

Earth Resources Regulator

Statement of Reasons

Renewal of Retention Licence 2023 held by Gippsland Critical Minerals Pty Ltd

Introduction

On 23 October 2024 I, Laura Helm, Director, Statutory Authorisations, Earth Resources Regulator, Department of Environment, Energy and Climate Action, as delegate of the Minister for Energy and Resources under the instrument of delegation dated 1 January 2023, made a decision pursuant to section 31 of the *Mineral Resources (Sustainable Development) Act 1990* (MRSDA) to, by instrument, renew retention licence 2023 (RL2023). A copy of the signed instrument of renewal is Attachment 1.

Legislative Framework

Licences may be renewed by an instrument served on the applicant that has been approved by the Minister, or their delegate, in accordance with section 31 of the MRSDA.

Mandatory considerations

Section 31(1) provides that the Minister must refuse to renew a licence if the applicant does not satisfy the Minister as to the matter specified in section 15(6)(ba) (that is, that the applicant genuinely intends to do work) unless the applicant satisfies the Minister that the applicant has identified minerals in the land covered by the licence and that

- (a) additional time is necessary to assess the economic viability of mining those minerals; or
- (b) it is not at present economically viable to mine those minerals but it may become so in the future.

Section 31(5) provides that the Minister may only renew a retention licence twice.

Section 31(7)(a) provides for first renewal, the Minister may only renew the licence if the Minister is satisfied that the mining of a mineral resource would be economically viable in the future.

Discretionary considerations

Section 31(2) provides that the Minister may refuse to renew a licence if the Minister is satisfied as to any one or more of the following matters -

- (a) the applicant as a licensee has not substantially complied with—
 - (i) subject to subsection (3), this Act or the regulations; or
 - (ii) any condition to which—
 - (A) the licence that is the subject of the application for renewal is subject; or
 - (B) a work plan is subject; or
 - (iii) any condition specified under section 44; or
 - (iv) any relevant planning scheme or permit; or
- (b) the applicant as a licensee has unreasonably delayed in trying to obtain any necessary consent or other authority;
- (c) the applicant as a licensee has not commenced work within the time specified in or allowed under section 42(5);

- (d) the applicant as a licensee has endangered the public or an employee on or near the land covered by the licence that is the subject of the application for renewal;
- (e) the applicant as a licensee has undertaken work on land otherwise than in accordance with a work plan;
- (f) the applicant as a licensee no longer complies with section 15(6)(a), (b), (ba), (c) or (d);
- (g) in the case of an application for the renewal of a mining licence, the area covered by the licence is depleted of minerals to the extent that it is no longer feasible to mine that area;
- (h) in the case of an application for the renewal of a mining licence or retention licence, it is not feasible to mine minerals in the area covered by the licence and will not be feasible to do so in the foreseeable future;
- (i) in the case of an application for the renewal of a retention licence, the applicant as a licensee has failed to comply with a requirement under section 112A.

Principles of sustainable development.

Section 2A provides that, in administering the MRSDA, regard should be given to the principles of sustainable development, as set out in section 2A(2).

I now provide this statement of reasons for my decision.

Background

On 21 May 2015, Kalbar Resources Limited (now Rezir Limited), was granted retention licence RL2023 for a period of six years which was due to expire on 20 May 2021. On 29 May 2020, RL2023 was transferred from Kalbar Resources Limited to Kalbar Operations Pty Ltd, now Gippsland Critical Minerals Pty Ltd (GCM). Rezir Limited (Rezir Ltd) is the parent company to GCM. On 19 May 2021 GCM lodged with the Earth Resources Regulator (ERR) a request to renew RL2023. Pursuant to section 29(2) of the MRSDA, RL2023 continues in operation until the application is granted and registered or refused.

In response to various requests for further information from Departmental officers within the ERR, GCM provided the following:

- Completed Fit and Proper Person Questionnaire dated 27 May 2024
- Confirmation of Directors, Secretaries, Chief Executive Officer, Employees and lead consultants
- Police Checks for all Directors, Alternate Directors and Secretary
- Financial information supporting its ability to fund the work
- Updated or revised milestones for RL2023
- A Community Engagement Plan
- A resources assessment and details of the competent person in line with the *Minerals Resources (Sustainable Development) (Mineral Industries) Regulations 2019*
- Details around the economic viability of the resource.

Departmental officers within ERR undertook an ASIC Banned and Disqualified check and Bankruptcy check on the Directors, Secretary, and Alternate Directors of GCM with no adverse findings.

I assessed the renewal application based on the documents including those submitted with the renewal application and the further information supplied.

My decision of 23 October 2024

I had regard to the following matters in making my decision to approve the instrument of renewal for retention licence RL2023 under section 31 of the MRSDA:

1. Consideration of section 31(1)

Section 31(1) and Section 15(6)(ba) - satisfaction that the applicant genuinely intends to do work

Noting my conclusion that the applicant had a genuine intent to do work (below), the mandatory consideration in section 31(1) has been satisfied. I was not therefore required to consider section 31(1)(a) or (b).

2. Consideration of sections 31(2)(f); and 15(6)(a), (b), (ba), (c) and (d)

Section 15(6)(a) – Is a fit and proper person to hold a licence.

In considering the fit and proper person standing of GCM I had regard to ERR's Operational Policy – Fit and Proper Person and the relevant statutory provisions of the MRSDA.

I had regard to the following matters:

- No issues or concerns were identified through Police checks, Bankruptcy searches and searches of the Banned and Disqualified register on the current Directors of GCM.
- No issues or concerns were disclosed in the Fit and Proper Person Questionnaire completed by the current Directors of GCM.
- Mine Free Glenaladale (MFG) made submissions to ERR alleging that the applicant behaved unethically towards the local community, including through a lack of consultation, difficulty accessing ESS documents from the applicant, threatening behaviour and intimidation.
- One landowner within the licence area raised concerns about how land access arrangements were put in place, contractor behaviour while accessing their land and how they were contacted by the applicant.

I consider that the applicant's conduct during the EES and its project planning for the Fingerboards mine proposal fell short of the standard expected of a Victorian earth resources company. There was no evidence that the applicant was deliberately obstructive or deceitful. While its project planning and technical assessments were insufficiently accurate and mature to properly support the EES, evidence did not suggest there was negligence or incompetence that would warrant an adverse fit and proper finding. Some actions taken by the applicant to limit interaction with MFG seemed to be reasonable actions designed to ensure the safety and wellbeing of its employees. I also noted that the applicant's key personnel and directors have been replaced since the EES outcome and the submissions made by community and MFG about the applicant's conduct during the EES.

The applicant appeared to have a particularly difficult relationship with one landowner. Licensees require consent or compensation agreements to be in place before entering land to conduct exploration activities. No other complaints owners or occupiers of land within the EES project area. There was no evidence of a pattern of behaviour in relation to land access that would warrant an improper person finding.

I was therefore satisfied that GCM is a fit and proper person to hold a licence.

I was concerned, based on submissions from community, to ensure that the applicant fulfils its duty to consult with community about its activities under the licence. The licence renewal included a condition to provide quarterly reports on community engagement activities listed within the project milestones, demonstrating that reasonably practicable actions have been taken to address concerns through the community engagement process (condition 3b).

Section 15(6)(b) - Intends to comply with the MRSDA

In considering whether GCM intends to comply with the MRSDA, I considered the compliance history of GCM and its parent company, Rezir Ltd. I was not required to consider the compliance history of Rezir Ltd but considered it prudent to do so, given there is overlap in the Directors of GCM and Rezir Ltd.

I noted the following matters:

- GCM has not had a breach of the MRSDA.
- Rezir Ltd failed to provide an Annual Technical Report for the 2020/2021 reporting period by the due date. The Annual Technical Report was subsequently lodged. There have been no other breaches of the MRSDA.

Given that Rezir Ltd rectified its non-compliance in relation to submission of the Annual Technical Report, and that all future reports have been submitted in accordance with requirements, I considered that GCM intends to comply with the MRSDA.

Section 15(6)(ba) - Genuinely intends to do work

In considering whether the applicant genuinely intends to do work, I had regard to the following matters:

- During the first term of the licence, the licensee partially delivered the milestones attached to the licence. An EES referral was not progressed because GCM was focussing on undertaking the EES process for adjacent retention licence RL2026. I accepted that it would not have been feasible to progress an EES referral for RL2023 while the EES for RL2026 was on foot.
- For the purpose of determining whether expenditure conditions had been met, I considered the broader Fingerboards Project area and the expenditure that GCM had made on RL2026 including referring the

project and preparing an Environment Effects Statement and associated studies under the *Environment Effects Act 1978*.

- On this basis GCM exceeded the combined expenditure requirements for the two licences.
- The applicant provided a detailed program of work with 10 milestones proposed in their application for delivery during a second term.
- The applicant provided evidence of financial capacity to fund the work program proposed in a second term.
- The technical expertise available to GCM, which demonstrates that they have engaged the appropriate personnel, demonstrating that it is able and have the intent to deliver the program of work.

Based on this information, I was satisfied that the applicant genuinely intends to do work.

Section 15(6)(c) - Has an appropriate program of work

In assessing whether the applicant has an appropriate program of work, I considered the following matters:

- The applicant provided 10 milestones for their proposed program of work in their renewal application, to be delivered over a 10 year term. The milestones included specific measurable tasks that the applicant must undertake within the allocated licence year.
- Following consultation with the applicant, 10 revised milestones over a 6 year licence term were imposed.

On the basis of these milestones, I was satisfied that the applicant had an appropriate program of work, subject to imposing some renewal conditions. These conditions impose obligations on the licensee to:

- Provide bi-annual progress reports against project milestones (condition 3a)
- Provide quarterly reports on community engagement activities listed within the project milestones, demonstrating that reasonably practicable actions have been taken to address concerns through the community engagement process (condition 3b)

Section 15(6)(d) - Is likely to be able to finance the proposed work and rehabilitation of the land

In considering whether GCM is likely to be able to finance the proposed work and rehabilitation of the land under the licence, I considered the financial information provided by GCM which demonstrated that GCM had appropriate and sufficient funds to finance the proposed work and rehabilitation.

I considered that the financial information provided satisfactory evidence that GCM will be able to fund the work and the rehabilitation.

3. Consideration of sections 31(5)

This was the first renewal application for RL2023, therefore I was satisfied that section 31(5) was met.

4. Consideration of section 31(7)(a)

In considering whether the mining of a mineral resource would be economically viable in the future, I considered:

- the Technical Report 'Mineral Resource Reporting Update on the Fingerboards (& Glenaladale) Zircon & Rare Earths Mineral Sands Project' provided with the application; and
- publicly available information about the price and demand for rare earths.

This information provided evidence of an increase to both Measured and Inferred Resources within the retention licence area based on the grade, scale and depth of the resource, and the marketability of the minerals. such that I was *satisfied* that the mining of the mineral resource would be economically viable in the future, subject to regulatory approvals for mining (including referral of a revised project under the *Environment Effects Act 1978*)

5. Discretionary considerations under section 31(2)

Departmental officers within ERR assessed the application to renew against the discretionary refusal grounds under section 32(2) and concluded there were no matters giving rise to any reason to refuse renewal listed under section 32(2)(a) – (i). On the basis of this assessment, I did not exercise my discretion to refuse renewal under section 31(2).

6. Other matters

I considered that the request to renew RL2023 was consistent with the purpose and objectives of the MRSDA, in particular:

- That section 31 of the MRSDA sets out the requirements for approval of an instrument of renewal, as part of:
 - an efficient and effective system for approvals (section 2(1)(a)(i))
 - an effective administrative structure for making decisions concerning the allocation of mineral resources for the benefit of the general public (section 2(1)(a)(iii))
 - a legal framework aimed at ensuring that risks posed to the environment, to members of the public, or to land, property or infrastructure by work being done under a licence are eliminated or minimised as far as reasonably practicable (section 2(1)(b)(i)); and
- That the renewal request met the requirements of section 31.
- That if approved, the renewals would support potential investment in exploration for minerals and the establishment of mining activities (subject to the outcome of a potential new Environment Effects Statement (EES) process and future decisions under the MRSDA), consistent with the objective of the MRSDA to encourage and facilitate exploration for minerals and foster the establishment and continuation of mining operations under section 2(1)(a).

I considered that the renewal request was consistent with the principles of sustainable development under section 2A of the MRSDA, in particular noting that:

- Renewal of the retention licence does not permit mining but allows the GCM as licensee further time to re-scope the project and obtain regulatory approvals necessary to progress towards development of the resource.
- Conditions of renewal provide for community involvement in issues that affect them, consistent with section 2A(2)(i), augmenting Project milestones contained within the renewal instrument and the licensee's duty to consult the community on issues that affect them under section 39A of the MRSDA.

7. Decision

On the basis of the information outlined in this statement, I was satisfied of the matters I was required to be satisfied about under sections 31(1), (5) and (7) and was not satisfied of any of the matters that enabled me to refuse to renew the licence under section 31(2). I accordingly decided to renew the licence, and I duly approved and executed the instrument of renewal.

The renewal instrument RL2023 is due to expire on 20 May 2027.

Attachments

Attachment 1

Signed instruments of renewal

LAURA HELM

Director Statutory Authorisations, Earth Resources Regulator

Date: 19/02/2025

MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) ACT 1990

INSTRUMENT OF RENEWAL - RETENTION LICENCE

I, Laura Helm, acting as the delegate of the Minister and pursuant to section 31 of the *Mineral Resources (Sustainable Development) Act 1990* (the Act), hereby renew the retention licence according to Table 1 below and subject to the Conditions and Schedule of Conditions below.

TABLE 1


LICENCE TYPE	Retention Licence
LICENCE NUMBER	RL2023
DATE OF GRANT OF LICENCE	21 May 2015
NAME/S OF LICENSEE/S	Gippsland Critical Minerals Pty Ltd
ADDRESS/ES OF LICENSEE/S	48 Bailey Street, Bairnsdale, Victoria 3875
LOCATION	(8322) Stratford
AREA OF RENEWED LICENCE	467.9 hectares
LICENCE RENEWED TO EXPIRE	20 May 2027
STRATUM OF LAND	Not applicable
GENERAL NATURE AND PURPOSE OF ANY CHANGED CONDITIONS	To ensure that the conditions remain appropriate to work done under the licence.

Signed by



Laura Helm
Director Statutory Authorisations

Date: 23/10/2024

<p>Date of Registration 23/10/2024</p> <p>Time of Registration 1:38 pm</p> 
<p>REGISTRAR Mineral Resources (Sustainable Development) Act 1990</p>

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RETENTION LICENCE RENEWAL CONDITIONS

1. The licensee must expend in connection with retention licence activities on the land a minimum of -
 - \$0** in the first year of the term of the renewed licence,
 - \$30,000** in the second year of the term of the renewed licence,
 - \$30,000** in the third year of the term of the renewed licence,
 - \$270,000** in the fourth year of the term of the renewed licence,
 - \$250,000** in the fifth year of the term of the renewed licence,
 - \$200,000** in the sixth year of the term of the renewed licenceunless this requirement is varied or application of this requirement is suspended for a specified period, in accordance with the Act.
2. The reporting date is **30 September** annually, commencing on the year after the decision to renew this licence is made.
3. In addition to the annual reporting the licensee must provide:
 - a. a report each year on 30 March on the completion and progress of the project milestones under specific condition 1.1, commencing on the year after the decision to renew this licence is made.
 - b. quarterly reports on 30 September, 31 December, 30 March and 30 June each year, commencing on the quarter after the decision to renew this licence is made, providing information on the community engagement activities listed within the project milestones. The report must demonstrate that reasonably practicable actions have been taken to address concerns through the community engagement process and include complaints, enquiries and feedback that have been received and how those complaints, enquiries and feedback are being addressed.

RETENTION LICENCE SCHEDULE OF CONDITIONS

IMPORTANT NOTE: The conditions in this schedule address a wide range of activities. You may not have approval for all the activities described. Work other than “low impact exploration” may only be undertaken in accordance with a work plan approved by the Department of Energy, Environment and Climate Action, DEECA.

For further information about compliance with licence conditions or requirements for work plans refer to the *Code of Practice for Mineral Exploration* and *Standard Work Plan Guidelines for Exploration or Area Work Plan Guidelines for Exploration* available at www.resources.vic.gov.au.

PART A SPECIFIC CONDITIONS

1. WORK PROGRAM

- 1.1 The licence is granted subject to compliance with and completion of the program of work (outlined in the schedule of project milestones), being undertaken during the term of the licence.
- 1.2 The program of work may be varied with the agreement of the Minister. This does not apply if the variation only involves work which is additional to that described in the program of work.
- 1.3 During the term of the licence, the Minister may request updated details of the proposed program of work.

YEAR 1 – GEOLOGICAL WORK / PROJECT DEVELOPMENT
Milestone 1 Category: Deferred Work Work Description: Technical work deferred following IAT Tribunal & Planning Ministers assessments. <div style="text-align: right;">Year 1 Expenditure - \$0</div>
YEAR 2 - GEOLOGICAL WORK / PROJECT DEVELOPMENT
Milestone 2 Category: Resource Restatement Work Description: Re-statement of part of the Glenaladale resource which covers RL2023 which included rare earths as a co-product. Resources shown to have increased in value due to higher rare earths prices. <div style="text-align: right;">Year 2 Expenditure - \$30,000</div>
YEAR 3 - GEOLOGICAL WORK / PROJECT DEVELOPMENT
Milestone 3 Category: Stakeholder Engagement Work Description: Independent assessment of stakeholder and community attitudes towards the project. <div style="text-align: right;">Year 3 Expenditure - \$30,000</div>

<p>YEAR 4 – GEOLOGICAL WORK / PROJECT DEVELOPMENT</p> <p>Milestone 4 Category: Data review Work Description: Review of existing data by new GCM staff and comparison of data with 2020 drilling program results. Establish a detailed exploration program for the area.</p> <p>Milestone 5 Category: Stakeholder and community engagement – Reset Work Description: Early Benefit Sharing Plan to be developed in partnership with the local community following targeted consultation and engagement efforts. This might include the expansion of the community grants program, regional development and jobs programs, apprenticeship programs, Gippsland-first procurement plans, First Nations jobs and other training programs to build local capability (outlined in more detail in the CEP and following consultation with the community). Commission recurring statistically significant social research surveys and focus groups to baseline and monitor community sentiment. Conduct quarterly focus groups by a suitably qualified third-party provider with randomised sample representatives of community and key stakeholder groups to assess stakeholder values, expectations, attitudes, and priorities. Establish a virtual or physical information center to answer questions and exhibit project updates to the local community.</p> <p>Milestone 6 Category: Assays & Drilling Work Description: Complete assays on historic samples and update the geological model. Infill drilling commences as part of larger Glenaladale resource drilling.</p> <p style="text-align: right;">Year 4 Expenditure - \$270,000</p>
<p>YEAR 5 – GEOLOGICAL WORK / PROJECT DEVELOPMENT</p> <p>Milestone 7 Category: Stakeholder and community engagement – Ongoing Work Description: Consult and involve, as necessary, the local community in project milestones. Engagement with the community via an established information centre. Review results of recurring statistically significant social research surveys and focus groups to baseline and monitor community sentiment. Conduct quarterly focus groups by a suitably qualified third-party provider with randomised sample representatives of community and key stakeholder groups to assess stakeholder values, expectations, attitudes, and priorities. Develop a procurement plan to give preference to local businesses and young people through an apprenticeship, traineeship and internship initiatives.</p> <p>Milestone 8 Category: Infill drilling Work Description: Infill drilling to convert resources from inferred to indicated. Complete scoping requirements for the completion of a Pre-Feasibility Study.</p> <p style="text-align: right;">Year 5 Expenditure - \$250,000</p>
<p>YEAR 6 – GEOLOGICAL WORK / PROJECT DEVELOPMENT</p> <p>Milestone 9 Category: Pre-feasibility study Work Description: Complete Pre-Feasibility Study. Commence baseline studies and assessments for Pre-Feasibility Study.</p> <p>Milestone 10 Category: Stakeholder and community engagement – Ongoing Work Description: Consult and involve, as necessary, the local community in project milestones. Engagement with the community via an established information center. Review results of recurring statistically significant social research surveys and focus groups to baseline and monitor community sentiment. Conduct quarterly focus groups by a suitably qualified third-party provider with randomised sample representatives of community and key stakeholder groups to assess stakeholder values, expectations, attitudes, and priorities.</p> <p style="text-align: right;">Year 6 Expenditure - \$250,000</p> <p style="text-align: right;">TOTAL EXPENDITURE - \$830,000</p>

PART B GENERAL CONDITIONS**2. GENERAL**

2.1 The licence holder must not undertake, cause or allow the undertaking of any exploration for coal seam gas.

3. ADMINISTRATIVE ARRANGEMENTS

3.1 The licensee must ensure that the relevant ERR Deputy Chief Inspector is at all times aware of the appropriate contact person for activities conducted under the license.

3.2 Prior to commencing ground intrusive work or work involving the removal or damaging of native vegetation under the definition of low impact exploration the licensee must submit a rehabilitation bond to the satisfaction of the Minister

3.3 Where ground intrusive work or work involving the removal or damaging of native vegetation is carried out under the definition of low impact exploration the licensee must notify the Crown land manager (for works on Crown land) and the ERR Chief Inspector at least 7 days prior to the commencement of work. Notification must include:

- Start date, and
- Proposed ground intrusive work, and/or
- Proposed removal or damaging of native vegetation, and
- Location.

4. NATIVE VEGETATION AND FAUNA

4.1 The licensee must take all reasonable measures to avoid, minimise and/or offset the removal and disturbance of native vegetation and faunal habitats.

5. BOX IRONBARK REGION

5.1 Where activities are proposed to be undertaken in a Box-Ironbark Region, the licensee must undertake a preliminary assessment of vegetation and faunal habitats of areas of interest in that Box-Ironbark region to identify and mark areas or sites to be avoided in the project area.

6. PUBLIC LIABILITY INSURANCE

6.1 Prior to commencing any work, the licensee must have public liability insurance that covers all work authorised under the licence and ensure the insurance is valid at all times while work occurs under the licence.

7. PUBLIC SAFETY ZONE

7.1 The licensee must take all reasonable measures to minimise their impact on the operation of a Public Safety Zone.

8. SOIL MANAGEMENT

8.1 The licensee must take all reasonable measures to minimise impacts on the physical and biological health of soil.

9. PLANT PESTS AND DISEASES, WEEDS AND PEST ANIMALS

9.1 The licensee must ensure that all soil that is imported into the licence area is free of plant pests and disease, and noxious weeds.

9.2 The licensee must take all reasonable measures to minimise the spread of weeds, pest animals and plant diseases whilst undertaking on ground activities.

9.3 The licensees must adhere to any biosecurity protocols that have been adopted on private or Crown land.

10. WATER QUALITY AND AQUATIC HABITAT

10.1 The licensee must design, install and maintain erosion and sediment controls to prevent erosion of areas of disturbed land and sedimentation of waterways.

10.2 Where activities are being conducted in waters or on the banks of waterways with water in them, the licensee must take all reasonable measures to minimise sedimentation of the waterway.

10.3 The licensee must take all reasonable measures to prevent contaminated runoff from entering receiving waterways.

11. FUELS, LUBRICANTS AND HAZARDOUS MATERIALS

11.1 The licensee must take all reasonable measures to prevent contamination of the environment by the release of fuels, lubricants and hazardous materials.

11.2 The licensee must ensure that spills of hazardous materials are cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such contaminant into waterways.

11.3 Within the Box Ironbark region, the licensee must install trays or similar apparatus beneath machinery to protect the soil and vegetation from oil/fuel leaks or spills.

12. ABORIGINAL CULTURAL HERITAGE

12.1 The licensee must ensure Aboriginal cultural heritage is not harmed as a result of works undertaken within the licence area.

12.2 Within areas where ground intrusive exploration works or the removal of native vegetation are proposed on Crown land in the Box Ironbark Region, an assessment of Aboriginal cultural heritage values must be undertaken.

13. HERITAGE (NON-INDIGENOUS)

13.1 The licensee must ensure non-indigenous cultural heritage is not harmed as a result of works undertaken within the licence area.

13.2 Within areas where ground intrusive exploration works or the removal of native vegetation are proposed on Crown land in the Box Ironbark Region, an assessment of non-indigenous cultural heritage values must be undertaken.

14. FIRE PRECAUTION

14.1 The licensee must take all reasonable measures to prevent the ignition and spread of fire.

14.2 Prior to undertaking any activities, the licensee must develop and implement a fire response and readiness plan.

15. WASTE AND REDUNDANT EQUIPMENT

15.1 The licensee must ensure all waste generated on site is disposed of at an appropriate waste management facility.

16. CAMPING

16.1 The licensee may only establish campsites with the permission of the Crown land manager or private landowner/occupier.

16.2 The licensee must select, establish and manage campsites to minimise risks to the environment and/or the health and safety of people.

17. NOISE

17.1 Within the licensed area, the licensee must ensure that noise generated by activities does not exceed limits set by the Environment Protection Authority, Victoria and the local council.

17.2 The licensee must take all reasonable measures to avoid causing nuisance noise.

18. AIR EMISSIONS, DUST AND LIGHTING

18.1 The licensee must take all reasonable measures to prevent adverse impacts as a result of the release of dust, odour and/or emission of light.

19. LIVESTOCK, DOMESTIC ANIMALS AND CROPS

19.1 The licensee must take all reasonable measures to prevent adverse impacts to livestock¹, domestic animals and crops.

20. GEOPHYSICAL AND GEOCHEMICAL SURVEYS AND GRIDLINES

20.1 In designing and constructing geophysical and geochemical surveys, the licensee must take all reasonable measures to prevent adverse impacts to the environment and/or the health and safety of people.

20.2 Prior to designing and constructing geophysical and geochemical surveys, the licensee must consult with the Crown land manager and/or private landowner/occupier about the position of gridlines and geophysical lines.

21. EXPLOSIVES

21.1 When using explosives or high electrical currents, all reasonable measures must be taken to prevent harm or disturbance to people, domestic animals, livestock and wildlife.

22. TRACKS AND ROADS

22.1 In designing and constructing tracks and roads, the licensee must take all reasonable measures to prevent adverse impact to the environment.

22.2 Prior to designing and constructing tracks and roads, the licensee must consult with the public land manager, responsible road authority and/or private landowner/ occupier.

22.3 Prior to using a closed road, the licensee must gain consent from the responsible road authority.

22.4 Prior to conducting ground intrusive works on a road, the licensee must gain consent from the responsible road authority.

23. DRILL SITES, COSTEANS, TRENCHES AND BULK SAMPLING EXCAVATIONS

23.1 The licensee must take all reasonable measures to prevent adverse impacts of establishing costeans, drill holes, bulk sample excavations and trenches to the environment and/or the health and safety of people.

24. DRILLHOLE OPERATIONS, CONSTRUCTION AND DECOMMISSIONING

24.1 The licensee must ensure that all reasonable measures are taken to minimise the impacts of drilling operations and that the operations are conducted in a manner that ensures protection of the environment, human health and amenity.

24.2 The licensee must prevent contamination of aquifers as a result of drilling operations.

24.3 The licensee must ensure that where a drillhole is to be left open overnight or longer, a temporary cap is fitted.

24.4 The licensee must ensure that when drilling for coal seam gas (CSG) the blowout prevention equipment (including accumulators) of a well is installed, operated, maintained and pressure tested.

24.5 The licensee must ensure that the permanent abandonment of CSG wells include the installation of appropriate concrete surface plugs to ensure the integrity of the well and formations.

24.6 The licensee must ensure that accurate records of decommissioning procedures are kept to provide future reference, and to demonstrate to DEECA that the drillholes have been satisfactorily plugged and abandoned.

25. UNDERGROUND EXPLORATION

25.1 The licensee must ensure that during underground exploration and development works, access shafts, adits and declines are made safe.

25.2 The licensee must ensure that on completion of underground exploration and development works, access shafts, adits or declines no longer required are permanently closed off and the site made safe for the public and wildlife.

26. REHABILITATION

¹ For the purpose of these conditions, bees are defined as livestock.

26.1 The licensee must ensure that disturbed areas are rehabilitated as soon as possible after the completion of works.

26.2 The licensee must ensure that indigenous species used in rehabilitation are sourced from the local area, of local provenance and appropriate to the site's Ecological Vegetation Class (EVC).

27. ENVIRONMENTAL REPORTING, MONITORING AND AUDITING

27.1 The licensee must implement a program for monitoring environmental impacts and rehabilitation.

27.2 The licensee must submit an Annual Report that includes:

- A report about the environmental management of activities including the results of any environmental audits conducted.
- Quantity, area and type of native vegetation removed.
- Details of current progressive rehabilitation activities.
- A rehabilitation report detailing completed rehabilitation activities over that year.

27.3 The licensee must notify DEECA as soon as practical of any environmental incident which results in:

- An emission not authorised by licence, work authority or work plan.
- Any deviations from conditions or environmental standards outlined for the site.


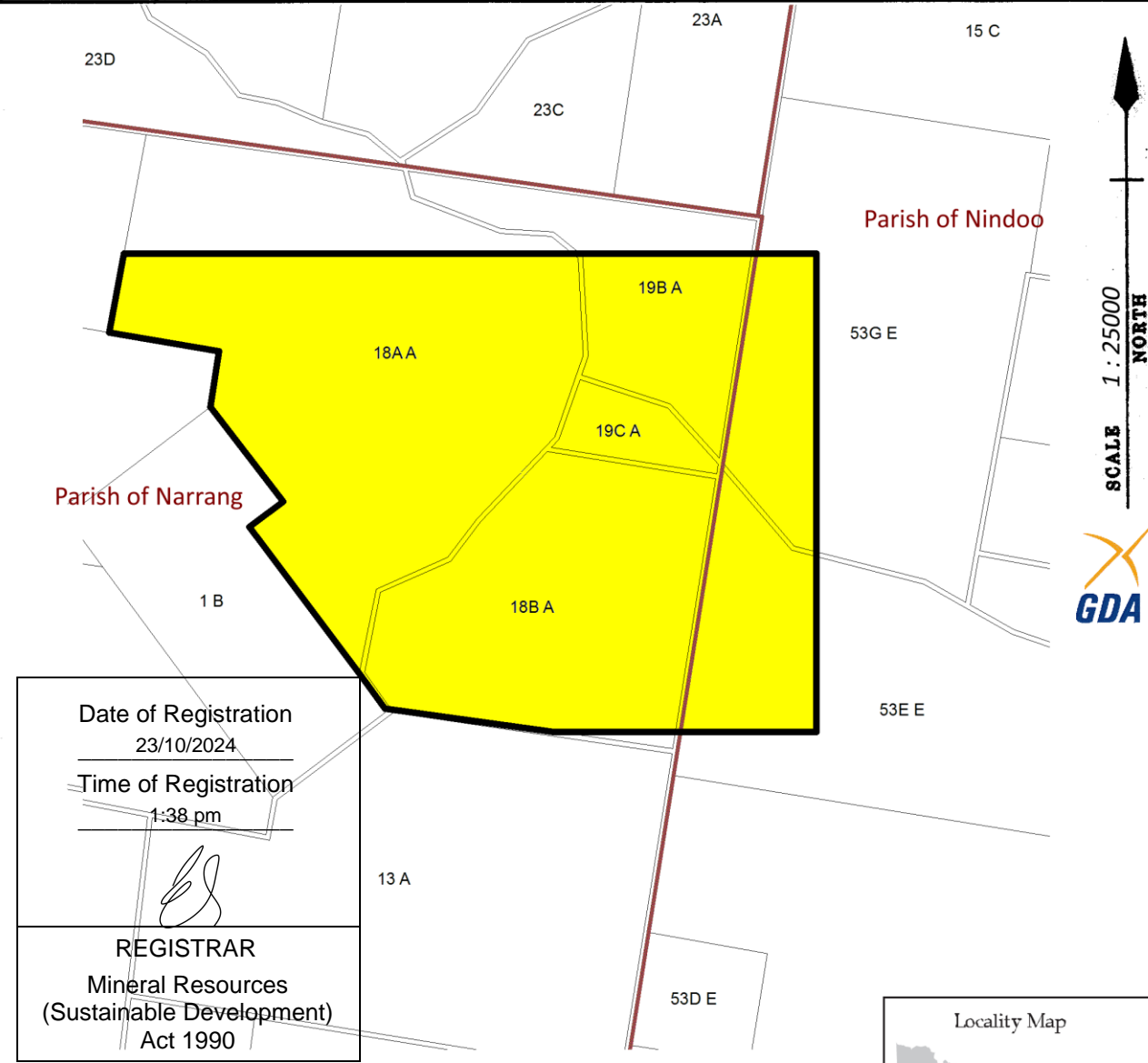



27.4 Within seven (7) days of an environmental incident, the licensee must prepare and forward a report to DEECA detailing the following information:

- the cause, time and duration of the incident.
- the native vegetation or threatened flora/fauna affected by the incident (if applicable).
- the type, volume and concentration of every pollutant discharged as a result of the incident.
- action taken by the licensee in relation to the incident.
- action taken to prevent any recurrence of the incident.

28. DOCUMENTATION AND RECORDS

28.1 The licensee must record activities undertaken and results arising from the environmental and rehabilitation monitoring program, any auditing undertaken, and any complaints received.

28.2 The licensee must ensure that documentation generated through the environmental and rehabilitation monitoring program, auditing and any complaints received is appropriately stored and accessible to relevant personnel and is available upon request by an ERR Inspector.

<p>PLAN OF AREA Retention Licence No. 2023 Mineral Resources (Sustainable Development) Act 1990</p>  <p style="margin-left: 20px;">Energy, Environment and Climate Action</p>	<p>Name of Licensee: Gippsland Critical Minerals Pty Ltd</p> <p>MUNICIPALITY OF Wellington PARISH OF Narrang and Nindoo</p> <p>TOTAL AREA 467.90 Hectares NET AREA 467.90 Hectares</p>	
		
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p>Date of Registration 23/10/2024</p> <p>Time of Registration 1:38 pm</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;"></p> <p style="text-align: center;">REGISTRAR Mineral Resources (Sustainable Development) Act 1990</p> </div> <p style="text-align: center;">F 90016399</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p style="text-align: center;">Date of Registration 23/10/2024</p> <p style="text-align: center;">Time of Registration 1:38 pm</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;"></p> <p style="text-align: center;">REGISTRAR Mineral Resources (Sustainable Development) Act 1990</p> </div> <p style="text-align: center;">F 90016399</p>	
<p> Crown Land and road and road reserves</p> <p>ALL MEASUREMENTS ARE IN METRES</p>		<div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">Locality Map</p>  </div>
<p>Certified correct Licensed Surveyor Subject to Survey Date</p>	<p>Checked Christy Thiagarajah Date 27 / 06 / 2024 Record plan Stratford</p>	