

1 March 2023

Secretary requirements and general guidance for applicants

Advertising a notice of an application for an assessment lease

Purpose of this document

Part 1 of this document sets out the required form of and information to be included in a notice of an application for an assessment lease, for the purposes of section 33A(2)(c) of the *Mining Act 1992* and clause 22(2) of the Mining Regulation 2016.

Part 2 of this document provides general guidance on other requirements for advertising a notice of an application for an assessment lease.

Part 1 Form and information to be included in notice

Form of notice

A notice of an application for an assessment lease must be in the form and contain the information below, replacing the text in *italics* and **bold** with details of the application.

Assessment lease application

Notice is given in accordance with Section 33A of the *Mining Act 1992*, and Clauses 22 and 89K of the Mining Regulation 2016 that assessment lease application number *(insert number as listed in acknowledgement letter)* (Act 1992) for *(enter mineral/s e.g. coal or gold)*, has been lodged with the Department of Regional NSW by *(enter applicant's name)*, ACN *(enter if applicable)*, over an area of about *(*enter area as applicable – either in hectares/square kilometres/units)* which is located approximately *(enter number of)* kilometres *(enter direction, ie north west)* of the town of *(enter closest significant town or village)*, as shown on the diagram below.

Information regarding this application can be obtained from *(contact name of applicant's representative)*, Phone Number *(phone number)*.

Information regarding landholder's rights is available from the [Department's website](#).

Notes:

* The area may be described by either hectares, square kilometres or units (e.g. the area is approximately 3 square kilometres).

Information to be included in notice

The notice must include the following information:

- the assessment lease application number
- the minerals in respect of which the application is made
- a description of the proposed assessment area prepared in the manner below, including the approximate area [in either hectares, square kilometres or units] and proximity to the closest significant town or village,
- the name and contact details of the applicant,
- a reference to the information regarding landholder's rights on the Department's website.

Description of proposed exploration area

The notice must include a description of the proposed assessment area by means of a plan that:

- is at least 6cm in width and at least 6cm in length.
- has a minimum resolution of at least 300 dpi at final size.
- is based on an accepted standard map (e.g. county map, topographic-cadastral map).
- identifies any main roads, rivers, railways, villages/towns and localities.
- defines the external boundaries of the proposed assessment lease area, with a bolder line than other lines shown on the map.
- If the application area is defined by blocks and units, a minimum of two external sides of the title must be co-ordinated (bearings or MGA co-ordinates).
- has a north point and bar scale.
- contains lettering that is legible at the publication size#.
- shows the distance and direction to the town or village mentioned in the text of the notice.

Note: To ensure your published advertisement is legible and the diagrams appear correctly, you may wish to contact the newspapers to confirm their advertising specifications (e.g. minimum font size, file type accepted, image resolution required, etc).

MinView is an online department tool that may help you prepare your plan/diagram. A copy of MinView maps must not be used for the published notice. For further details go to: <https://meg.resourcesregulator.nsw.gov.au/geoscience/minview>

In remote areas, you may want to choose a larger 'footprint' to include a familiar road or locality. Similarly, if the area is close to a familiar road or locality, the capture area may be smaller and cadastre may be appropriate.

Note: It is recommended that the advertisements are proofread by the applicant before being published. Errors in the text and diagrams may affect the validity of the notice and require the advertisements to be re- advertised at the cost of the applicant.

Submission of advertisements

Copies of the notice as published should be submitted (preferably in one email) to MEG at titles@regional.nsw.gov.au **OR** applicants may also submit the two advertisements through the Titles Management System (TMS) as attachments to the relevant online application.

Failure to comply with Secretary's requirements

Should you not be able to comply with the requirements detailed in this document you must seek prior approval to waive the requirements. Requests to waive the requirements are to be emailed to titles@regional.nsw.gov.au. Include a copy of the proposed advertisement with an explanation of why the requirements could not be complied with.

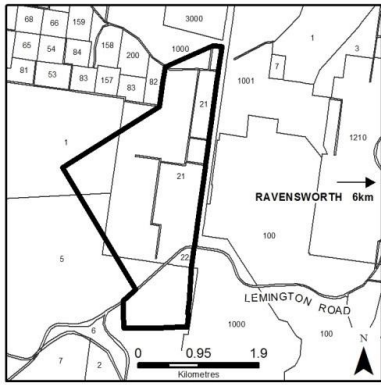
Advertisements found not to comply with the requirements in this document may not be valid and require the advertisements to be readvertised at the cost of the applicant.

Examples of diagrams

Note: The examples shown are to assist in the preparation of an advertisement diagram for an assessment lease application.

If the application area is defined by blocks and units, a minimum of two external sides of the title must be co-ordinated (bearings or MGA co-ordinates).

Non-graticular



6 CM WIDTH

Graticular

Black edge around area in a thickness that will stand out.

Label nearest town, or distance from if not on diagram.

Label major roads.

A minimum of 2 external sides of the title must be co-ordinated.

North arrow.

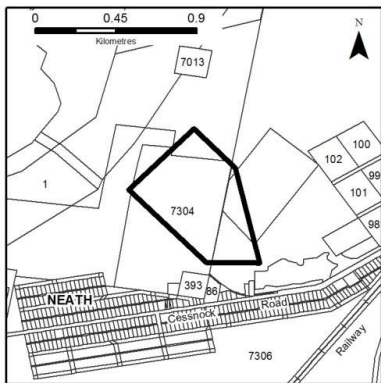
Scale bar.

Cadastre if applicable.

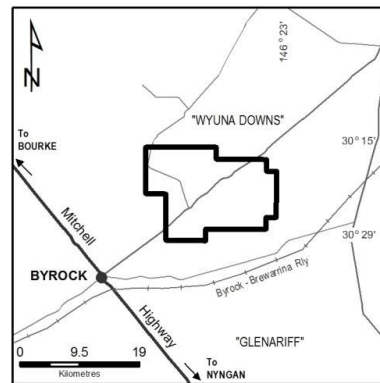
Railway if in area.

Rivers if in area.

6 CM WIDTH



6 CM WIDTH



6 CM WIDTH

Part 2 General guidance

The information in this Part 2 is intended to provide general guidance for applicants and does not constitute legal advice.

Section 33A of the Mining Act 1992 and clauses 22 and 89K of the Mining Regulation 2016 set out the requirements for notice of an application for an assessment lease. In addition to the required form and information outlined in Part 1 above, section 33A requires the notice to be published in a particular manner and within a particular time.

The aim of the advertisement is to notify the community that you have applied for an assessment lease in the area.

Way to publish the notice

In accordance with section 33A(1) of the *Mining Act 1992* and clause 89K of the Mining Regulation 2016:

- The notice must be published in at least one newspaper circulating generally in NSW.
- It must **also** be published in both the online and print editions of at least one newspaper circulating in the local area of the proposed assessment lease.
 - If publishing in both online and print editions is not possible you must publish in either the online **or** print edition of the local publication.
 - If that is not possible either, (eg: there is no local newspaper publication in the relevant locality), you must publish on a website, or another online platform, that is likely to bring the notice to the attention of persons in the local area (eg: local council website).

For a list of metropolitan and regional newspapers in NSW, visit www.newspapers.com.au

When to publish the notice

In accordance with section 33A(1) of the *Mining Act 1992* and clause 22(1) of the Mining Regulation 2016, you must cause notice of the application to be published **within 45 days** after receipt of confirmation that the application for an assessment lease has been lodged.

Contact

For help with the Secretary's requirements or for more information about authorisations in New South Wales, contact:

**Mining, Exploration and Geoscience
Assessments and Systems**
Phone: +61 2 4063 6600 (8.30am – 4.30pm)
Email: titles@regional.nsw.gov.au

Document control

Document number: RDOC23/55652

Approved by: Executive Director, Assessments and Systems, Regional NSW, under delegation from the Secretary administering the *Mining Act 1992*.

Amendment schedule		
Date	Version #	Amendment
March 2021	1.0	New format for Regional NSW. Form updated to reflect new Departmental name and branding, and updated links.
January 2022	1.1	Update links
February 2023	1.2	Updated email address and hyperlinks to reflect new website, and inserted new legislative wording to reflect changes made under Mining Amendment Regulation 2022

© State of New South Wales through Regional NSW 2023. The information contained in this publication is based on knowledge and understanding at the time of writing March 2023. However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Regional NSW or the user's independent adviser.