March 2023

Application for an exploration (mineral owner) licence

# *Form EL2, 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 the owner of privately-owned minerals applying for an exploration (mineral owner) licence 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 13 (Application for exploration licence) of the Mining Act and cl 14 (Applications for exploration licences) of the [Mining Regulation 2016.](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498) 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, within 10 business days of making the application: a description of the proposed exploration area under cl 14(1)(a) of the Regulation, the statement of corporate compliance, environmental performance history and financial capability required under cl 14(1)(f) of the Regulation; the particulars of your technical manager as required under cl 14(1)(g) of the Regulation or the work program required by s 129A of the Mining Act and clause 35 of the Regulation. [[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 an exploration (mineral owner) licence, 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) The [minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) apply to an applicant’s proposed work program,[[5]](#footnote-6) and their technical and financial capability to carry out the proposed work program.[[6]](#footnote-7)

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. [[7]](#footnote-8) This can be done by completing the declaration at the end of this form and supplying evidence of their appointment.[[8]](#footnote-9) If this information is not provided, the decision-maker may reject the application if you do not supply this information within 1 business days of making the application.[[9]](#footnote-10)

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).

Limit on subsequent applications for mineral owner exploration licences

Unless the Minister’s consent has been obtained, an owner of privately owned minerals **must** **not** apply for an exploration (mineral owner) licence 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

Conflicting exploration areas

If the application is over land that is the subject of another exploration licence for the same group or groups of minerals, the written consent of the holder/s of that other exploration licence/s to the making of this application must be provided at the time of lodging this application.[[10]](#footnote-11)

Mineral allocation areas

All applications for a mineral group to which a ‘mineral allocation area’ applies require the Minister’s consent before an application can be lodged (s 13(3) of the Mining Act)

Under s368 of the Mining Act, the Minister can designate any land as a ‘mineral allocation area’ for any mineral. The entire State of NSW 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 [NSW Titles Online Viewer](https://www.regional.nsw.gov.au/meg/geoscience/minview).

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

Controlled release areas

Under s13(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:

* pursuant to an invitation under Sch1A (Competitive selection process for controlled release prospecting titles) of the Mining Act, or
* under s13C (Application for operational allocation licence by existing authority holders), or
* by the Secretary on behalf of the Crown under s13D (Crown pre-competitive exploration licences).

Advertisements

Exploration licence applicants must publish 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 (Regulation, cl 15).  The notice must state that an application for an exploration licence has been lodged, contain a plan of the proposed exploration area, and comply with any other requirements that are prescribed by the regulations (s 13A, Mining Act).

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 exploration licence. You must pay an annual administrative levy and an annual rental fee before your exploration licence can be granted (s 292C(1) Mining Act).

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

Activity approvals

Please note that an exploration licence will be subject to a statutory condition that you must not carry out assessable prospecting operations (as defined in the Mining Act) unless an activity approval has been first obtained.

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. Term for which licence is sought

|  |
| --- |
| Term being sought |
| Years sought |        | Note the maximum term is two years |

1. Applicant/s details

The applicant must be the owner/s of the mineral. If there is more than one owner of the minerals sought, the application must be made by all owners. 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.

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

* 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. Technical capability
	1. Technical capability

Applications for exploration licences must demonstrate that the applicant has the technical capability to carry out the proposed work program.[[11]](#footnote-12) 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;[[12]](#footnote-13)
* 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[[13]](#footnote-14), including particulars of the applicant’s technical manager.[[14]](#footnote-15)
	1. Technical manager

You can attach information about your technical manager 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. 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 Question 5**

**OR**

[ ]  Information about the technical manager satisfying the requirements of them minimum standards, their details and their acceptance is provided below, in parts 4.2.1, 4.2.2 and 4.2.3 below.

* + 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?

[ ]  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 |       |
| 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 4.2.1 and 4.2.2 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.
 |
|  |

Date:

1. Financial capability and resources

Applications for exploration licences must demonstrate that the applicant has the financial capability to carry out the proposed work program.[[15]](#footnote-16)

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;[[16]](#footnote-17)
	+ be accompanied by particulars of financial resources available to the applicant.[[17]](#footnote-18)

Answers to the questions relating to financial capability in Parts 5.1.1. and 5.1.2 below should be given having regard to:

* the work program and proposed operations
* obligations under the authority
* 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

Please provide any other particulars of the financial resources available to the applicant:

|  |
| --- |
|  Details |
|       |

1. Statements of corporate compliance, environmental performance history and financial capability of the applicant

Applications for 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.[[18]](#footnote-19) 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 to the Department:

 [ ]  I have attached the new SOCH to my application

 **OR**

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

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

1. Proposed work program

Before completing this part of the form, read the [Work programs for prospecting titles guideline](https://meg.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/exploration-guideline-work-programs-for-prospecting-titles.pdf)

Applications for exploration licences must be accompanied by a work program for the proposed term of the exploration licence.[[19]](#footnote-20) The proposed work program must:

* be prepared using the [Prospecting authority work program form](https://www.regional.nsw.gov.au/meg/exploring-and-mining/application-forms-and-fees/mining-act-1992-forms) in accordance with the Work programs for prospecting titles guideline;
* comply with the requirements for work programs set out in clause 35 of the Regulation
* meet the [minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) for work programs.[[20]](#footnote-21)

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

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

1. Compliance with native title legislation

Prior to the issue of an exploration (mineral owner) licence, you should identify how you wish to address native title obligations when undertaking prospecting activities. You may select one of four options:

(i) request a standard licence;

(ii) satisfy the Minister that native title has been extinguished;

(iii) 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; or

(iv) apply for a low-impact licence

A **standard licence** is subject to a licence condition (native title condition) that restricts prospecting to only land where native title has been extinguished. The condition requires the holder to address the ‘future acts regime’ provisions of the Commonwealth’s *Native Title Act 1993* and obtain the Minister’s consent prior to conducting any prospecting activity on **any** land where native title has **not** been demonstrated to have been extinguished.

You may provide evidence that asserts that native title has been **extinguished** over the entire area of the exploration licence. 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 licence 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 licence. Undertaking the ‘Right to Negotiate’ process provides an opportunity to reach agreement on the terms of the licence 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)

A **low-impact exploration licence** is excluded from the ‘Right to Negotiate’ provisions of the Commonwealth’s *Native Title Act 1993* but only authorises a limited range of prospecting operations. A low-impact exploration licence is also subject to a wait period of four months following notice of the application to:

* any registered native title claimant, and
* any representative Aboriginal/Torres Strait Islander body, and
* registered native title bodies corporate

as referred to in s32D(1) of the Mining Act*.*

The notice must be accompanied by a map or other description of the land over which the exploration licence is sought and a description of the proposed prospecting operations.

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. Compliance with native title in respect of prospecting activities?

Are you seeking the grant of the licence on the basis that native title has been extinguished?

[ ]  Yes – attach details or evidence which support your view that native title has been extinguished

 No – selection option below:

[ ]  I wish to apply for a standard licence

[ ]  I wish to commence the ‘Right to Negotiate’ process and this will be completed before the grant of the exploration (mineral owner) licence

[ ]  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.

|  |
| --- |
|       |

[ ]  Apply for a low-impact licence. Note that a 4 month wait period applies and a limited range of prospecting activities are allowed

1. Mineral/s sought

An exploration (mineral owner) licence can only be granted for privately owned minerals. 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. Evidence of ownership of minerals

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, the Secretary may require the applicant 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.[[21]](#footnote-22)

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

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:** The entire State has been gazetted as a mineral allocation area for Groups 9A, 11 and 12 minerals. Coal (Group 9) is a controlled release mineral and applications can only be made subject to s13(3A) of the Mining Act. Please see *EL6 Application for an exploration licence for Group 9 (coal) for operational allocation purposes.*

1. Proposed exploration area for mineral Groups 1-8 and Groups 10-12 only
	1. Land details

Provide the details of all the land associated with this application.

|  |
| --- |
| Lot and deposited plan numbers |
| Lot number |       |
| Deposited plan |       |
|  |
| Lot number |       |
| Deposited plan |       |
|  |
| Lot number |       |
| Deposited plan |       |

* 1. Additional land

Provide lot and deposited plan of any additional land.

|  |
| --- |
| Additional land |
|       |

* 1. Map

Provide a standard map, as described in cl9 of the Regulation, which shows the alignment of the proposed licence boundaries relative to the Map Grid of Australia, showing co-ordinates of all the points where there is a change in direction of the boundaries of the land.

Indicate whether you have inserted your map in the field below or attached it separately.

[ ]  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 (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 licence to extend. Note that for Group 9 the maximum depth that any licence will be granted is 900 metres below zero Australian Height Datum.

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

* 1. Limit on subsequent applications

Indicate which of the following applies:

[ ]  No land within the area sought has, within the previous 2 years, been subject to a mineral owner authority held by the applicant that was cancelled, or an application for a mineral owner authority made by the applicant that was refused.

[ ]  Land within the area sought has, within the previous 2 years, been subject to a mineral owner authority held by the applicant that was cancelled, or an application for a mineral owner authority made by the applicant that was refused, and Ministerial consent has been obtained to make this application. Details of the consent must be provided with this application.

1. Proposed exploration area for Group 9A only

For an exploration (mineral owner) licence for Group 9A, provide the details of the area associated with this application below.

Note: If you would like to apply for an operational allocation licence for Group 9 (coal as a privately held mineral only), please contact the Department for further information about how to submit an application.

* 1. Standard map

Provide a standard map, as described in cl9 of the Regulation, which shows the alignment of the proposed licence 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 (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 licence to extend. Note that for Group 9A (oil shale) the maximum depth that any licence will be granted is 900 metres below 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. Conflicting exploration areas

Is the proposed exploration area over land that is the subject of another exploration licence for the same group or groups of minerals?

[ ]  No

[ ]  Yes – I have attached the written consent/s of the holder/s of the other exploration licence/s.

1. Protected reserves
	1. Is your application for an exploration licence within a protected reserve, as defined with clause (3)(2) or 3(3) 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 exploration licences, please confirm that you understand that the exploration licence 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.

* 1. Fees and fee calculation
* the application fee amount is $1,000.
* the area fee is $2.00 per hectare or part hectare, per year.
	1. Select your payment method

|  |  |
| --- | --- |
| Select | Payment Method |
| [ ]  | **Direct deposit**Account name: Department of Regional NSW BSB: 032 001Account number: 183837Reference: E(MO)LA [your company name or last name] (eg E(MO)LA 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 2 |
| Technical capability support documentation  | [ ]  | Question 4 |
| Statements of the corporate compliance, environmental performance history and financial capability of the applicant (where not lodged online) | [ ]  | Question 6 |
| Proposed work program | [ ]  | Question 7 |
| Native title title information, i.e. extinguishment documentation (if applicable) | [ ]  | Question 8 |
| Evidence that the minerals applied for are owned by the applicant/s | [ ]  | Question 9 |
| For an allocated mineral within a mineral allocation area only – a copy of the Minister’s consent to apply (if applicable) | [ ]  | Question 10 |
| For mineral Groups 1-8 and Groups 10-12 only – a standard map of the proposed exploration area (if applicable) | [ ]  | Question 11 |
| For mineral Groups 1-8 and Groups 10-12 only – details to indicate depth of surface exception and depth restrictions for part areas | [ ]  | Question 11 |
| For Group 9A only – co-ordinates of the exploration area (if applicable) | [ ]  | Question 12 |
| For Group 9A only – a standard map of the proposed exploration area (if applicable) | [ ]  | Question 12 |
| For Group 9A applications only – details to indicate depth of surface exception and depth restrictions for part areas | [ ]  | Question 12 |
| Written consent of the holder/s of conflicting exploration licence/s (if applicable), | [ ]  | Question 13 |
| If applicable, information on protected reserves | [ ]  | Question 14 |
| For payments made by direct deposit - proof of payment | [ ]  | Question 15 |
| For agents only - evidence of appointment as agent | [ ]  | Question 17 |

* 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 to refusing the application under Clause 6(d) of Schedule 1B.

1. Declaration

Each applicant (or the authorised officer or agent) must complete the declaration below and sign this form.

* (For companies and agents) I declare that I am authorised to complete and lodge this application.
* 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.

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

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

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

Evidence of appointment is required if this has not been previously supplied to the Department.

|  |
| --- |
| 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:** $1,000 (per authority) |
| Fee amount | $       |
| **Area fee amount**: Area Fee is $2.00 per hectare or part hectare, per year. |
| Area fee amount | $       |
| **Total amount:** | $       |
| **Receipt number** |       |

# Document control

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

CM9 Reference: DOC22/124192

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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 details, hyperlinks. Update contact details New format to reflect new template Regional NSW/MEGUpdate contact details to reflect @regional email addressUpdated footer; date and document numberReviewed links to legislation |
| 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.  |

1. Section 381B, Mining Act; cl 94AA(4)(a), 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. Sch. 1B cl 4(g), Mining Act. [↑](#footnote-ref-6)
6. Sch. 1B cl 4(a), Mining Act. [↑](#footnote-ref-7)
7. Section 163F, Mining Act; cl 14(1)(h), Regulation. [↑](#footnote-ref-8)
8. Section 163F, Mining Act; cl 14(1)(h) & 97, Regulation. [↑](#footnote-ref-9)
9. Clause 94AA(2), Regulation. [↑](#footnote-ref-10)
10. Clause 14(1)(d), Regulation. [↑](#footnote-ref-11)
11. Schedule 1B, cl. 2(1)(a) & 6(b), Mining Act. [↑](#footnote-ref-12)
12. Clause 14(1)(e), Regulations. [↑](#footnote-ref-13)
13. Schedule 1B, cl. 2(1)(a), cl 4(a) & cl (6)(b), Mining Act. [↑](#footnote-ref-14)
14. Clause 14(1)(g), Regulations. [↑](#footnote-ref-15)
15. Sch. 1B, cl 6, Mining Act. [↑](#footnote-ref-16)
16. Schedule 1B, cl. 4(a), Mining Act. [↑](#footnote-ref-17)
17. Clause 14(1)(e), Regulations. [↑](#footnote-ref-18)
18. Clause 14(1)(f), Regulation. [↑](#footnote-ref-19)
19. Section 129A, Mining Act; cl 35, Regulation. [↑](#footnote-ref-20)
20. Schedule 1B, cl. 2(1)(b), cl 4(g) & cl (6)(b)(i), Mining Act. [↑](#footnote-ref-21)
21. cl 14(2) Regulation [↑](#footnote-ref-22)