November 2024

Application for registration, renewal or variation of a mining sublease

# *Form ML11, 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 a person claiming to have been granted a mining sublease or to be the holder of mining sublease in NSW and you are applying to register, renew or vary the mining sublease under the *Mining Act 1992* in NSW.**

You may only make this application if you have obtained the Minister’s approval, unless an exemption applies under cl 38(3) of the Mining Regulation 2016. You can apply for the Minister’s approval using Form ML13.

This is an approved form under s 382 of the Mining Act for the purposes of s 163A of the Mining Act and cl 38 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.

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.[[1]](#footnote-1)

Determination of your application

Once your complete application has been received, it will be determined in accordance with the Mining Act and Regulation. The department will notify you in writing of the outcome of your application.

1. Application type

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| [ ]  | Registration | [ ]  | Renewal | [ ]  | Variation |

1. Mining lease being sublet (i.e. head lease)

Provide the details of the head lease.

|  |  |  |
| --- | --- | --- |
| ML number | Act | Expiry date |
|       |       |       |

1. Mining lease holder/s details

Provide the full name of the holder/s of the mining lease/s and if applicable, the ACN or ARBN (for foreign companies).

|  |
| --- |
| 1st holder 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 holder 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 holder 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 mining lease holders

Provide the full name, phone number, email address, ACN or ARBN (for foreign companies), street address (individual), registered street address (company) and postal address details of additional mining lease holders.

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

1. Mining sublessee/s details

Provide the full name of the mining sublessee/s, contact details and if applicable, the ACN or ARBN (for foreign companies). Where there is more than one sublessee, please include the details of the primary sublessee as the ‘1st sublessee’.

|  |
| --- |
| 1st sublessee details (primary sublessee)  |
| 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 sublessee 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 sublessee 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 mining sublessees

Provide the full name, contact details, ACN or ARBN (for foreign companies), street address (individual), registered street address (company) and postal address details of additional mining sublessees.

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

1. Contact for this application and service

Any correspondence in relation to this application 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) |       |

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

Your 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. Mining sublease details

Provide documentary evidence of the mining sublease, including its terms and conditions.

[ ]  I have attached documentary evidence of the mining sublease

Provide the below details in relation to the mining sublease.

|  |
| --- |
| Details about mining sublease  |
| Date of commencement of sublease |       |
| Date of expiry of sublease  |       |
| Brief description of the works proposed to be carried out in the sublease area  |       |
| Sublease number or other identifying code for the sublease  |       |

1. Evidence of Minister’s approval

Provide documentary evidence of the Minister's approval of the application, unless an exemption applies.

[ ]  Yes – I have attached evidence of the approval

[ ]  No – Minister’s approval is not required because:

* the sublessee is the leaseholder of an adjoining lease or sublease area, **and**
* the total sublease area (including the area of any adjoining subleases) does not exceed 100 hectares, **and**
* the term of the sublease does not exceed five years (including any consecutive sublease periods and options for extension).
1. Evidence of security deposit to Minister’s satisfaction

Provide documentary evidence that a security deposit to the Minister’s satisfaction has been provided and is being maintained in relation to the sublease area/s.

[ ]  Yes – I have attached evidence in relation to the security deposit

1. Consents of mining sublessor/s and people with registered interests

Provide the consent of:

1. each mining sublessor, **and**
2. any person/s with a registered interest in the mining lease being sublet.

[ ]  I have attached the consent of each mining sublessor

[ ]  I have attached the consent of each person with a registered interest in the mining lease being sublet

[ ]  There is no other person with a registered interest in the mining lease being sublet

1. Mining sublease area
	1. Map of the sublease area

Provide a map as described in cl 9 of the Regulation, showing the alignment of the mining sublease 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.

[ ]  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

For the mining sublease, 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 the mining sublease extends. Note that for coal the maximum depth that any sublease 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 the mining sublease

Indicate the strata for the mining sublease. 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. Statements of corporate compliance, environmental performance and financial history

Provide statements of compliance, environmental performance and financial history form for the holder/s (the SOCH). Complete the [SOCH](https://www.resourcesregulator.nsw.gov.au/rehabilitation/resources/rehabilitation-forms) and indicate how the SOCH has been provided.

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

**OR**

[ ]  I have submitted a previous SOCH online –

1. The reference number is: **SOCH000XXXX**

2. The date of issue was:

3. I certify that the information in the above mentioned SOCH is true and correct to the best of my knowledge and belief. [ ]  Yes [ ]  No

**Previous SOCH**: A SOCH lodged with the department (using the Mining Act user portal) remains valid for 12 months from the date a SOCH reference number (unique identification number starting with SOCH and then seven numbers) is issued to the applicant providing there has been no change to any of the information provided by the applicant since the lodgement of the SOCH form. If any information has changed, a new SOCH form is required to be lodged with the department for assessment.

1. Checklist of items to be included with this application

|  |  |  |
| --- | --- | --- |
| Item |  | Reference |
| Documentary evidence of mining sublease  | [ ]  | Part 6 |
| Evidence of Minister’s approval (if applicable) | [ ]  | Part 7 |
| Evidence of security deposit  | [ ]  | Part 8 |
| Consent of sublessor/s and persons with a registered interest | [ ]  | Part 9 |
| Standard map of the sublease area | [ ]  | Part 10.1 |
| Sublease area – MGA94 coordinates (if applicable) | [ ]  | Part 10.2 |
| For agents only – evidence of appointment as agent | [ ]  | Part 13.2 |

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, 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.

(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 |       |
| Date |       |
| Signature | 1st Applications 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 |

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: RDOC24/160618

|  |
| --- |
| Amendment schedule |
| **Date** | **Version #** | **Amendment** |
| November 2024 | 3.0  | Updated to reflect changes with the commencement of the Mining Regulation 2016 on 1 March 2023. Updated to NSW Resources branding |
| July 2020 | 1.0 | New format for Regional NSW. Form updated to reflect new Departmental name and branding, and updated links |
| August 2022 | 2.0 | New format to reflect new template Regional NSW/MEGUpdate contact details to reflect @regional email addressUpdated footer: document number and dateReviewed links |

**© 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. Clause 97, Regulation. [↑](#footnote-ref-1)