March 2023

Application for an assessment lease

# *Form AL1, 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 an assessment lease or an assessment (mineral owner) lease under the *Mining Act 1992* (Mining Act) in New South Wales**

This form is an approved form under s 382 of the Mining Act for the purposes of s 33 (Applications for assessment lease) of the Mining Act and cl 21 (Applications for assessment leases) of the *Mining Regulation 2016*. Any reference to the ‘**Department’** in this form, refers to the Department of **Regional NSW**.

## **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:** Mining, Exploration and Geoscience, 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, New South Wales 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 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

**© 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.

Privacy statement

This information is collected by the Department for the purposes of assessing an application for an authorisation or an application associated with an authority as required by the *Mining Act 1992* or Mining Regulation 2016.

This information may also be used by the Department to comply with its public register and record-keeping requirements under the *Mining Act 1992* and Mining Regulation 2016, to confirm applicant details in the event that subsequent applications are made and to establish and maintain databases to assist the Department with its work generally. Except for purposes required by law, your personal information will not be disclosed to third parties unless the disclosure is directly related to the purpose for which the information was collected, and the Department has no reason to believe you would object to the disclosure, or you are reasonably likely to have been aware, or have been made aware, that information of that kind is usually disclosed to that other person or body, or the Department believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person. You may apply to the Department to access and correct any personal information the Department holds about you if that information is inaccurate, incomplete, not relevant or out of date.

# 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 the application if the applicant does not supply a description, set out in the approved form of the proposed assessment area (cl 21(1)(a)) and the statement of corporate compliance, environmental performance history and financial capability (cl 21(1)(f)), within 10 business days of making the application.[[1]](#footnote-2)

Until it is amended by proclamation, Sch 1B cl 6 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.

If there is insufficient room in any of the fields in this form, please provide the information as an attachment submitted with this form, marking clearly the field or other requirement to which the additional information relates.

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)

Minimum standards

In determining an application for the assessment lease, the decision-maker may take into account whether the applicant meets the publicised ‘minimum standards’.[[3]](#footnote-4) The [*Minimum standards for work programs and technical and financial capability*](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) (**minimum standards**) are available on the Department’s website. Failure to meet the applicable minimum standards is a ground of refusal.[[4]](#footnote-5)

Agents

If this application is lodged by an agent on behalf of the applicant/s, you must provide evidence that the agent has authority to act on behalf of the applicant.[[5]](#footnote-6) This can be done by completing the declaration at the end of this form and supplying evidence of their appointment.[[6]](#footnote-7)

Applicant

In this form, references to ‘the applicant’ should be read as including a reference to each applicant, where there is more than one applicant (unless stated otherwise).

Assessment (mineral owner) leases

The owner of privately owned minerals may apply for an assessment (mineral owner) lease or any other type of assessment lease.[[7]](#footnote-8) If there is more than one owner of the privately owned minerals, the application for an assessment (mineral owner) lease must be made by all owners.[[8]](#footnote-9)

However, unless the Minister’s consent has been obtained, an owner of privately owned minerals **must** **not** apply for an assessment (mineral owner) lease in respect of land if any of following has occurred within 2 years of making the application:

1. an application to grant or renew a ‘mineral owner authority’ in relation to that land, was refused, or
2. a ‘mineral owner authority’ granted in respect of that land, which was held by the Applicant, was cancelled.

To find out how to request the Minister's consent, contact MEG - Assessments and Systems.

An application for an assessment (mineral owner) lease must provide evidence that the minerals (including privately owned minerals) are owned by the applicant(s) in accordance with cl 21(1)(g) and cl 21(2) of the Regulation.

Allocated mineral in a mineral allocation area

Under s 368 of the Mining Act, the Minister can designate any land as a mineral allocation area. A mineral allocation area can be designated for any mineral. In NSW, the entire State has been gazetted as a mineral allocation area for groups 9A, 11 and 12 minerals. 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://www.regional.nsw.gov.au/meg/geoscience/minview).

An application for an assessment lease cannot be made if it relates to an ‘allocated mineral’ in a ‘mineral allocation area’, unless:[[9]](#footnote-10)

* you are the holder of an exploration licence or mining lease over that land in respect of that mineral or group of minerals, or
* the application is made with the Minister’s consent.

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

Controlled release mineral in a controlled release area

Under s 33(3A) of the Mining Act, an application that relates to land in a controlled release area may not be made in relation to a controlled release mineral except:[[10]](#footnote-11)

1. by the holder of an exploration licence or mining lease over that land in respect of that mineral or group of minerals, or
2. pursuant to an invitation under Sch 1A (Competitive selection process for controlled release prospecting titles) of the Mining Act.

Controlled release areas are identified the [NSW Gazettes](https://legislation.nsw.gov.au/gazette) under s368A of the Mining Act *1992.* The whole State of NSW is a controlled release area for coal under s 368A(3) of the Mining Act.

For the location of controlled release areas, visit the [NSW Titles Online Viewer](https://www.regional.nsw.gov.au/meg/geoscience/minview).

In relation to a controlled release area, ‘controlled release mineral’ means in relation to a controlled release area, a mineral or group of minerals in respect of which the controlled release area is constituted.[[11]](#footnote-12)

Activity approvals

An assessment lease will be subject to a statutory condition that you must not carry out assessable prospecting operations unless an activity approval has been first obtained (s 44A of the Mining Act).

Advertisements

Assessment lease applicants must publish a notice of the application in accordance with the [*Secretary requirements - Advertising a notice of an application for an assessment lease*](https://meg.resourcesregulator.nsw.gov.au/sites/default/files/2022-10/secretary-requirements-advertising-a-notice-of-an-assessment-lease-application.pdf) within **45 days after receipt of confirmation** that the application has been lodged.[[12]](#footnote-13) The notice must state that an application for an assessment lease has been lodged, contain a plan of the proposed assessment area, and comply with any other requirements that are prescribed by the regulations.[[13]](#footnote-14)

Fees

If this application is successful, you will receive a letter from the Department notifying you that the Minister is proposing to grant you an assessment lease. You must pay an annual administrative levy and an annual rental fee before your assessment lease can be granted (s 292C(1), Mining Act).

You are also generally required to provide the Department with a security deposit (minimum of $10,000) before your assessment lease is granted. The Department will notify you of the [security deposit](https://www.resourcesregulator.nsw.gov.au/rehabilitation/mine-rehabilitation/rehabilitation-security-deposits) required.

Determination of your application

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

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, contact details and if applicable, the ACN or ARBN (for foreign companies).

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 |       |
| [ ]  This is an individual and is at least 18 years old. |
| 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 |       |
| [ ]  This is an individual and is at least 18 years old. |
| 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 |       |
| [ ]  This is an individual and is at least 18 years old. |
| 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, contact details, ACN or ARBN (for foreign companies), street address (individual), registered street address (company) and postal address details of additional applicants.

|  |
| --- |
| 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.

|  |
| --- |
| Contact 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 **via the email address specified above.**

* 1. 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. Assessment lease details
	1. Type of assessment lease you are applying for

[ ]  Assessment lease – Go to Question 4.

[ ]  Assessment (mineral owner) lease – Go to Question 3.2.

* 1. Evidence that minerals are owned by the applicant

You must provide the evidence that the minerals applied for are owned by the applicant/s such as copies of the land grants and searches indicating the minerals sought are privately owned by the applicant. For the purposes of confirming an applicant's ownership of any mineral, you may be required to provide further information, which may include written advice from an Australian legal practitioner certifying that the relevant evidence establishes that the applicant owns the mineral.

[ ]  Yes – I have attached evidence that the minerals applied for are owned by the applicant/s

* 1. Details of refused applications

Have you had any previous application for the grant or renewal of a mineral owner authority refused within the last 2 years?

[ ]  Yes – I have attached a copy of that refusal to this application.

[ ]  No – Go to Question 3.4.

* 1. Details of cancelled mineral owner authorities

Have you held a mineral owner authority that was cancelled within the last 2 years?

[ ]  Yes – I have attached a copy of that cancellation to this application.

[ ]  No – Go to Question 3.5.

* 1. Minister’s consent

If you answered ‘Yes’ to Question 3.3 or Question 3.4, you will need to attach a copy of the Minister’s consent to this application pursuant to s 33B of the Mining Act.

Have you attached a copy of this consent?

[ ]  Yes – I have attached a copy of that cancellation to this application.

[ ]  No – You will need to obtain the Minister’s consent before lodging this application.

1. Mineral allocation area – Minister’s consent
	1. Is your application for a mineral/s within a mineral allocation area?

[ ]  No

[ ]  Yes

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

**Note:** Coal (Group 9) is a controlled release mineral and applications can only be made subject to s 33(3A) of the Mining Act.

1. Controlled release mineral

Are you applying for a controlled release mineral in a controlled release area?

[ ]  Yes – Go to Question 5.1

[ ]  No – Go to Question 6.

* 1. Exploration licence or mining lease holder

Are you a holder of an existing exploration licence or mining lease for a controlled mineral or group of controlled minerals over that land?

[ ]  Yes – I have attached evidence of my existing exploration licence or mining lease for a controlled mineral or group of controlled minerals over that land.

[ ]  No

* 1. Invitation to a competitive selection application

Is this application pursuant to an invitation in a competitive selection process for the controlled release prospecting title?

[ ]  Yes

[ ]  No

1. Technical capability
	1. Technical Capability

Applications for an assessment lease must demonstrate that the applicant has the technical capability to carry out the proposed work program.[[14]](#footnote-15) In accordance with the [Minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf), a key requirement for demonstrating technical capability is appointing an appropriate technical manager who will be responsible for guiding work programs, supervising prospecting operations, and for geoscientific reporting.

The application must:

* be accompanied by particulars of technical advice available to the applicant;[[15]](#footnote-16)
* meet the [Minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) with respect to the technical capability to carry out the proposed work program[[16]](#footnote-17).
	1. Technical manager

You must nominate a technical manager who will be responsible for supervising operations and geoscientific reporting. Note that this does not make the person liable for any other matters relating to this application.

You can attach information about your technical manager, their contact details and their acceptance by using the form [Template for technical managers](https://www.regional.nsw.gov.au/meg/exploring-and-mining/application-forms-and-fees/mining-act-1992-forms) or enter the information below. Please 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 Question 7**

**OR**

[ ]  Information about the technical manager satisfying the requirements of the Minimum Standards, their details and their acceptance is provided below, in parts 6.3 to 6.4.

* + 1. Technical manager professional membership/qualifications

The technical manager must have either ‘A’ or ‘B’ below (tick as appropriate):

A. [ ]  Membership with a recognised relevant professional organisation at the minimum level of *Member*, with the required degree qualification related to the geosciences:

|  |
| --- |
| Provide the name and member number of any relevant professional association(s) to which the technical manager belongs:  |
| [ ]  AusIMM [ ]  AIG membership number:        [ ]  Other - please specify (including membership number): Provide details of the degree qualification related to the geosciences (e.g. B. Science (Geology)):          |

 **OR**

 B. [ ]  Five years or more experience working in the deposit setting that is proposed in the work program (in this case you must attach the technical manager’s curriculum vitae to evidence this if not already supplied to the Department).

* + 1. Technical manager conduct

The technical manager must also meet certain conduct requirements.

Has the technical manager:

- at any time had their membership refused, revoked or suspended by any relevant professional organisation(s) for conduct-related reasons? or

[ ]  Yes [ ]  No

- in the past 10 years, been convicted of an offence under the Mining Act, the Protection of the *Environment Operations Act 1997* or other relevant legislation (as defined in the [Minimum standards](https://www.regional.nsw.gov.au/meg/exploring-and-mining/compliance-and-reporting/mineral-prospecting-minimum-standards))?

[ ]  Yes [ ]  No

|  |
| --- |
| If you ticked yes to either or both of the above, please provide details:  |
|       |

* + 1. Technical manager contact details

|  |
| --- |
| Technical manager contact details |
| Name |       |
| Position |       |
| Company |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email |       |

* 1. 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 6.2.1 and 6.2.2, is true and correct to the best of my knowledge and belief; and
* 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.



Date

1. Financial capability and resources

Applications for assessment leases must demonstrate that the applicant has the financial capability to carry out the proposed work program.[[17]](#footnote-18)

The application must:

* + meet the [minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) relating to financial capability;[[18]](#footnote-19)
	+ be accompanied by particulars of financial resources available to the applicant.[[19]](#footnote-20)

Answers to the questions relating to financial capability in Parts 7.1 below should be given having regard to:

* + the work program and proposed operations;
	+ obligations under the exploration licence;
	+ current assets and liabilities.
	1. Financial status

Is any applicant bankrupt or a body corporate that is subject to a scheme of arrangement, receivership, winding up or other external administration?

[ ]  Yes [ ] No

**Note**: this includes each applicant where there is more than one applicant.

* 1. Access to capital and financial resources

You must be able to answer yes to at **least one** of the following three questions.

**A**. Does at least one applicant have sufficient capital available over the term to meet the forecast expenditure and committed objectives of the entire proposed work program?

[ ]  Yes [ ]  No

**B**. Is at least one applicant subject to an agreement with a third party for the provision of finance to meet the forecast expenditure and committed objectives of the entire proposed work program (e.g. a deed)?

[ ]  Yes [ ]  No

**C**. Has at least one applicant’s board members or corporate officers successfully raised capital in the past for similar exploration programs in NSW or other jurisdictions

[ ]  Yes [ ]  No

You may provide any further information on access to capital in the following box. Note, further information is not compulsory:

|  |
| --- |
| Access to capital, details:  |
|       |

1. Statement of compliance, environmental performance and financial history

Applications for renewal of exploration licences must be accompanied by a statement of the corporate compliance, environmental performance history and financial capability of the applicant, made in the approved form.[[20]](#footnote-21) The approved form is the *Statements of corporate compliance, environmental performance history and financial capability form* (**SOCH**) available on the Department’s website.

Please indicate how you will provide the [SOCH](https://www.resourcesregulator.nsw.gov.au/rehabilitation/resources/rehabilitation-forms) to the Department:

[ ]  I have attached the new SOCH to my application

 **OR**

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

1. Proposed work program

Before completing this part of the form, read the Work programs for prospecting titles Guideline.

Applications for an assessment lease must be accompanied by a work program for the assessment lease.[[21]](#footnote-22) The proposed work program must:

* be prepared using the [*Prospecting authority work program form*](https://meg.resourcesregulator.nsw.gov.au/mining-and-exploration/applying-to-explore-and-mine-nsw/mining-act-1992-forms) in accordance with the *Work programs for prospecting titles Guideline*;
* comply with the content requirements for work programs set out in cl 35 of the Regulation; and
* meet the [Minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) for work programs.[[22]](#footnote-23)

Tick the relevant box below to indicate that you have attached a proposed work program to this application.

[ ]  I have attached a proposed work program as set out above.

1. Compliance with native title legislation

Prior to the issue of an assessment lease, you should identify how you wish to address native title obligations when undertaking prospecting activities. You may select one of two options:

(i) satisfy the Minister that native title has been extinguished; **or**

(ii) undertake the ‘Right to Negotiate’ process or an applicable alternative process provided for in the *Native Title Act 1993* *(Cth*) before your application is granted.

You may provide evidence that asserts that native title has been **extinguished** over the entire area of the assessment lease or assessment (mineral owner) lease. This evidence must be sufficient to satisfy the Minister that native title has been extinguished. If the Minister is satisfied native title has been extinguished the standard lease will issue without the native title condition.

You may undertake the **‘Right to Negotiate’ process** or an alternative process (such as a procedure under an **Indigenous Land Use Agreement (ILUA)** that excludes the operation of Subdivision P of the *Native Title Act 1993*) under the provisions of the Commonwealth’s *Native Title Act 1993*, prior to a licence being granted. The ‘Right to Negotiate’ process is subject to advertising (at applicants cost), a wait period and if there are registered claimants, you must have completed and entered into an agreement prior to the Minister’s grant of the lease. Undertaking the ‘Right to Negotiate’ process provides an opportunity to reach agreement on the terms of the lease with respect to native title interests. For more information visit the [National Native Title Tribunal website](http://www.nntt.gov.au/Pages/Home-Page.aspx).

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.

* 1. How do you want to demonstrate compliance with native title in respect of prospecting activities?

[ ]  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 before the grant of the assessment lease.

[ ]  I request an excision of the area of the assessment lease over which native title exists and attach information relating to the relevant area for excision.

[ ]  I wish to commence an alternate process provided for in the *Native Title Act 1993 (Cth)* (e.g.: 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.

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|       |

1. Minerals sought

An assessment lease can only be granted for specific minerals (you **cannot** specify a group of minerals for an assessment lease application). Details of minerals are in sch1 of the Regulation. Indicate the minerals sought for this application below.

| Select the mineral/s you are applying for |
| --- |
| [ ]  | agate | [ ]  | graphite | [ ]  | potassium salts |
| [ ]  | antimony | [ ]  | gypsum | [ ]  | pyrophyllite |
| [ ]  | apatite | [ ]  | halite (including solar salt) | [ ]  | quartz crystal |
| [ ]  | argon  | [ ]  | helium, other than excluded helium  | [ ]  | quartzite |
| [ ]  | arsenic | [ ]  | hydrogen | [ ]  | radon |
| [ ]  | asbestos | [ ]  | ilmenite | [ ]  | rare earth minerals |
| [ ]  | barite | [ ]  | indium | [ ]  | reef quartz |
| [ ]  | bauxite | [ ]  | iron minerals | [ ]  | rhodonite |
| [ ]  | bentonite (inc. fuller’s earth) | [ ]  | jade | [ ]  | rubidium |
| [ ]  | beryllium minerals | [ ]  | kaolin | [ ]  | ruby |
| [ ]  | bismuth | [ ]  | krypton | [ ]  | rutile |
| [ ]  | borates | [ ]  | lead | [ ]  | sapphire |
| [ ]  | cadmium | [ ]  | leucoxene | [ ]  | scandium and its ores |
| [ ]  | caesium | [ ]  | limestone | [ ]  | selenium |
| [ ]  | calcite | [ ]  | lithium | [ ]  | serpentine |
| [ ]  | chalcedony | [ ]  | magnesite | [ ]  | sillimanite-group minerals |
| [ ]  | chert | [ ]  | magnesium salts | [ ]  | silver |
| [ ]  | chlorite | [ ]  | manganese | [ ]  | sodium salts |
| [ ]  | chromite | [ ]  | marble | [ ]  | staurolite |
| [ ]  | clay/shale | [ ]  | marine aggregate | [ ]  | strontium minerals |
| [ ]  | cobalt | [ ]  | mica | [ ]  | structural clay |
| [ ]  | columbium | [ ]  | mineral pigments | [ ]  | sulphur |
| [ ]  | copper | [ ]  | molybdenite | [ ]  | talc |
| [ ]  | corundum | [ ]  | monazite | [ ]  | tantalum |
| [ ]  | cryolite | [ ]  | neon | [ ]  | thorium |
| [ ]  | diamond | [ ]  | nephrite | [ ]  | tin |
| [ ]  | diatomite | [ ]  | nickel | [ ]  | topaz |
| [ ]  | dimension stone | [ ]  | niobium | [ ]  | tourmaline |
| [ ]  | dolomite | [ ]  | oil shale | [ ]  | tungsten and its ores |
| [ ]  | emerald | [ ]  | olivine | [ ]  | turquoise |
| [ ]  | emery | [ ]  | opal | [ ]  | vanadium |
| [ ]  | feldspathic materials | [ ]  | ores of silicon | [ ]  | vermiculite |
| [ ]  | fluorite | [ ]  | peat | [ ]  | wollastonite |
| [ ]  | galena | [ ]  | perlite | [ ]  | xenon |
| [ ]  | geothermal energy | [ ]  | phosphates | [ ]  | zeolites |
| [ ]  | germanium | [ ]  | platinum | [ ]  | zinc |
| [ ]  | gold | [ ]  | platinum group minerals | [ ]  | zircon |

1. Assessment of mineral bearing capacity and extent of any mineral deposits

You must provide an assessment of the mineral bearing capacity of land in the proposed assessment 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 (*](https://www.jorc.org/)*JORC)*, 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

**Refer** to the [Policy on grant of assessment leases](https://www.regional.nsw.gov.au/meg/exploring-and-mining/application-forms-and-fees/advertising-requirements-guidelines-and-policies/policy-on-grant-of-assessment-leases) for further information about the criteria for approving an assessment lease.

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| This help text relates to **Question 13 and Question 14.**  |
| You will need to identify the land in an approved manner. The approved manner is described below. |

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| **For assessment leases described with graticular references**Provide the area, block and unit references identifying the land, as determined in accordance with sch4 of the Regulation. You do not need to provide a map. 🞂 Go to Question 13 |

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| **For assessment leases described with non-graticular references**Provide a standard map, as described in cl 9 of the Regulation, showing the alignment of the proposed lease boundaries relative to the [Map Grid of Australia](http://www.lpi.nsw.gov.au/surveying/geodesy/projections) (MGA 2020); showing co-ordinates of all the points where there is a change in direction of the boundaries of the land. 🞂 Go to Question 14 |

1. Assessment lease area described in graticular references (blocks and units)
	1. Area description

Identify the name of the 1:1,000,000 map sheet (e.g. Sydney), the block number and unit references as described in sch4 of the Regulation. You **do not** need to provide a standard map.

Use **Option A** (the free text field) or **Option B** (the table) below to identify the proposed exploration area.

|  |
| --- |
| Proposed exploration area for mineral options |
| [ ]  | **Option A:** Identify the map sheet, block number, unit and total number of units applied for: |
| e.g. Sydney, 2222, abcdxyz total units=7 |
| [ ]  | **Option B:** Enter your data in the table, as shown in the example below: |



| Name of map sheet | Block number | Unit letter/s applied for (list from a to z except ‘i') | Total units per block |
| --- | --- | --- | --- |
|       |       |       |       |
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| **Total number of units applied for** |  |

* 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 (indicate which part is subject to the surface exception and attach to this application) |
| [ ]  | Various parts (indicate which parts are subject to the surface exception and attach to this application) |
| [ ]  | Nil |

* 1. Depth restriction sought in metres

Indicate the depth to which you require the lease to extend:

|  |
| --- |
| Depth restriction sought |
| [ ]  | Whole area |       | metres |
| [ ]  | Part (indicate which part is subject to the depth restriction and attach to this application) |
| [ ]  | Various parts (indicate which parts are subject to the depth restriction and attach to this application) |
| [ ]  | Nil |

1. Assessment lease area described in non-graticular references (standard map and co-ordinates)
	1. Standard map

Provide a standard map, as described in cl 9 of the Regulation, which shows the alignment of the proposed lease boundaries relative to the Map Grid of Australia, showing 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.

Indicate whether you have attached your map or inserted it into the field below:

[ ]  I have attached a standard map

[ ]  I have inserted my standard map below:



* 1. Coordinates of the proposed exploration area compliant with Map Grid of Australia (MGA2020)

Attach the MGA2020 coordinates as a separate electronic file in a CSV format

[ ]  I have attached the MGA2020 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:

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

1. Protected reserves
	1. Is your application for an assessment lease within a protected reserve, as defined with clause (3)(2) and (3) of the Regulation?

[ ]  Yes [ ]  No

|  |
| --- |
| If you ticked yes, please provide details on which protected reserves are included:  |
|       |

1. Fee payment

Provide payment, proof of payment or details allowing payment to be made must accompany this application form.

* 1. Fees and fee calculation
* The application fee amount is $2,000.
* The area fee is $6.00 per year of tenure for each hectare or part hectare to which the application relates (1 unit = 300ha for graticular areas) multiplied by the number of years applied.

Below are sample calculations.

|  |  |
| --- | --- |
| EXAMPLE 1**You have applied for 2 units for a term of 6 years.***Application fee $2,000.00**Unit fee: 2units (600 ha) @ $6.00each x 6 years $21,600.00**Total fee $23,600.00* | EXAMPLE 2**You have applied for 150.5 ha for a term of 6 years.***Application fee $2,000.00**Area fee: 151 ha\* @ $6.00 each x 6 years $5,436.00**Total fee $7,436.00** + - * ***\*Note figure is rounded up***
 |

* 1. Select your payment method

|  |  |
| --- | --- |
| Select | Payment Method |
| [ ]  | **Direct deposit**Account name: Department of Regional NSW BSB: 032 001Account number: 183837Reference: AL or A(MO)L [your company name or last name] (eg AL 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. |
| \*Credit card merchant fees are applicable to all credit card payments and will be added to the payment amount at the following rates: Visa & Mastercard: 0.4% Amex: 1.4%  |

1. Checklist of items to be included with this application

|  |  |  |
| --- | --- | --- |
| Item |  | Reference |
| For foreign entities, proof that the applicant/s is authorised to operate and carry out business in New South Wales. | **[ ]**  | Question 1 |
| Evidence that minerals are owned by the applicant | **[ ]**  | Question 3.2 |
| Details of refused applications and/or cancelled mineral owner authorities | **[ ]**  | Question 3.3 and 3.4 |
| Mineral allocation area – Minister’s consent | **[ ]**  | Question 4 |
| Evidence of existing exploration licence or mining lease for a controlled mineral or group of controlled minerals over that land  | **[ ]**  | Question 5.1 |
| Technical capability support documentation  | [ ]  | Question 6 |
| Statement of corporate compliance, environmental performance and financial history (where not lodged online) | [ ]  | Question 8 |
| Proposed work program | [ ]  | Question 9 |
| Compliance with Native Title legislation | [ ]  | Question 10.1 |
| Assessment of mineral bearing capacity and extent of any mineral deposits  | [ ]  | Question 12 |
| Assessment lease area described in non-graticular references – (standard map and co-ordinates) (if applicable) | [ ]  | Question 14.1 |
| For payments made by direct deposit – proof of payment | [ ]  | Question 16 |
| For agents only – evidence of appointment as agent | [ ]  | Question 18.2 |

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

[ ]  Yes

[ ]  No – I will provide outstanding information within 10 business days of lodging this application\*

\*Failure to supply the information within this timeframe may be considered as grounds for refusing the application under cl 94AA(4) of the Regulation.

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:** $2,000 (per authority) |
| Fee amount | $       |
| **Area fee amount:**  $6.00 per year of tenure for each hectare or part hectare (1 unit = 300ha for graticular areas) |
| Area fee amount | $       |
| **Total amount:** | $       |
| **Receipt number** |       |

# Document control

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

CM9 Reference: RDOC22/118732

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| Amendment schedule |
| **Date** | **Version #** | **Amendment** |
| 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 | Form updated to include Minimum standards criteria. Update credit card detailsNew format to reflect new template Regional NSW/MEGUpdate contact details to reflect @regional email addressUpdated footer: document number and dateReviewed links |
| March 2023 | 3.0 | Form updated to reflect commencement of Mining Regulation 2016 on 1 March 2023 and administrative updates. Included information on protected reserves and incomplete applications.Removed references to mercury to reflect changes in the Act. |

1. Section 381B, Mining Act; cl [94AA(4)](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498#sec.94A)(c), Regulation. [↑](#footnote-ref-2)
2. Sch. 1B cl 5, Mining Act. [↑](#footnote-ref-3)
3. Sch. 1B cl 4, Mining Act. [↑](#footnote-ref-4)
4. Sch. 1B, cl 6(b), Mining Act. [↑](#footnote-ref-5)
5. Clause 97, Regulation. [↑](#footnote-ref-6)
6. Section 163F, Mining Act; cl 97, Regulation. [↑](#footnote-ref-7)
7. Section 33, Mining Act. [↑](#footnote-ref-8)
8. Section 33(4)(d), Mining Act. [↑](#footnote-ref-9)
9. Section 33(3), Mining Act. [↑](#footnote-ref-10)
10. Section 33(3A), Mining Act. [↑](#footnote-ref-11)
11. Dictionary, Mining Act. [↑](#footnote-ref-12)
12. Section 33A(2), Mining Act; cl 26(1), Regulation. [↑](#footnote-ref-13)
13. Section 33A(2), Mining Act; cl 26, Regulation. [↑](#footnote-ref-14)
14. Schedule 1B, cl. 2(1)(b) & 6(b), Mining Act. [↑](#footnote-ref-15)
15. Clause 21(1)(e), Regulations. [↑](#footnote-ref-16)
16. Schedule 1B, cl. 2(1)(b), cl 4(a) & cl (6)(b), Mining Act. [↑](#footnote-ref-17)
17. Sch. 1B, cl 6, Mining Act. [↑](#footnote-ref-18)
18. Schedule 1B, cl. 4(a), Mining Act. [↑](#footnote-ref-19)
19. Clause 21(1)(e), Regulations. [↑](#footnote-ref-20)
20. Clause 21(1)(f), Regulation. [↑](#footnote-ref-21)
21. Section 129A, Mining Act; cl 35, Regulation. [↑](#footnote-ref-22)
22. Schedule 1B, cl. 2(1)(b), cl 4(g) & cl (6)(b)(i), Mining Act. [↑](#footnote-ref-23)