

# Application for Minister's approval to register a sublease

Form ML13, *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 and proof of payment to [resource.operations@planning.nsw.gov.au](mailto: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
- Facsimile:** +61 2 4063 6973

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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access and correct any information the Department holds if that information is inaccurate, incomplete, not relevant or out of date.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 the holder of a mining lease in New South Wales applying for the Minister's approval to register a mining sublease (or its renewal or variation).

Minister's approval is not required if:

- the sublessee is the leaseholder of an adjoining lease or sublease area, and
- the total sublease area (including the area of any adjoining subleases) does not exceed 100 hectares, and
- the term of the sublease does not exceed five years, including any consecutive sublease periods and options for extension.

This form has been prepared for the purposes of [s163A\(3\)](#) of the *Mining Act 1992*.

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

## Important notes

### 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

Following the lodgement of the application, the application will be considered by the Minister. You will be notified in writing of the outcome of your application.

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## 1 Mining lease/s being sublet

Provide the details of the mining lease/s currently sublet.

ML Number	Act	Expiry Date

## 2 Lease holder/s details

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

1 <sup>st</sup> 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 <sup>nd</sup> 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

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## 3<sup>rd</sup> 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, contact details, ACN or ARBN (for foreign companies), street address (individual), registered street address (company) and postal address details of additional lease holders.

## Additional details

## 3 Sublessee/s details

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

### 1<sup>st</sup> Sublessee 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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## 2<sup>nd</sup> Sublessee 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> Sublessee 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 sublessees

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

## Additional details

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## 4 Contact for this application

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

Contact 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)

## 5 Rehabilitation cost estimates

An estimate of rehabilitation costs is required for the head-lease and sublease.

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

### 5.1 What is the total rehabilitation cost estimate for the head-lease?

The estimate should cover the rehabilitation for all prospecting and mining operations.

Total rehabilitation cost estimate of the head-lease
\$

### 5.2 What is the total rehabilitation cost estimate for the sublease?

The estimate should cover the rehabilitation for all prospecting and mining operations.

Total rehabilitation cost estimate of the sublease
\$

### 5.3 What method have you used to calculate the rehabilitation cost estimates? Attach your cost calculations for the head-lease and sublease to this application.

- Department's [rehabilitation cost calculation tool](#)

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- Other – attach your calculations or use the field below to describe the tool or cost guide you have used

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## 5.4 What approvals/plans have you based the rehabilitation cost estimates on?

Provide date of approval letter/s or reference where possible

- Mining Project Approval/Development Consent

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- Mining Operations Plan/Rehabilitation Management Plan

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## 5.5 What period is covered by the estimates?

What period is covered by the estimates?

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

## 5.6 What security deposit amount is currently held by the Department for the entire lease (head-lease)?

Current security held by the Department

\$

## 6 Consents

Provide consent of each sublessor/s **and** any person/s with a registered interest in the lease being sublet.

- Yes – I have attached consent of each sublessor  
**and**
- Yes – I have attached consent of each person/s with a registered interest in the lease being sublet
- No – there is no other person with a registered interest in the lease being sublet.

## 7 Standard map of the sublease area

Provide a map as described in [cl9](#) of the *Mining Regulation 2016*, showing the alignment of the sublease boundaries relative to the Map Grid of Australia coordinates of all the points where there is a change in direction of the boundaries of the land.

- I have attached a standard map
- I have inserted my standard map below:



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## 7.1 Coordinates of the proposed area compliant with Map Grid of Australia (MGA94)

Attach the MGA94 coordinates as a separate electronic file in a CSV format.

I have attached the MGA94 coordinates to this application

MGA94 coordinates to this application				
Total area		<input type="checkbox"/> m <sup>2</sup>	<input type="checkbox"/> ha	<input type="checkbox"/> km <sup>2</sup>
Surface area		<input type="checkbox"/> m <sup>2</sup>	<input type="checkbox"/> ha	<input type="checkbox"/> km <sup>2</sup>

## 7.2 Depth of surface exception in metres

For the sublease, indicate the area of surface and soil below the surface **not** applied for:

Depth of surface exception in metres			
<input type="checkbox"/>	Whole area		metres
<input type="checkbox"/>	Part (must be shown on the map)		
<input type="checkbox"/>	Various parts (must be shown on the map)		
<input type="checkbox"/>	Nil		

## 7.3 Depth restriction sought

Indicate the depth to which the sublease extends. Note that for coal the maximum depth that any sublease will be granted is 900 metres below zero Australian height datum (AHD).

Depth restriction sought			
<input type="checkbox"/>	Whole area		metres
<input type="checkbox"/>	Part (must be shown on the map)		
<input type="checkbox"/>	Various parts (must be shown on the map)		
<input type="checkbox"/>	Nil		

## 7.4 Strata for the sublease

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

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## 8 Statements of compliance, environmental performance and financial history

The sublessee/s must provide Statements of compliance, environmental performance and financial history (the Statement). Complete the [Statement template](#) and indicate how the Statement has been provided.

I have attached the Statement to my application

OR

I have submitted the Statement online – the reference number is

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

Item		Reference
Consent of sublessor/s and persons with a registered interest	<input type="checkbox"/>	Question 6
Standard map	<input type="checkbox"/>	Question 7
Statements of compliance, environmental performance and financial history (where not lodged online)	<input type="checkbox"/>	Question 8
For agents only – evidence of appointment as agent, if this has not been previously supplied to the Department	<input type="checkbox"/>	Question 10

## 10 Declaration

### 10.1 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.

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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	

## 10.2 Agent authorised to act for this applicant/s

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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## Office/Administrative use only

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

## Document control

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

CM9 Reference: DOC20/442543

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.