



Department of **Mines,**  
Petroleum and Exploration

# Mining lease restricted to minerals dissolved in brine

**Guideline**

**March 2026**

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## Purpose

This document outlines the criteria used by the Department of Mines, Petroleum and Exploration (the department) in assessing applications for Mining Leases restricted to minerals dissolved in brine under the *Mining Act 1978* (the Act), and the processes proponents are expected to follow.

## Background

Potash, halite (salt), lithium, iodine, magnesium, bromine and similar soluble minerals often occur in brine systems across Western Australia, particularly in remote salt lake environments. The brine may be groundwater, surface water or seawater. Brine mining differs from solution mining or in-situ leaching in that those methods inject water or chemicals to dissolve materials that are in a solid state. In brine mining, the minerals are already naturally dissolved.

Projects of this nature typically require lease areas significantly larger than those associated with conventional mining operations, sometimes extending 10 to 20 times the area normally under tenure for mining operations elsewhere in the State.

Section 110 of the Act provides the Minister for Mines and Petroleum with discretionary powers to grant a mining lease restricted to specific minerals, including minerals dissolved in brine. In exercising this discretion, the Minister must have regard to factors such as the locality of the land and the public interest.

On 24 May 2019, amendments to the Mining Regulations 1981 (the Regulations) introduced a concessionary rental rate specifically for mining leases restricted to minerals dissolved in brine. This measure supports the development of Western Australia's brine-based mineral industries by reducing the fixed costs associated with large-scale brine extraction operations.

## Submission requirements

Proponents seeking a mining lease restricted to minerals dissolved in brine must prepare a concise written submission outlining the grounds on which such a restriction is sought.

This submission should be provided at the time of, or as soon as reasonably practicable after, lodging the mining lease application and should clearly describe how the proposed project advances the public interest.

At a minimum, the submission should:

- address the expected economic, social and community benefits arising from the project, including contributions to regional economies, employment outcomes or opportunities for local businesses;

- explain the proponent's engagement with communities, local governments, and stakeholders, including how potential impacts on those parties will be managed or mitigated; and
- describe the project's relationship with surrounding land uses and other existing resource developments, including any potential for overlaps, conflict or required coordination.

Evidence of engagement with affected pastoralists, Native Title parties and any other relevant land users will form an important part of the public interest assessment.

The department may request further information at any time to support the assessment.

## Lodgement

A mining lease application must be accompanied by the first year's rent calculated at the standard rate prescribed in Item 8 of Schedule 2 of the Regulations. This is necessary because the Minister's discretion to restrict the lease to minerals dissolved in brine, and to apply the concessionary rent rate, can only be exercised at the time the mining lease is granted.

Importantly, the restricted minerals provisions under section 110 of the Act cannot be applied retrospectively to mining leases that have already been granted.

## Payment

The department's current policy limits the total amount payable by credit card to \$99,999.00. From July 2025, any mining lease application exceeding 3,411 hectares cannot be lodged through the online application portal. Such applications must instead be lodged in person at a Mining Registrar's office (including Perth) and must be accompanied by a bank cheque to the department covering both the application fee and first year's rent.

Once the Minister has granted a mining lease restricted to minerals dissolved in brine, the department will arrange a refund of the difference between the standard rent and the concessionary rent prescribed in Item 9 of Schedule 2 of the Regulations.

## Ongoing obligations

Holders of mining leases restricted to minerals dissolved in brine are subject to all relevant statutory requirements, including expenditure conditions unless an exemption is granted under section 102 of the Act. All other standard covenants, compliance obligations and reporting requirements remain applicable to these leases.

Government of Western Australia  
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8.30am – 4.30pm

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