



Pastoral Lands Board Policy

Retaining Mining Infrastructure on a Pastoral Lease

March 2026



POLICY STATEMENT

Retaining Mining Infrastructure on a Pastoral Lease

The Pastoral Lands Board (PLB) has two broad roles:

1. To administer pastoral leases in accordance with Part 7 of the *Land Administration Act 1997* (LAA)
2. To provide advice to the Minister for Lands (Minister) on policy relating to pastoral land and the pastoral industry, including ensuring that pastoral leases are managed on an ecologically sustainable basis.

The PLB believes that the economic and ecological health of pastoral lands are inextricably connected. The PLB is committed to creating an environment where government and pastoral lessees work cooperatively to enhance productivity and financial viability, while achieving improved land management outcomes.

This policy applies this commitment to applications from pastoral lessees seeking to retain infrastructure originally installed for mining or exploration purposes on land under a pastoral lease for their continued use.

Mining and exploration companies may establish mining-related infrastructure on pastoral leases pursuant to the *Mining Act 1978*. The *Mining Act 1978* provides that all mining infrastructure must be removed once mining activities have concluded.

However, on occasion a mining company and a pastoral lessee may agree to transfer such infrastructure to the ownership of the pastoral lessee.

Pastoral lessees have a right to use land under a pastoral lease solely for pastoral purposes, unless otherwise authorised by a permit. Accordingly, in order for the PLB to consent to any mining-related infrastructure being retained on a pastoral lease, it must be satisfied that the infrastructure will be utilised either for pastoral activities or in accordance with a permit. Any mining-related infrastructure that is retained on a pastoral lease must be maintained in good condition, to the satisfaction of the PLB.

In addition, approval from other agencies under other relevant legislation may be required, including in particular from the Department of Mines, Petroleum and Exploration (DMPE) under the *Mining Act 1978*. It is the responsibility of the proponents to ensure that all such approvals are obtained.

The PLB recognises that mining-related infrastructure — such as tracks, bores, fencing, workshops, and buildings — can provide benefits to pastoral lessees by facilitating land management.

The infrastructure could also be used for activities under a permit approved by the PLB, for example:

- A mining-related dam being used to water crops under a section 120 permit for non-pastoral agriculture
- Housing constructed for mining employees being used for pastoral-based tourism under a section 121 permit.

Objective

To ensure transparency for pastoral lessees and mining companies regarding the transfer of mining-related infrastructure following the completion of mining or exploration activities on a pastoral station.

Principles

The PLB will consent to the transfer of mining infrastructure to a lessee, if it is satisfied that the infrastructure will be utilised either for pastoral activities or in accordance with a permit.

If the PLB consents to the proposed transfer of mining infrastructure, it will be the responsibility of the proponents (i.e. the pastoral lessee and the mining company) to ensure all relevant approvals arising from other legislation including DMPE under the *Mining Act 1978* are obtained.

Should a pastoral lessee assume ownership responsibility for mining infrastructure, they may also inherit any associated liabilities. These liabilities can include contamination, environmental impacts such as those from former settling ponds or dams, or issues of public safety if, for instance, a building is not maintained in a safe or satisfactory condition.

The PLB would generally expect these matters to be resolved by the mining company before consenting to any transfer of infrastructure.

If that is not feasible the PLB will take advice from relevant environmental agencies as to particular requirements or conditions prior to considering providing consent.

Detailed instances of contamination during operations, along with the corresponding remedial measures undertaken, should be provided to demonstrate effective management of such contamination.

It is recommended that pastoral lessees carefully evaluate these potential risks before accepting responsibility for mining infrastructure. In particular, pastoral lessees should be aware that pursuant to Section 107 (3) of the LAA, “*A pastoral lessee must maintain in good condition, and if necessary, restore, renew or replace, all lawful improvements to the lease, to the satisfaction of the Board.*”

Implementation guidelines

Once the pastoral lessee and the mining company have come to a contractual agreement about the transfer of the infrastructure, and DMPE has formally confirmed that all mine rehabilitation and closure requirements have been met in accordance with the *Mining Act 1978*, proponents may submit an application to the PLB to transfer mining-related infrastructure to a pastoral lessee, provided there is clear evidence demonstrating benefit to pastoral operations.

Proponents must include the following requirements in an application for transfer of mining infrastructure:

- A detailed list of items proposed for transfer
- The position of each item on a location map
- An explanation of how each item supports pastoral operations or (if the infrastructure is to be used in relation to an activity under permit) either a permit application or demonstration that the infrastructure is in accordance with an existing permit.
- A signed letter of consent stating the mining company is in support of the transfer
- Lessees written commitment for the responsibility of maintaining mining infrastructure in accordance with the requirements of section 107(3) of the LAA
- If applicable, water quality test results to confirm suitability for stock use
- If applicable, evidence that a mining company will ensure flushing of hypersaline residues for dams/tanks/pipelines prior to transfer.
- Any infrastructure proposed for transfer that is beyond the standards for pastoral infrastructure contemplated in pastoral guidelines, will be made suitable for that purpose; for example, to revegetate haul roads to a width of 4-5 metres, which is in accordance with the [PLB Good Pastoral Land Management Guidelines](#) and typical of pastoral tracks.

Process

The PLB will consider all applications on a case-by-case basis in the context of this policy.

This clearance signifies that DMPE has released the mining company from its obligations to remove authorised structures and rehabilitate the site.

Submissions

Applications and queries should be directed to:
Email: pastoral@dplh.wa.gov.au

Relevant Documents

[Land Administration Act 1997](#)

[Guideline - Guideline for preparing Mine Closure Plans](#)

[Mine Closure Plan for Small Mining Operations: Form](#)

[Access Resources Online | Western Australian Government](#)

Acknowledgment to Country

The Pastoral Lands Board acknowledges the Aboriginal people as the traditional custodians of Western Australia. We pay our respects to the Ancestors and Elders, both past and present, and the ongoing connection between people, land, waters and community. We acknowledge those who continue to share knowledge, their traditions and culture to support our journey for reconciliation. In particular, we recognise land and cultural heritage as places that hold great significance for Aboriginal people.

Disclaimer

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