Objections or submissions for the grant of a mineral title

Relevant Legislation: Mineral Titles Act 2010 (MTA) and Mineral Titles Regulations 2011 (MTR).

Requirements
1. The mineral title is advertised – s 71 MTA
2. The owner of land in or comprising the proposed title area may object – s 71 (3) (d) MTA
3. Any other person may make written submissions about the application – s 71 (3) (e) MTA

A Mineral Title is advertised. 30 day notification period for lodgement of objections/submissions commences.

Has an objection and/or submission been lodged? s 71(4) MTA

Yes

The objection, submission and any responses are carefully considered by the Delegate. The matter may be referred to the Titles Advisory Committee for discussion and a recommendation.

Was the objection and/or submission lodged during the notification period? No

No

Objection or submission is invalid. Cannot be considered if lodged outside of the prescribed advertising period.

Matters considered may include:

- Are concerns based on fact;
- Do responses adequately address main concerns;
- Can concerns be effectively managed under an MMP (i.e. dust, noise, weeds, erosion etc). Comments may also be sought from a Mining Officer in relation to environmental matters, if required;
- Can an application area be reduced to remove the area of concern.

At the end of the notification period the applicant is given a copy of the objection/submission and advised of their right to respond within 21 days after the receipt of the advice. s 72(1)(a) & (b) MTA

Has a response from applicant been received? (Not compulsory however applicants are encouraged to provide a response.) s 72(2)(a) & (b) MTA

Yes

The delegate makes a determination.

No

Application proceeds

Has the objection/submission been withdrawn?

No

Mineral Title application is refused. All parties advised of outcome.

Yes

Has the objection/submission been withdrawn?

No

The application proceeds towards grant. Persons making an objection or submission will be advised once application is granted.

Yes