September 2023

Notification of intention to exercise rights under a small-scale title within the White Cliffs Mineral Claims District

*Form WC23 Mining Act 1992*

The person intending to exercise their exercise rights under a small-scale title must complete the information below and serve this notice and a map of the small-scale title on all landholders of the land on which the proposed mineral claim is located.

If there is more than one landholder entitled to compensation, complete a separate form for each landholder.

1. Landholder details

|  |  |
| --- | --- |
| Landholder details | |
| Name |  |
| Address |  |

Under [section 266](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.266) of the *Mining Act 1992*, I give notice of my intention to exercise rights under a small-scale title on land for which you are a landholder. The details of my small-scale title application are as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  | Mineral claim number: |  | | |
|  |  | Located on the property known as: | |  | |
|  |  | The Mineral claim is to be: (choose one)  granted  renewed | | | |
|  |  | A map of my proposed or renewed mineral claim area is attached. | | | |
| OR |  | Opal prospecting licence number: | |  | |
|  |  | Located on Opal Prospecting Area and Block number: | | |  |
|  |  | A map of my opal prospecting block is attached. | | | |

1. Applicant details

|  |  |
| --- | --- |
| Applicant details | |
| Name (person or company holding the small-scale title) |  |
| Contact person (if a company) |  |
| Address |  |
| Phone |  |
| Email (optional) |  |
| Date |  |
| Signature |  |

1. Supporting information

Why do I need to send a notification to the landholder/s?

Landholders are entitled to compensation as the result of a granted small-scale title (either a mineral claim or opal prospecting licence). You must give notice to the landholder/s stating your intention to exercise rights under a small-scale title over land for which they are a landholder. Notifying the landholder/s is part of your obligations under [section 266](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.266) of the *Mining Act 1992.* This form WC23 is to be used when giving notice under section 266.

A map must be attached to the notice of intention to exercise rights you send to the landholder. The map identifies the location of your proposed mineral claim or opal prospecting block.

When do I notify the landholder/s of my intention to exercise rights if I am applying for a mineral claim or opal prospecting licence?

Your application for a mineral claim or opal prospecting licence cannot be granted until you have provided evidence that you have properly given this notice (Form WC23) to the landholder/s. The notice/s must be properly addressed and sent to the landholder/s by registered post.

Once you send this form WC23 and map by registered post, wait until seven working days have passed. The department cannot grant a small-scale title until a delivery receipt has been submitted or seven working days have passed after this form WC23 and map have been sent by the applicant to the landholder/s.

When do I notify the landholder/s of my intention to exercise rights if I am applying to renew my mineral claim?

Your application to renew your mineral claim cannot be granted until you have provided evidence that you have properly given the notice of intention to exercise rights under a small-scale title to the landholder/s. This form WC23 and map must be sent to the landholder/s by registered post.

Send this form WC23 and map to the landholder/s before lodging your application to renew your mineral claim. You must provide a registered post receipt to the Department with your renewal application.

The department cannot renew a mineral claim until a delivery receipt has been submitted or seven working days have passed after this form WC23 and map have been sent by you to the landholder/s.

If you require assistance or information, please contact:

**Mining, Exploration and Geoscience**

**Small-Scale Titles Team**

**Phone: +61 2 6820 5200**

[whitecliffs@regional.nsw.gov.au](mailto:whitecliffs@regional.nsw.gov.au)

Document control

Approved by: Executive Director, Assessments and Systems. CM9 Reference: RDOC23/7464

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| --- | --- | --- |
| Amendment schedule | | |
| **Date** | **Version #** | **Amendment** |
| December 2022 | 1.0 | Form amended and issued for use. |
| March 2023 | 1.1 | Form updated to reflect commencement of Mining Regulation 2016 on 1 March 2023. |
| August 2023 | 1.2 | Form updated to include additional notes and supporting information on the requirement for s266 notice as well as number form sections. Form name changed to simplify. |

**© 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 in September 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.

Version 1.2 September 2023