

14 August 2015

Mr Miguel de Salas
PO BOX 5044 UTAS, LPO
SANDY BAY TAS 7005

Dear Miguel

PROSPECTING LICENCES IN TASMANIA

I refer to your letter dated 3 August 2015, seeking clarification regarding permitted activities under a prospecting licence.

Prospecting licences are dealt with under Part 5, sections 107-115 of the *Mineral Resources Development Act 1995* (MRDA). The holder of a prospecting licence may prospect on most land to which the MRDA applies in accordance with the conditions of the prospecting licence, and with the consent of a landowner if on private land or tenement holder if on an existing mineral tenement (mining lease or exploration / retention licence).

The most up to date information as to what land is available under the MRDA is on the Land Information System Tasmania (LIST). However, there are several land tenures shown on the LIST available for exploration and mining, such as some Nature Recreation Areas (NRA) and Conservation Areas (CA), where prospecting is not permitted as outlined in the conditions of the prospecting licence.

Exploration and mining activities are subject to rigorous assessment processes at the time of application and throughout each stage of the work being conducted, to ensure environmental and land management issues are appropriately managed. Prospecting is not subject to this level of scrutiny as the conditions on the prospecting licence are intended to avoid potentially harmful impacts, particularly in sensitive environments.

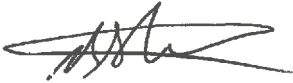
Under Section 110(1) of the MRDA, '*The Director may grant an application for a licence subject to any condition the Director considers appropriate*'. These conditions include prohibiting prospecting in NRAs and CAs because of the high conservation values, along with restricting particular activities including the use of sluices and trommels and motorised equipment. In the event of an inconsistency between the website and the conditions of your licence, the licence conditions prevail.

With regard to your second query, the ownership of the majority of minerals vests with the Crown with the exception of construction materials on some private land. A prospecting licence does not grant any right to a mineral, as an exploration licence or mining lease does, and the holder of a prospecting licence does not have ownership over a mineral found whilst prospecting. As such, selling a mineral obtained whilst prospecting is not permitted under the MRDA.

Prospecting is not a sub-category of exploration, it is an activity the same as fossicking except that it is outside of declared fossicking areas.

If you have any further queries, please contact Jennifer Parnell on 03 6165 4735 or Jennifer.Parnell@stategrowth.tas.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brett Stewart', with a long horizontal flourish extending to the right.

Brett Stewart
DIRECTOR OF MINES