

The first point of contact for project approvals information:

Department of Resources Development

7th Floor, 170 St Georges Terrace,
Perth Western Australia 6000
Phone: (09) 327 5555 Fax: (09) 327 5500

Other relevant government agencies:

Department of Planning and Urban Development

Albert Facey House,
469 - 489 Wellington Street,
Perth Western Australia 6000
Phone: (09) 264 7777 Fax: (09) 321 1617

Department of Minerals and Energy

Mineral House,
100 Plain Street,
East Perth Western Australia 6000
Phone: (09) 222 3333 Fax: (09) 222 3633

Office of Traditional Land Usage

1st Floor, Dumas House,
2 Havelock Street,
West Perth Western Australia 6005
Phone: (09) 222 5820 Fax: (09) 222 5822

Department of Land Administration

Midland Square,
Midland Western Australia 6056
Phone: (09) 273 7373 Fax: (09) 273 7666

Environmental Protection Authority

Level 8, Westralia Square,
141 St Georges Terrace,
Perth Western Australia 6000
Phone: (09) 222 7081 Fax: (09) 322 1598

Aboriginal Affairs Planning Authority

Construction House,
35 Havelock Street,
West Perth Western Australia 6005
Phone: (09) 483 1222 Fax: (09) 321 0990

Department of Aboriginal Sites

3rd Floor, 35 Havelock Street,
West Perth Western Australia 6005
Phone: (09) 322 7144 Fax: (09) 321 4525

Department of Local Government

May Holman Centre,
32 St Georges Terrace
Perth Western Australia 6000
Phone: (09) 222 0511 Fax: (09) 221 2715



**DEPARTMENT OF
RESOURCES
DEVELOPMENT**

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A PUBLICATION TO ASSIST RESOURCE DEVELOPERS IN WA

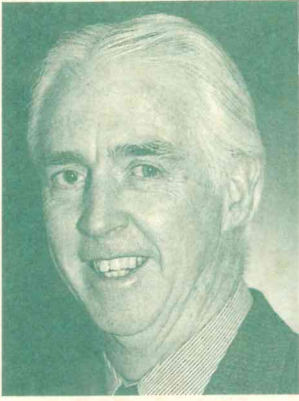
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STATE APPROVALS PROCESSES

A Guide for Major Industrial Developers



**DEPARTMENT OF
RESOURCES
DEVELOPMENT**



Dr Des Kelly
Chief Executive Officer
Department of Resources
Development

Opening Message

Western Australia is recognised as one of the world's store houses of minerals, energy and other natural resource wealth. More than A\$12 billion of minerals and natural gas are produced each year of which 95% is exported. Existing and as yet untapped resource rich reserves mean that the prospects for the future are exceptional.

Western Australia actively encourages investors to undertake a long-term commitment to resource project development and value-added processing in the State.

Over the past decades many complex multi-million dollar resource projects have been successfully developed, creating wealth for both the Western Australian and national economies. It is to the credit of industry and government that these developments have been achieved in harmony with environmental and social needs and imperatives.

This folder has been produced to give project developers an easy-to-follow guide through the major government approval processes necessary to ensure balanced development in Western Australia and highlights the key co-ordination role played by the Department of Resources Development in that process.

STATE APPROVALS PROCESSES

A GUIDE FOR MAJOR INDUSTRIAL DEVELOPERS

The Department of Resources Development: The first point of contact

The Department of Resources Development (DRD) is the first point of contact for investors seeking to develop major industrial and resource-based projects. DRD is an easy entry point to the Western Australian government.

DRD's mission is to plan, promote and coordinate the responsible development of the State's resources. It acts as the coordinator and facilitator of the State Government's involvement in significant resource projects.

The department works closely with the project developer to identify all major government approval decisions necessary for a project to proceed in a manner and in a timeframe which is satisfactory to both.

The DRD manager appointed to facilitate the project will coordinate the approvals processes of relevant government agencies so that the necessary approval decisions can be taken in the most expeditious way to achieve the desired outcome.

For each individual project, the approvals required can vary widely depending on its nature and location. Early consultation with DRD will ensure that the developer is advised on which approvals are necessary for a specific project.

For further information, contact the DRD Approvals Information Officer. Contact numbers and address can be found on the back of this folder.

Approvals: Why have them?

Project approvals are not barriers to development. They are necessary to ensure that the interests of all parties — developer, community and government — are met. Acceptance by all parties plays a large part in the long-term stability of a project.

In Western Australia, as in all modern economies, various investigations and procedures determine whether a development project is suitable to a proposed area and whether the on-going health and well-being of the community and the environment will be preserved.

Priority is given to ensuring that the approval processes are well co-ordinated and streamlined so that developers can be confident that they will obtain decisions within a reasonable timeframe.

Levels of Approval

There are two levels of project approvals in Western Australia — major and secondary.

Major approvals are those which determine, at the outset, whether a project can proceed.

Major approvals include the determination of matters relating to environment, heritage, land access and use. They are a key focus of DRD's assistance role in the approvals process and the subject of this brochure. Information about major approvals can be obtained from the DRD Approvals Information Officer or the relevant government agency. Contact numbers and addresses can be found on the back of this folder.

Secondary approvals determine how a project will proceed and are usually obtained after the major approvals have been obtained.

They include building permits, road transport licences, etc as well as on-going compliance requirements such as pollution control licences, and occupational health and safety permits.

Information about the secondary approvals for a specific project is available from the DRD Approvals Information Officer, the Business Licensing Centre or the relevant government agency. Contact numbers and addresses can be found on the back of this folder.

Major Approvals: DRD's key focus

Major approvals which determine whether a project can proceed are stipulated under the following statutes. The processes for obtaining these approvals are shown in the leaflets enclosed in this folder.

It is important to note that the approvals requirements for any given project will vary.

Do not assume that all approvals are required for all projects. This is rarely the case.

Environment Protection Act - A proposal for development is reviewed by the Environmental Protection Authority. Assessments are required under this Act for projects which are likely to have significant environmental impacts. These assessments are used as the basis for the Minister for the Environment to approve a project. The Department of Environmental Protection administers this Act.

Mining Act - Exploration and mining projects are approved in accordance with this legislation. The Department of Minerals and Energy administers this Act.

Town Planning and Development Act - Any project on land situated within the boundaries of a Town Planning Scheme must be approved under this Act. These approvals are the responsibility of the Local Government Authority (a City, Town or Shire Council). Any zoning or rezoning applications are initiated by the Local Government Authority and approved by the Minister for Planning.

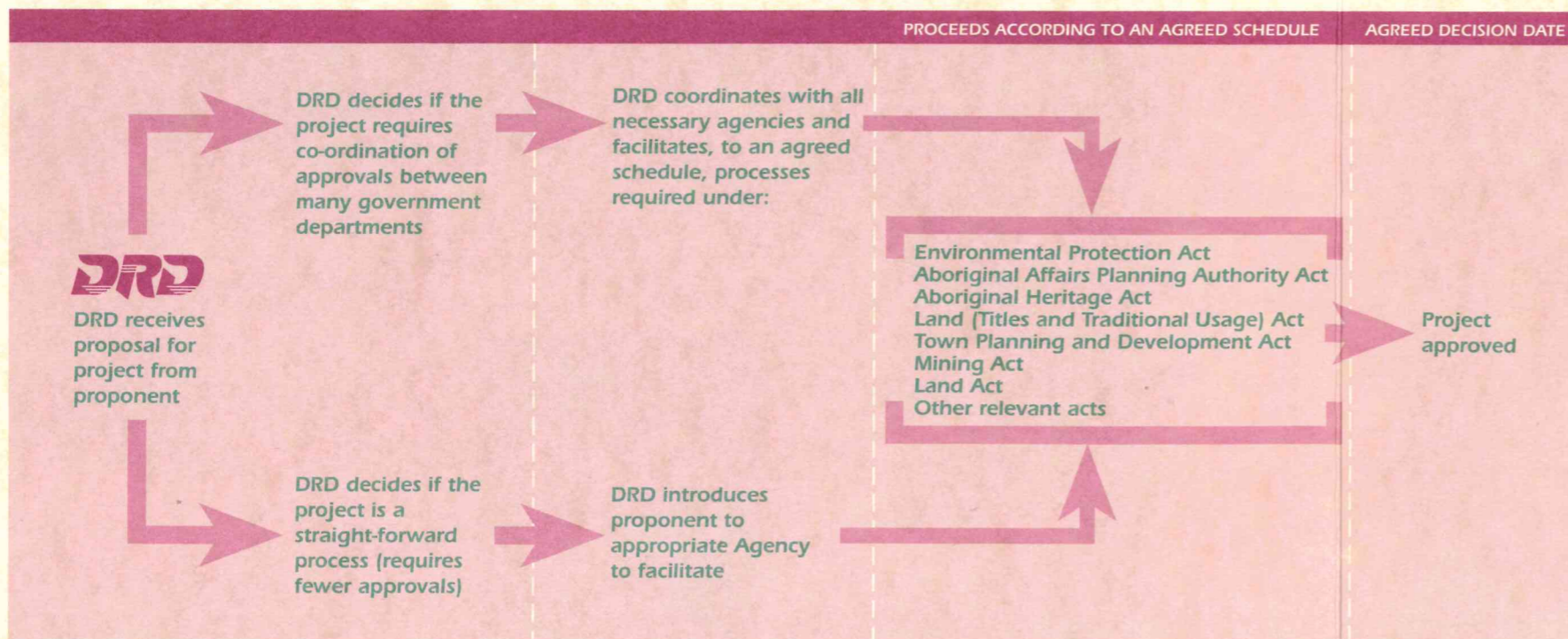
Land Act - The grant of title to vacant crown land or other land in which the State has a major interest is made in accordance with this Act. The Department of Land Administration is responsible for these processes.

Land (Titles and Traditional Usage) Act - Any grant of land for any purpose is evaluated through the process of this Act to determine whether an Aboriginal group maintains the traditional use rights, recognised in the "Mabo" High Court decision. The process determines whether those rights will be extinguished by the proposed land grant and the level of compensation due to the group. This process does not apply to projects proceeding on existing freehold land. The Act is administered by the Office of Traditional Land Use.

Aboriginal Heritage Act - Any activity which may affect sites of cultural significance to Aboriginal people must be cleared under this Act. This Act is administered by the Department of Aboriginal Sites.

Aboriginal Affairs Planning Authority Act - Entry Permits for admission to Aboriginal Reserves are issued by the Minister or Aboriginal Affairs in accordance with this Act. The Aboriginal Affairs Planning Authority administers this Act. This approval is required only where it is necessary to enter onto an Aboriginal Reserve to carry out an on-going activity such as mineral exploration.

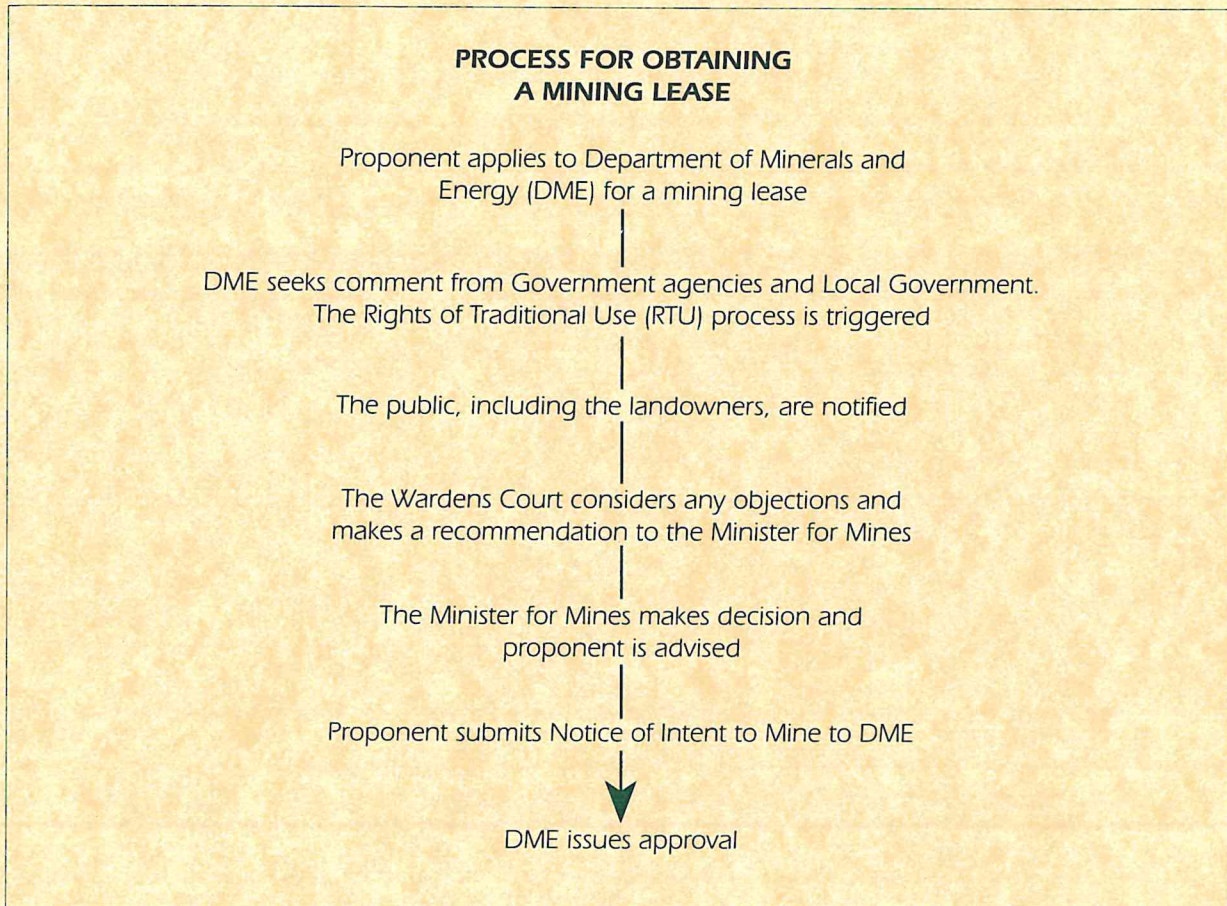
State Agreements - These are non-compulsory Agreements which can be negotiated between Government and a developer. The Agreements, which are ratified by Parliament, set down the obligations of both parties throughout the life of a significant development project.



PROCESS FOR OBTAINING A MINING LEASE

This process is only required for mining-related developments

Mining Act 1978



For a more detailed explanation of this process, please refer to the:

Department of Minerals and Energy
Mineral House, 100 Plain Street
East Perth Western Australia 6000

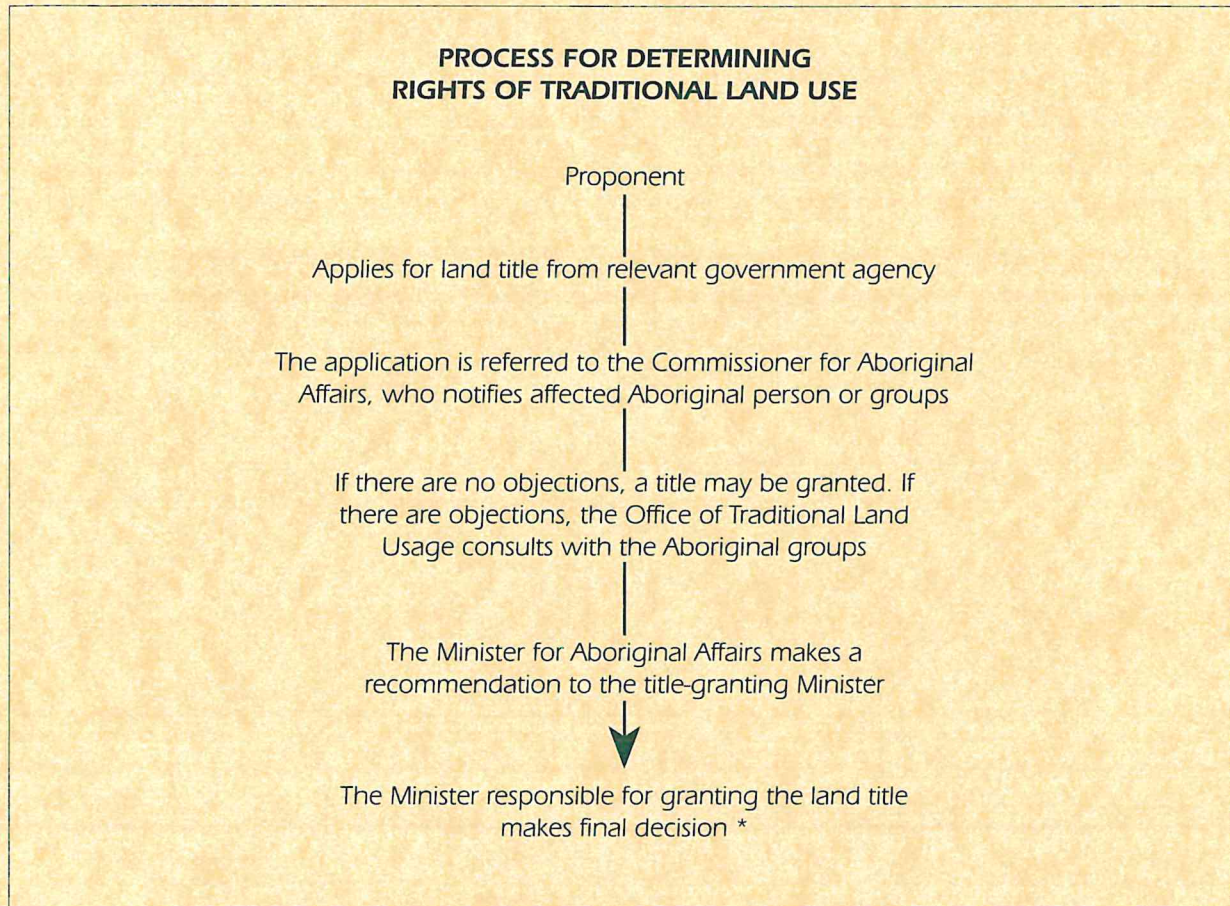
Phone (09) 222 3333
Fax (09) 222 3633

Contact: Director General

PROCESS FOR DETERMINING RIGHTS OF TRADITIONAL LAND USE

This process is used to determine whether an Aboriginal person or group maintains Rights of Traditional Usage over the land which is being sought for the purposes of development. This does not apply to projects proceeding on existing freehold land

Land (Titles and Traditional Usage) Act 1993



* If the title-granting Minister is intending to approve conditions relating to Rights of Traditional Usage when granting title OR intends to refuse the title, that Minister must give notice to the proponent and consider any further submission made

For a more detailed explanation of this process, please refer to the:

Office of Traditional Land Usage
1st floor, Dumas House
2 Havelock Street
West Perth Western Australia 6005

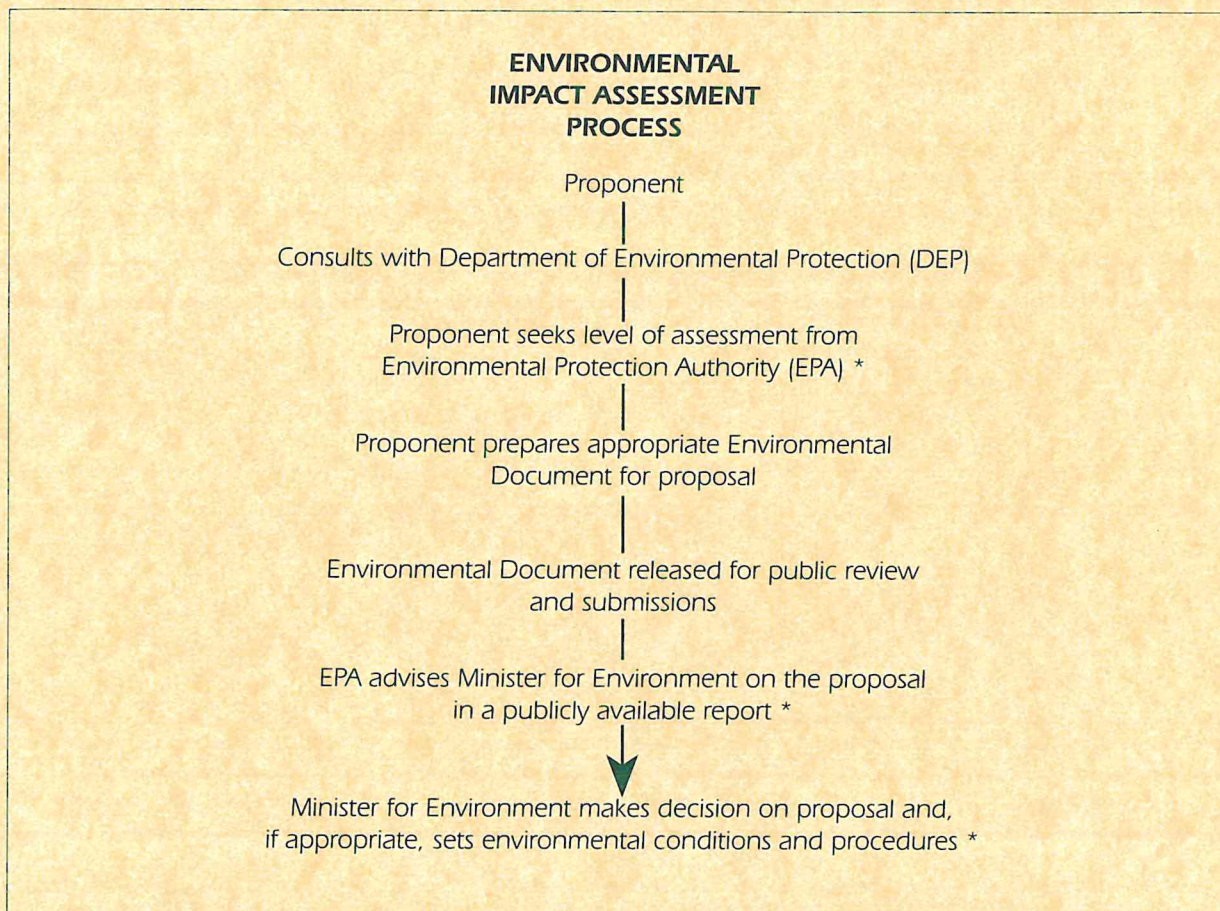
Phone (09) 222 5820
Fax (09) 222 5822

Contact: Chief Executive Officer

PROCESS FOR ENVIRONMENTAL IMPACT ASSESSMENT

The Environmental Impact Assessment process determines whether a development proposal is environmentally sound

Environmental Protection Act 1986



* Appeals can be lodged when:

1. The level of assessment is set
2. The EPA reports to the Minister
3. The Minister sets conditions

For a more detailed explanation of this process, please refer to the:

Department of Environmental Protection
Level 9, Westralia Square
141 St Georges Terrace
Perth Western Australia 6000

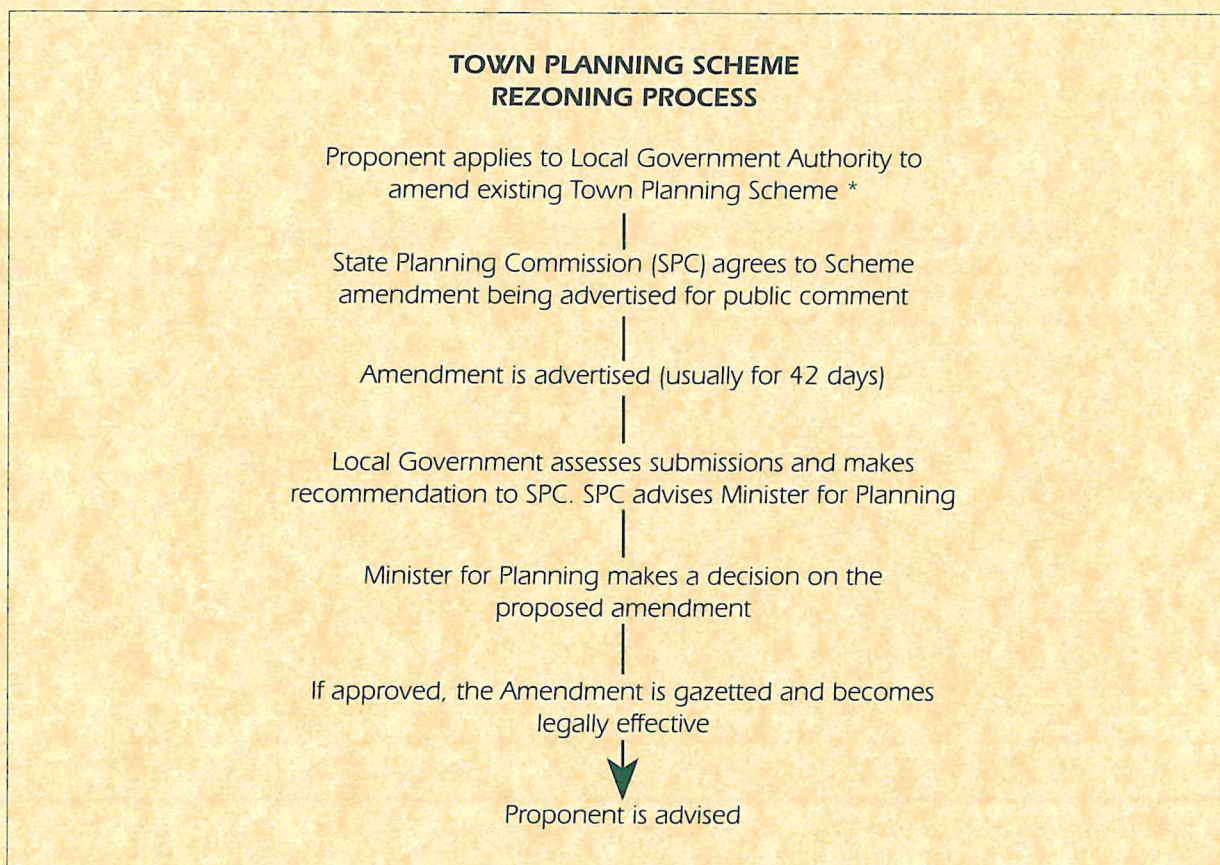
Phone (09) 222 7000
Fax (09) 322 1598

Contact: Assessments Procedures Manager

PROCESS FOR LOCAL GOVERNMENT TOWN PLANNING SCHEME REZONING

This process leads to a decision to rezone land for a use other than that allowed for in an existing Town Planning Scheme

Town Planning and Development Act 1928 and Town Planning Regulations 1967



* There is no right of appeal if rezoning proposal is rejected

Note: Approval to develop or subdivide land generally flows from this process. Enquiries can be made to the relevant Local Government Authority or the Department of Planning and Urban Development

Department of Planning and Urban Development
Albert Facey House, 469-489 Wellington Street
Perth Western Australia 6000

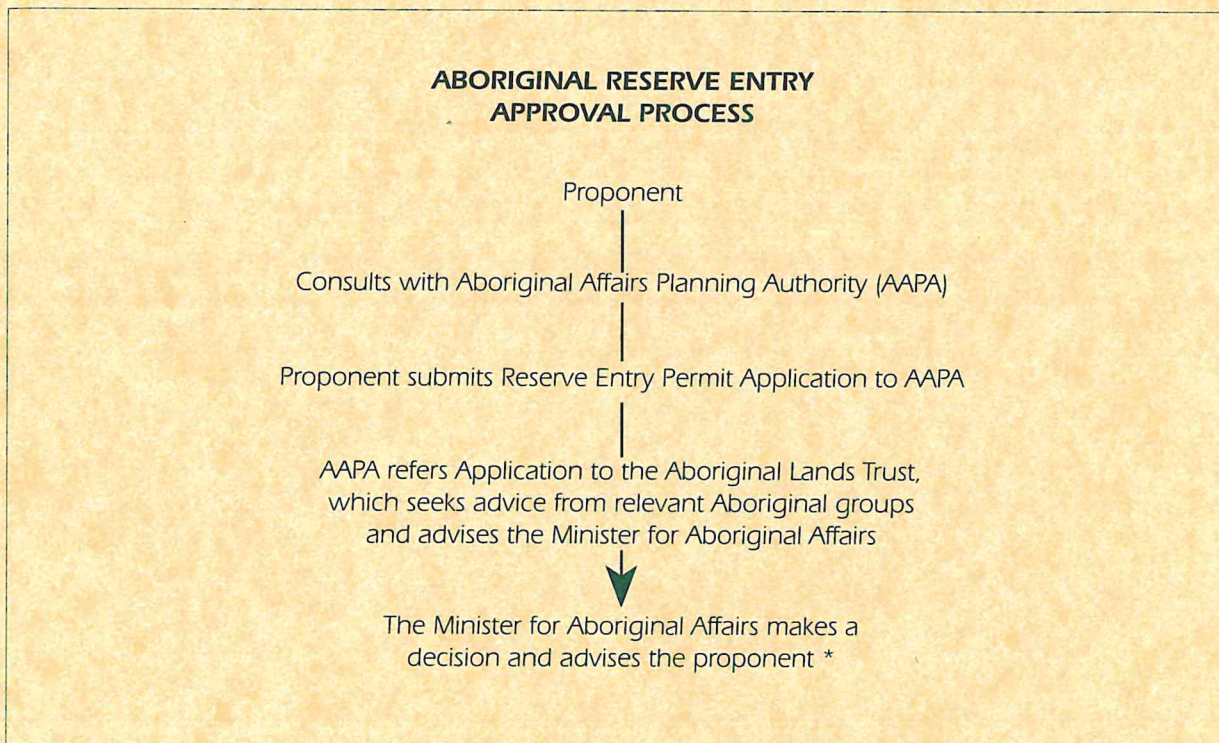
Phone (09) 264 7777
Fax (09) 321 1617

Contact: Chief Executive Officer or Secretary

PROCESS OF APPROVAL FOR ENTRY ONTO ABORIGINAL RESERVES

This process is required only where it is necessary to gain permission to enter onto an Aboriginal Reserve to carry out an activity such as exploration for minerals

Aboriginal Affairs Planning Authority Act 1972



* There is a right of appeal to the Minister should the proponent be dissatisfied with the decision

For a more detailed explanation of this process, please refer to the:

Aboriginal Affairs Planning Authority
Construction House
35 Havelock Street
West Perth Western Australia 6005

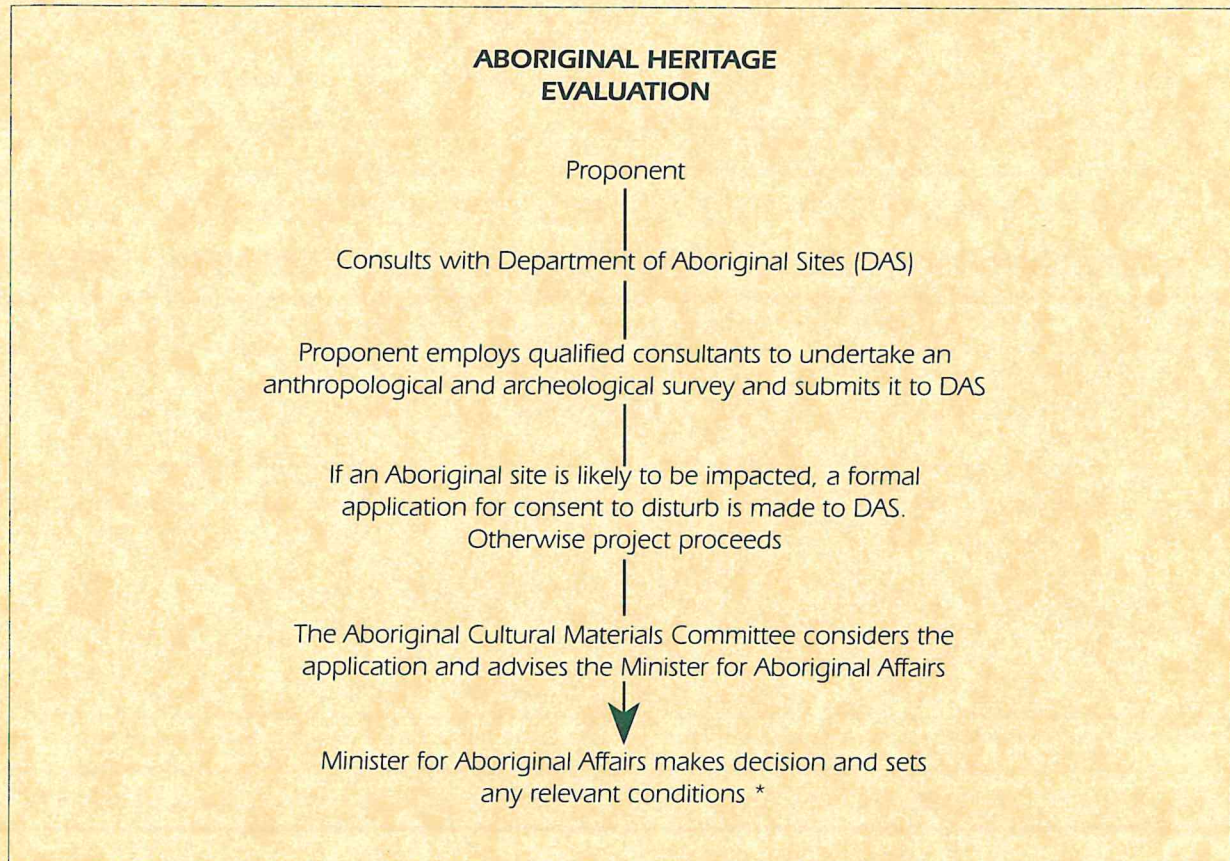
Phone (09) 483 1222
Fax (09) 321 0990

Contact: Manager, Mining Policy and Negotiation Section

PROCESS FOR ABORIGINAL HERITAGE EVALUATION

This process is required for proposals covering areas where there are sites of Aboriginal significance.

The Aboriginal Heritage Act, 1972-1980



* If an applicant is dissatisfied with the final decision, appeal can be made to the Supreme Court under Section 18(5) of the Act.

For a more detailed explanation of this process, please refer to guidelines issued from time to time by:

Department of Aboriginal Sites
3rd floor, 35 Havelock Street,
West Perth Western Australia 6005

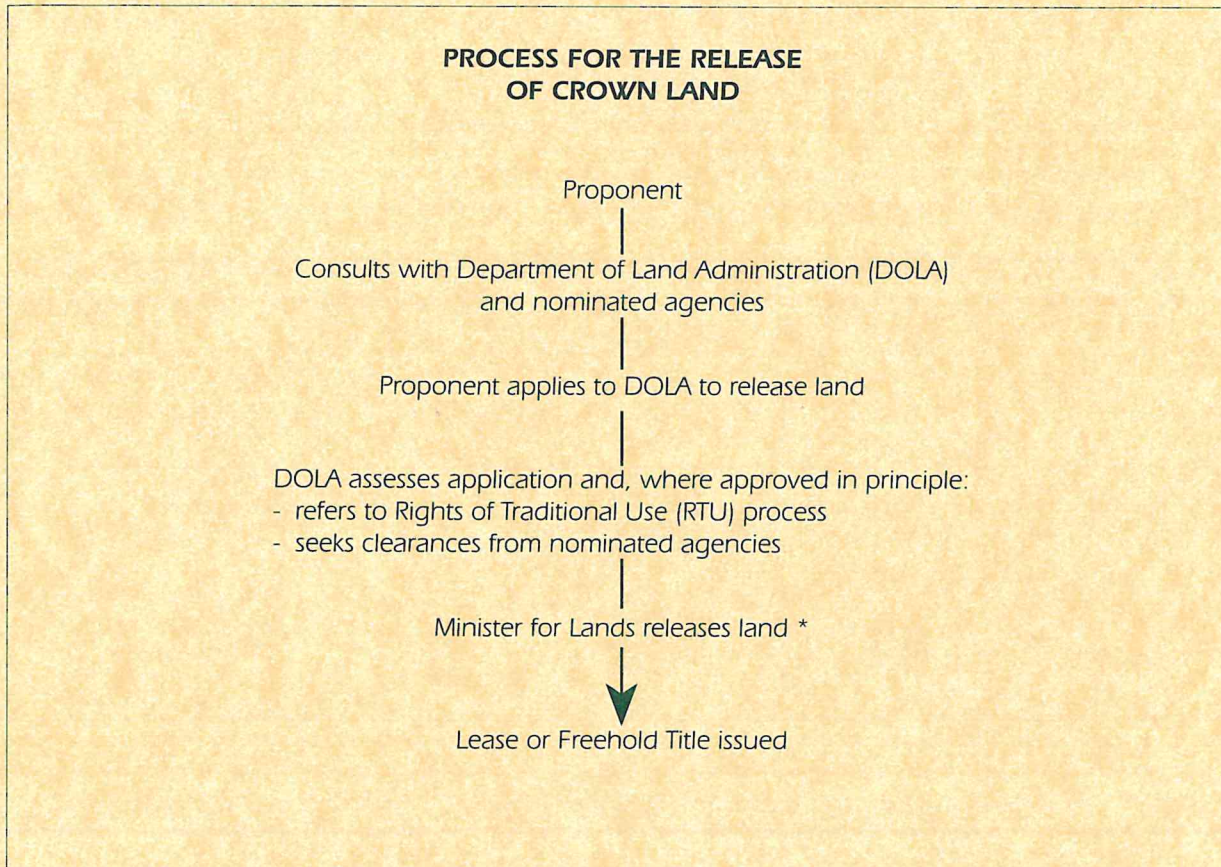
Phone (09) 322 7144
Fax (09) 321 4525

Contact: Registrar of Aboriginal Sites

PROCESS FOR THE RELEASE OF CROWN LAND

This process is required when the release of Crown Land is necessary for a development

The Land Act 1993



* After release by Minister for Lands, the area becomes commercially available, subject to public competition where appropriate

For a more detailed explanation of this process, please refer to the:

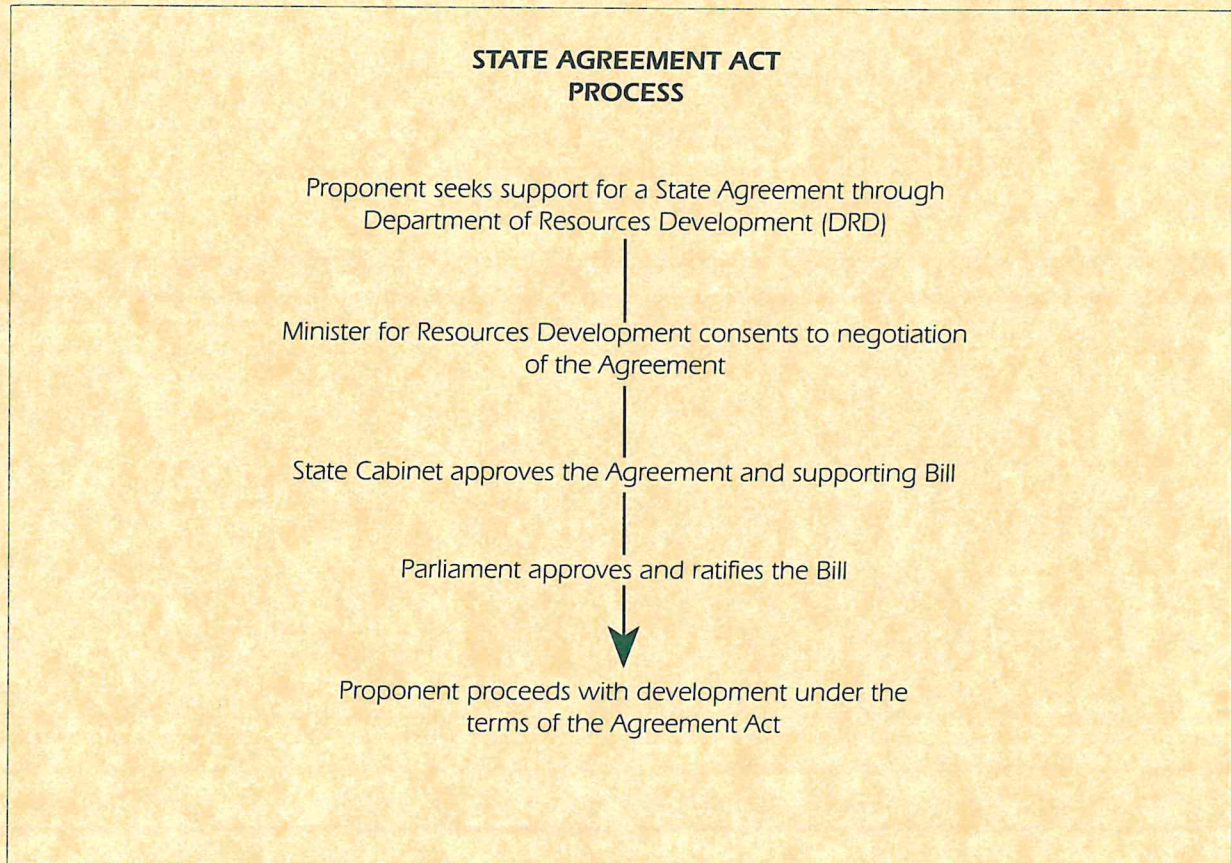
Department of Land Administration (DOLA)
Midland Square
Midland Western Australia 6056

Phone (09) 273 7216
Fax (09) 273 7682

Contact: Manager, Special Projects

PROCESS FOR STATE AGREEMENT ACT

This process may be available when major project developers seek an additional level of security over the life of a project by negotiating a project-specific State Agreement which is ratified by Parliament



For a more detailed explanation of this process, please refer to the:

Department of Resources Development
7th floor, 170 St Georges Terrace
Perth Western Australia 6000

Phone (09) 327 5555
Fax (09) 327 5500

Contact: Chief Executive Officer

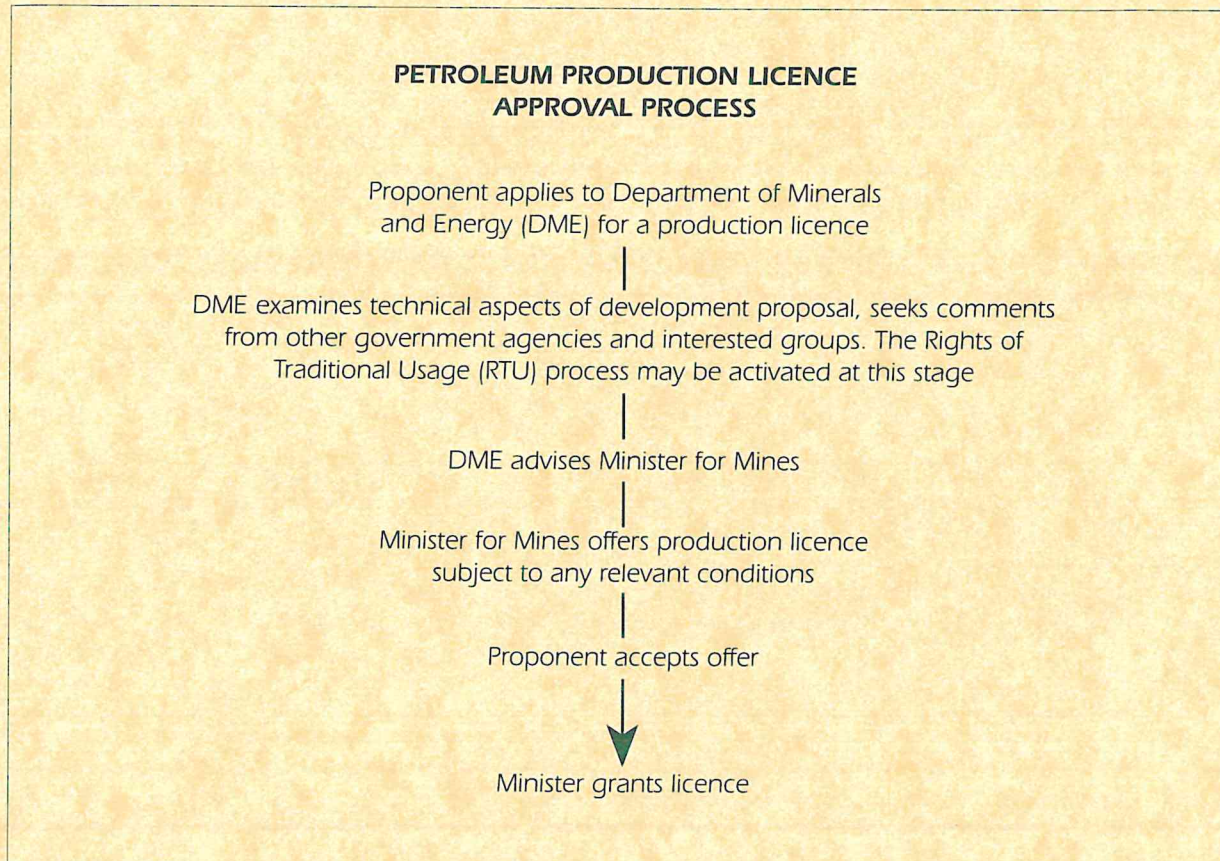
PROCESS FOR PETROLEUM PRODUCTION LICENCE APPROVAL

This process is undertaken when a licence to produce petroleum is required

Petroleum Act 1967

Petroleum (Submerged Lands) Act 1982

Commonwealth Petroleum (Submerged Lands) Act 1967*



* For applications under the *Commonwealth Petroleum (Submerged Lands) Act 1967*, DME officers will confer with their counterparts in the Commonwealth Department of Primary Industries and Energy. The offer and grant of the licence is made by joint authority (ie the Western Australian State Minister for Mines and the Federal Resources Minister)

For a more detailed explanation of this process, please refer to the:

Department of Minerals and Energy
Mineral House, 100 Plain Street
East Perth Western Australia 6000

Phone (09) 222 3333
Fax (09) 222 3633

Contact: Director General