



Native Title Protection Conditions Form 1 – Clause 3.1

Version 4

This is an example of a notice required under the Native title protection conditions (NTPC's). An alternative form that complies with the requirements of the NTPC's may be used. The Department has provided this form as a template and takes no responsibility for any subsequent unauthorised changes.

Purpose: This form may be used where an **Explorer** is required to give a written notice to the Notified Native Title Parties because the Explorer intends commencing Exploration Activities within a Notification Area under the Native Title Protection Conditions.

Definitions of some of the terms in this form are in Schedule 1 of the Native Title Protection Conditions

EXPLORATION ACTIVITY NOTICE

EXPLORATION PERMIT NO. _____ (Insert EP Number)

To: (Insert Notified Native Title Parties)	
For and on behalf of: (Insert Native Title Claim/Determination)	

Explorer's Details	Explorer	Explorer's Representative (if applicable)
Name of Explorer or Name and Position of a Contact Person:		
Street Address:		
Postal Address:		
Telephone Number:	Office: Mobile:	Office: Mobile:
Facsimile Number:		
Email Address:		

- The **Notified Native Title Parties** have **20 Business Days** from the receipt date of this notice to respond in writing. The response should:
 - Require a meeting with the Explorer about the Program of Works; **OR**
 - Require the Explorer to arrange a Field Inspection of the Notification Area for activities that are not Agreed Exploration Activities; **OR**
 - Require both a meeting and a Field Inspection; **OR**
 - Advise that the Notified Native Title Parties have no requirements in relation to the Program of Works.
- If the Notified Native Title Parties require a Field Inspection, then they must nominate members of the Field Inspection Team to act as their agents. The Field Inspection Team may include up to 8 inspectors and an anthropologist or archaeologist. If an anthropologist or archaeologist is nominated, the Notified Native Title Parties also need to nominate a reasonable hourly rate or daily rate as payment for their services.
- Notified Native Title Parties may only issue one Response Notice for each Native Title Claim.

The **Explorer** may undertake the Exploration Activities in the Exploration Activity Notice if:

- The Explorer does not receive a Response Notice from the Notified Native Title Parties within the specified time (but not due to a failure by the Explorer); **OR**
- The Explorer receives a Response Notice advising that the Notified Native Title Parties have no requirements in relation to the Program of Works; **OR**
- The Notified Native Title Parties do not attend a meeting scheduled by the Explorer (not due to a failure on the part of the Explorer).

Receipt Date is the date that the notice is delivered by hand or two business days after mailing with correct postage or upon successful transmission by facsimile by 5:00pm or the next day if sent after 5:00pm.

The following items are required to be attached by the **Explorer** to this completed form:
(Please tick when attached)

- Topographical map showing:
 - the Exploration Tenement; and
 - proposed areas of Exploration Activities within the Notification Area.
- Details of landmarks or features from which the Notification Area can be located on the ground.
- 2 copies of either A4 or A3 maps (at a scale of 1:10 000 or otherwise suitable) showing:
 - the Notification Area;
 - the location of Exploration Activities involving Ground Disturbance; and
 - the location and extent of other areas likely to be disturbed as a result of the Exploration Activities.
- Aerial photographs (if the Explorer has them) showing:
 - the area of the Exploration Tenement; and
 - the Notification Area.
- Detailed description of Exploration Activities intended for the Notification Area including:
 - a description of the types of Exploration Activities and their impact on the land;
 - types of machinery proposed to be used that cause ground disturbance (if any);
 - proposed dates of each of the Exploration Activities;
 - maximum expected duration of the Exploration Activities (cannot be longer than 1 year);
 - whether existing roads or tracks will be used;
 - whether any roads or tracks will be constructed, including the proposed location, method and date of construction; and
 - any other information to enable the Notified Native Title Parties to understand the impact of the proposed Exploration Activities.

Dated this

Day of

20

Signature of Explorer OR

Explorer's Representative (if applicable) _____

Description of Exploration Activities intended for the Notification Area

A description of the types of Exploration Activities proposed for the Notification Area.

A description of the expected impacts of the Exploration Activities on the land.

If Exploration Activities involving Ground Disturbance are proposed, a description of the type of machinery to be used.

The proposed dates upon which the Exploration Activities are intended to occur.

The maximum expected duration of the proposed Exploration Activities (cannot be longer than 1 year).

Whether existing roads or tracks will be used and whether any new roads or tracks will be constructed, including the proposed location, and method and date of construction.

Any other necessary information to enable the Notified Native Title Parties to understand the impact of the proposed Exploration Activities.
