

Mineral development licence guide

A guide to making a mineral development licence application under the *Mineral Resources Act 1989*

What is a mineral development licence?

A mineral development licence (MDL) is granted and administered by the Department of Natural Resources, Mines and Energy (DNRME) under Chapter 5 of the *Mineral Resources Act 1989* (“the Act”) and Chapter 2, Part 3 of the Mineral Resources Regulation 2013 (“the Regulation”). It allows you to carry out further studies of a resource and to assess the development potential of a site, once you have discovered that minerals or coal exist in your resource authority area. In addition to activities allowed under exploration resource authorities for coal or minerals, you can:

- conduct feasibility studies, geoscientific programs (for example drilling, seismic surveys), metallurgical testing and environmental studies;
- carry out engineering design studies, and
- carry out marketing, environmental, engineering and design studies to evaluate the development potential of the defined resource.

Please note this list of activities does not limit the DNRME’s powers to authorise other activities.

Key information

An MDL may be granted for any number of minerals as defined in section 6 of the Act. To obtain an MDL you must have one of the following:

- an exploration permit for minerals;
- an exploration permit for coal; or
- a previous MDL.

This is commonly referred to as a pre-requisite resource authority. MDLs can only be issued over the land that the pre-requisite resource authority was granted for and must be granted for the same resource.

If you nominate an existing MDL as the prerequisite resource authority you must surrender this resource authority in favour of the new one. The surrender may be for the whole or part of the area of the prerequisite resource authority. This is commonly referred to as a **conditional surrender**. The number and expiry date of the relevant pre-requisite tenure must be provided in your application.

Applying online is quick and easy via the [MyMinesOnline](#) electronic lodgement system.

The term of your mineral development licence

MDLs are granted where a significant mineral occurrence of possible economic potential exists. The initial term for a MDL is generally five years and is renewable for periods of up to five years.

If it is proven that it is not economically viable to develop the mineral resource, DNRME may specify that no activity need be carried out for the term of the licence or for a specified period of time. However, if it is determined that the MDL has become economically viable, at renewal of the MDL the DNRME may require the holder to provide a work program, or may prescribe the activities to be undertaken by the holder.

The physical area of your resource authority request

There are no pre-defined areas or shapes for MDLs. However, as the area and shape of the land may depend on the extent of the defined resource or any undefined extensions of the existing land tenure boundaries, your mineral development licence application must include:

- **Clearly described boundaries**, the boundary needs to be identified as set out in section 386R of the Act. Refer to the [Practice Direction 01/2016: Boundary identification](#) for mining tenements, including boundary definition notice, for more details.
- **Access to the application area** via either a dedicated public road or by supplying start, middle and end points from the boundary of the area to a dedicated road including the required width. 'Access' is described as a point acceptable to the department to the boundary of the application area. Like your boundary information, your proposed access must also be defined by accurately measured GPS coordinates.

If access to the area is not via an existing, dedicated public access that abuts the application area information about site access must be included in your application.

The department's preferred format for resource authority area descriptions is via shapefile. If this is unavailable, please submit an Excel CSV (Comma Separated Value) file and use the supplied converter tool to create a shapefile to submit with your application.

All land except the following types may be subject to an MDL:

- National Parks;
- Conservation Parks;
- Special wildlife reserve – see sections 27 and 70 of the *Nature Conservation Act 1992*;
- Forest reserve;
- Restricted areas where a MDL is prohibited;
- Commonwealth land where an act excludes mining; and
- and designated areas in strategic environmental areas under the *Regional Planning Interests Act 2014* (refer to section 15 of the Regional Planning Interests Regulation 2014).

Describing the parcels of land

The whole or part of parcels of land within the boundary of the proposed MDL must be described via Lot on Plan. The description must also include the owner or occupier's name, address, the current land usage and whether you intend to use the land for the area of the resource authority or for access.

To undertake activities on your MDL, you must also **obtain owner or occupier consent to enter restricted land**. Restricted land is an area of 200 metres from a dwelling or business or 50 metres around features such as principal stockyards, bores, artesian wells, dams or other water storage structures connected to a water supply. Visit [here](#) for more information about restricted land for MDLs.

See an example of land parcel description below.

Background description	Tenure	Land Parcel Name	Current Use	Proposed Use	Owner or occupier name	Owner or occupier address
Lot 23 RP23456	Freehold		Grazing	Access	J Smith	2 John St Roma
Lot 6 RP78521	Leasehold		Grazing	MDL	H Rogers	7 Farm Road Roma
Road Reserve		Smith Road	Access Road			

Coal resource development

The MRA requires an MDL application to provide the reasons for the size and shape of the resource authority area being applied for and provide evidence in respect of the quality and quantity of the mineral occurrence in the area being applied for.

To meet these requirements for a coal MDL the applicant must provide with their application the following information:

- a JORC report: A statement and map which show the defined resources areas and estimates in regard to the coal quality contained within the size and shape of the area in accordance with JORC standards, and stating parameters used. The map should show current JORC level resources per seam split up into indicated, measured and inferred JORC resources;
- geological confidence statements for indicated, measured and inferred JORC resources which describes the attributes of the resource status;
- a statement regarding the method of proposed mining and critical assumptions (e.g. strip ratios if known);
- a statement about potential infrastructure requirements and a map of their location in relation to the area applied for; and
- a statement about environmental constraints and how they impact the size and shape of the application area applied for.

For the most up to date information on how the department assesses MDL coal applications, refer to the Operational Policy MIN/2017/4001 [Technical Assessment of an application for a mineral development licence for coal](#).

A future coal mine plan may be provided with the MDL application as justification for use of land. A future mine plan should contain information that considers JORC modifying factors to obtain potential extraction viability for indicated and measured JORC resources.

For mine planning purposes in respect of the 'modifying factors' include a pre-feasibility assessment of the deposit, mining methods, transport networks and estimate extraction costs to assess the economic the viability of the deposit.

A JORC report or any statements should refer to JORC resources only, anything mentioning 'Inventory' or 'exploration target' or 'potential mineralisation' is below JORC standards and will not be accepted as suitable rationale for a coal mineral development licence.

What will we do?

Once an application has been lodged and accepted, you will receive a unique MDL number. The department:

1. will conduct a preliminary assessment of the application to ensure that all relevant information and data is included
2. may request further information in addition to what has already been provided. If you fail to provide such additional information within the prescribed timeframe, your application may be refused
3. will consider whether you are disqualified from being granted the MDL under chapter 7 of the *Mineral and Energy Resources (Common Provisions) Act 2014*.
4. will undertake an assessment of the application on the basis of the information contained in the application and identified through the consultation process
5. will advise you of the outcome of the assessment and the decision regarding your application.

After grant - landholder compensation and consultation

An MDL holder is liable to compensate each owner and occupier of private land that is in the authorised area of, or is access land for, the resource authority (each an eligible claimant) for any compensatable effect the eligible claimant suffers caused by authorised activities carried out by the holder or a person authorised by the holder.

You may also need to enter into a **conduct and compensation agreement** about—

- how and when you may enter the land
- how authorised activities must be carried out; and
- the holder's compensation liability to the owner or occupier or any future compensation liability that the holder may have to the owner or occupier.

You may seek a conference or an alternative dispute resolution process if a conduct and compensation agreement cannot be negotiated. Should that be unsuccessful either party can apply to the Land Court to decide.

Refer to the [Land Access Guide](#) and Chapter 3 of the *Mineral and Energy Resources (Common Provisions) Act 2014* for more information.

6.

Application steps for MyMinesOnline

What you need to do	Supporting information
<p>Log in to <i>MyMinesOnline</i>, select <i>Apply for a new permit or renew a permit</i> under the <i>I want to...</i> options at the right of the <i>My dashboard</i> tab and select <i>Enter a new permit application</i>. Information on <i>Mining Tenure</i> types and the relevant forms are also available to download.</p> <ol style="list-style-type: none"> 1. If you agree with the <i>Terms and Conditions</i>, select Continue and use the drop down boxes to select the <i>Resource</i> either mineral or coal and the <i>Permit type</i> you are applying for, select Next 2. Provide any <i>Prerequisite Permits</i> by entering the <i>Permit type</i> and <i>Permit numbers</i> and select Add permit 3. Upload the consent of all holder/s and select Save <p>Note: At this stage the system creates the new application. This may take a few moments. You need to wait until the screen displays with the link <i>Continue to your application</i>.</p> <ol style="list-style-type: none"> 4. Select the <u><i>Continue to your application</i></u> link <p>Once created, the steps to follow for the new permit application display in the <i>Application status summary</i> table if completing the steps online. Complete each step as described in the summary. The status of each step displays once details are completed. Some steps will not be available until a preceding step is completed.</p> <ol style="list-style-type: none"> 5. Select Step 1 Permit details. 	<ul style="list-style-type: none"> <input type="checkbox"/> Prerequisite permit numbers <input type="checkbox"/> Upload the prerequisite permit holder/s consent/s
<p>Step 1: Permit details</p> <p>From the <i>Application status summary</i> table or form, select <i>Step 1: Permit details</i></p> <ol style="list-style-type: none"> 1. Enter the Permit name (for your reference only as it will not be used by the Department) 2. Specify the term of the proposed permit 3. Attach a statement justifying the length of the term 4. Provide the general locality of the application by a brief description of the general area, for example, 15km South East of Mt. Isa. This description will be used in the native title advertising process, if required 5. For minerals and infrastructure permits only: enter mineral name and select Add Mineral or enter infrastructure information and select Add Infrastructure, if required 6. Select Save <p>Note: After each step, the system refreshes to display the status. If a step is complete, the Complete status displays. If incomplete, the status Incomplete displays. Steps can be revisited throughout the process.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> A justifying statement for the term of the licence

<p>Step 2: Permit holder details</p> <p>From the <i>Application status summary</i> table or form, select Step 2: <i>Permit holder details</i></p> <ol style="list-style-type: none"> 1. Select either Add company holder or Add individual holder 2. Search for your company or individual holder with either company name or ACN/ARBN or leave the field blank and select Search 3. Select the relevant company or holder and select Next or select Create new company/individual record and add/update contact details including email address and select Next 4. Specify the percent holding for each holder. The total holding must equal 100%. If there is only one holder the percentage must equal 100% for that holder. Use the check box to select the authorised holder, which defaults to the principal contact 5. Select tenancy type – Joint Tenancy, Sole Holder or Tenancy in Common 6. Attach proof of identity and select Next 7. Review and confirm contact details 8. Assign an Authorised holder representative to act on your behalf and attach a signed letter of authority and consent of all holders for the authorised holder representative and select Save <p>Note: The Act requires all applicants to provide proof of identity when making applications. Each applicant must be an eligible person as defined under the relevant Act. To establish eligibility all applicants are required to provide proof of identity by submitting the following as an attachment with the application.</p> <p><u>For an individual</u></p> <p>A copy of the original of one of the following</p> <ul style="list-style-type: none"> ▪ the applicant’s full birth certificate (not an extract) ▪ passport in the name of the applicant ▪ 18+ card in the name of the applicant ▪ driver’s licence in the name of the applicant. <p><u>For a company</u></p> <p>The applicant must possess the certificate of registration issued by the Australian Securities and Investments Commission (ASIC) showing the Australian Company Number (ACN).</p> <p>When applying using the electronic form the department will confirm the validity of the ACN via a direct link with ASIC.</p> <p>If applying using the paper form, a certified copy of the certificate of registration issued by ASIC must be attached to the application form.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Proof of identity <input type="checkbox"/> Signed letter of authority <input type="checkbox"/> Signed letter of consent by the holder/s <input type="checkbox"/> The Authorised Holder Representative Guideline has more detailed information about what to include in a letter of authority
<p>Step 3: Select permit area</p> <p>From the <i>Application status summary</i> table or form, select Step 3: <i>Select permit area</i></p> <ol style="list-style-type: none"> 1. Enter the approximate size of the area of the mineral development licence you are applying for in hectares (to two decimal places) 2. Attach a statement justifying the area of the permit and its shape 3. Select the datum standard you have used: GPS Points must be on either GDA2020 Datum in latitude and longitude 4. Under Internal boundary, indicate the existence of a mining permit or existing application for a mining permit wholly within this new permit application, by selecting 	<ul style="list-style-type: none"> <input type="checkbox"/> A justifying statement of the area and shape of the licence <input type="checkbox"/> A CSV, shape file sketch or map clearly showing the proposed:

<p>Yes or No. If Yes is selected, add the permit type and number select Add permit</p> <ol style="list-style-type: none"> 5. Add the relevant local authority by typing the information into the search box and select Add local authority 6. Attach permit area files Guideline and templates for shape file and CSV file are available from our website <ol style="list-style-type: none"> a. Attach a CSV, shape file and a sketch map clearly showing the proposed licence's internal/external boundaries b. Attach a map of the area setting out the boundaries and access c. Attach any other supporting documents or graphic representations of the area, for example, photographs and select Next 7. Enter access details: indicate the access to the tenure is by a designated road that is within or is abutting the tenure area by selecting Yes or No. If Yes, you need to provide the name of the access road. If No, you need to provide the following information: <ol style="list-style-type: none"> d. the width of the access road e. any relevant information about access including start and end points f. upload an area CSV or Shape file 8. Select Save 	<ul style="list-style-type: none"> - internal/external boundaries - total area - site access <ul style="list-style-type: none"> <input type="checkbox"/> Any other supporting documentation or graphic representation of the area, including photographs or maps <input type="checkbox"/> A justifying statement outlining with the reasons for the selected surface area
<p>Step 4: Land information details</p> <p>From the <i>Application status summary</i> table or form, select Step 4: <i>Land information details</i></p> <ol style="list-style-type: none"> 1. Using the Land information template, upload the ownership, usage and compensation status details for each parcel of land within the proposed permit area. 2. Select Next 3. Specify if you are surrendering a granted permit in favour of this application by selecting Yes or No. If Yes, add the permit number and upload a conditional surrender rationale statement. 4. Select Save. 	<ul style="list-style-type: none"> <input type="checkbox"/> Land information template completed with land details <input type="checkbox"/> Statement advising why you want to conditionally surrender this permit
<p>Step 5: Environmental authority</p> <p>From the <i>Application status summary</i> table or form, select Step 5: <i>Environmental authority</i></p> <ol style="list-style-type: none"> 1. All types of EA applications must be lodged directly with the Department of Environment and Science (DES) using the Connect system or lodging a paper application. <p>Note: Your EA will be assessed by the DES, who will advise you the EA number once issued. Confirmation that the EA is issued is required before your permit can be granted.</p> <p>Please review the DES Guides on application fees for mining activities. Please note, once technical assessments and native title processes are complete; the department will advise you of any outstanding monies (for example, rent or security). You have 20 business days from the date of the letter to finalise these accounts.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> You will be required to submit EA application directly to DES

<p>Step 6: Native title</p> <p>From the <i>Application status summary</i> table or form, select <i>Step 6: Native title</i></p> <p>Note As the available processes depend on the type of permit, the works to be undertaken and the area of land that is subject to native title, you need to confirm which native title process you intend to undertake by use of the radio buttons.</p> <ol style="list-style-type: none"> 1. If you elect to undertake a native title process, use the drop down function to select the applicable process for your permit. In some cases you will need to upload a Right to negotiate submission 2. If you select Right to negotiate and ILUA you need to nominate the type of ILUA you will opt into. <p>Note: Any application which includes more than 10% non-exclusive land must undertake a native title process. An incorrect process selection could render your application invalid and liable to rejection</p> <p>Note: If you select to proceed without undertaking a native title process, you need to indicate by use of the check box that if after a full assessment is completed it is determined that native title does exist; you accept that a native title process is required and advertising fees will be requested by the Department.</p> <ol style="list-style-type: none"> 3. Select Next 4. Review the Native title process summary and select Save <p>Please review the full Native Title Guideline on land access and native title for mining activities.</p>	<p><input type="checkbox"/> Payment of advertising fees, if required</p>
<p>Step 7: Proposed program or plan</p> <p>From the <i>Application status summary</i> table or form, select <i>Step 7: Proposed program or plan</i></p> <p>The scope of work programs may vary depending on the size and complexity of the proposed operations. If the proposed licence supports other permits or forms part of a broader project, the work program must describe it and clearly show the relationship to the proposed licence.</p> <p>All applicants for coal are required to include with the resource statement:</p> <ul style="list-style-type: none"> • A JORC report • geological confidence statements for indicated, measured and inferred JORC resources which describes the attributes of the resource status • the method of proposed mining and critical assumptions (e.g. strip ratios if known) • potential infrastructure requirements and a map of their location in relation to the area applied for • a statement about environmental constraints and how they impact the size and shape of the application area applied for. <ol style="list-style-type: none"> 1. Download and complete the work program template, as required. Instead of the template, you can also provide your own document, along with any other supporting documentation 2. Upload the completed proposed work program 	<p><input type="checkbox"/> Download the work program template</p> <p><input type="checkbox"/> Provide your work program</p> <p><input type="checkbox"/> Provide your work program rationale</p> <p><input type="checkbox"/> Provide your resource Statement</p>

<ol style="list-style-type: none"> 3. Upload the completed work program rationale 4. Upload your resource statement and select Save <p>Please review our full Development Plans and Work Programs Guideline on preparing a work program</p>	
<p>Step 8: Financial and technical capability</p> <p>From the <i>Application status summary</i> table or form, select Step 8: <i>Financial and technical capability</i></p> <p>To ensure any planned activities are sufficiently funded and adequately resourced, applicants must demonstrate how they intend to meet the financial and technical capability and commitments for the permit.</p> <ol style="list-style-type: none"> 1. Upload financial capability statements 2. Upload financial commitments document 3. Upload any supporting evidence and select Next 4. Upload technical capability statements 5. Upload other resource commitment statements <p>Note: If a third party is providing resources for the applicant’s permit activities, a statement declaring the resource availability is required.</p> <ol style="list-style-type: none"> 6. Upload third party declarations as required <p>Note: If any holder has less than five years of satisfactory compliance history with a current permit in the Queensland resources sector, or wishes not rely on this history, additional supporting evidence is required.</p> <ol style="list-style-type: none"> 7. Upload supporting evidence as required 8. Select Save <p>Please review our Financial and Technical Capability Guideline</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Financial capability statements <input type="checkbox"/> Financial commitments documents <input type="checkbox"/> Supporting evidence <input type="checkbox"/> Technical capability statement <input type="checkbox"/> Resource commitment statements <input type="checkbox"/> Third party declarations <input type="checkbox"/> Supporting evidence

<p>Step 9: Understanding your obligations</p> <p>From the <i>Application status summary</i> table or form, select Step 9: <i>Understanding your obligations</i></p> <p>Note: As a result of the granting of a permit, permit holders must know their obligations generally listed on the <i>Instrument of Grant</i> as ‘permit conditions’ or mandatory conditions as prescribed by <i>the Act</i> or <i>the Regulation</i>. These obligations are also attached to the EA, so you must confirm you understand your permit obligations.</p> <ol style="list-style-type: none"> 1. Select the check box to indicate your understanding of, and agreement to the obligations and select Save. 	<p><input type="checkbox"/> Check the Permit Holder Obligations Guideline to ensure you’ve understood your responsibilities as a permit holder</p>
<p>Step 10: Pay and submit application</p> <p>From the <i>Application status summary</i> table or form, select Step 10: <i>Pay and submit application</i></p> <p>Note: If submitting a paper copy, acknowledge you’ve read the declaration by signing and dating the form. The form must be signed by all permit holders or it will be delayed or may not be accepted.</p> <ol style="list-style-type: none"> 1. Select your payment option by use of the radio buttons <ul style="list-style-type: none"> • Submit your form in person or post it to a Mines Assessment Hub. You can pay by cash, via EFTPOS or by cheque if submitting your form in person. • If posting your application, only cheque payments are accepted • If you have registered for the MyMinesOnline portal and are submitting via the website, selecting the Pay and Submit task will offer payment options to complete your transaction 2. Click OK to accept the fee payment method or Cancel to change payment method 3. Once you have paid or provided proof of payment, select Next and an electronic email receipt will be sent. Your request will be submitted once payment is confirmed. 4. Select Close. 	<p><input type="checkbox"/> Proof of payment to verify your application has been successfully lodged</p>

More information

Coal Hub Phone: (07) 4936 0169
Email: CoalHub@dnrme.qld.gov.au

Mineral Hub Phone: (07) 4447 9230
Email: MineralHub@dnrme.qld.gov.au

For technical support contact the **MyMinesOnline Helpdesk**
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Email: mines_online@dnrme.qld.gov.au

8.30am – 4.30pm (AEST) Monday to Friday on Queensland business days.

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