



# **Western Australian approvals framework**

# **Future battery industry projects**

## **Summary**

In early 2019, the Western Australian Government launched the [Future Battery Industry Strategy](#) to drive and support the growth in Western Australia of a world-leading, sustainable, value-adding future battery industry that provides local jobs, contributes to skill development and economic diversification, and benefits regional communities.

The Future Battery Industry Strategy provides a framework with consistent, clear and coordinated actions to ensure the Western Australian Government is leading the nation's growth in the uptake of opportunities across the global battery value chain.

Western Australia has a number of competitive advantages that position the state favourably in the global battery value chain, including a comprehensive, transparent and well-practiced project approval system that guarantees strong environmental and social standards.

This document is a summary of the Western Australian approvals framework factsheet (Parts 1 and 2). Part 1 of the factsheet provides information on parts of Western Australia's approvals framework that may apply to future battery industry projects including mining, downstream processing and manufacturing. The approvals mentioned in Part 1 are listed in the figure below and summarised overleaf.

### **Figure 1 – Western Australian approvals covered in the Western Australian approvals framework factsheet (Parts 1 and 2)**

#### **Environmental approvals**

- » **Ministerial statement** under Part IV of the Environmental Protection Act 1986 (WA).
- » **Works approval** under Part V Division 3 of the Environmental Protection Act 1986 (WA).
- » **Licence or registration** under Part V Division 3 of the Environmental Protection Act 1986 (WA).
- » **Native vegetation clearing permit** under Part V Division 2 of the Environmental Protection Act 1986 (WA).
- » **Water licence** under the Rights in Water and Irrigation Act 1914 (WA).

#### **Mining approvals**

- » **Programme of Work** under the Mining Act 1978 (WA).
- » **Mining proposal** under the Mining Act 1978 (WA).
- » **Mine closure plan** under the Mining Act 1978 (WA).

#### **Development approvals**

- » **Development approval** under the Planning and Development Act 2005 (WA).

#### **Heritage approvals**

- » **Aboriginal heritage approvals** under the Aboriginal Heritage Act 1972 (WA).
- » **Historic heritage approvals** under Heritage Act 2018 (WA).

#### **Dangerous goods and work health and safety approvals**

- » **Dangerous goods site licence** under the Dangerous Goods Safety Act 2004 (WA).
- » **Project management plan** under the Mines Safety and Inspection Act 1994 (WA).
- » **Plant registration** under the Mine Safety and Inspection Regulations 1995 (WA).
- » **Tailings storage facility approvals** under the Mines Safety and Inspection Act 1994 (WA) and Mining Act 1978 (WA).



Proponents of future battery industry projects will need to investigate and determine the applicability of the approvals outlined in Part 1. The approvals required may depend on the nature of a particular proposal and site specific characteristics including physical and legal (tenure).

Part 1 of the Western Australian approvals framework factsheet contains information on the following types of approvals:

### **Environmental approvals**

Both relevant federal and state legislation are outlined in this section, including the Environment Protection and Biodiversity Conservation Act 1999 (Cth) and Parts IV and V of the Environmental Protection Act 1986 (WA). The environmental approvals section covers requirements for ministerial statements, works approvals, licences or registration, water licences and native vegetation clearing permits. Further information on these approvals can be obtained from the **Department of Water and Environmental Regulation (DWER)**.

### **Mining approvals**

This section explains how mining approvals are regulated in Western Australia through state legislation, including the Mining Act 1978 (WA), the Offshore Minerals Act 2003 (WA) and Mines Safety and Inspection Act 1994 (WA). The mining approvals section covers requirements for a programme of work, mining proposal and mine closure plans. Further information on these approvals can be obtained from the **Department of Mines, Industry Regulation and Safety (DMIRS)**.

### **Development approvals**

This section outlines how development is regulated in Western Australia. The Planning and Development Act 2005 (WA) and requirements for development approvals are described in this section. Further information on this approval can be obtained from the **Department of Planning, Lands and Heritage (DPLH)**.

### **Heritage approvals**

This section describes how Aboriginal heritage and historic heritage are governed in Western Australia, including information on the Aboriginal Heritage Act 1972 (WA) and Heritage Act 2018 (WA). Further information on heritage approvals can be obtained from **DPLH**.

### **Dangerous goods and work health and safety approvals**

Part 1 ends with an outline of dangerous goods and work health and safety approvals in Western Australia. Relevant state legislation is summarised in this section, including the Dangerous Goods Safety Act 2004 (WA), Mines Safety and Inspection Act 1994 (WA) and Occupational Health and Safety Act 1984 (WA). This section covers requirements for a dangerous goods site licence, project management plan, plant registration and tailings storage facility(s). Further information on these approvals can be obtained from **DMIRS**.

Part 2 of the Western Australian approvals framework factsheet includes a series of frequently asked questions (FAQs) related to the approvals included in Part 1.

For further information on the approvals mentioned in the factsheet, proponents should contact the relevant Decision Making Authority (DMAs). Key Western Australian DMAs are listed overleaf.



## Key Western Australian decision making authorities

A Decision Making Authority (DMA) refers to a government agency that administers legislation which provides for actions to be taken and for decisions to be made. Some of the key DMAs that may be involved in granting approvals for battery projects are set out below. The DMA's websites contain detailed information on the approvals described within the Western Australian approvals framework factsheet (Parts 1 and 2).

### **Environmental Protection Authority (EPA)**

**Website:** <http://www.epa.wa.gov.au/>

The EPA provides the state with advice on the environmental acceptability of development proposals and statutory planning schemes. Development proposals include proposals for mining, industry and infrastructure projects, including ports, railways and pipelines.

**Phone:** +61 8 6364 7000

**Email:** [info.epa@dwer.wa.gov.au](mailto:info.epa@dwer.wa.gov.au)

**Phone:** +61 8 9222 3333

**Email:** [online@dmirs.wa.gov.au](mailto:online@dmirs.wa.gov.au)

### **Department of Biodiversity, Conservation and Attractions (DBCA)**

**Website:** <https://www.dbca.wa.gov.au/>

DBCA provides advice to development and land use decision makers (such as DMIRS, DWER and DPLH) on activities that will have impacts on Western Australian native plant and animal species and communities protected under the Biodiversity Conservation Act 2016 (BC Act). Impacts on biodiversity values may require authorisation or licensing through the BC Act. DBCA also has a number of different roles in relation to applications for access to reserved lands and marine waters managed under the Conservation and Land Management Act 1984 (WA).

**Phone:** +61 8 9219 9000

**Email:** [enquiries@dbca.wa.gov.au](mailto:enquiries@dbca.wa.gov.au)

### **Department of Planning, Lands and Heritage (DPLH)**

**Website:** <https://www.dplh.wa.gov.au/>

DPLH is responsible for state level land use planning and management, supports Development Assessment Panels and the Western Australian Planning Commission, manages Crown land, and has oversight of Aboriginal cultural heritage and historic (built) heritage matters.

**Phone:** +61 8 6551 8002

**Email:** [info@dplh.wa.gov.au](mailto:info@dplh.wa.gov.au)

### **Department of Mines, Industry Regulation and Safety (DMIRS)**

**Website:** <http://dmirs.wa.gov.au/>

DMIRS provides regulatory and policy oversight of the mineral and energy resources sector. The department oversees the industry's environmental standards, resource titles systems, work health and safety regulation, geoscience functions and dangerous goods regulation.



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### Disclaimer

This document does not constitute an exhaustive list of all approvals that may be required under State and Federal legislation to facilitate a project's development, and should not be a substitute for early consultation with government to receive project-specific approvals advice.

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