

04 August 2025

To: Department of Lands, Planning and Environment

Re: Risk Criteria and Standard Conditions for Exploration

Introduction

The Association of Mining and Exploration Companies (AMEC) welcomes the opportunity to contribute industry insights and perspectives on the proposed revisions to the declared risk criteria and the approved standard conditions for exploration activities under the Environment Protection Act 2019. We value the consultative approach taken in this process and are committed to supporting regulatory frameworks that are both environmentally responsible and conducive to sustainable resource development.

About AMEC

AMEC is a national industry association representing over 580 member companies across Australia. Our members are mineral explorers, emerging miners, producers, and a wide range of businesses working in and for the industry. Collectively, AMEC's member companies account for over \$100 billion of the mineral exploration and mining sector's capital value. AMEC has 20 members currently exploring and developing in the Northern Territory.

The mining and exploration industry makes a critical contribution to the Australian economy, directly employing over 315,000 people. In 2023-24, the industry generated \$415 billion in resource exports, invested \$3.95 billion (2024) in exploration expenditure to discover the mines of the future, and collectively paid over \$74 billion in royalties and taxes.

General Remarks

AMEC has been a long-standing advocate for legislative reform that incorporates a risk-based regulatory approach to mining and mineral exploration. We strongly support the underlying intent of the new framework, which aims to streamline regulatory processes and improve clarity for industry stakeholders.

While the implementation of this framework on 1 July 2024 has encountered several operational challenges and transitional issues, AMEC remains committed to working constructively with the Northern Territory Government to ensure its success. We believe that targeted improvements to the risk criteria and standard conditions for exploration can enable the framework to deliver on its promise to reduce regulatory burden, enhance efficiency, and

create a more enabling environment for mining and exploration companies operating in the Territory.

AMEC encourages continued collaboration to refine the framework in a way that balances regulatory oversight with practical, on-the-ground realities of exploration activities.

AMEC welcome the following reforms:

- Removal of the 'sensitive and significant vegetation' requirement from the risk criteria
- Clarification of the criterion prohibiting 'interference with a waterway'
- Adjustment of the buffer zones for specific environmental occurrences
- Changes to the management of uranium and naturally occurring radioactive material (NORMs) under standard conditions
- Changes to the definition of brownfields and clarification of legacy features
- Removal of the Alligator Rivers Region as defined in section 3(1) of the Environment Protection (Alligator Rivers Region) Act 1978 (Cth).

Current Application Process

In the current process, the Department requires the exact location of the companies' planned disturbances – drill pads, sumps, and tracks – to assess the application. This is restrictive, as things are always changing, and the current assessment process does not allow for any flexibility.

AMEC recommends that for a standard licence, an exploration company should be able to send a polygon of an area of activity and state their plan. For example, drilling of two diamond drill holes and five reverse circulation drill holes, which includes the clearing of seven pads, with the dimensions of 25 metres by 26 metres (including sumps), and the clearing of five km of access track. By doing so, the proponent agrees to abide by the conditions of the licence when conducting activities. As long as the total disturbance is only a small fraction of the area of activity, this should not necessitate on-the-ground environmental surveys.

Section 2. Obligations of Mining Operator

Section 2.3.6

AMEC recommends that the requirement in this section be amended to “display or make available” rather than solely “display”.

In the context of exploration activities, particularly in remote or underdeveloped areas where there is no established site office, the requirement to physically display the environmental (mining) licence can be impractical. It raises the question of whether there is an expectation for the exploration or drilling team to carry a physical copy of the licence at all times. Allowing the licence to be made available upon request or readily available on their website would provide a more practical and flexible approach while still ensuring compliance and transparency.

Section 3. Risk Criteria

Section 2.i

AMEC recommends that Section 2.i be revised to exclude access tracks associated with exploration activities. The current inclusion of access tracks, such as a three-metre-wide track to a remote exploration site, disproportionately consumes the allowable disturbance area, thereby constraining the operational footprint available for core exploration activities.

Instead, AMEC recommends the inclusion of Section 2.iii which states:

2. The **mining activity** does not cause any of the following:

Substantial disturbance in the development of access tracks used for the **mining activity**

Access tracks used for exploration activities are typically temporary and designed to minimise long-term environmental impact. These access routes are often constructed with minimal disturbance, following natural contours and avoiding sensitive areas where possible. Once exploration is complete, tracks are rehabilitated or allowed to naturally regenerate, ensuring that the landscape can return to its original state.

Section 2.ii

AMEC recommends increasing the current material limit to 2,000 tonnes, excluding material generated through drilling activities and the excavation of bulk samples. This proposed adjustment is intended to better align regulatory thresholds with the operational realities of modern exploration programs.

Within the allowed 10-hectare exploration area of disturbance, it is operationally feasible to establish approximately 60 drill pads, each occupying 40 square metres. However, under the existing 1,000-tonne limit, only 30 sumps could be accommodated, which imposes a constraint on the scale and efficiency of exploration activities.

Section 4. Standard Conditions

Section 4.2.11

AMEC supports the proposed amendment to section 4.2.11 regarding the management of uranium and naturally occurring radioactive materials (NORMs) under a Radiation Management Plan (RMP), in accordance with the guidelines set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

Section 4.5

AMEC recommends that water bores constructed for the purpose of exploration drilling be classified and managed in the same manner as exploration drill holes for rehabilitation purposes.

Based on the functional similarity between water bores and exploration holes in the exploration context. Both are temporary features created to support the exploration process and are subject to similar environmental impacts and rehabilitation requirements. Treating them consistently would reduce regulatory complexity, promote clarity for proponents, and ensure that rehabilitation standards are applied uniformly across comparable activities.

Final Remarks

AMEC values the opportunity to provide input into the development of risk criteria and standard conditions for exploration activities. We believe that through thoughtful refinement and continuous improvement of these regulatory frameworks, there is significant potential to enhance operational certainty, reduce unnecessary regulatory burden, and support responsible and sustainable growth across the mining and mineral exploration sector.

AMEC is committed to fostering a collaborative relationship with both our members and the Department. We welcome ongoing engagement to ensure that industry perspectives are meaningfully considered throughout consultation processes. By maintaining open channels of communication, we can work together to shape policies that are practical, effective and aligned with the long-term interests of both the industry and Government.

For further information contact:

Neil van Drunen, Head of National Policy – 0407 057 443 | neil.vandrunen@amec.org.au

Nicolas Parry, Senior Policy Adviser WA, NT | nicolas.parry@amec.org.au