

CONDITIONS OF AN OPAL PROSPECTING LICENCE FOR OPAL PROSPECTING AREA 3

1. This licence authorises the holder to carry out prospecting operations only, within the boundaries of the opal prospecting block to which this licence relates, and does not allow mining operations to be conducted.
2. The holder, before commencing any prospecting operations, must serve notice on any person entitled to compensation of his intentions to carry out such operations and pay any compensation payable.
3. Prospecting operations must be restricted to drilling and shaft sinking only.
4. The holder must comply with the relevant provisions of the Mining Act 1992 and its regulations and the Mine Health and Safety Act 2004, [its Regulations](#), [occupational Health and Safety Act 2000](#), its Regulations and all relevant environmental legislation⁵. The holder must comply with the "Code of Conduct for Land holders and Opal Miners and Prospectors in the Narran- Warrambool Reserve Lightning Ridge", any Opal Field Management Plan that applies to the area in which the licence is granted and any other special conditions that are applied from time to time.
5. Deleted: ¶
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6. The holder must ensure, to the satisfaction of the Director-General, that the subject area is effectively prospected.
7. Operations are to be carried out in such a manner that does not endanger the safety of any person or any stock. In particular, all shafts and drill holes are to be appropriately protected to ensure access to them by persons and stock is restricted. Any drill hole or shaft is to be filled as soon as it ceases to be used and the land in the immediate vicinity is to be left in a clean and tidy condition. Abandoned shafts and drill holes are to be filled in to the satisfaction of the Mining Registrar, Inspector of Mines or the Mine Safety Officer.
8. The holder must not, without the consent of the occupier of the land, conduct any operations.
 - (A) within 50 metres of any land used as a garden or orchard.
 - (B) within 200 metres of the principal homestead of the property.
 - (C) within 200 metres of a woolshed, a shearing shed or stock watering place.
 - (D) over any significant improvement other than an improvement constructed or used for mining purposes and for no other purposes.
 - (E) within any buffer zone/s or restricted areas (refer to the Opal Field Management Plan and/or the maps of granted mineral claims within the boundaries of the opal prospecting block)
9.
 - (A) The holder must not interfere with or impede the use of any track on the area or endanger its stability in any way by reason of the operations carried out.
 - (B) The holder must at all times allow free and uninterrupted access along any road or track embraced by this licence and must restore the surface on any road or track to its original condition on completion of the operations and prior to the expiry of this licence.
 - (C) The holder must restrict his use of any road or track on the area during wet weather to prevent any damage to such road or track.
 - (D) The minimum number of tracks must be used for access from one site of operations to another and the tracks must be positioned so that they do not cause any unnecessary damage to the land.
10.
 - (A) The holder must not interfere in any way with fences on the opal prospecting block or adjacent to the block unless with the consent in writing of the occupier of the land.
 - (B) Any gates within the area or any other gates used by the holder must be closed or left open as required by the landholder.
11. The holder must not interfere with...
 - (A) the flow of water in any stream or watercourse and must conduct operations so that they do not cause pollution of water or the siltation of any watercourse.
 - (B) or prevent the access of stock to any watering places or their approaches.
 - (C) any well, water pump, dam, pipeline, tank, bore or bore drain.
12. The holder must not...
 - (A) conduct puddling operations on the area.
 - (B) erect a dwelling or residence or other structure on the area.
 - (C) carry or discharge any firearms on the opal prospecting block area without the permission of the land holder. The OPL holder must also hold a current applicable Shooters Licence if they carry or discharge a firearm on the OPB.
 - (D) bring onto, or keep on the area, any dog.
 - (E) use open cut methods in prospecting the area.
 - (F) use a blower within the boundaries of the OPB.
13. The holder must not conduct prospecting operations within ten (10) metres from, the centre line of any unsealed road that is an improvement to the land, any fence, telephone line or power line, unless a greater distance is specified in the management plan.

- 14. The holder must not fell trees, strip bark, cut timber or remove any vegetative cover except that which obstructs or prevents prospecting operations.
 - 15. The holder must conduct operation in such a manner as not to cause or aggravate soil erosion and must observe and perform any instructions given by the Director-General, Inspector of Mines or the Mines Safety Officer.
 - 16. Prospecting operations must be carried out in such a manner that is in accord with environmental legislation.
 - 17. The holder must not destroy deface or damage any aboriginal place or relic within the licence area except in accordance with an authority issued under the National Parks and Wildlife Act, 1974, and must take every precaution in drilling, excavating or disturbing the land against any such destruction, defacement or damage.
 - 18. The holder must take all precautions to prevent the outbreak of fires.
 - 19. The holder must maintain the area in a clean and tidy condition at all times.
 - 20. The holder must cease operation immediately if directed to do so by the Director-General, an Inspector or a Mines Safety Officer.
 - 21. The licence holder cannot permit or authorise any other person to prospect under this licence unless any such agreement is in writing and is lodged with the Director-General.
 - 22. (A) The holder must rehabilitate all of the areas disturbed to the satisfaction of the Director-General a Mines Safety Officer.
 (B) Prior to expiry the holder must prepare a written report, to the satisfaction of the Director-General, on the prospecting operations carried out and lodge that report with the Director-General. The holder must contact the Mines Safety Officer for the purpose of arranging a joint inspection of the areas of operations.
 (C) On the expiry of the licence the holder must remove all machinery and the area must be left in a clean and tidy condition to the satisfaction of the Director-General, an Inspector or a Mines Safety Officer.
 - 23. Any drilling rig used in connection with operations under the licence must be registered with the Director-General. The registration number allocated must be clearly displayed at all times on two sides and upon the roof of the vehicle that the drilling rig is attached.
 - 24. (A) The holder must lodge with the Director-General an amount of \$350.00 as security for the fulfilment by the holder of his obligations under the licence.
 (B) If the holder permits or authorises any other drilling rig to prospect under the licence the holder must lodge an additional amount of \$350.00 as security for each such permission or authorisation.
- If any conditions are not complied with to the satisfaction of the Director-General the security(ies) lodged or any part thereof may be forfeited and may be applied toward the cost of fulfilling such obligation.
- 25. The licence holder indemnifies the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the licence holder or which the licence holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the licence holder within the licence area or in connection with any of the operations notwithstanding that all other conditions of this licence shall in all respects have been observed by the licence holder or that any such accident or injury shall arise from any act or thing which the licence holder may be authorised, licenced or compelled to do.
 - 26. The licence holder indemnifies the affected landholder (or landholders) in terms that fully protect each such landholder from loss, damage, third party claims and associated costs arising from or related to the exercise of the rights conferred on the licence holder by this licence.

I/WE HEREBY ACCEPT THE OPAL PROSPECTING LICENCE AND AGREE TO BE BOUND BY ITS PROVISIONS, CONDITIONS AND STIPULATIONS.

X.....
LICENCE HOLDER

X.....
WITNESS

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