

DIAGRAM

Project 1.3: State regulatory frameworks: Western Australia

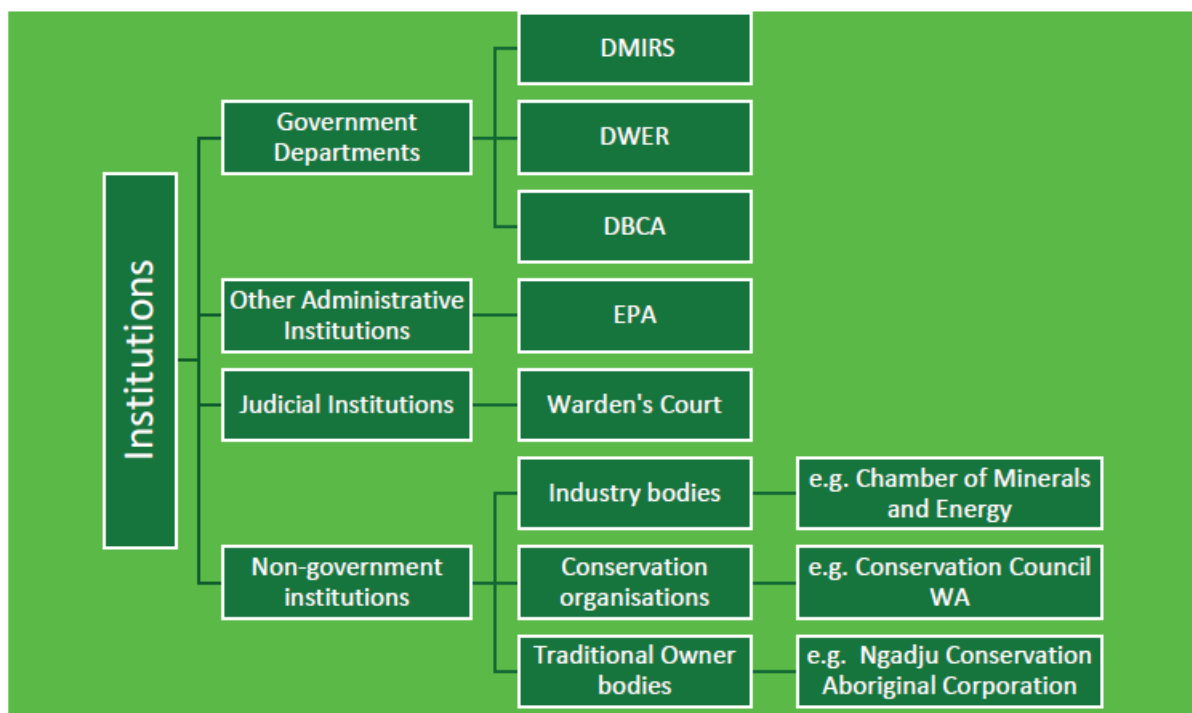
CRC TiME
Transformations in Mining Economies

Australian Government
Department of Industry,
Science and Resources | AusIndustry
Cooperative Research
Centres Program

Extracted from: Hamblin, L., Gardner, A. and Haigh, Y. (2022). [Mapping the Regulatory Framework of Mine Closure](#). CRC TiME Limited, Perth, Australia.

These are extracts only. Each should be read in context of the full final report. Please refer to the full report for more information.

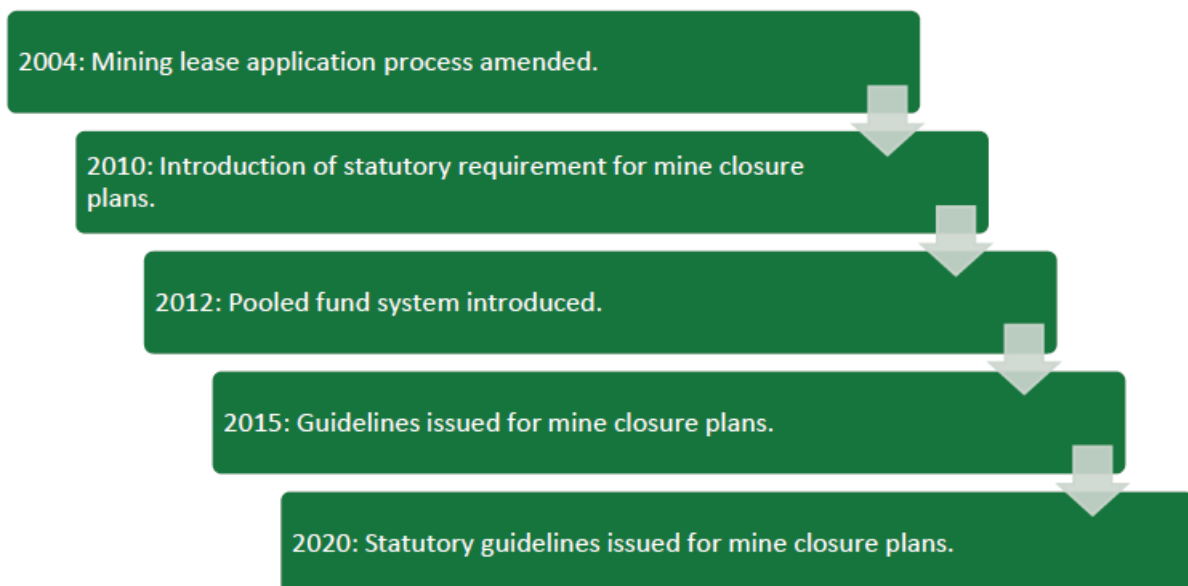
Western Australian institutions



Western Australian principal regulatory instruments



Western Australia: chronology of key reforms



Summary

Western Australia has many mines across the State that are approaching, or actively undergoing, closure. The state's regulatory framework rests heavily on mine closure planning processes to establish conditions of mine closure, with recent substantial reform continuing to evolve.

Mining leases can be granted through one of two pathways:

- A mine proposal is submitted, including a Mine Closure Plan (MCP), with the application for a mining lease, and must be considered before the lease is granted.
- Under the second pathway, the application for a mining lease can be granted on the condition that a mining proposal and MCP is provided prior to the commencement of operations.

An MCP is modified throughout the lifetime of a mine and the standards required to meet any conditions existing at the time of closure must be negotiated and agreed between the operator and State before tenement relinquishment can occur. A mine lease application can also be referred for an environmental assessment, which is evaluated by the EPA.

Western Australia also uses a system of annual payments into a pooled fund to account for any remaining financial liability that may arise after relinquishment and fall to the State. This was a significant system change introduced to replace the bonds system in 2012. Relative to the life of large mine sites, this is still a recent reform.

Western Australia's relinquishment process is dependent on the relevant Government Department(s) certifying that the MCP requirements have been met. It is usually a process that requires extensive negotiation between stakeholders and scientific research to determine what sustainable outcomes are. This can be done partially or in stages.

A unique feature of the Western Australian system is the continued use of State Agreements, which operate as contracts independently of other legislated mine closure and financial assurance requirements. Future research on the role of State Agreements and the extent to which they can or should be used in future new projects could address questions of transparency and accountability of mine closure processes and whether the operation of Part IV of the EP Act provides a sufficient regulatory framework. Similarly, there could be questions whether new laws for mine closure planning, rehabilitation and relinquishment should apply equally to State Agreements as to other forms of mining tenure.

REFERENCES

Hamblin, L., Gardner, A. and Haigh, Y. (2022). [Mapping the Regulatory Framework of Mine Closure](#). CRC TIME Limited, Perth, Australia.

ABOUT US

The Cooperative Research Centre for Transformations in Mining Economies is part of Australia's national innovation ecosystem. Our diverse partnership brings scale, collaboration and coordinated investment to tackle the most complex mine closure and post-mine transition challenges. Together we're rethinking what's possible to improve outcomes for people, communities, the environment and industry.

We acknowledge the traditional custodians across all the lands on which we live and work, and we pay our respects to Elders both past and present.

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