

## 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
- Facsimile:** +61 2 4063 6973

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access and correct any information the Department holds if that information is inaccurate, incomplete, not relevant or out of date.

## When to use this form

**Complete this form if you are a landholder or a holder of a prospecting authority applying to appoint an arbitrator.**

This form has been prepared for the purposes of [s144](#) of the *Mining Act 1992*.

This form can be used by companies or individuals. For more information visit the [Arbitration process for access to lands for exploration](#) web page.

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

## Important notes

In accordance with [s152](#) of the *Mining Act 1992*, the authority holder is responsible for all costs associated with the arbitration hearing. The Department will initially pay the costs and issue an invoice to the authority holder for reimbursement of these costs.

## 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

The Secretary (or delegate) will arrange for a panel arbitrator to be appointed.

The Department will then notify you that a panel arbitrator has been allocated and the panel arbitrator will contact you to arrange the next steps in the process. For more information visit the [Land access arbitration procedure](#) web page on the Division's website

# Application to appoint an arbitrator

Form AD1, Mining Act 1992



Regional  
NSW

## 1 Authority details

Type	Number	Act

## 2 Applicant/s details

Indicate whether you are applying as a landholder or an authority holder:

- Landholder  
 Authority holder

Provide the full name of applicant/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

  

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

# Application to appoint an arbitrator

Form AD1, Mining Act 1992



Regional  
NSW

## 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 applicants

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 applicants.

## Additional applicants

## 3 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)

## 4 For authority holders only

### 4.1 Contact details of landholders not in agreement

Provide details of any landholders with whom you have not been able to reach agreement with regarding the appointment of an arbitrator.

1 <sup>st</sup> Landholder details	
Landholder name	
Contact name	
Postal address	
Phone (incl area code)	
Mobile	
Email	

2 <sup>nd</sup> Landholder details	
Landholder name	
Contact name	
Postal address	
Phone (incl area code)	
Mobile	
Email	

3 <sup>rd</sup> Landholder details	
Landholder name	
Contact name	
Postal address	
Phone (incl area code)	
Mobile	
Email	

### Additional landholders

Provide the full name postal address and contact details of additional landholders.

Additional landholders	

---

## 4.2 Copies of notices

Provide copies of notices sent to the landholders regarding access arrangements and the appointment of an arbitrator. These notices must clearly demonstrate that all of the requirements of [s142](#) and [s143](#) of the *Mining Act 1992* have been met.

- I have attached copies of all s142 notices requesting access arrangements
- I have attached copies of all s143 notices requesting the appointment of an arbitrator

## 4.3 Description of land

Provide the details of all the landholder/s land associated with this application.

Lot and deposited plan numbers	
Lot number	
Deposited plan	
Lot number	
Deposited plan	
Lot number	
Deposited plan	

### Other land

If there is inadequate space above, provide lot and deposited plan details for any additional land.

Other details

## 4.4 Landholder/s land in relation to the authority

Attach a plan/s showing the relationship of the landholder/s land to the boundary of the authority.

- Yes – I have attached a plan

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

Item		Reference
Copies of notices requesting access arrangements and the appointment of an arbitrator	<input type="checkbox"/>	Question 4
A plan showing the relationship of the landholder's land to the boundary of the authority (if applicable)	<input type="checkbox"/>	Question 4
For agents only – evidence of appointment as agent, if this has not been previously supplied to the Department	<input type="checkbox"/>	Question 6

## 6 Declaration

### 6.1 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	

# Application to appoint an arbitrator

Form AD1, *Mining Act 1992*



Regional  
NSW

## 6.2 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	



# Application to appoint an arbitrator

Form AD1, *Mining Act 1992*



Regional  
NSW

## 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: DOC20/442540

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.