

Form AL1

Application for an assessment lease

Mining Act 1992

February 2018 | v3.7

More information

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

Division of Resources and Energy

Titles Customer Assistance Line

Phone +61 2 4931 6500

titles.services@industry.nsw.gov.au

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The information contained in this publication is based on knowledge and understanding at the time of writing. However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning and Environment or the user's independent advisor.

Privacy statement

This information is collected by the NSW Department of Planning and Environment for the purposes of assessing an application for an authorisation or 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access and correct any information the department holds if that information is inaccurate, incomplete, not relevant or out of date.

When to use this form

Complete this form if you want to apply for an assessment lease which will allow you to maintain an authority over a potential project area, without necessarily committing to further exploration. For more information read the [Policy on grant of assessment leases](#).

This form has been prepared in accordance with [Part 4 Division 1](#) of the *Mining Act 1992* and [Clause 21](#) of the *Mining Regulation 2016*. The form and associated templates are approved in accordance with [Section 382](#) of the *Mining Act 1992*. The information requested in this form may not be specifically referenced in the *Mining Act 1992* or the *Mining Regulation 2016* however its inclusion in the approved form validates the authority of the NSW Department of Planning and Environment (the department) to request it.

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

Important notes

Any information or template 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 [Schedule 1B, Clause 6\(d\)](#) of the *Mining Act 1992*.

If this application is lodged by any party other than the applicant/s (ie. an agent), the department may seek confirmation of that authority and any limits of that authority given to that other party by the applicant ([Section 163F](#) of the *Mining Act 1992* and [Clause 97](#) of the *Mining Regulation 2016*). 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.

Newspaper advertisements giving notice of the application must be published by the applicant within **45 days after receipt of confirmation** that the application has been lodged. An assessment lease will not be granted until satisfactory copies of advertisements are lodged with the department. For a list of newspapers and to read the advertising guidelines visit www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/policies.

The Minister must not grant an assessment lease unless satisfied, that either native title has been extinguished over the entire application area or, that the right to negotiate process has been completed. If not available at the time you lodge your application, you must provide evidence regarding [proof of extinguishment of native title](#) prior to grant.

An application that relates to land in a controlled release area may not be made in relation to a controlled release mineral except:

- (a) by the holder of an exploration licence or mining lease over that land in respect of that mineral or group of minerals, or
- (b) pursuant to an invitation under [Schedule 1A \(Competitive selection process for controlled release prospecting titles\)](#) of the *Mining Act 1992*.

If this application is successful, you will receive a letter from the department notifying you that the department is proposing to grant you an assessment lease. You must, however, pay an [annual administrative levy and an annual rental fee](#) before your assessment lease can be granted.

How to submit this form

- **By email:** Send an electronic copy of the form including any attachments and proof of payment to titles.services@industry.nsw.gov.au
- **By mail:** Mail your form any attachments and proof of payment to Division of Resources and Energy, Titles Services, PO Box 344, Hunter Region Mail Centre NSW 2310.
- **In person:** Submit your application in person at the Division of Resources and Energy's Titles Services office, 516 High Street, Maitland, New South Wales. Office hours are 9.30am to 4.30pm.

How this application will be processed

Once your application has been registered and checked, it will be assessed by department. The Minister for Resources and Energy (or their delegate) will consider the department's recommendation and all relevant information, and may propose to grant or refuse the application.

The target processing time for an application for grant is 45 business days.

1 Term for which lease is sought

Years sought Note the maximum term is six (6) years.

2 Applicant/s details

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

Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Registered street address	<input type="text"/>
Postal address	<input type="checkbox"/> Same as above Enter here if different

Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Registered street address	<input type="text"/>
Postal address	<input type="checkbox"/> Same as above Enter here if different

Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Registered street address	<input type="text"/>
Postal address	<input type="checkbox"/> Same as above Enter here if different

Additional applicants

Provide the full name, ACN or ARBN (for foreign companies), registered street address and postal address details of additional applicants.

<input type="text"/>

3 Contact for this application

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

Contact name	<input type="text"/>
Position held	<input type="text"/>
Company	<input type="text"/>
Postal address	<input type="text"/>
Phone (inc. area code)	<input type="text"/>
Mobile	<input type="text"/>

Email

Your preferred contact method

- Email (For companies – provide a generic company email address which is regularly monitored rather than an individual employee’s email address.)
- Mail

4 Technical advice

Nominate an exploration technical manager who will be responsible for supervising prospecting operations and (geoscientific) exploration reporting.

The person is expected to be a geoscientist or mining engineer with relevant experience in exploration.

You must provide the person’s contact details and confirmation of their acceptance of the role. Note that this does not make the person liable for any other matters relating to this application.

You can attach the contact details and acceptance as a letter or enter the information below.

I have attached documentation with the exploration technical manager details and acceptance of the role.

OR

I have entered the exploration technical manager details and authorisation below.

Contact details

Name

Position

Company

Phone

Email

Professional associations: Provide the name and member number of any relevant professional associations (e.g. AusIMM, AIG) to which the technical manager belongs, or list relevant qualifications and experience.

Signature: Provide the signature of the nominated exploration technical manager to support their acceptance of the role.

5 Statements of corporate compliance, environmental performance history and financial capability

The transferee/s must provide Statements of corporate compliance, environmental performance history and financial capability. Complete and attach the [Statement template](#) and check the box below to indicate you have attached it to this application.

- Yes, I have attached the statements of corporate compliance, environmental performance history and financial capability.

6 Prospecting title work program

Complete and attach a [Mineral prospecting title work program](#) (note that it is mandatory to use this form available on the Division of Resources and Energy website). Before completing the form, read the [Exploration guideline: work programs for prospecting titles](#). Check the box below to indicate you have attached it to your form.

- Yes, I have attached a prospecting title work program using the [approved form](#).

7 Proof of extinguishment of native title

The Minister must not grant an assessment lease unless satisfied that, either native title has been extinguished over the entire application area or, that the 'Right to Negotiate' process has been completed. You should provide proof that native title has been extinguished. If native title has **not** been extinguished, you will need to undertake the 'Right to Negotiate' process before a lease can be granted. Read our guideline [Native title and the administration of exploration and mining legislation in New South Wales](#) for more information.

- I have attached proof that native title has been extinguished.
- I will provide proof that native title has been extinguished prior to grant.
- I wish to commence the 'Right to Negotiate' process and this will be completed before the grant of the assessment lease.

The 'Right to Negotiate' process must be completed before you can undertake mining activities on any land claimable under the provisions of the Commonwealth's Native Title Act 1993. It is subject to a notice period and if there are registered claimants you must come to an agreement with them. For more information visit the [National Native Title Tribunal website](#).

Note that additional advertising costs will apply if you commence the 'Right to Negotiate' process.

8 Details of any existing authority

Provide the authority identifier/s of any existing authority held by the applicant in this application area.

List authority identifier/s e.g. EL 1234 (1973)

9 Mineral allocation area – Minister’s consent

9.1 Current licences or leases held covered by this application

Do you have a current exploration licence, assessment lease or mining lease covered by this application that initially required the Minister’s consent?

- Yes. You do **not** need to provide the Minister’s consent again, **go to Question 10**.
- No. **Continue to Question 9.2**.

9.2 Minister’s consent required for a mineral allocation area

Under [Section 368](#) of the *Mining Act 1992*, the Minister can designate any land as a mineral allocation area. A mineral allocation area can be designated for any mineral. In NSW, the entire State has been gazetted as a mineral allocation area for groups 9A and 11 minerals. There are other mineral allocation areas within the state for various minerals or groups of minerals. All applications within a mineral allocation area require the Minister’s consent before an application can be lodged.

- For the location of mineral allocation areas, visit the [NSW Titles Services online viewer](#).
- To find out how to request the Minister's consent, phone the Titles Customer Assistance Line on (02) 4931 6500 (business hours) or email titles.services@industry.nsw.gov.au

9.2.1 Is your application for a mineral or mineral group within a mineral allocation area?

- No
- Yes
 - Yes, I have attached a copy of the Minister’s consent to my application
 - No. I will provide outstanding information within 10 business days of lodging this application.

10 Mineral/s sought

An assessment lease can only be granted for specific minerals (you **cannot** specify a group of minerals for an assessment lease application). Details of minerals are in [Schedule 1](#) of the *Mining Regulation 2016*. Indicate the minerals sought for this application below.

- agate
- antimony
- apatite
- arsenic
- asbestos
- barite
- bauxite
- bentonite (inc. fuller's earth)
- beryllium minerals
- bismuth
- borates
- cadmium
- caesium
- calcite
- chalcedony
- chert
- chlorite
- chromite
- clay/shale
- coal
- cobalt
- columbium
- copper
- corundum
- cryolite
- diamond
- diatomite
- dimension stone
- dolomite
- emerald
- emery
- feldspathic materials
- fluorite
- galena
- garnet
- geothermal energy
- germanium

- gold
- graphite
- gypsum
- halite (including solar salt)
- ilmenite
- indium
- iron minerals
- jade
- kaolin
- lead
- leucoxene
- limestone
- lithium
- magnesite
- magnesium salts
- manganese
- marble
- marine aggregate
- mercury
- mica
- mineral pigments
- molybdenite
- monazite
- nephrite
- nickel
- niobium
- oil shale
- olivine
- opal
- ores of silicon
- peat
- perlite
- phosphates
- platinum group minerals
- platinum
- potassium minerals
- potassium salts

- pyrophyllite
- quartz crystal
- quartzite
- rare earth minerals
- reef quartz
- rhodonite
- rubidium
- ruby
- rutile
- sapphire
- scandium and its ores
- selenium
- serpentine
- sillimanite-group minerals
- silver
- sodium salts
- staurolite
- strontium minerals
- structural clay
- sulphur
- talc
- tantalum
- thorium
- tin
- topaz
- tourmaline
- tungsten and its ores
- turquoise
- vanadium
- vermiculite
- wollastonite
- zeolites
- zinc
- zircon
- zirconia

Proposed lease area

This help text relates to **Question 11 and Question 12**.

You will need to identify the land in an approved manner. The approved manner is described below.

For assessment leases described with graticular references

Provide the area, block and unit references identifying the land, as determined in accordance with [Schedule 4](#) of the *Mining Regulation 2016*. You do not need to provide a map. ▶ **Go to Question 11**

For assessment leases described with non-graticular references

Provide a standard map, as described in [Clause 9](#) of the *Mining Regulation 2016*, showing the alignment of the proposed lease 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. ▶ **Go to Question 12**

11 Assessment lease area described in graticular references (blocks and units)

Complete this question if you are applying for the assessment lease area using blocks and units. You **do not** need to provide a standard map.

Identify the name of the 1:1,000,000 map sheet (e.g. Sydney), the block number and unit references as described in [Schedule 4](#) of the *Mining Regulation 2016*. You **do not** need to provide a map for mineral groups 1-8 and 10-11.

Use **Option A** (the free text field) or **Option B** (the table) below to identify the proposed exploration area.

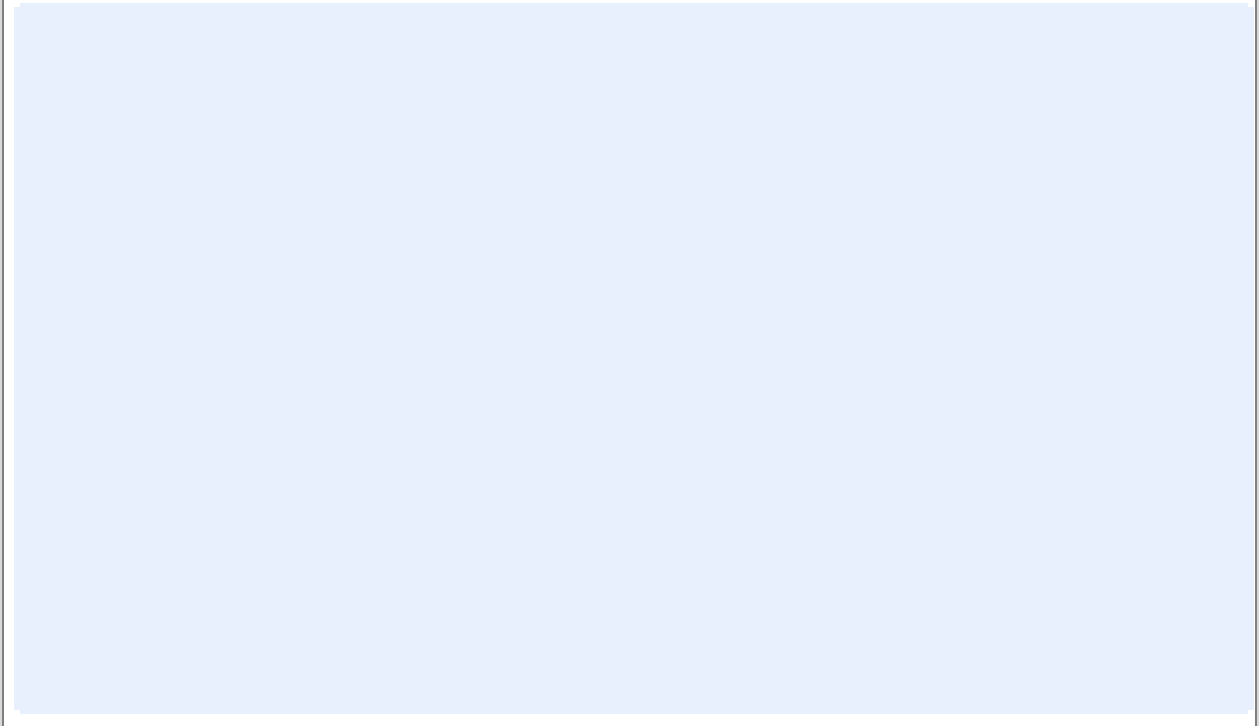
Option A: Identify the map sheet, block number, unit and total number of units applied for.

E.g. Sydney, 2222, abcdxyz total units=7

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.



12.2 Co-ordinates of the proposed exploration area

Attach the co-ordinates as a separate document in a CSV format or an alternative format.

I have attached the co-ordinates to this application.

12.3 Depth of surface exception in metres

Indicate the area of surface and soil below the surface **not** applied for.

Whole area metres

Part (must be shown on the map)

Various parts (must be shown on the map)

Nil

12.4 Depth restriction sought

Indicate the depth to which you require the lease to extend. Note that for coal the maximum depth that any lease will be granted is 900 metres below Australian height datum (AHD).

- Whole area metres
- Part (must be shown on the map)
- Various parts (must be shown on the map)
- Nil

12.5 Strata sought

For example, the strata between the base of the black seam to the top of the white seam.

Paste/insert your map in the box above and enter any notes here

13 Assessment of the mineral bearing capacity

Provide an assessment of the mineral bearing capacity of land in that area and of the extent of any mineral deposits in that land. The assessment of the mineral bearing capacity must be in accordance with the Australian Code for Reporting of Mineral Resources and Ore Reserves ([JORC Code](#)), or in situations where this is not practicable, you will need to make a case for exemption from this requirement when providing your assessment.

- I have attached an assessment of the mineral bearing capacity.
- I have attached a submission to claim an exemption from providing a JORC compliant assessment of the mineral bearing capacity.

14 Program of marketing or environmental study

Provide details of any proposed program of marketing or environmental study. The proposed assessment program must contain sufficient detail to satisfy the department that effective project appraisal and development assessment will be conducted. Details of the proposed studies must be provided in order for the department to assess the application in accordance with the departmental policy on granting of assessment leases.

Relevant environmental studies may include: preliminary environmental assessments; environmental impact assessments; other relevant environmental or baseline studies

Yes, I have attached a proposed program of marketing or environmental study.

15 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 this question, read the [Rehabilitation cost estimate guidelines](#) and note the following:

15.1 What is the total rehabilitation cost estimate?

The estimate should cover the rehabilitation for **all** prospecting operations.

It is noted that some existing prospecting operations will be transferred from the exploration licence to the assessment lease, should the assessment lease be granted. These need to be accounted for in the rehabilitation cost estimate.

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.

Total rehabilitation cost estimate

\$

15.1.1 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 – use the field below to describe the tool or cost guide you have used.

15.2 What period is covered by the estimate?

Current disturbance at date of application

16 Proof of identity – for individuals only

This question is to be answered by **individuals only** (companies go to **Question 17**).

To be eligible to hold an authority, you must be a person over 18 years or a company eligible to undertake business in New South Wales. Individuals will need to provide documents if lodging in person, or a statement signed by a Justice of the Peace. Read the [Proving my identity](#) fact sheet for a list of documents that may be provided as proof.

I am an individual and I have attached proof of identity.

17 Fee payment

Payment, proof of payment or details that allow the payment to be made must accompany this application form. Refer to [Schedule 9](#) of the *Mining Regulation 2016* for a list of legislated fees.

Fees and fee calculation

- The application fee amount is \$2,000.
- The area fee is \$6.00 per year of tenure for each hectare or part hectare (1 unit = 300ha for graticular areas) multiplied by the years applied for.

Below are sample calculations.

EXAMPLE 1

You have applied for 2 units for a term of 6 years.

Application fee	\$2,000.00
Unit fee: 2units (600 ha) @ \$6.00each x 6 years	\$21,600.00
Total fee	\$23,600.00

EXAMPLE 2

You have applied for 150.5 ha for a term of 6 years.

Application fee	\$2,000.00
Area fee: 151 ha* @ \$6.00 each x 6 years	\$5,436.00
Total fee	\$7,436.00

**Note figure is rounded up*

Select your payment method

Direct deposit

Account name: Planning & Environment

BSB: 032001

Account number: 114428

Reference: ALA [your company name or last name] (e.g. ALA 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.

Cheque made payable to 'Department of Planning and Environment'

Credit card* (enter details below)

Payment amount*	\$
Type of card*	Select card type...
Cardholder's name:	
Card number:	
Expiry date (mm/yy):	mm / yy

*Credit card merchant fees are applicable to all credit card payments from 1 July 2017 and will be added to the payment amount at the following rates:

Visa & Mastercard: 0.4%

Amex: 1.5%

Diners: 2.4%

18 Checklist of items to be included with this application

Item		Reference
Technical Advice supporting information (if applicable)	<input type="checkbox"/>	Question 4
Statements of corporate compliance, environmental performance history and financial capability	<input type="checkbox"/>	Question 5
Prospecting title work program	<input type="checkbox"/>	Question 6
Proof of extinguishment of native title (if applicable)	<input type="checkbox"/>	Question 7
For an allocated mineral within a mineral allocation area only – a copy of the Minister's consent to apply (if applicable)	<input type="checkbox"/>	Question 9
For non graticular applications– a standard map of the proposed lease area (if applicable)	<input type="checkbox"/>	Question 12
Co-ordinates of the exploration area (if applicable)	<input type="checkbox"/>	Question 12
Assessment of the mineral bearing capacity (or request for exemption)	<input type="checkbox"/>	Question 13
Program of marketing or environmental study (if applicable)	<input type="checkbox"/>	Question 14

Rehabilitation cost estimate (attach calculations to evidence how the rehabilitation cost estimate is derived)	<input type="checkbox"/>	Question 15
Proof of identity (if applicable)	<input type="checkbox"/>	Question 16
For payments made by direct deposit – proof of payment	<input type="checkbox"/>	Question 17
For agents only – evidence of appointment as agent, if this has not been previously supplied to the department	<input type="checkbox"/>	Question 19

18.1 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.

19 Declaration

This form should 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.

I/We declare that the information provided in this application is true and correct. I/We understand that under [Part 5A](#) of the *Crimes Act 1900*, knowingly giving false or misleading information is a serious offence; and under [Section 378C](#) of the *Mining Act 1992* 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.

Applicant/s

Name	
Position/title	
Date	
Signature	

Name	
Position/title	
Date	
Signature	

Name	
Position/title	
Date	
Signature	

OR

Agent authorised to act for this applicant/s

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

Name	
Position/title	
Date	
Signature	

Office use only

Application received:

Time: Date:

Application fee amount: \$2,000 (per title)

Area fee amount \$

Area fee amount:

\$6.00 per year of tenure for each hectare or part hectare (1 unit = 300ha for graticular areas)

Area fee amount \$

Total amount: \$ **Receipt number:**

Received under delegation from the Secretary

Name

Signature

For credit cards

Following confirmation of payment, remove the first eight (8) digits of the credit card number from this form. Ensure that any saved copy does not include full credit card details.

Document control

Authorised by: Executive Director Operations and Programs
RM8 Reference: PUB16/102 INT16/18396 (V15/5289#12)

Amendment schedule

Date	Version #	Amendment
01 March 2016	3.0	Legislation update, new template
06 March 2016	3.1	Hyperlinks updated, minor edits
21 June 2016	3.2	Hyperlinks updated to proof of identity
12 December 2016	3.3	Amendments to address the requirements for the statements of corporate compliance, environmental performance history and financial capability and coordinates
27 March 2017	3.4	Minor formatting fixes
1 April 2017	3.5	Update bank details, Project codes, dept name
21 December 2017	3.6	Update to DPE Branding colours & DPE banking details & removal of cost codes
2 February 2018	3.7	Minor edit – reinsert credit card charge