May 2023

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

*Form LR23 Mining Act 1992*

The person intending to exercise their rights as a holder of a small-scale title must complete the information below and send it to the landholder/s.

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 [s266](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 the proposed mineral claim area is attached. | | | |
| OR |  | Opal prospecting licence number: | |  | |
|  |  | Located on Opal Prospecting Area and Block number: | | |  |
|  |  | A map of the opal prospecting block is attached. | | | |

1. Applicant details

|  |  |
| --- | --- |
| Applicant details | |
| Name (person or company holding the small-scale title) |  |
| Application number |  |
| 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 [s266](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.266) of the *Mining Act 1992.*

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 send the notification of intention to exercise rights to the landholder/s 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 providedevidence that you have properly givent this notice the landholder/s. The notice/s must be properly addressed and sent to the landholder/s by registered post.

The department cannot grant a mineral claim until a delivery receipt has been submitted or seven working days have passed after the LR23 notice of intention to exercise rights and map have been sent by the applicant to the landholder.

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 mineral claim to the landholder/s. The notice/s must be sent to the landholder/s by registered post.

Send the notice of intention to exercise rights 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 the LR23 notice of intention to exercise rights and map have been sent by the applicant to the landholder.

Next steps

Before you post LR23 to the landholder/s, take a copy of the notice for each landholder.

After you have posted the landholder/s notice of your intention to exercise rights under a mineral claim:

* Complete form LR2B– Declaration of s266 notice of intention and map. If there is more than one landholder, you will need to complete LR2B for each landholder.
* After you have obtained a delivery receipt or seven working days have passed since you posted LR23 to the landholder/s, Return to the Lightning Ridge office with a copy of this form LR23, LR2B, map and your registered post receipt/s.

If you require assistance or information, please contact:

**Mining, Exploration and Geoscience**

**Small-Scale Titles Team**

**Phone: +61 2 6820 5200**

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

|  |  |  |
| --- | --- | --- |
| Amendment schedule | | |
| Date | Version # | Amendment |
| February 2023 | 1.0 | Form was amended to identify the requirement to use registered post to send the notice and supply this evidence to the office after seven working days with a copy of the |

**© 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 May 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 1.1 May 2023