reception@water.wa.gov.au

12. Tailings Dams

A company or individuals management plan for the construction, operation and closure of a tailings dam is now required to be outlined in a mining proposal and mine closure plan (see section 14)

13. Programme of Work – Prospecting & Exploration

Before ground disturbing equipment is used by the holder of a prospecting licence, a programme of work (PoW) must be lodged with DMIRS. Once approved, the PoW application becomes a legally binding document which is often imposed as a tenement condition. This document shall contain key details regarding the mining operations to be undertaken, including (but not limited to):

- Cover letter
 - Description of alternative or unusual exploration or prospecting activities or processes
 - Details on proposed campsites
 - Detailed information about receiving environment (flora and fauna)
 - Information regarding tenement holders, including third parties and multiple holders
 - Additional environmental management or rehabilitation measures and commitments
 - Proposed methods for complying with tenement conditions

- Progress in obtaining other approvals and/or agreements
- Maps – must include the following information at a minimum
 - Scale Bar
 - North Arrow
 - GDA grid coordinates
 - Legend
 - Tenement boundaries and labels
 - Proposed activities and disturbance
 - Proposed line and track clearing
 - Major landforms and topographic features
 - Existing tracks/access to proposed work area
 - Previous disturbance on the tenement, and any pending PoW applications in the vicinity
 - Freehold land, reserves, and proposed reserve boundaries, Public Drinking Water Source Areas and relevant cadastral information
 - Location of aboriginal heritage sites and buffer zones.
- A designated contact that is authorised to answer any queries received and make any changes to the proposal as necessary.

The following is a checklist provided as a guide to ensure that all major items have been addressed. It does not address all aspects of a drilling program:

- Live tenement(s)
- Requirements of all tenement conditions and endorsements addressed
- Authorisation given by all tenement holders
- Surface rights obtained for activities of private land
- Disturbance areas minimised/conforming with DMIRS's standards
- Sumps (or other water management) included if encountering
- Map meets requirements and shows proposed activities confined to tenements
- Disturbance tonnage does not exceed limit for tenement type or excess tonnage application submitted
- DRF and TEC issues addressed
- Consent form vested or managing authority received for activities on Reserve/FNA
- Advice/consent received from DEC. Approved CMP for activities on DEC managed land
- Advice/consent received from DoW for activities occurring in Public Drinking Water Source Area or Water Reserve
- Pastoralist notified (if applicable)
- Consent from occupier received if activity is within 100m of a yard, garden, cultivated field, orchard, vineyard, plantation, airstrip, burial ground, land under crop, substantial occupied building, or within 400m of a water works, race, dam, well or bore
- DIA Aboriginal Heritage Inquiry System checked and DIA advice attached for activities occurring within Aboriginal Heritage sites buffer zones. Section 18 application submitted to DIA if necessary
- OEPA consulted if within an area under assessment by the EPA

- DMIRS/EPA MoU reviewed and EPA consulted if proposed activities meet any criteria in schedule 1
- Native vegetation clearing permit application submitted if activities occurring in an ESA
- Rehabilitation commitments adequate and appropriate for proposed activities/additional commitments included where necessary
- DEC advice received for programs in Banded Form Iron Formation areas/flora and fauna surveys conducted if necessary
- Baseline surveys conducted for larger/intensive exploration programs
- Dieback management plan attached to application (if operating in a dieback risk area)
- Radiation management plan approved by RDS (if proposal involved intercepting radioactive material)
- Fibrous minerals management plan developed (if proposal involved intercepting fibrous materials)
- Proposed dates for activities to be conducted provided (PoW's generally granted for a period of 12 months)

Mining Proposal

Section 74(1) (ca) of the *Mining Act 1978* requires that an application for a mining lease must be accompanied by either a mining proposal or a statement and mineralisation report

The mining proposal will be assessed by an environmental officer of DMIRS, who will make recommendations to the Mineral Titles Branch. If a statement and mineralisation report is lodged, then the mineralisation report is assessed by officer within DMIRS's Geological survey division who will make a recommendation whether or not to support the grant.

Below is the structure of a typical mining proposal; however it may be modified to suit specific projects and environmental needs. This is not a comprehensive list, for a more in depth discuss of mining proposal requirements, see 'Guidelines for Mining Proposals in Western Australia' at www.dmirs.wa.gov.au

- Title Page
- Checklist
- Summary of project commitments and environmental management/rehabilitation commitments
- Background information
 - Tenement ownership
 - Project objectives – size, scale, tonnages processed, regional economics
 - Location and site layout plans – comprehensive maps showing existing land tenure, topography and tenement boundaries in respect to all aspects of the proposed mining operation
 - History – previous exploration and disturbances
 - Existing facilities

- Existing environment
 - Regional setting
 - Geology – comprehensive resource statement
 - Characterisation of waste rock and tailings
 - Soils and soil profiles
 - Hydrology
 - Climate
 - Flora and fauna
 - Social environment – including items or sites of state, national or aboriginal heritage, or land use such as tourism, recreation, farming, pastoral leases, reserve land, town sites and aboriginal communities
- Project description
 - Area of disturbance - provided in table form based on different categories of disturbance
 - Mining operations – duration, tonnages, methods of operation, management of waste, pit design
 - Ore processing
 - Tailings storage – size, location, construction. A works and approval licence will be required by DEC
 - Support facilities – accommodation, offices, workshops, effluent systems
 - Workforce
 - Transportation corridors – ore haulage routes, off site road transport, port/shipping arrangements
 - Resource requirements and regional infrastructure – water, energy, road developments, workforce requirements
 - Complicate with legislation and other approvals – all other approvals required under tenement conditions
- Environmental impacts and management
 - Land clearing
 - Water – both groundwater and surface water systems
 - Flora, fauna and ecosystem – management and impact minimisation
 - Topsoil and soil profiles
 - Domestic and industrial waste products
 - Waste rock and tailings management
 - Hydrocarbon management
 - Dangerous goods and hazardous substances – storage, transportation and handling
 - Atmospheric pollution and noise – dust, fumes or gases
- Social impacts
 - Heritage
 - Land use and community – pastoralists, shires, owners of reserves (DEC), private land owners, local community members, recreational groups and Aboriginal communities.
 - Social environment – positive and negative social impacts of the mining proposal
- Mine closure

- Post mining land use – should be discussed with relevant stakeholders and reviewed at appropriate intervals. May require approvals and advice from DEC
- Rehabilitation – criteria need to be developed to determine when the rehabilitation end point has been reached
- Strategic framework for mine closure – as per the strategic framework developed by the Australian and New Zealand Minerals and Energy Council, and the Minerals Council of Australia
- Submission of mine closure plan documents
- Bibliography
- Appendices
 - Should contain technical data, other approvals, results of survey, and relevant correspondence with other stakeholders such as the shire, pastoralist, DEC and other decision making authorities.

This information is issued by the Mineral Titles Division of the Department of
Mines, Industry Regulation and Safety

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100 Plain St
East Perth WA 6004
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www.dmirs.wa.gov.au