

# Application for inclusion of additional mineral(s) in a mining lease

Form ML4, *Mining Act 1992*



Regional  
NSW

## Lodgement information

For help with lodging this application, or for more information about authorisations in New South Wales, contact:

Mining, Exploration and Geoscience

### Resource Operations

**Phone +61 2 4063 6600 (8.30am – 4.30pm)**

[resource.operations@planning.nsw.gov.au](mailto:resource.operations@planning.nsw.gov.au)

## Note

- any reference to the '**Department**' in this form, refers to **Regional NSW**

## How to submit this form

- By email:** Send an electronic copy of the form including any attachments to [resource.operations@planning.nsw.gov.au](mailto:resource.operations@planning.nsw.gov.au)
- By mail:** Mail your form and any attachments to Mining, Exploration and Geoscience, Resource Operations, PO Box 344, Hunter Region Mail Centre NSW 2310
- In person:** Submit your application in person at the Department office, 516 High Street, Maitland, New South Wales. Office hours are 8.30am to 4.30pm

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The information contained in this publication is based on knowledge and understanding at the time of writing (July 2020). 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 confirm applicant details in the event that subsequent applications are made and may also be used to establish and maintain databases to assist the Department with its work generally.

Except for purposes required by law, the information will not be accessed by any third parties in a way that would identify the person without the consent of that person.

You may apply to the Department to access and correct any information the Department holds if that information is inaccurate, incomplete, not relevant or out of date.

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## When to use this form

**Complete this form if you are a holder of a mining lease applying to add a mineral to the mining lease.**

This form has been prepared for the purposes of [s77](#) of the *Mining Act 1992*.

If there is insufficient room in the fields, please provide the information as an attachment.

## Important notes

### Notice

It is noted that the holder of a mining lease over any land must, within 21 days after lodging this application, serve a copy of the application on each landholder.

### Accompanying documentation

Any information or document that is required to accompany this application should be lodged within **10 business days of the lodgement date**. Failure to supply the information within this timeframe may be considered as grounds for refusing the application according to [cl6\(d\) sch1B](#) of the *Mining Act 1992*.

### Agents

If this application is lodged by an agent on behalf of the applicant/s, the Department may seek confirmation of the authority under which the agent operates and any limits of that authority. The agent will need to complete the declaration at the end of this form and supply evidence of their appointment, if not already supplied to the Department ([cl97](#) of the *Mining Regulation 2016*).

### Development consent

Please note that there must be an appropriate development consent in force with respect to the additional mineral before the holder can mine or prospect that additional mineral. This applies even if a mining lease is varied to add the additional mineral. Please see [cl65](#) of the *Mining Act 1992*.

### How to submit this form

Refer to the cover page for details.

### Next steps

Once your application has been received by the Secretary, it will be considered and may be granted or refused by the decision-maker.

We will notify you in writing of the outcome of your application.

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Regional  
NSW

## 1 Mining lease/s details

Mining lease details			
ML number		Act	
Expiry date			
ML number		Act	
Expiry date			
ML number		Act	
Expiry date			
ML number		Act	
Expiry date			

### Additional leases

Provide the numbers and expiry for any additional mining leases.

Additional mining lease details			

## 2 Lease holder/s details

Provide the full name of lease holder/s and if applicable, the ACN or ARBN (for foreign companies).

1 <sup>st</sup> Applicant details	
Name	
Contact phone	
Contact email	
ACN / ARBN	
Street address (Registered street address for a company)	
Postal address	<input type="checkbox"/> Same as above

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Form ML4, Mining Act 1992



Regional  
NSW

2 <sup>nd</sup> Applicant details	
Name	
Contact phone	
Contact email	
ACN / ARBN	
Street address (Registered street address for a company)	
Postal address	<input type="checkbox"/> Same as above

3 <sup>rd</sup> Applicant details	
Name	
Contact phone	
Contact email	
ACN / ARBN	
Street address (Registered street address for a company)	
Postal address	<input type="checkbox"/> Same as above

## Additional lease holders

Provide the full name, phone number, email address, ACN or ARBN (for foreign companies), street address (individual), registered street address (company) and postal address details of additional lease holders.

Additional details	

## 3 Contact for this application

Any correspondence in relation to this application will be sent to this person.

Details	
Contact name	
Position held	
Company	
Postal address	
Phone (incl area code)	
Mobile	
Email	

### Your preferred contact method

- Email (for companies - provide a company email address which is regularly monitored rather than an individual employee's email address)
- Mail (including DX)

## 4 Development consent

Do you have development consent already in force over the land for the additional mineral?

- Yes – I have attached a copy of the development consent over the land for the for the additional mineral
- No

Note: The holder will not be able to extract/prospect for the additional mineral unless there is an appropriate development consent permitting the extraction/prospecting of the additional mineral ([s65\(2\)](#) of the *Mining Act 1992*)

## 5 Additional mineral/s sought

Please indicate all additional mineral(s) sought for the mining lease.

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## 6 Justification

### 6.1 Justification for adding additional mineral/s

Note: A justification shall include:

- a) Likelihood of presence of the mineral; and
- b) The relationship to currently approved minerals.

### 6.2 Details of planned extraction and processing methods

### 6.3 Changes to existing extraction and processing methods (if any)

### 6.4 Update to Resource Reserve Estimates including the additional mineral

## 6.5 Mining (Mineral Owner) Leases

For an application relating to Mining (Mineral Owner) Lease, confirm if the additional mineral is owned by the holder of the Mining (Mineral Owner) Lease. If yes, please provide evidence establishing ownership.

- Yes  
 No

## 7 Rehabilitation cost estimate

All authority holders must provide an estimate of rehabilitation costs. This estimate will be considered by the Department when determining the [security deposit](#) amount.

Before answering the following questions, read the [Rehabilitation cost estimate guidelines](#).

### 7.1 Change in rehabilitation liability?

By adding the additional mineral to the mining lease, does the rehabilitation cost estimate change?

- Yes – Go to Question 7.2.  
 No – Go to Question 8.

### 7.2 What is the total rehabilitation cost estimate across the entire authorisation?

The estimate should cover the estimated cost of rehabilitation for **all** prospecting and mining operations.

#### Total rehabilitation cost estimate

\$

#### 7.2.1 What method have you used to calculate the rehabilitation cost estimate? Attach your cost calculation to this application

- Department's [rehabilitation cost calculation tool](#)  
 Other – attach your calculations or use the field below to describe the tool or cost guide you have used

#### 7.2.2 What approvals/plans have you based the rehabilitation cost estimate on?

Provide date of approval letter(s) or reference where possible

*The Department is responsible for ensuring that the people of NSW do not incur a financial liability as a result of coal, mineral and petroleum exploration and production activities. All authority holders engaged in these activities are, therefore, required to lodge a security deposit.*

*The security deposit must cover the Government's full costs for rehabilitation in the event of default by the authority holder.*

*The rehabilitation cost estimate is an estimate of all rehabilitation liabilities which currently exist on the authority, including approved prospecting operations and those prospecting operations defined as exempt development.*

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Regional  
NSW

## Approval letter/s or reference

<input type="checkbox"/>	Exploration Activity Approvals
<input type="checkbox"/>	Mining Project Approval/Development Consent
<input type="checkbox"/>	Mining Operations Plan/Rehabilitation Management Plan

## 7.3 What period is covered by the estimate?

### What period is covered by the estimate?

Current disturbance at date of application; or		
Period covered by the estimation		

## 7.4 What security is currently held by the Department?

### Current security held by the Department

\$

## 8 Checklist of items to be included with this application

Item		Reference
Development consent over the land for the inclusion of the additional mineral/s	<input type="checkbox"/>	Question 4
Confirmation that the additional mineral is owned by the holder of the Mining (Mineral Owner) Lease (if required)	<input type="checkbox"/>	Question 6
Rehabilitation cost estimate – calculations to evidence how the rehabilitation cost estimate is derived	<input type="checkbox"/>	Question 7
For agents only – evidence of appointment as agent, if this has not been previously supplied to the Department	<input type="checkbox"/>	Question 9

## 9 Declaration

This form must 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.

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Regional  
NSW

## 9.1 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 1992* 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 2 of this form.

1 <sup>st</sup> Applicant details	
Name	
Position/title	
Date	
Signature	

2 <sup>nd</sup> Applicant details	
Name	
Position/title	
Date	
Signature	

3 <sup>rd</sup> Applicant details	
Name	
Position/title	
Date	
Signature	

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Form ML4, *Mining Act 1992*



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NSW

## 9.2 Agent authorised to act for the applicant

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

Agent details	
Name	
Position/title	
Date	
Signature	

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Form ML4, *Mining Act 1992*



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NSW

## Office/Administrative use only

Application received:	
Time:	Date:
Officer's Name	
Signature	

## Document control

Approved by: Executive Director, Resource Operations under delegation from the Minister administering the *Mining Act 1992*.

CM9 Reference: DOC20/493325

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.