

MT2: Exploration activities

Purpose

To outline the proposed changes for exploration activities including preliminary exploration under the *Mineral Titles Act 2010* (the Act).

Overview

In the NT, with the exception of preliminary exploration, a mineral exploration licence (EL) or extractive mineral exploration licence (EMEL) is required for mineral and extractive mineral exploration.

Both exploration mineral titles give the title holder the right to occupy the title area and exclusive right to:

Mineral exploration licence	Extractive mineral exploration licence
<ul style="list-style-type: none"> conduct exploration for minerals and other authorised activities in the title area apply for a mineral lease (ML) to conduct mining for minerals should a mineral resource of economic interest be discovered. 	<ul style="list-style-type: none"> conduct exploration for extractive minerals and other authorised activities in the title area apply for an extractive mineral permit (EMP) to take extractive minerals from the natural surface of the land apply for an extractive mineral lease (EML) to conduct mining for extractive minerals.

Growing our exploration industry

Preliminary exploration

Preliminary exploration allows for an initial assessment of the land's geological characteristics for potential future mineral or extractive mineral exploration under a mineral title. Since significant ground disturbance is not permitted, the grant of an EL or EMEL is not required to conduct preliminary exploration activities.

For Aboriginal land, preliminary exploration still requires written consent from the landowner. However, further clarification is required under the Act to avoid confusion with consent requirements for EL applications under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* (ALRA), which would require negotiations with traditional owners.

It is proposed to provide greater clarity in the Act so that written consent in relation to preliminary exploration on Aboriginal land relates to 'entry onto Aboriginal land' under Part II of the *Aboriginal Land Act 1978* and not the consent requirements which apply to the grant of ELs under ALRA.

Mineral exploration licence

Current arrangements	Proposed arrangements
<p><u>Application for and grant of ELs</u> The Act currently does not specify a maximum number of blocks that can be applied for when submitting an EL application.</p> <p>The Act also requires that an EL's title area must not be granted for an area of less than four adjoining blocks (unless there are circumstances to justify it).</p>	<p>To improve administrative efficiency, it is proposed to:</p> <ul style="list-style-type: none"> include that a minimum of one block and a maximum of 250 blocks can be applied for when submitting an EL application allow an applicant to apply for more than one separate area, up to a maximum of three separate non-contiguous areas.
<p><u>Reduction of title area for ELs</u> An EL's title area is required to be reduced every two operational years¹.</p>	<p>To reduce regulatory burden, it is proposed to:</p> <ul style="list-style-type: none"> change the title area reduction requirements for an EL to apply at the end of the initial grant period allow the title holder to nominate blocks to be reduced for the renewal period (the Minister would retain the discretion to waive the initial reduction requirement, if satisfied there is a valid reason) require that after the end of the first renewal period, the reduction of the title area would be mandatory. Any subsequent renewals would also be subject to the mandatory reduction of the title area.
<p><u>Renewal of ELs</u> An EL may be renewed for a period of up to two years.</p>	<p>To encourage explorers to progress exploration more quickly, it is proposed to allow for an EL to be renewed for a period of up to six years.</p> <p>After 12 years, any further renewals would be limited to a maximum of two years and would be contingent upon the level of compliance with conditions in previous years.</p>
<p><u>Bulk sampling</u> The Act currently does not permit the use of a mobile crusher or blasting within the existing approval for bulk sampling.</p>	<p>ELs do not typically permit the use of explosives. However, when a larger sample of ore is required, blasting may assist in certain circumstances when conducting exploration.</p> <p>It is proposed to allow for an EL holder to seek approval, if required, for blasting and to use a mobile crushing plant within the existing approval process for bulk sampling.</p>

¹ An operational year for a mineral title means the period of 12 months immediately after the title comes into force and each subsequent period of 12 months.

Current arrangements	Proposed arrangements
<p><u>Technical work program (TWP)² and Expenditure Reports for ELs</u></p> <p>The lodgement dates of the TWP and Expenditure Report for ELs are neither aligned nor administratively efficient.</p>	<p>To streamline reporting, it is proposed to:</p> <ul style="list-style-type: none"> remove the requirement to lodge a TWP before the end of each operational year. Instead, the TWP would be lodged with the Expenditure Report, which is proposed to be within 60 days after the end of each operational year replace page 2 of the Expenditure Report form with the TWP to reduce duplicate reporting on expenditure.
<p><u>Notice before starting authorised activities for exploration</u></p> <p>The Act is unclear on whether one notice should be given for each proposed entry onto land to conduct exploration activities or if one notice is adequate to cover the full field season.</p>	<p>To provide greater clarity, it is proposed to specify that the title holder must give written notice before each entry onto land unless the landowner or occupier has agreed to a different frequency of notices.</p>

² A technical work program contains a summary of the proposed technical work to be carried out including the proposed expenditure for carrying out the work as well as the technical and financial resources available for carrying out the work.