

Land use planning

by

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The Land Use Planning branch provides geological advice to government on land use planning while, wherever possible, ensuring a strong emphasis on maintaining access for resource exploration and development. Although many people realize the importance of the resource industry to the Western Australian economy, increasing awareness of the importance of the natural environment and environmental impacts has led to more conservation and vegetation-related carbon sequestration initiatives in recent times. The consideration of native title and Aboriginal welfare has been a key driver for government initiatives that involve joint management of new and existing conservation parks and entry into Indigenous Land Use Agreements incorporating substantial land components.

Sustainability can be defined as ‘meeting the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity’. The Land Use Planning branch contributes to sustainability by, wherever possible, working with government to reduce the impacts arising from land use changes on access for exploration and development of the State’s mineral, basic raw material, petroleum and geothermal energy resources.

The Land Use Planning branch helps to maintain resource access primarily by:

- responding to specific proposals for land tenure changes from other government agencies (referrals)
- interacting with other government agencies to shape land use and policy
- providing resource potential mapping to government and the public.

Changes to land tenure can have serious consequences for land access for exploration and mining. A core part of the branch’s activities is responding to many hundreds of referral requests for such changes each year. Most changes of land tenure involving Crown land are referred to the Department of Mines, Industry Regulation and Safety (DMIRS) for ‘clearance’ under Section 16(3) of the *Mining Act 1978*. About 87% of the State is Crown or reserved land, so these are the changes most likely to affect mining access. Under this part of the Mining Act, a change in tenure from Crown land to private land cannot occur without the approval of the Minister for Mines. Furthermore, governments have, for many years, required the agreement or support of DMIRS before making other changes to Crown land such as changes to reserve type and the creation of conservation reserves. This is

necessary because the Mining Act is very prescriptive about the requirements for carrying out exploration and mining on different types of land tenure. Examples of land changes that can have serious consequences for mining access include:

- a change from Crown land to freehold. This may mean that the consent of the landowner will in future be required before exploration access is permitted to the upper 30 m of the land
- the creation of class A nature reserves or national parks. This would mean that the approval of both the Minister for Mines and the Minister for Environment are then needed before exploration can take place. The grant of a mining lease within a class A nature reserve or national park would require the approval of both houses of Parliament.

Proposals for land use changes on private land come to the Land Use Planning branch under a Memorandum of Understanding (MoU) with the Western Australian Planning Commission (WAPC). These cover private land subdivisions and rezoning proposals outside of the main urban areas, mainly in the southwest of the State. Some of these proposals encroach upon areas that have traditionally supplied basic raw materials needed by the construction industry, and higher value deposits such as titanium–zircon and bauxite. Comments from DMIRS enable the WAPC to avoid future land use conflict by refusing some proposals or by placing a notice on land titles so that future landowners are aware of current or future mining activities.

Similarly, in more recent years the group has formalized dealings in Crown land with the Department of Planning, Lands and Heritage under another MoU. This has led to improved understanding of the roles of the respective agencies and the administrative arrangements for providing recommendations and approvals.

In all cases, the Land Use Planning branch assesses the impact that a proposal may have on access for an existing mining or petroleum tenement and, if deemed significant, refers the proposal to the tenement holder for comment. Irrespective of existing mining or petroleum tenure, the branch also assesses the resources or prospectivity of the proposal area and the impact that the proposal will have on future access for exploration and mining. Recommendations will then be made and, where necessary, approvals provided accordingly, always with the aim of either avoiding or minimizing the impact on present or future access to mineral, petroleum and geothermal energy resources.

Land Use Planning interacts with other government agencies, including local government, to help shape land use decisions and policy in their formative stages. This is normally within the context of an existing government objective, such as conservation. In these cases, the branch aims to achieve an informed outcome in which resource access and economic considerations are taken into account.

A current example of involvement across government is the Land Use Planning branch's participation in the government's Plan for Our Parks conservation initiative, which aims to secure an additional 5 million hectares of land into conservation reserves by February 2024. The branch is playing a major role in carrying out consultation with affected tenement holders, assessing prospectivity, contributing to the Interagency Working Group and in advising DMIRS and the Minister on these proposals.

The branch is involved with other parts of government such as the Geraldton Alternative Settlement Agreement and the South West Native Title Settlement. Both of these large-scale Indigenous Land Use Agreements incorporate substantial land components.

Land Use Planning recently contributed to DMIRS policy development with respect to carbon farming; especially assessing spatial overlap with exploration and mining, and potential impacts on these activities.

By providing resource potential maps tailored for land use planners and the public, the Land Use Planning branch helps to avoid land use conflicts before they occur. This mapping is targeted for those resources most at risk of sterilization in areas of current or future land development. A good example of this is the significant geological supply mapping that has formed the basis for the new State Planning Policy on basic raw materials. The new policy is anticipated to help protect strategic basic raw material sites from encroachment by urban development.

In summary, the Land Use Planning branch plays an important role in informing government on resource access matters, thus ensuring that, wherever possible, the interests of the resources industry are considered and a proper balance between environmental, social and economic factors is achieved in government decision making.