

# Environmental mining licence framework |

## Guidance on licence application types

This factsheet outlines which application form to use when applying for an environmental mining licence in accordance with the *Environment Protection Act 2019*.

### Licence types

The Act provides for twelve types of licence, which can be split into two groups: licences relating to existing/approved activities, and licences relating to new/proposed activities. The first group includes Deemed Mining Licences (DML), Replacement Licences (RL), and variation licences. The second group includes nine types of licence based on activity type (exploration, extractive operations, mining operations) and a project's ability to meet a suite of risk criteria and standard conditions (standard, modified, tailored). DMLs cannot be varied, whereas RLs and new licences can.

### Application forms

Operators who do not hold a DML should apply for a new environmental mining licence. Operators who hold a DML must transition into the environmental mining licence framework before 30 June 2028 by one of three ways: submitting an RL application; submitting a concurrent application; or submitting a new licence application.

Operators that do not propose any amendments to the activities approved under the DML should apply for an RL (which is essentially a direct conversion). Operators that want to amend the activities approved under the DML, for example to amend the approved activity extent, should submit a concurrent application (which essentially converts the DML to an RL and simultaneously varies the RL). Operators with only rehabilitation works left to complete under their DML should apply for an RL (to cover the rehabilitation works and security return process); and apply for a new environmental mining licence for a new mining activity / project.

Once granted, new and replacement environmental mining licences may be amended by submitting a variation application form.

Application form	To be used when you:
<b>Replacement Licence</b>	<ul style="list-style-type: none"> <li>Hold a DML and want to convert to a replacement environmental mining licence (RL) without amending the approved activities.</li> <li>Public exhibition is not required.</li> </ul>
<b>Concurrent</b>	<ul style="list-style-type: none"> <li>Hold a DML and want to convert to a replacement environmental mining licence (RL) and amend the approved activities at the same time.</li> <li>Public exhibition is only required for substantial alterations.</li> </ul>
<b>Exploration</b>	<ul style="list-style-type: none"> <li>Do not hold a DML or an existing environmental mining licence and want to undertake exploration activities (only).</li> <li>Public exhibition is required for modified and tailored licences only.</li> </ul>

Application form	To be used when you:
<b>Extractive operations</b>	<ul style="list-style-type: none"> <li>Do not hold a DML or an existing environmental mining licence and want to undertake extractive operations (and exploration activities).</li> <li>Public exhibition is required for modified and tailored licences only.</li> </ul>
<b>Mining</b>	<ul style="list-style-type: none"> <li>Do not hold a DML or an existing environmental mining licence and want to undertake mining activities (and exploration activities / extractive operations).</li> <li>Public exhibition is required for modified and tailored licences only.</li> </ul>
<b>Variation</b>	<ul style="list-style-type: none"> <li>Hold an existing environmental mining licence or Replacement Licence (RL) and want to amend the approved activities outside the scope of a <i>Forward program of works</i>.</li> <li>Public exhibition is only required for substantial alterations.</li> </ul>
<b>Forward program of works</b>	<ul style="list-style-type: none"> <li>Hold an existing environmental mining licence or Replacement Licence (RL) and want to amend the approved activities in accordance with the standard conditions (i.e. disturbance must be within the approved activity extent).</li> <li>Public exhibition is not required.</li> </ul>

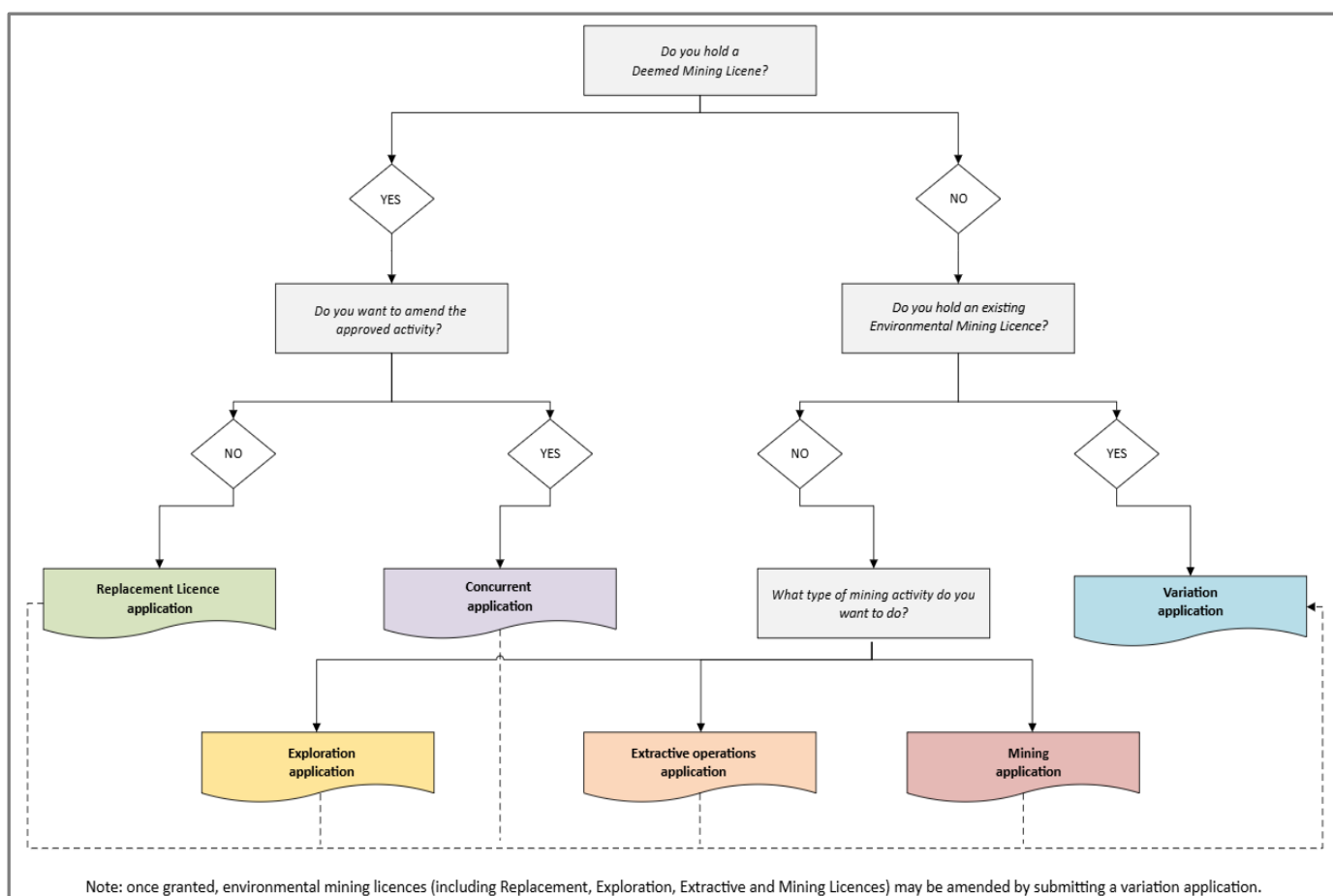


Figure 1 – Decision tree for determining which type of licence application form to use

## Further information

Contact: Mining Division | [mineralinfo.dlpe@nt.gov.au](mailto:mineralinfo.dlpe@nt.gov.au) | (08) 8999 6528