

Application for suspension of mining operations

Form ML14, *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

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 and proof of payment to resource.operations@planning.nsw.gov.au
- By mail:** Mail your form, any attachments and proof of payment 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

© State of New South Wales through Regional NSW. ABN: 19 948 325 463

This publication is copyright. You may download, display, print and reproduce this material providing that the wording is reproduced exactly, the source is acknowledged, and the copyright, update address and disclaimer notice are retained.

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access and correct any information the Department holds if that information is inaccurate, incomplete, not relevant or out of date.

Application for suspension of mining operations

Form ML14, *Mining Act 1992*



Regional
NSW

When to use this form

Complete this form if you are the holder of a mining lease in New South Wales (that is not in relation to ancillary mining activities) applying to suspend mining operations.

This form has been prepared for the purposes of [cl7A\(1\) and cl14 sch1B](#) of the *Mining Act 1992*.

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

Important notes

Under [cl7A Schedule 1B](#) of the *Mining Act 1992*, all mining leases are subject to a condition that the holder may suspend mining operations in the mining area only if the operations are suspended in accordance with the written consent of the decision-maker.

Approval to suspend mining operations may be granted subject to such conditions as the decision-maker considers appropriate. The suspension takes effect on the date on which written notice of the suspension is served on you or a later date specified in such notice.

The cessation of mining operations due to the end of mine life that is in accordance with approved mining operations plans is not considered to be a suspension of mining operations.

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).

How to submit this form

Refer to the cover page for details.

Next steps

Once your application has been received, it will be considered and may be granted or refused by the decision-maker. You will be notified in writing of the outcome of your application.

Application for suspension of mining operations

Form ML14, *Mining Act 1992*



Regional
NSW

1 Mining lease/s details

Provide the details of the mining lease/s the subject of this application.

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

2 Lease holder/s details

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

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

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

Application for suspension of mining operations

Form ML14, *Mining Act 1992*



Regional
NSW

3rd Lease holder 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 Details of the suspension

The application to suspend the operations may be for a period or until the happening of an event. Provide details of the period or the event (eg provide a timeframe for the suspension of operations).

5 Justification for the suspension

Attach detailed information supporting and justifying the proposal to suspend operations.

The information must include:

- Reasoned arguments provided justifying the company's proposed course of action
- Details provided on remaining reserves/resources (reported in accordance with the ['Australasian Code for Reporting of Identified Mineral Resources and Ore Reserves'](#), produced by the Joint Ore Reserves Committee (JORC) of the Australasian Institute of Mining and Metallurgy (AusIMM))
- Resource/Reserve Statement prepared according to the Department's guidelines
- Nature of resources grade or quality in mine residues (tailings, rejects low grade ore dumps etc)
- Assessment of mining potential (engineering assessment)
- Potential for access from adjoining areas
- Details of current production and markets
- Details of employment and proposed redundancies
- Details of capital investment
- Details of operational economics, including break down cash operating cost and total operating cost
- Information on the possibility for:
 - Rationalisation with adjoining operations
 - Sale as going concern
 - Addition of unallocated area to form viable project
- Summary program for final rehabilitation and restoration
- An assessment of risk to public safety
- An assessment of risk to safety and viability of other operations
- Proposed arrangements for mining tenure (lease transfer, land ownership, lease cancellation)
- Details of briefings where appropriate of relevant stakeholders eg local member, local council, unions and workforce
- Proposed communications programme with local media on the suspension of mining operations.

I have attached information supporting and justifying the proposal

Application for suspension of mining operations

Form ML14, *Mining Act 1992*



Regional
NSW

8 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.

8.1 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 st Applicant details	
Name	
Position/title	
Date	
Signature	

2 nd Applicant details	
Name	
Position/title	
Date	
Signature	

3 rd Applicant details	
Name	
Position/title	
Date	
Signature	

Application for suspension of mining operations

Form ML14, *Mining Act 1992*



Regional
NSW

8.2 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	

Application for suspension of mining operations

Form ML14, *Mining Act 1992*



Regional
NSW

Office/Administrative use only

Application received:	
Time:	Date:
Officer's Name	
Signature	
Application fee amount: \$250 / per mining authority	
Fee amount	\$
Receipt number	

For credit cards

Following confirmation of payment, remove the first eight digits of the credit card number from this form. Ensure that any saved copy does not include full credit card details.

Document control

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

CM9 Reference: DOC20/501416

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.