

# Native Title Protection Conditions

## Form 6 – Clause 6.1

### Version 4

This is an example of a notice required under the Native Title Protection Conditions. An alternate form that complies with the requirements of the Native Title Protection may be used instead. The Department has produced this form but takes no responsibility for any subsequent unauthorised changes.

**Purpose:** This form may be used where an **Explorer** is required to give written notice to the Notified Native Title Parties within **5 Business Days** after the Field Inspection to request an Inspection Report.

**FIELD INSPECTION NOTICE**  
**EXPLORATION PERMIT NO. \_\_\_\_\_ (Insert EP Number)**

<b>To:</b> (Insert Notified Native Title Parties)	
<b>For and on behalf of:</b> (Insert Native Title Claim)	
<b>From:</b> (Insert Explorer)	

The **Notified Native Title Parties** have **20 Business Days** from the end of the Field Inspection to provide an Inspection Report to the Explorer. The Explorer can nominate a longer period of time to receive the report.

The Inspection Report must contain at least the following (if applicable):

- recommendations, maps and GPS coordinates for the location and boundary of any proposed Exclusion Zones within the Inspection Zone; and
- recommendations for site protection measures and management of any proposed Exclusion Zones; and
- recommendations for minimising the impact of the Program of Works on the Inspection Zone and how to avoid any proposed Exclusion Zones; and
- recommendations for any monitoring of the Program of Works in the Inspection Zone, if the Exploration Activities are not Agreed Exploration Activities.

The Explorer acknowledges that information contained in the Inspection Report may be confidential in nature.

The Inspection Report must also contain a warranty from the author(s) that all licenses, consents and other authorities have been obtained in favour of the Explorer to allow the Explorer to lawfully use and copy the information contained in the Inspection Report for the purposes of these Conditions, and to copy and distribute the Inspection Report to any assignees of the Explorer.

If the Explorer does not receive an Inspection Report from the Notified Native Title Parties within **20 Business Days** of the Field Inspection conclusion, not due to a failure on the part of the Explorer, the Explorer may undertake the Exploration Activities in accordance with the Program of Works identified in the Exploration Activity Notice.

If the Explorer does not intend to comply with all the recommendations contained in the Inspection Report on the basis of the reasonableness of the recommendations:

- then the Explorer must within **5 Business Days** after the Receipt Date of the Inspection Report give a written notice (Recommendations Objection Notice) to the Notified Native Title Parties providing full details of the dispute (Recommendations Dispute); and
- take reasonable steps within **10 Business Days** after the Receipt Date of the Recommendations Objection Notice to attempt to resolve the Recommendations Dispute with the Notified Native Title

If the Explorer is unable to resolve a Recommendations Dispute, not due to the failure on the part of the Explorer, the Explorer must refer the Recommendations Dispute to the Land and Resources Tribunal to decide the Recommendations Dispute.

<b>Dated this</b>		<b>Day of</b>	<b>20</b>
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**Signature of Explorer OR  
Explorer's Representative (if applicable)** \_\_\_\_\_