
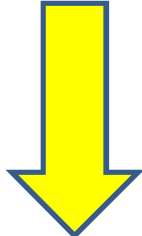
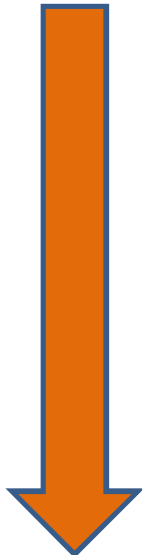



## Exploration & Landowner's Rights

<p><b>Exploration Tenement</b></p> 	<p>A Prospector (e.g. BRL, BAJV) can apply for an Exploration Lease.</p>	<p>If an Exploration Lease is granted, it <b>Excludes</b> all land which was first granted by the Crown before 1 January 1899; and For land was granted after 1 January 1899, the Licence/Lease <b>excludes</b> the surface and top 30 metres of the land unless the Prospector has a signed Compensation Agreement with the landowner/occupier giving them rights to explore the top 30m.</p>
<p><b>Permit from Mining Warden</b></p> 	<p>The Prospector then applies for a Permit from the Mining Warden.</p> <p><b>You can say NO to any digging, drilling or disturbance below the surface.</b></p>	<p>The Permit lets the Prospector enter the land to take rock samples and “peg” for a mining tenement.</p> <p>If they have a permit, you can't stop them from entering the property and taking rocks off the surface.</p> <p>They CAN'T drill, dig or disturb the surface unless you say 'yes' in writing.</p>
<p><b>Exploration Licence</b></p> 	<p>The Prospector then applies for an Exploration Licence from the Mining Registrar.</p> <p><b>You can say NO to the Exploration Licence.</b></p> <p><b><u>Saying NO protects your home and your land to 30 metres soil depth.</u></b> This is enough to stop bauxite exploration, because bauxite is generally shallower than 30m</p> <p>If you want to say YES to Exploration, make sure you get a written agreement with the Prospector that protects you.</p>	<p>As owner/occupier/mortgagee you <b>MUST</b> be informed of the application. You can say <b>NO</b> to the Mining Registrar.</p> <p><b>If you DON'T want exploration on your land, you can say no.</b> No-one can force you to say yes.</p> <p>If you say NO, the Exploration Licence it will be granted <b>excluding the top 30 metres of the land.</b> The Mining Registrar won't issue an Exploration Licence for the top 30 metres of your land without your written consent.</p> <p>If you do want to say YES to the Prospector, you will need to enter into a written agreement with the Prospector. You have the right to say that you want the agreement drawn up by a lawyer of your choice, which the Prospector should pay for. You don't have to pay the legal fees.</p>
<p><b>Mining Licence</b></p> 	<p>If the Exploration finds minerals that the Prospector wants to mine, the Prospector then applies for a Mining Licence from the Department of Mines and Petroleum.</p> <p><b>You can say NO.</b></p> <p>Mining can't start until you have a signed compensation agreement in place with the mining company.</p>	<p>The areas of your land which <b>cannot</b> be included in an Exploration Licence or Mining lease under the Mining Act without your consent are:</p> <p>(a) land which is in bona fide and regular use as a yard, stockyard, garden, orchard, vineyard, plant nursery or plantation or is land under cultivation;</p> <p>(b) land which is the site of cemetery or burial ground;</p> <p>(c) land which is the site of a dam, bore, well or spring;</p> <p>d) land on which there is erected a substantial improvement</p> <p>(e) land which is situated within 100m of any private land referred to in paragraph (a), (b), (c) or (d); or</p> <p>(f) land which is a separate parcel of land and has an area of 2000m<sup>2</sup> or less.)</p>

If you say YES to Exploration or Mining, make sure you protect yourself and your land. The written agreement should:

- Protect your water supply (including dams, bores)
- Include compensation for your time, inconvenience, legal costs, damage to fences/crops/livestock etc.
- Include the right for you to terminate the agreement during the “exploration” phase
- Protect your land from weeds and dieback that can be brought in by the Exploration vehicles
- Include a statement that all liability for the Company's acts or omissions on your land are borne by the Company
- Include a full indemnity in your favour to protect you from liability. You should NOT accept any liability!

**Contact Department of Mines and Petroleum – Titles Division for more information tel: 9222 3119.**