

ADVISORY NOTE

AUTHORISATION OF A MINING (associated) ACTIVITY

Before any mining activity can occur on a granted mining tenement or license the Operator of the mining tenement or license must apply for and be granted an Authorisation under the Mining Management Act. This advisory note outlines the Authorisation of mining related activities which are associated with existing Authorised projects and maybe read in conjunction with the Advisory note "Authorisation of a Mining Interest Guide".

INTRODUCTION

Under the *Mining Management Act* subject to Section 35, mining activities must not be conducted without an Authorisation.

Under the MMA:

"mining activity" means any of the following activities:

- (a) exploration for minerals;**
- (b) mining of minerals;**
- (c) processing of minerals, tailings, spoil heaps or waste dumps;**
- (d) decommissioning or rehabilitation of a mining site;**
- (e) operations and works in connection with the activities in paragraphs (a), (b), (c) and (d), including –**
 - (i) the removal, handling, transport and storage of minerals, substances, contaminants and waste; and**
 - (ii) the construction, operation, maintenance and removal of plant and buildings;**
- (f) operations for the care and maintenance of a mining site when an activity referred to in paragraph (a), (b), (c) or (d) is suspended;**

An approved Authorisation usually covers a number of mining activities which are required for a given operation, however in some situations Authorisation maybe requested for a particular mining associated activity.

For the Authorisation of specific mining related activities, consideration needs to be given to the underlying purpose of the tenement as identified on the granted tenement documentation to ensure that the tenement purpose is sufficiently broad in scope to permit the proposed activity on site.

This requirement is in accordance with MMA (S) 34 (1) where by the Minister must have regard to the mining interest held in respect of the mining activities to which the Authorisation relates and any conditions of that mining interest.

The Authorisation of specific mining related activities should also support other Authorised activities presently occurring on the site in question. Any subsequent authorisation granted in respect of the main Authorised activity should be conditional upon the continued operation of the main project. This is because if the main mining activity ceased operation, the use of tenement for a specific mining related activity may appear to have limited continuing relevance to the underlying tenure.

For example, a site is Authorised for mining activities but the Authorised operator does not wish to be responsible for the management of a proposed, on site explosives storage facility. Under these circumstances, a second Authorisation for the project site may be considered for the explosive storage facility while there are mining activities on the site.

A mining related activity which is not associated with an Authorised mining activity on a project area would not be considered to meet the requirements for Authorisation.

For further information or advice on this subject please contact

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