



## Access to land for mineral exploration activities

Australian Rare Earths (AR3) may seek access to privately owned land to undertake low impact exploration activities such as visual inspections, surface or geophysical surveys, geological mapping, Aboriginal heritage surveys, drilling, earthworks and temporary access tracks.

In Victoria, before AR3 can access privately owned land and commence exploration activities, the landholder needs to provide consent. The landowner can grant consent in writing or by entering into a Commercial Consent and Compensation agreement with AR3.

## Land Access and Compensation Agreements

To agree land access on privately owned land, AR3 typically use a Commercial Consent Agreement (CCA) which is developed with the individual landowner.

A CCA is a simple, voluntary agreement, which contains special conditions that AR3 will comply with when carrying out the activity on private land. These conditions may vary dependent on the specifics of the activity and can be tailored to the landholder's needs.

A CCA provides specific information regarding the location, duration and management of the proposed activities on the land, how the land will be rehabilitated and the contact details of an AR3 representative. It will also include a map, clearly showing the area of interest.

Landowners are encouraged to seek legal advice before entering into a CCA and as such AR3 offers to reimburse landowners for legal costs, up to a maximum of \$2,500. This reimbursement of legal costs is in addition to any compensation rights a landowner may be entitled to.

## Compensation

Landowners who enter into an agreement with AR3 are entitled to compensation in accordance with Part 8 of the Mineral Resources (Sustainable Development) Act 1990 (the Act).

The amount of compensation payable is negotiable between the landowner and AR3 and will depend on the individual set of circumstances. It will take into account the type and duration of the activity being undertaken, and any inconveniences incurred by the landowner.

## What if the explorer and landholder cannot agree?

If agreement cannot be reached, landholders and exploration companies can seek mediation through the Mining Warden.

If mediation does not achieve an outcome, the landholder does not provide consent and/or an appropriate amount of compensation cannot be agreed, then either party may refer to the Victorian Civil and Administrative Tribunal (VCAT).





## More information

### Minerals Council of Australia Victorian Division

The Minerals Council of Australia Victoria represents companies involved in minerals exploration, mining and minerals processing in Victoria. This includes companies providing services to the minerals industry.

The MCA's aim is for a safe, responsible and strong Victorian minerals industry which provides jobs and employment opportunities and contributes to economic diversification and development in regional Victoria.

#### Contact MCA Victoria

Level 8, 10-16 Queen Street  
Melbourne VIC 3000

Phone: 03 8614 1851

Email: [info@minerals.org.au](mailto:info@minerals.org.au)

[www.minerals.org.au/mca-victoria](http://www.minerals.org.au/mca-victoria)

### Victorian Farmers Federation

The Victorian Farmers Federation (VFF) is Australia's largest state farmer organisation and the only recognised, consistent voice on issues affecting rural Victoria.

Each VFF member is represented locally by one of the 230 VFF branches across Victoria and through their commodity representatives at local, district, state and national levels. The VFF also represents farmers' views at industry and government forums.

#### Contact the VFF

Level 5, 24 Collins Street  
Melbourne VIC 3000

Phone: 1300 882 833 or  
03 9207 5555

Email: [vff@vff.org.au](mailto:vff@vff.org.au)

[www.vff.org.au](http://www.vff.org.au)

### Earth Resources Regulation

1 Spring Street  
Melbourne VIC 3000

Phone: 1300 366 356

### State Mining Warden

Victorian Mining Warden's Office  
Level 16, 121 Exhibition Street  
Melbourne VIC 3000

Phone: 03 8392 2218

Fax: 03 9092 2066

Email: [miningwarden@miningwarden.vic.gov.au](mailto:miningwarden@miningwarden.vic.gov.au)

