**March 2021**

# Appointment and notification of operator of a mine or petroleum site

This form must be completed by the mine holder or petroleum site holder, including when that holder is the operator of the mine or petroleum site.

Read the [**Appointment and notification of a mine operator**](https://www.resourcesregulator.nsw.gov.au/__data/assets/pdf_file/0020/541532/appointment-and-notification-of-mine-operator-guide.pdf)guideor[**Appointment and notification of a petroleum operator**](https://www.resourcesregulator.nsw.gov.au/__data/assets/pdf_file/0006/590109/appointment-and-notification-of-a-petroleum-site-operator.pdf)guidebefore completing this form.

1. Details of mine or petroleum site

| Name of mine or petroleum site |  |
| --- | --- |
| Site address of mine or petroleum site |  |
| Type of notification | New mine or petroleum site  Appointment of a new operator of a mine or petroleum site.  What is the name of the previous operator?  Change of name of an existing mine or petroleum site.  What was the previous name of the mine or petroleum site? |
| Land title identification reference(s) |  |
| Boundaries of:   * all mineral extraction sites and mineral exploration sites, or * all petroleum exploration sites and petroleum extraction sites   (attach additional information if required) |  |

**Note:** If the mine holder or petroleum site holder is appointing an operator to operate more than one mine or petroleum site, the mine holder or petroleum site holder must attach additional copies of this page or a schedule containing the details in section 1 for each mine or petroleum site that will be operated by the same operator.

1. Attachments

List any attachments that form part of this form, such as:

* maps or drawings if needed to describe boundaries
* details of additional mines or petroleum sites that are included in this appointment and notification (for example, additional copies of this page or a schedule containing the details in section 1 for each mine or petroleum site that will be operated by the same operator).

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| --- | --- | --- |
| Document name | Title of page or name of document  Leave blank if not applicable | Tick or cross if attached |
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| Other (if there are further attachments include a list of attachments with your notification form) |  |  |

1. Details of mine holder or petroleum site holder

If the mine or petroleum site holder is also the operator of the mine or petroleum site, the holder (in its capacity as the operator) must notify the regulator of any change to the mine holder’s contact details provided below. Penalties apply if changes are not notified as soon as practicable (and no later than 28 days) after any change. Notifications must be made by submitting a completed [**Change of contact details of operator**](https://www.resourcesregulator.nsw.gov.au/safety-and-health/notifications/mine-operator) form to the regulator.

|  |  |  |  |
| --- | --- | --- | --- |
| Name of mine or petroleum site holder |  | | |
| ACN (if a company) |  | | |
| Email address (mandatory) |  | | |
| Postal address |  | | |
| Suburb |  | Postcode |  |
| If the mine or petroleum site holder comprises more than one legal entity or person, list the names of each entity or person. |  | | |
| Type of mine or petroleum site holder | **Mines**  The person conducting a business or undertaking with control over a right or entitlement to carry out mining operations at the mine.  The person conducting the business or undertaking that is carrying out mining operations at the mine (only if there is no person conducting a business or undertaking with control over a right or entitlement to carry out mining operations at the mine).  **Petroleum sites**  The person conducting a business or undertaking with control over a petroleum title that permits petroleum operations to be carried out at the petroleum site.  The person conducting the business or undertaking that is carrying out petroleum operations at the petroleum site (only if there is no person conducting a business or undertaking with control over a petroleum title that permits petroleum operations to be carried out at the petroleum site). | | |

1. **A**ppointment of operator of a mine or petroleum site (if any)

Is the mine or petroleum site holder also the operator of the mine or petroleum site?

|  |  |  |  |
| --- | --- | --- | --- |
| **YES** | * Complete section 6. * Sign the declaration at section 7. * Submit the form. | **NO** | * Complete section 5. * Ensure the operator makes the declaration at section 8. * Complete the declaration at section 9. * Submit the form. |

1. Details of operator of a mine or petroleum site being appointed (if the mine or petroleum site holder is not the operator)

A mine or petroleum site operator must notify the regulator of any change to the operator’s contact details provided below. Penalties apply if changes are not notified as soon as practicable (and no later than 28 days) after any change. Notifications must be made by submitting a completed [**Change of contact details of operator**](https://www.resourcesregulator.nsw.gov.au/safety-and-health/notifications/mine-operator) form to the regulator.

The mine or petroleum site operator **must** be a person, that is an individual (natural person) or a corporation. A business with a trading name or a partnership cannot be appointed as the mine or petroleum site operator.

|  |  |  |  |
| --- | --- | --- | --- |
| Name of operator of a mine or petroleum site |  | | |
| ACN (if a company) |  | | |
| Telephone |  | Mobile |  |
| Email address (mandatory) |  | | |
| Postal address |  | | |
| Suburb |  | Postcode |  |
| Business address (if different) |  | | |
| Suburb |  | Postcode |  |
| Date appointment takes effect |  | | |

1. Contact person details for the operator of a mine or petroleum site

By providing the following contact person details, the operator of a mine or petroleum site authorises that person to receive any documents (including notices) on its behalf, for the purposes of the WHS laws.

A mine or petroleum site operator must notify the regulator of any change to the contact person’s details provided below. Penalties apply if changes are not notified as soon as practicable (and no later than 28 days) after any change. Notifications must be made by submitting the [**Change of contact details of operator**](https://www.resourcesregulator.nsw.gov.au/safety-and-health/notifications/mine-operator) form to the regulator.

|  |  |  |  |
| --- | --- | --- | --- |
| Name of contact person |  | | |
| Contact phone number |  | | |
| Email address |  | | |
| Postal address (if different to section 3 or 5) |  | | |
| Suburb |  | Postcode |  |
| Business address (if different to postal address or section 3 or 5) |  | | |
| Suburb |  | Postcode |  |

1. Declaration by mine or petroleum site holder who is the operator of the mine or petroleum site

The mine holder or petroleum site holder (see section 3 above) declares that:

* I am/will be the operator of the mine or petroleum site
* I have not appointed an operator of the mine or petroleum site in respect of the mine or petroleum site detailed in section 1 above
* I have the skills, knowledge, experience and resources to exercise the functions of the operator of the mine or petroleum site
* I have/will have management or control of the mine or petroleum site
* I am able to discharge the duties of the operator of a mine or petroleum site under WHS laws
* I authorise the contact person (identified in section 6 above) to receive any documents (including notices) on my behalf, for the purposes of the WHS laws
* I consent to NSW Resources Regulator making enquiries and exchanging information with government agencies in NSW and in other states or territories or the Commonwealth regarding any matter relevant to this form
* the information supplied in this form is true and correct in every particular.

**NOTE:** Giving false or misleading information is a serious offence under section 268 of the *Work Health and Safety Act 2011*, and Part 5A of the *Crimes Act 1900*.

|  |  |  |  |
| --- | --- | --- | --- |
| Tick one box only  I am the mine holder or petroleum site holder.  I am authorised by the mine holder/s or petroleum site holder/s to make this declaration. | | | |
| Name |  | | |
| Position/title |  | | |
| Signature |  | Date |  |

**Note:** If the mine holder or petroleum site holder comprises more than one legal entity, ensure that each legal entity listed in section 3 has authorised the above person to complete this appointment.

1. Agreement to appointment and declaration by operator of a mine or petroleum site

The operator of a mine or petroleum site (see section 5 above) declares that:

* I agree to be appointed as the operator for the mine(s) or petroleum site(s) listed in section 1
* I am / will be a person conducting a business or undertaking at the mine or petroleum site
* I have been appointed to carry out mining operations at the mine, or petroleum operations at the petroleum site, on behalf of the mine holder or petroleum site holder
* I have the skills, knowledge, experience and resources to exercise the functions of the operator of the mine or petroleum site
* I have been appointed by the mine or petroleum site holder to have management or control of the mine or petroleum site and to discharge the duties of the operator under the WHS laws
* I have been given all the relevant information under the control of the mine or petroleum site holder that is required by the operator to discharge the duties imposed on the operator under the WHS laws
* I authorise the contact person (identified in section 6 above) to receive any documents (including notices) on my behalf, for the purposes of the WHS laws
* I consent to NSW Resources Regulator making enquiries and exchanging information with government agencies, in NSW and in other states or territories or the Commonwealth regarding any matter relevant to this form
* The details of the operator specified in section 5 are correct.

**NOTE**: Giving false or misleading information is a serious offence under section 268 of the Work Health and Safety Act 2011, and Part 5A of the Crimes Act 1900.

|  |  |  |  |
| --- | --- | --- | --- |
| **Tick one box only**  I am the mine operator or petroleum site operator  I am authorised by the mine operator or petroleum site operator to make this declaration | | | |
| Name |  | | |
| Position/title |  | | |
| Signature |  | Date |  |

1. Appointment of mine or petroleum site operator and declaration by the mine petroleum site holder

The mine holder or petroleum site holder (see section 3 above) appoints the operator of a mine or petroleum site (see section 5) to carry out mining operations at the mine or petroleum operations at the petroleum site on its behalf and declares that:

* the operator has the skills, knowledge, experience and resources to exercise the function of the operator
* the operator is authorised to have management or control of the mine or petroleum site and to discharge the duties of the operator under WHS laws
* I have under given the operator all the relevant information held or under the control of the mine or petroleum holder that is required by the operator to discharge the duties imposed on the operator under the WHS laws
* I consent to NSW Resources Regulator making enquiries and exchanging information with government agencies, in NSW and in other states or territories or the Commonwealth regarding any matter relevant to this form
* the information supplied in this form is true and correct in every particular.

**Note:** Giving false or misleading information is a serious offence under section 268 of the *Work Health and Safety Act 2011*, and Part 5A of the *Crimes Act 1900*.

|  |  |  |  |
| --- | --- | --- | --- |
| **Tick one box only**  I am the mine or petroleum site holder.  I am authorised by the mine holder/s or petroleum site holder/s to make this appointment and declaration. | | | |
| Name |  | | |
| Position/title |  | | |
| Signature |  | Date |  |

1. Submitting the form

Email: [cau@planning.nsw.gov.au](mailto:cau@planning.nsw.gov.au)

Mail: Central Assessment Unit

NSW Resources Regulator

PO Box 344, HRMC, 2310

This form may not be submitted to other offices of the Department of Regional NSW.

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