

Operational policy

Prescribed areas (excess and non-contiguous)

Policy number 7/2012
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Version 1.01

Application

This policy relates to the following sections of the *Mineral Resources Act 1989* (MRA) and the Mineral Resources Regulation 2013:

- s.127 Land subject to exploration
- s.131 Who may apply
- s.132 Exclusion of land from area of exploration permit if subject to other authority under the Act
- s133 Application for exploration permit
- s.137 Prescribed criteria for grant of exploration permit
- s.9 Prescribed areas – Act, ss 127 and 133

Which are to be considered when assessing an application for an exploration permit for excess areas and non-contiguous sub-blocks.

Purpose

The purpose of this policy is to inform industry of the processes and criteria to be followed when identifying the land (particularly the sub-blocks) an exploration permit will be subject to in the permit application under the requirement of the MRA.

This policy is written to:


- provide guidance and clarity to both applicants and administering officers;
- promote consistency of tenure administration and regulation across the state; and
- increase the department's timeliness and efficiency of processing exploration permit documentation.

The information provided in this policy **does not limit the exercising of discretion** nor does it override legislative requirements however it reflects current practices within the department which may change from time to time, with all changes being notified publicly through publication of this policy.

Exploration permits over non-contiguous sub-blocks

The assessment of an application for an exploration permit over non-contiguous sub-blocks will be based on the information supplied by the applicant with the application.

Applicants should ensure that sufficient relevant detail and supporting evidence is included with the application to allow proper assessment.



An application for an exploration permit shall only be granted over non-contiguous sub-blocks of land if the applicant submits that they meet one or more of the following criteria:

- The non-contiguous blocks are producing a commodity in a geological unit/s (or sequence) using a particular geological model even though the EPs are separated from each other;
- The non-contiguous blocks are for the same mineral/s and have different geological models, but will utilise a central processing site when progression is made to a mining tenure;
- The non-contiguous blocks have different target commodities but form part of the same value added project with centralised infrastructure - such as limestone, coal, iron, and chromium, for the production of steel or other refinery products;
- The non-contiguous blocks, when for different coal types in different portions of the same Basin / sub-basin, and using the resources for blending for the export market; or
- A logical demonstrable reason that the non-contiguous blocks can be linked as an integral group for exploration and reporting purposes.

Separate areas described in the application generally may not be separated by more than 100 kilometres. In an exceptional circumstance, an application for an exploration permit may be granted over non-contiguous sub-blocks of land where the above criteria are not met if:

- The applicant is the holder/applicant of the sub-blocks that separate the sub-blocks being applied for and granted; and
- The applicant provides sufficient justification/evidence that the program of work proposed can be undertaken over the non-contiguous sub-blocks in accordance with competent and efficient mineral exploration practice.

Failure to meet the criteria, or provide evidence of an exceptional circumstance may result in the refusal of the application.

Land that exceeds the prescribed area (excess areas)

The assessment of an application for an exploration permit over excess area will be based on the information supplied by the applicant with the application. Applicants should therefore ensure that sufficient relevant detail and supporting evidence is included with the application to allow proper assessment.

As a general practice, the decision-maker will not request additional information, particularly when it is determined that an application is competing.

An application for an exploration permit may be granted over excess area if the applicant submits that they meet one or more of the following criteria:

- The application area is applied for to conduct aerial geophysical, hyper spectral or remote sensing/imaging surveys;
- A new or significantly revised geological concept or technology is to be tested and explored; or
- Continuity of target.

Failure to supply information to justify the grant of an application for exploration permit over excess area may result in refusal of the application.

IMPORTANT NOTE

If the application is made under a **conditional surrender** and the conditionally surrendered permits are a part of a project and have been approved by the department for project based administration, the applicant will not be required to make a submission regarding non-contiguous or excess areas.

Please refer to the **Conditional Surrender of exploration permits policy** and the **Project-based permit administration policy**.

Andrew Cripps MP
Minister for Natural Resources and Mines
21 October 2012

Enquiries:

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Disclaimer

The purpose of these policies is to provide a framework for consistent application and interpretation of the legislation administered by the department. Policies may be applied flexibly where individual circumstances require an alternative application of policy. *Where this policy, or part of this policy, is inconsistent with relevant legislation, the legislation will prevail to the extent of the inconsistency.* While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Queensland Government should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.