



Statement of Reason for Decision

FILE NUMBER A1094/200701

APPLICATION/POLICY

Survey of Mining and General Purpose Leases

Decision is to change the policy in regards to when survey of leases is required and thereby follow the requirements of the *Mining Act 1978* and the *Mining Regulations 1981*. Under the new policy all unsurveyed granted Mining and General Purposes leases will be directed by the Director Mineral Titles to be surveyed in due course according to the decision detailed below. There are 2511 granted Mining Leases and 364 granted General purpose leases in this category some 500 of which have been in force for over 21 years (have been renewed).

The current policy is to direct a survey upon approval of a mining proposal or extensive ground disturbance that requires a bond to be lodged.

DECISION

Name of Decision Maker: Ivor Roberts Executive Director Mineral Titles Division

Authority: *Mining Act 1978* and the *Mining Regulations 1981*

Decision: Holders of granted Mining or General Purposes Leases will be directed, under Section 80 and Regulation 118 of the Mining Act 1978 and the Regulations 1981, to carry out the survey of their leases, under the following priority of circumstances:

- Upon the approval of any Mining Proposal, Program of Work or ground disturbing activity that requires a bond to be lodged. (Mining Act 1978 Section 80 and Regulation 118 (2), (3) 118A, B, C);
- If the lease was/is applied for and granted post 10th February 2006 on the basis of an approved Mining Proposal or Mineralisation Report. (Mining Act 1978 Sections 74, 80);
- On the renewal of mining and general purpose leases (in force for over 21 years). (Mining Act 1978 Section 80 and Regulation 118 (1)); and
- Progressive chronologically from the oldest granted date if none of the above have applied, over a period of approximately 6 years, until all are surveyed. (Mining Act 1978 Section 80 and Regulation 118(2),(3) 118A,B,C).

Date of Decision: 1st November 2010. To be communicated to Industry through the December 2010 MILC meeting.



Evidence for Decision: Mining Act 1978 Sections 74, 80, 82(1) ba, bb, g, 89 and 90 and Mining Regulations 1981 Regulation 118

Reasons for decision: The Department is adopting this policy for the following reasons:

- The first condition of the Grant of any mining or general purpose lease is survey;
- The Grant of any lease is only of the ground available after survey;
- Survey establishes security of tenure (accurate lease instrument) for tenement holder as it will accurately determine the geographical position and legal area;
- Increases the accuracy of DMP's spatial systems which improves approval process decision making;
- To ensure equity in dealing with Mining Act 1978 compliance; and
- Resolves boundary disputation and concerns over illegal mining and exploration activity.

Historically, DMP has directed approximately 350-450 tenement surveys each year including approximately 40 new granted applications. On that basis the backlog will take approximately 6 years to complete.

Ivor Roberts
EXECUTIVE DIRECTOR
Mineral Titles Division
Department of Mines and Petroleum.