November 2024

Application for a mining lease or mining (mineral owner) lease

# *Form ML1, Mining Act 1992*

**Access the** [**Titles Management System (TMS) Portal**](https://meg.resourcesregulator.nsw.gov.au/mining-and-exploration/titles-management-system) **to lodge this application electronically.**

**Any required fee payments and attachments can be submitted through the Portal.**

When to use this form

**Complete this form if you are applying for a mining lease or mining (mineral owner) lease under the *Mining Act 1992* in NSW.**

A mining lease:

* gives the holder the exclusive right to mine and prospect for minerals, including primary treatment operations, over a specific area of land; and/or
* allows the holder to carry out 'ancillary mining activities'.

For more detailed information on 'ancillary mining activities' see s 6 of the Mining Act, cl 7 of the [Mining Regulation 2016](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498).

This form is an approved form under s 382 of the Mining Act for the purposes of s 51 (Applications for mining lease) of the Mining Act and cl 25 (Applications for Mining Lease) of the Regulation.

Any reference to the **‘department**’ in this form, refers to the **Department of Primary Industries and Regional Development**.

Privacy statement

View the department’s [privacy statement](http://www.resources.nsw.gov.au/privacy) on how information in this application will be used.

How to lodge

You can lodge your application (this form and any attachments) in the following ways:

* **By email:** titles@regional.nsw.gov.au
* **By mail:** NSW Resources, Assessments and Systems, PO Box 344, Hunter Region Mail Centre NSW 2310
* **In person:** in person at the department’s office, 516 High Street, Maitland, NSW, business days, between the hours of 9.30am and 4.30pm.
* **Facsimile:** +61 2 4063 6973

Lodgement of your application in any of the above ways is taken to be lodgement with the Secretary under the Mining Act.

For help with lodging this application, or for more information about authorisations under the Mining Act in NSW contact:

NSW Resources - Assessments and Systems

**Phone: +61 2 4063 6600 (8.30am – 4.30pm)**

**Email:** titles@regional.nsw.gov.au

# Important notes

Accompanying documentation

All information specified in this form, and all required documents, things or information required to be lodged with your application, should be provided at lodgement.

A decision-maker may reject an application for a mining lease if the applicant does not supply, within 10 business days of making the application: a description, set out in the approved form, of the proposed mining area required under cl 25(1)(a) of the Regulation and the statement of corporate compliance, environmental performance history and financial capability required under cl 25(1)(f) of the Regulation.[[1]](#footnote-2)

Until it is amended by proclamation, Sch 1B cl 6 of the Mining Act also provides separate grounds for the decision-maker to refuse an application on the basis that the applicant has failed to lodge any information required to accompany the application within 10 business days after the application is lodged

A decision-maker may require you to furnish further information in connection with your application and may refuse the application if you do not furnish that information within the specified period.[[2]](#footnote-3)

Agents

If this application is lodged by an agent on behalf of the applicant/s, the agent will need to complete the declaration at the end of this form and supply evidence of their appointment.[[3]](#footnote-4)

Controlled release areas

An application that relates to land in a controlled release area may not be made in relation to a controlled release mineral except by the holder/s of an exploration licence, assessment lease or mining lease over that land in respect of that mineral.[[4]](#footnote-5)

Mineral allocation areas

Applications for a mineral group to which a ‘mineral allocation area’ applies can only be made by the holder of an exploration licence, assessment lease or mining lease over that land in respect of that mineral, or with the Minister’s consent[[5]](#footnote-6).

The Governor may, by order published in the Gazette, constitute any land as a mineral allocation area and may, by the same or subsequent order so published, name the area and fix its boundaries.[[6]](#footnote-7) A mineral allocation area can be designated for any mineral. The entire state has been gazetted as a mineral allocation area for minerals in groups 9A (oil shale), 11 (thorium and uranium) and 12 (hydrogen and non-metals). There are other specific mineral allocation areas within the state for various minerals or groups of minerals.

For the location of mineral allocation areas, visit the [NSW Titles Online Viewer](https://meg.resourcesregulator.nsw.gov.au/geological-survey/minview).

To find out how to request the Minister's consent, please contact the department using the details on the cover page.

Work programs

Applications for a mining lease must be accompanied by a work program for the proposed term.[[7]](#footnote-8) The requirements for what work programs must include are contained in clause 35(1) of the Regulation. For an application for a mining lease, the requirements is in clauses 35(1)(a) – (c) may be satisfied by providing a current development consent under the environmental *Planning and Assessment Act 1979* for the development in relation to which the mining lease is being applied for. In such circumstances, no work program is required.

Development consent

Under s 65(1) of the Mining Act, the Minister cannot grant a mining lease over land if development consent is required for activities to be carried out under the lease unless an appropriate development consent is in force with respect of the carrying out of those activities on the land.

The development consent must provide consent for mining operations within the entirety of the proposed mining lease area (and any ancillary mining activities that fall within the proposed mining lease area).

A mining lease will not be granted for any activities not specified in the development consent.

The Minister may reject an application for a mining lease if the applicant, before the expiration of the period prescribed by clause 26A of the Regulation, or a longer period specified by the decision-maker, has failed to provide the Minister evidence that an application for the development consent required by this section has been made, or the development consent has been granted and is in force.[[8]](#footnote-9) Section 380AA prevents an application for development consent to mine coal from being made or granted unless the applicant is the holder of an authority that is in force in respect of coal and the land concerned.

Advertisements

Mining lease applicants must publish a notice of the application in accordance with the *Secretary requirements - Advertising a notice of an application for a mining lease* within 45 days after receipt of confirmation that the application has been lodged (clause 26 of the Regulation).  The notice must state that an application for a mining lease has been lodged, contain a plan of the proposed mining area, and comply with any other requirements that are prescribed by the regulations (section 51A of the Mining Act).

Notification of landholders

If the application proposes mining to extend to the surface of the land, you must notify landholders of your application within **21 days of the application lodgement date**. The notification must include:

* advice the application has been lodged;
* a description (in accordance with clause 9 of the Regulation) of the proposed lease area; and
* a statement that objections to the grant on the grounds of ‘agricultural land’ or ‘significant improvement claims’ may be made to the Minister within 28 days of receiving the notice.

Native title

For the purposes of the *Native Title Act 1993* (Cth) (NTA), the Minister must not grant a mining lease unless satisfied that either native title has been extinguished over the entire application area or that the right to negotiate process (or alternate process provided for in the NTA) has been completed. If not available at the time you lodge your application, you must provide evidence regarding [proof of extinguishment of native title](https://www.regional.nsw.gov.au/meg/exploring-and-mining/native-title) before grant. If you choose to do this, the documentation must be provided as early as possible after lodging this application as the proof of extinguishment assessment process may take an extended period of time.

Formal survey of the lease area

A survey prepared in accordance with statutory requirements may be required before the lease is granted. We will advise you in writing if this is required and the period by which the survey must be provided.

## Fees

A mining lease may not be granted until the mining lease fee prescribed in Schedule 9 of the Regulation has been paid for the grant of the lease.[[9]](#footnote-10) You will receive a letter from the department further notifying you that you are required to pay an annual administrative levy and an annual rental fee before your mining lease can be granted. On grant of a mining lease, there is an additional grant fee of $85 per hectare or part hectare.[[10]](#footnote-11)

Determination of your application

Once your complete application has been received, it will be determined by way of granting or refusing the renewal in accordance with the Mining Act and Regulation.

1. Type of application

[ ]  Mining lease

[ ]  Mining (mineral owner) lease

 [ ]  I have attached evidence that the applicant/s own the minerals to which this application relates.

1. Term for which mining lease is sought

|  |
| --- |
| Term for which mining lease is sought |
| Years sought |        | Note the maximum term is 21 years (unless the Premier agrees to a longer term). |

1. Applicant/s details

To be eligible to hold an authority, you must be a person 18 years of age or older, or a company eligible to undertake business in New South Wales. Provide the full name of applicant/s and if applicable, the ACN or ARBN (for foreign companies).

The applicant for a mining (mineral owner) lease application must be the owner/s of the mineral. If there is more than one owner, the application **must** be made by all the owners.

If the applicant/s is a foreign entity, provide proof that the applicant/s is authorised to operate and carry out business in New South Wales.

|  |
| --- |
| 1st Applicant details |
| Name |       |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

|  |
| --- |
| 2nd Applicant details |
| Name |       |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

|  |
| --- |
| 3rd Applicant details |
| Name |       |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

Additional applicants

Provide the full name, phone number, email address, ACN or ARBN (for foreign companies), street address (individuals), registered street address (companies) and postal address details of additional applicants. For individuals you must provide a statement that the person is at least 18 years old.

|  |
| --- |
| Additional details |
|       |

1. Contact for this application and service

Any correspondence in relation to this application and any subsequent authority will be sent to this person, including documents that the department is required to serve.

|  |
| --- |
| Details |
| Contact name |       |
| Position held |       |
| Company |       |
| Postal address |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email (required) |       |
| Email for service of documents (required) |       |

The department will contact you and **serve** documents related to your application and any subsequent authority **via the email address specified above**.

4.1 Preferred contact method

If you would **also** like a copy of documents to be sent to you by mail to the postal address indicated above, please check the box below.

[ ]  I request that copies of documents and communications are also sent to me by mail.

1. Purpose of mining lease

Select and complete one of the two mining lease options below. Note that:

* a 'mining lease for minerals' allows you to undertake mining, ancillary mining activities and prospecting
* a 'mining lease for ancillary mining activities only', allows you to **only** undertake the specified ancillary mining activities (refer to s 6 of the Mining Act and cl 7 of the Regulation)

|  |
| --- |
| Option A: Mining lease for minerals |
| [ ]  | List the minerals sought (refer to [sch 1](http://www.legislation.nsw.gov.au/#/view/regulation/2016/498/sch1) of the Regulation). Under [s 51(2)](https://www.legislation.nsw.gov.au/#/view/act/1992/29/part5/div1/sec51) of the Mining Act, a mining (mineral owner) lease can only be granted for privately owned minerals. |
|       |
| Describe the mining methods to be used (e.g. open cut, underground, or other if appropriate) |
|       |
| Describe all ancillary mining activities and any surface activities that are proposed to be part of the operations (if applicable) |
|       |

**OR**

|  |
| --- |
| Option B: Mining lease for ancillary mining activities only |
| [ ]  | Describe the ancillary mining activity/s sought. **Notes:** * that **all ancillary mining activities** must be approved by an appropriate development consent (if required under the [*Environmental Planning and Assessment Act 1979*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203)).
* following **grant**, no further ancillary mining activities can be added to the lease
 |
|       |
| An ancillary mining activity must be in the vicinity of and directly facilitate a mining lease in respect of a mineral (or minerals) or a mineral claim. |
| Identify the mining lease or mineral claim (e.g. ML123)       |
| [ ]  I have attached a scaled plan that shows the relative location of the ancillary mining activity to the mining lease or mineral claim[ ]  I have attached details of how the ancillary mining activity directly facilitates the mining lease or mineral claim |

1. Technical capability
	1. Technical capability

Applications for a mining lease must demonstrate that the applicant has the technical capability to carry out the proposed work program.[[11]](#footnote-12)

An application for a mining lease must:

* be accompanied by particulars of technical advice available to the applicant;[[12]](#footnote-13)
	1. Technical advice available to the applicant

|  |
| --- |
| Provide details of the technical advice available.  |
|       |

* 1. Technical capability

You can attach required information about your technical manager by using the form [Template for technical managers](https://meg.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/template-for-technical-managers-pdf.pdf) or enter the information below. Tick the relevant box below to indicate which option you have selected:

[ ]  I have attached the form [Template for technical managers](https://www.regional.nsw.gov.au/meg/exploring-and-mining/application-forms-and-fees/mining-act-1992-forms) 🞂 **Go to Part 7**

[ ]  Information about the technical manager is provided below

* + 1. Technical manager tertiary qualifications and/or experience

The technical manager must provide evidence of their tertiary qualifications and/or professional experience to demonstrate their technical capability.

[ ]  I have attached the technical manager’s curriculum vitae or other information demonstrating their technical capability

* + 1. Technical manager contact details

|  |
| --- |
| Technical manager contact details |
| Name |       |
| Position |       |
| Company |       |
| Phone (incl. area code) |       |
| Mobile |       |
| Email |       |
| Technical manager acceptance**Signature** **of the nominated technical manager** In signing below, I hereby:* confirm my acceptance of the role; and
* certify that the information provided in response to Parts 6.3.1, is true and correct to the best of my knowledge and belief.
* confirm that I understand that under the *Crimes Act 1900 NSW* Part 5A, knowingly or recklessly giving false or misleading information is a serious offence, and that under the Mining Act s 378C, any person who provides information that the person knows to be false or misleading is guilty of an offence, for which they may be subject to prosecution.
 |

1. Statements of corporate compliance, environmental performance, financial history

Applications for a mining lease must be accompanied by a statement of the corporate compliance, environmental performance history and financial capability of the applicant, made in the approved form.[[13]](#footnote-14) The approved form is the Statements of corporate compliance, environmental performance history and financial capability form (**SOCH**) available on the department’s website.

[ ]  I have submitted a new SOCH online the reference number is

1. Proposed work program or current development consent

Applications for a mining lease must be accompanied by a proposed work program, unless the requirements relating to development consent in section 65 of the Mining Act and clause 26A of the Regulation are satisfied.

Please complete Option A or Option B below.

|  |
| --- |
| Option A |
| [ ]  | I have attached a proposed work program that: * indicates the nature and extent of operations to be carried out under the authority conferred by the relevant authority, and
* sets out commitments relating to the conduct of the operations, including the timing of the operations, and
* provides for the carrying out of activities, including community consultation and environmental management and rehabilitation, in connection with, or ancillary to, those operations.
 |

**OR**

|  |
| --- |
| Option B |
| [ ]  | I have attached a copy of the appropriate development consent that embraces the entire lease area and the activities in respect of which the mining lease is being sought, or commit to providing the evidence required by section 65(5)(a) or (b) of the Mining Act within the timeframe provided by clause 26A of the Regulation. |

1. Assessment of mineral bearing capacity

Provide an assessment of the mineral bearing capacity of land in the application area and of the extent of any mineral deposits in that land. The assessment should be provided in the form of a current resource/reserve statement relevant to the application area only. Reporting of mineral and coal resources/reserves should be produced to a standard at least equivalent with the *Australasian* Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves (The [JORC](https://www.jorc.org/) Code 2012), or equivalent, if possible. Ensure the statement documents all classified resources and differentiates classified from global/in-situ resources. Also ensure the resource/reserve documents demonstrate the anticipated mining depletion over the term sought.

[ ]  A statement of the most recent mineral resource/ore reserve estimate in accordance with JORC is attached

[ ]  A statement of the most recent mineral resource/ore reserve estimate in accordance with an international equivalent standard to JORC such as NI 43-101 or SAMREC, is attached

[ ]  The mineral resource/reserve has not been estimated in accordance with JORC or equivalent, therefore a statement of the global estimated mineral resources of the land is attached

1. Compliance with native title legislation

The Minister must not grant a mining lease unless satisfied that, either native title has been extinguished over the entire application area, or that either the 'Right to Negotiate' process, or an applicable alternate regime under the *Native Title Act 1993* (Cth), has been completed. You should provide proof that native title has been extinguished. If native title has **not** been extinguished, you will need to undertake the 'Right to Negotiate' or alternative applicable process before a lease can be granted. Read our guideline [Native title and the administration of exploration and mining legislation in New South Wales](https://www.regional.nsw.gov.au/meg/exploring-and-mining/native-title) for more information

The ‘Right to Negotiate’ process must be completed before you can undertake mining activities on any land claimable under the provisions of the Commonwealth’s Native Title Act 1993. It is subject to a notice period and if there are registered claimants you must come to an agreement with them. For more information visit the [National Native Title Tribunal website](http://www.nntt.gov.au/Pages/Home-Page.aspx).

Note that additional advertising costs will apply if you commence the ‘Right to Negotiate’ process.

[ ]  I have attached proof that native title has been extinguished

[ ]  I will provide proof that native title has been extinguished prior to grant. [Note: if this option is selected the documentation must be provided as early as possible after lodging this application as the proof of extinguishment assessment process may take an extended period of time]

[ ]  I wish to commence the 'Right to Negotiate' process and this will be completed prior to the grant of the mining lease

[ ]  I wish to commence an alternate regime provided for in the *Native Title Act 1993* (Cth) (eg: procedure under an Indigenous Land Use Agreement (ILUA) that excludes the operation of Subdivision P of the *Native Title Act 1993* (Cth))

Provide details of the alternate regime proposed including the provisions of the *Native Title Act 1993* (Cth) or ILUA relied upon

|  |
| --- |
|       |

1. Details of any existing authority/s
	1. Applications within controlled release areas for controlled release minerals

Is this application for a controlled release mineral within a controlled release area?

[ ]  Yes – **go to Part 11.2**

[ ]  No – **go to Part 11.3**

* 1. Authority/s held for controlled release minerals

Provide the details of the authority/s for the controlled release mineral held by the applicant.

|  |  |  |  |
| --- | --- | --- | --- |
| Mineral | Type – eg EL, AL, ML | Number | Act |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

* 1. Authority/s held by the applicant

Provide details of any existing authority held by the applicant in this application area (other than listed in Q11.2).

|  |  |  |
| --- | --- | --- |
| Type – eg EL, AL, ML | Number | Act |
|       |       |       |
|       |       |       |
|       |       |       |

* 1. Authority/s held by others

Provide the authority identifier/s of any existing authority detailed in s 58(1) of the Mining Act for which written consent will need to be provided.

|  |
| --- |
| List authority Identifier/s (e.g. EL123, ML123) |
|       |

1. Mineral allocation area – Minister's consent
	1. Minister's consent required for a mineral allocation area

Is your application for a mineral or mineral group within a mineral allocation area?

[ ]  No – **go to Part 13**

[ ]  Yes – if yes:

[ ]  I have attached a copy of the Minister's consent to my application

[ ]  I will provide the outstanding information within 10 business days of lodging this application

1. Standard map of proposed mining area

Before a mining lease can be granted, you must provide a full survey of the lease area.

Provide a map, as described in cl 9 of the Regulation, showing the alignment of the proposed lease boundaries relative to the Map Grid of Australia coordinates of all the points where there is a change in direction of the boundaries of the land. If such a map is not available, you must provide either a cadastral map or, if that is not available, an aerial photograph.

 [ ]  I have attached a standard map

 [ ]  I have inserted my standard map below:



* 1. Coordinates of the proposed area compliant with Map Grid of Australia (MGA94)

Attach the MGA94 coordinates as a separate electronic file in a CSV format.

[ ]  I have attached the MGA94 coordinates to this application

|  |
| --- |
| MGA94 coordinates to this application |
| Total area |       | [ ]  m2 | [ ]  ha | [ ]  km2 |
| Surface area |       | [ ]  m2 | [ ]  ha | [ ]  km2 |

* 1. Depth of surface exception in metres

Indicate the area of surface and soil below the surface **not** applied for:

|  |
| --- |
| Depth of surface exception in metres |
| [ ]  | Whole area |        | metres |
| [ ]  | Part (must be shown on the map) |
| [ ]  | Various parts (must be shown on the map) |
| [ ]  | Nil |

* 1. Depth restriction sought in metres

Indicate the depth to which you require the lease to extend. Note that for coal the maximum depth that any lease will be granted is 900 metres below zero Australian height datum (AHD).

|  |
| --- |
| Depth restriction sought |
| [ ]  | Whole area |        | metres |
| [ ]  | Part (must be shown on the map) |
| [ ]  | Various parts (must be shown on the map) |
| [ ]  | Nil |

* + 1. Strata sought

For example, the strata between the base of the black seam to the top of the white seam.

Insert/paste your map in the field below and enter any notes here



1. Land 'affected' by dwelling houses, gardens and significant improvements

Under s 62 of the Mining Act, a mining lease cannot be granted over the surface of any land on which (or within the prescribed distance of which – see section 62(2) of the Mining Act), is situated a dwelling-house that is the principal place of residence of the person occupying it, or on which (or within the prescribed distance of which) is situated any garden, or on which is situated anything that is taken to be a 'significant improvement' under clause 23A of Schedule 1 of the Mining Act **without the consent of the owner**. In the case of the dwelling-house, the written consent of its occupant is also required. This requirement does not apply if an exception in section 62(4) or (6) applies.

It may not be possible to provide this written consent at application stage. If this is the case, you need to provide a justification statement stating why you have not provided the consent with the application.

* 1. Is the area you are applying for 'affected' by anything referred to in s 62 of the Mining Act?

[ ]  Yes – **go to Part 14.2**

[ ]  No – **go to Part 15**

* 1. Have you received written consent from the owner and, if applicable, the occupant?

[ ]  Yes – I have received written consent and attached the consent to this application.

[ ]  No – I have attached a statement justifying why consent is not provided, but I acknowledge that the consent is required to be provided prior to grant.

1. Protected reserves
	1. Does the proposed mining area contain land within a protected reserve, as defined by clause (3)(2) of the Regulation?

[ ]  Yes [ ]  No

|  |
| --- |
| If you ticked yes, please provide details on which protected reserves are included: |
|      If the reserve you have identified is a reserve in respect of which an order is in force under section 367 of the Act prohibiting the granting of mining leases, please confirm that you understand that the mining lease may not be granted over that reserve?[ ]  Yes [ ]  No |

1. Fee payment

Payment, proof of payment or details that allow the payment to be made must accompany this application form. The application fee amount is $10,000.

* 1. Select your payment method

|  |  |
| --- | --- |
| Select | Payment method |
| [ ]  | **Direct deposit**Account name: Department of Primary Industries and Regional Development BSB: 032 001Account number: 183837Reference: MLA [authority type and number] (e.g. MLA Johnson)If you are paying by direct deposit, attach a copy of the receipt issued by your banking authority as evidence that you have paid. |
| [ ]  | **Credit card** |
| To pay by credit card, please tick the credit card box and contact (02) 4063 6600 to speak to a customer service representative. To comply with PCI-DSS your credit card information is never stored on file.You may also submit the application on TMS. |

1. Checklist of items to be included with this application

|  |  |  |
| --- | --- | --- |
| Item |  | Reference |
| Evidence of mineral ownership (if applicable) | [ ]  | Part 1 |
| For foreign entities, proof that the applicant/s is authorised to operate and carry out business in NSW. | **[ ]**  | Part 3 |
| Details of how the ancillary mining activity is in the vicinity and directly facilitates the mining lease (if applicable) | [ ]  | Part 5 |
| Technical capability support documentation (if applicable) | [ ]  | Part 6 |
| Proposed work program or current development consent | [ ]  | Part 8 |
| Assessment of the mineral bearing capacity  | [ ]  | Part 9 |
| Proof of extinguishment of native title or negotiation process | [ ]  | Part 10 |
| For an allocated mineral within a mineral allocation area only – a copy of the Minister's consent to apply (if applicable) | [ ]  | Part 12.1 |
| A standard map of the proposed lease area | [ ]  | Part 13 |
| Coordinates of the lease area (if applicable) | [ ]  | Part 13.1 |
| Landholder/s consent or submission (if applicable) | [ ]  | Part 14.2 |
| For payments made by direct deposit – proof of payment | [ ]  | Part 16 |
| For agents only – evidence of appointment as agent | [ ]  | Part 18.2 |

* 1. Have you lodged all the required information with this form?

[ ]  Yes

[ ]  No – I will provide outstanding information after lodging this application\*

\*Failure to provide a description of the proposed mining area and a statement of the corporate compliance, environmental performance history and financial capability of the applicant within 10 business days of making the application is a ground for the decision-maker to reject the application.

1. Declaration

This form should be signed by the applicant/s (in the case of a company a duly authorised officer) or an agent authorised to act on behalf of the applicant/s.

* 1. Applicant/s (individual or company

For each applicant (signed below):

I certify that the information provided is true and correct to the best of my knowledge and belief. I understand under the *Crimes Act 1900* NSW Part 5A, that knowingly or recklessly giving false or misleading information is a serious offence, and under the Mining Act section 378C, any person who provides information that the person knows to be false or misleading is guilty of an offence, for which they may be subject to prosecution.

(For companies only) In addition to the declaration above, by signing below, I also certify that I am authorised to complete and provide the information in this form on behalf of the company listed in section 3 of this form.

|  |
| --- |
| 1st Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

|  |
| --- |
| 2nd Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

|  |
| --- |
| 3rd Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

* 1. Agent authorised to act for this applicant/s

Evidence of appointment is required.

|  |
| --- |
| Agent details |
| Name |       |
| Position/title |       |
| Company |       |
| Postal address |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email |       |
| Date |       |
| Signature | Agent Signature |

Evidence of appointment:

 [ ]  I have attached evidence of appointment to this application

# Office/Administrative use only

|  |
| --- |
| Application received: |
| Time: |       | Date: |       |
| Officer's name |       |
| Signature | Office use only signature |
| **Application fee amount:** $10,000 |
| Fee amount | $       |
| **Receipt number** |       |

View the department’s privacy statement on how information in this application will be used: <www.resources.nsw.gov.au/privacy>

# Document control

Approved by: Executive Director, Assessments and Systems, NSW Resources, under delegation from the Minister administering the Mining Act.

CM Reference: RDOC24/160623

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| Amendment schedule |
| **Date** | **Version #** | **Amendment** |
| November 2024 | 3.0 | Form updated to reflect commencement of amendments to the Mining Act and Regulation on 1 March 2023. Update to NSW Resources branding. |
| July 2020 | 1.0 | New format for Regional NSW. Form updated to reflect new department name and branding, and updated links |
| August 2022 | 2.0 | Update credit card detailsNew format to reflect new template Regional NSW/MEGUpdate contact details to reflect @regional email addressUpdated footer; date and document numberReviewed links to legislation |

**© State of New South Wales through Department of Primary Industries and Regional Development 2024**. The information contained in this publication is based on knowledge and understanding at the time of writing (November 2024). 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 Department of Primary Industries and Regional Development 2024 or the user’s independent adviser.

1. Section 381B, Mining Act; cl [94AA(4)](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498#sec.94A)(e), Regulation. [↑](#footnote-ref-2)
2. Sch. 1B cl 5, Mining Act. [↑](#footnote-ref-3)
3. Clause 97, Regulation. [↑](#footnote-ref-4)
4. Section 51(3A), Mining Act. [↑](#footnote-ref-5)
5. Section 51(3), the Mining Act. [↑](#footnote-ref-6)
6. Section 368, Mining Act. [↑](#footnote-ref-7)
7. Section 129A, Mining Act; cl 35, Regulation. [↑](#footnote-ref-8)
8. Section 65(5), Mining Act. [↑](#footnote-ref-9)
9. Section 63(3A), Mining Act. [↑](#footnote-ref-10)
10. Section 63(3A), Mining Act; Schedule 9, Regulation. [↑](#footnote-ref-11)
11. Schedule 1B, cl. 2(1)(a) & 6(b), Mining Act. [↑](#footnote-ref-12)
12. Clause 25(1)(e), Regulations. [↑](#footnote-ref-13)
13. Clause 25(1)(f), Regulation. [↑](#footnote-ref-14)