

Form AD2

Application for approval of full or partial transfer of an exploration licence or assessment lease

Mining Act 1992

December 2017 | v3.10

More information

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

Division of Resources and Geoscience

Titles Customer Assistance Line

Phone +61 2 4931 6500 (9.30am - 4.30pm)

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 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access and correct any information the Department holds if that information is inaccurate, incomplete, not relevant or out of date.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 hold an exploration licence, assessment lease, exploration (mineral owner) licence or assessment (mineral owner) lease in New South Wales and are requesting approval to transfer the authority.

- Use one form if you want to transfer in full multiple exploration licences or assessment leases, however all authorities must be held in the same name/s.
- Use a separate form for each partial transfer application.

Do **not** use this form if you are transferring a mining lease (use form AD3 for mining lease transfers).

This form has been prepared for the purposes of [Section 120](#) of the *Mining Act 1992* and [Clause 33](#) of the *Mining Regulation 2016*.

If you require more information regarding exploration licences, refer to the [Industry guidelines: exploration licences for groups 1-8, 9A, 10 and 11 \(non-coal minerals\)](#).

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

Important notes

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

If this application is lodged by an agent on behalf of the applicant/s, the NSW Department of Planning and Environment (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 ([Clause 97](#) of the *Mining Regulation 2016*).

All parties registered as holding an interest in the exploration licence or assessment lease must be notified **before** you lodge this application.

The transferor (the existing holder/s of the exploration licence or assessment lease) remains liable for any rent and levy liability up until the transfer is registered. We will advise you in writing if any fees are overdue.

If the authority/s to be transferred is a mineral owner authority/s, evidence that the transferee/s is the owner of the mineral/s must be provided to the Department. If evidence is not provided with the application under [Section 121\(3\)](#) of the *Mining Act 1992*, any approval of the transfer will be conditional upon evidence being provided prior to registration.

Only the **transferor** may complete this form (it **cannot** be submitted by the transferee). This form must be accompanied by the prescribed application fee and the consent of the transferee. For a partial transfer, it must also be accompanied by a plan identifying the area over which the new authority will apply.

If the transfer of an authority is approved, it may be registered **within three months** of being notified of the approval (refer to form [AD4 Application to register the transfer or part transfer of an authority](#)). The transfer will take effect upon registration. Either the transferor or the transferee may apply for registration.

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 Geoscience, Titles Services, PO Box 344, Hunter Region Mail Centre NSW 2310.
- **In person:** Submit your application in person at the Division of Resources and Geoscience's Titles Services office, 516 High Street, Maitland, New South Wales. Office hours are 9.30am to 4.30pm.

1 Type of transfer

Indicate if you are requesting a full or partial transfer.

Full transfer. Multiple exploration licences or assessment leases may be nominated if you wish to transfer in full. List the authorities below.

Type – exploration licence (EL) or assessment lease (AL)	Number	Act
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Partial transfer. List the authority below (you can only nominate one authority for a partial transfer per application).

Type – exploration licence (EL) or assessment lease (AL)	Number	Act
<input type="text"/>	<input type="text"/>	<input type="text"/>

2 Authority holder/s details (transferor)

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

Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Name	<input type="text"/>
ACN / ARBN	<input type="text"/>

Additional authority holders

Provide the full name and ACN or ARBN (for foreign companies), of additional lease holders.

<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	<input type="text"/>

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 (including DX)

4 Transferee/s details

Provide the full name of transferee/s and ACN/s or ARBN/s (for foreign companies). To be eligible to hold an authority, you must be a person 18 years of age or older, or a company eligible to undertake business in New South Wales. Provide the full name of applicant/s and if applicable, the ACN or ARBN (for foreign companies).

The applicant for a mining lease (mineral owner) application must be the owner/s of the mineral. If there is more than one owner the application must be made by all the owners.

Name	<input type="text"/>
Contact phone/email	<input type="text"/>

- This is an individual and is at least 18 yrs old.

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"/>
Contact phone/email	<input type="text"/>

- This is an individual and is at least 18 yrs old.

ACN / ARBN	<input type="text"/>
Registered street address	<input type="text"/>

Postal address	<input type="checkbox"/> Same as above Enter here if different
Name	
Contact phone/email	
	<input type="checkbox"/> This is an individual and is at least 18 yrs old.
ACN / ARBN	
Registered street address	
Postal address	<input type="checkbox"/> Same as above Enter here if different

Additional transferees

Provide the full name, ACN or ARBN (for foreign companies), registered street address and postal address details of additional transferees. For individuals you must provide a statement that the person is at least 18 yrs old.

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4.1 Mineral owner authority/s

Is the authority/s to be transferred a mineral owner authority?

- No. **Go to Question 5.**
- Yes. **Continue to Question 4.1.1.**

4.1.1 Evidence of mineral ownership

For the purposes of [Section 121\(3\)](#) of the *Mining Act 1992*, the proposed transferee must be the owner of the minerals prior to the transfer being registered. Evidence of ownership can be provided with this application or when applying to register a transfer. If providing evidence with this application. Attach the evidence that the transferee/s is the owner of the mineral/s to which the authority/s to be transferred relate. For the purposes of confirming a transferee's ownership of any mineral, the Secretary may require the applicant to provide further information, which may include written advice from an Australian legal practitioner certifying that the relevant evidence establishes that the transferee owns the mineral.

- I have attached evidence of mineral ownership.
- I have **NOT** attached evidence of mineral ownership.

5 Consent of the proposed transferee/s

Attach a letter/s of consent from the proposed transferee/s, on company letterhead where applicable, consenting to the transfer.

- I have attached a letter/s of consent from the proposed transferees.

6 Technical capability

Nominate a technical manager who will be responsible for supervising prospecting operations and geoscientific reporting. The technical manager is required to have tertiary qualifications in geoscience, mining engineering or other relevant qualifications and have appropriate experience in exploration for the commodity sought.

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 technical manager details and acceptance of the role.

OR

I have entered the 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 technical manager to support their acceptance of the role.

7 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.

8 Proposed work program

Before completing this part of the form, read the [Exploration guideline: work programs for prospecting titles](#). Check the box below to indicate you have attached it to this application.

Provide a proposed work program that meets the requirements of [Section 129A](#) of the *Mining Act 1992* (note that it is mandatory to use the [Mineral prospecting title work program](#) form available on the Division of Resources and Geoscience website).

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

When answering **Questions 9, 10, 11 and 12** and where you are seeking approval to transfer multiple authorities, ensure information and/or documentation is provided for all applicable authorities.

9 Marketing program or environmental study – assessment leases only

If the transferee has a marketing program or environmental study that differs to any program and/or study that may have been lodged with the initial assessment lease application/s, attach a copy of the new program and/or study.

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

No, I am not submitting any proposed marketing program or environmental study.

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

10 Rehabilitation cost estimate

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

If transferring more than one authority a separate [Form ESF2 – Rehabilitation Completion and/or Review of Rehabilitation Cost Estimate](#) form for each authority is required.

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

10.1 What is the total rehabilitation cost estimate?

The estimate should cover the estimated cost of rehabilitation for **all** prospecting operations on the part of the authority proposed for transfer.

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 of the authority 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 part of the authority proposed for transfer, including approved prospecting operations and those prospecting operations defined as exempt development.

Total rehabilitation cost estimate

\$

10.1.1 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.

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

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

- Exploration Activity Approvals
- Mining Project Approval/Development Consent
- Mining Operations Plan/Rehabilitation Management Plan

10.2 What period is covered by the estimate?

Current disturbance at date of application; or

Period covered by the Estimation

insert date	insert date
-------------	-------------

10.3 What security is currently held by the Department?

Current security held by the Department for the entire authority

\$

10.4 Does this rehabilitation cost estimate propose a reduced rehabilitation liability for the authorisation?

If the rehabilitation has been completed and the liability has been reduced, you may claim for a reduction in the security deposit amount.

- Yes. Ensure you have completed **Question 12**.
- No.

11 Security deposit– for full transfers only

11.1 Is the current security held in cash?

- Yes ▶ **Continue to Question 11.2**
- No ▶ **Go to Question 12**

11.2 Will the cash security deposit remain with the exploration licence or assessment lease?

- Yes, it will remain with the authority.
- No. The transferee must provide a replacement security when registration of transfer is lodged.

12 Completion of rehabilitation

12.1 Has rehabilitation been completed and deemed satisfactory?

Rehabilitation is deemed 'satisfactory' when:

- a [Form ESF2 – Rehabilitation Completion and/or Review of Rehabilitation Cost Estimate](#) is submitted to the Department by the authority holder, and
- the Department has formally notified the authority holder that the rehabilitation is satisfactory.

- Has rehabilitation (including any progressive/partial rehabilitation) already been completed and deemed satisfactory by the Department?

Provide details of correspondence including Department references below

- Has rehabilitation (including any progressive/partial rehabilitation) been completed and you would like to seek formal confirmation from the Department that rehabilitation is satisfactory, **without seeking a reduction in the security deposit?**

If **yes**, ensure you have completed and attached [Form ESF2 – Rehabilitation Completion and/or Review of Rehabilitation Cost Estimate](#) to this application.

- Has rehabilitation (including any progressive/partial rehabilitation) been completed and you would like to seek formal confirmation from the Department that rehabilitation is satisfactory, **and you are seeking a reduction in the security deposit?**

If **yes**, ensure you have completed and attached [Form ESF2 – Rehabilitation Completion and/or Review of Rehabilitation Cost Estimate](#) to this application.

- Rehabilitation has **not** been completed.

Proposed exploration area for partial transfers

This help text relates to **Questions 13, 14 and 15**.

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

For exploration licences described with graticular references (blocks and units): 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 13**

For assessment leases or exploration licences 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 licence 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 14**

For exploration (mineral owner) licences or assessment (mineral owner) leases: provide the lot and deposited plan numbers of the land or a standard map, as described in [Clause 9](#) of the *Mining Regulation 2016*, showing the alignment of the proposed licence 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 15**

If you consider these requirements to be unduly onerous you may request a variation or exemption from the requirements in accordance with [Clause 34](#) of the *Mining Regulation 2016*. Any request must include a justification for the request.

13 Proposed area for the partial transfer of an exploration licence described in graticular references (blocks and units)

Complete this question if you are applying for the transfer of **part** of the exploration licence 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*.

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

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

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

I have attached a standard map.

I have inserted my standard map below.

14.2 Co-ordinates of the proposed exploration/lease area

The co-ordinates are to be attached in a CSV format.

I have attached the co-ordinates to this application

Total area m² ha km²

Surface area m² ha km²

14.3 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

14.4 Depth restriction sought

Indicate the depth to which you require the licence/lease to extend.

Whole area metres

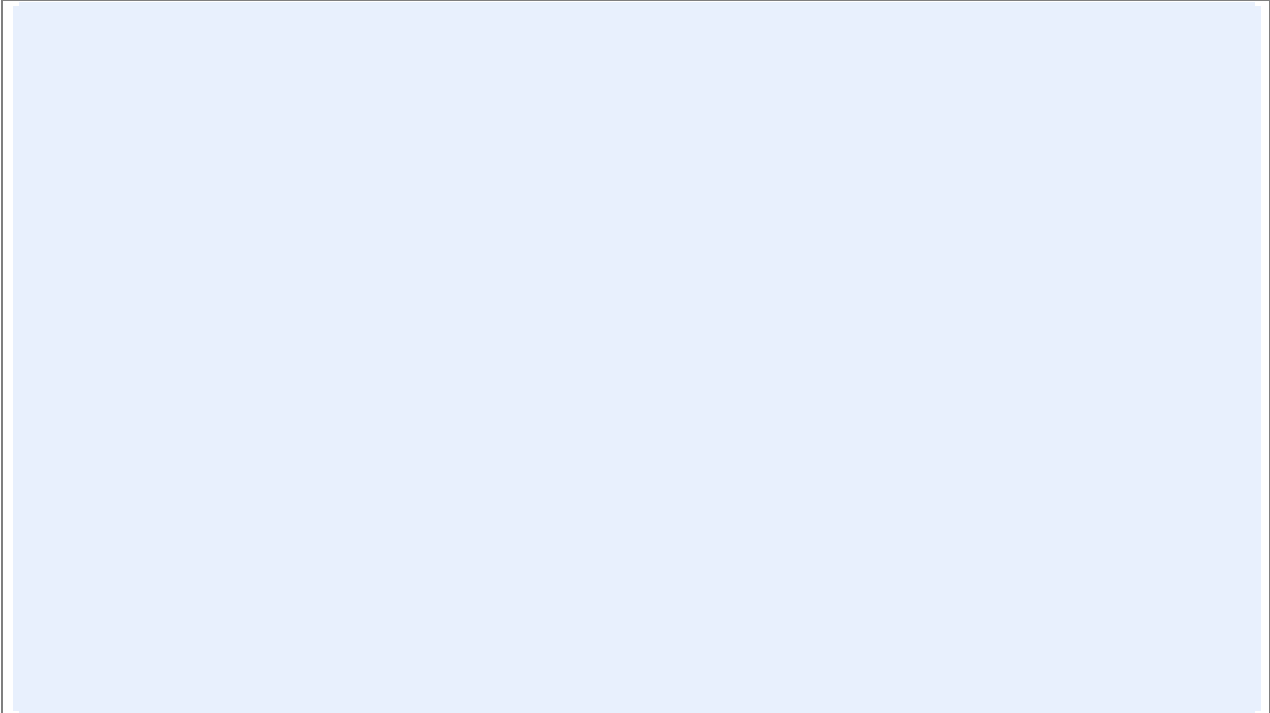
Part (must be shown on the map)

Various parts (must be shown on the map)

Nil

14.5 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

15 Proposed area for the partial transfer of an exploration mineral owner) licence or assessment (mineral owner) lease

Complete this question if you are applying for the transfer of **part** of the exploration (mineral owner) licence or assessment (mineral owner) lease area.

Use **Option A** (lot and deposited plan) or **Option B** (standard map) below to identify the proposed area for transfer.

Option A: Provide all the lots and associated deposited plans.

Lot number	<input type="text"/>
Deposited plan	<input type="text"/>
Lot number	<input type="text"/>
Deposited plan	<input type="text"/>
Lot number	<input type="text"/>

Deposited plan

Other land

If there is inadequate space above, provide lot and deposited plan of any other land in the part of the exploration (mineral owner) licence or assessment (mineral owner) lease proposed to be transferred.

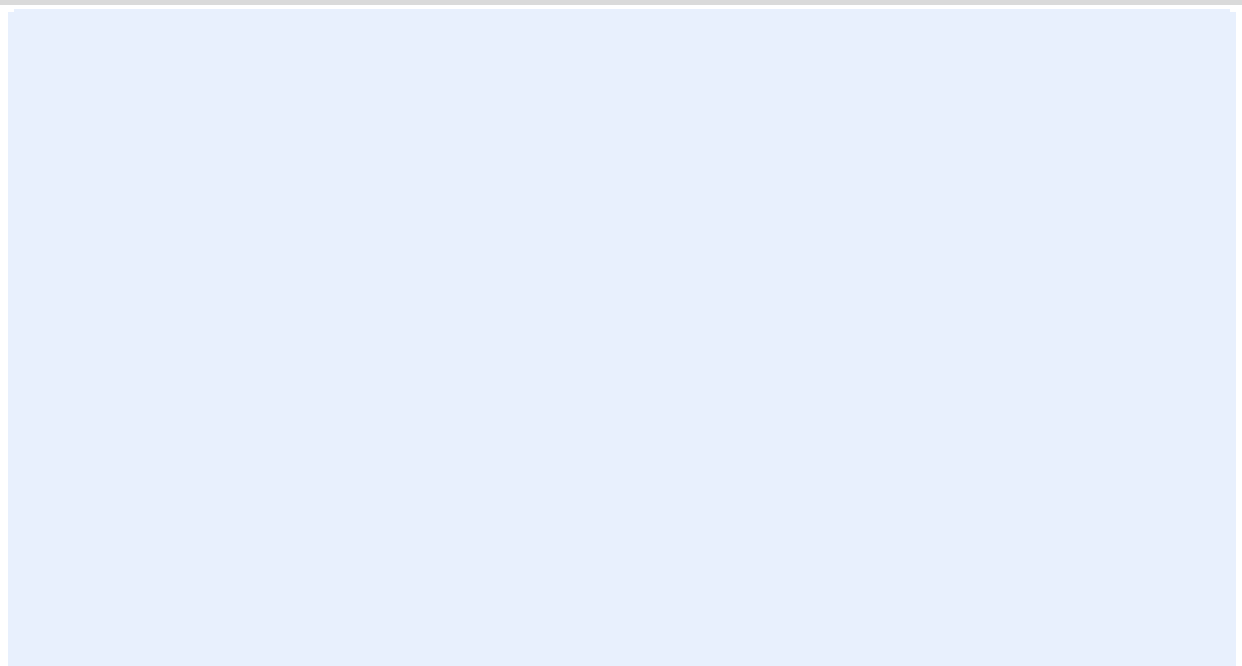
- Option B:** Provide a standard map, as described in [Clause 9](#) of the *Mining Regulation 2016*, which shows the alignment of the proposed licence/lease boundaries relative to the Map Grid of Australia, showing co-ordinates of all the points where there is a change in direction of the boundaries of the land.

If such a map is not available, you must provide either a cadastral map or, if that is not available, an aerial photograph.

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.



16 Notification of all parties

Have you notified all parties who have a legal or equitable interest registered against the exploration licence or assessment lease?

Yes. If yes, please confirm how you notified the relevant parties of the application for transfer approval and attach a copy of the notifications to this application.

By email
 By post
 Served in person

No. You cannot lodge this application.

Not applicable as no interests registered

17 Fee payment

Payment, proof of payment or details that allow the payment to be made must accompany this application form.

Fees

- Full transfer – the application fee amount is \$1,000 per authority.
- Partial transfer – the application fee amount is \$1,650 per authority.

Select your payment method

Direct deposit

Account name: Planning & Environment
 BSB: 032 001
 Account number: 114428
 Reference: TRF[authority identifier and number] (e.g. TRF EL 1234)

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 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
Evidence of transferee is the owner of the minerals – if applicable	<input type="checkbox"/>	Question 4
Consent of the proposed transferee	<input type="checkbox"/>	Question 5
Technical capability support documentation	<input type="checkbox"/>	Question 6
Statements of corporate compliance, environmental performance history and financial capability	<input type="checkbox"/>	Question 7
Proposed work program	<input type="checkbox"/>	Question 8
Marketing program or environmental study - if applicable	<input type="checkbox"/>	Question 9
Rehabilitation cost estimate	<input type="checkbox"/>	Question 10
Form ESF2 – Rehabilitation Completion and/or Review of Rehabilitation Cost Estimate – if applicable	<input type="checkbox"/>	Question 12
Proposed areas for the partial transfers – if applicable	<input type="checkbox"/>	Question 13, 14, 15
Notification of all parties	<input type="checkbox"/>	Question 16
For payments made by direct deposit or prepaid – 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 be providing outstanding information within 10 business days of lodging this application*.

*Failure to supply the information within this timeframe may be considered as grounds to refusing the application under Clause 6(d), Schedule 1B.

19 Declaration

This form should be signed by the transferor (in the case of a company a duly authorised officer) or an agent authorised to act on the transferor's behalf.

I/We declare that the information provided in this application is true and correct. I/We understand that under the *Crimes Act 1900* [Part 5A](#), knowingly 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 also guilty of an offence, for which they may be subject to prosecution.

19.1 Applicant/s – signed by transferor

Name	<input type="text"/>
Position/title	<input type="text"/>
Date	<input type="text"/>
Signature	<input type="text"/>

Name	<input type="text"/>
Position/title	<input type="text"/>
Date	<input type="text"/>
Signature	<input type="text"/>

Name	<input type="text"/>
Position/title	<input type="text"/>
Date	<input type="text"/>
Signature	<input type="text"/>

OR

19.2 Agent authorised to act for the transferor

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

Name	<input type="text"/>
Position/title	<input type="text"/>
Date	<input type="text"/>
Signature	<input type="text"/>

Office use only

Application received:

Time: Date:

Titles fee amount: \$700 (per authority) for Full Transfer or \$1,200 for Part Transfer

Fee amount

Treasury fee amount: \$300 (per authority) for Full Transfer or \$450 for Part Transfer

Fee amount

Total fee amount: \$1,000 (per authority) for Full Transfer or \$1,650 for Part Transfer

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: Director Titles Services

RM8 Reference: PUB17/695 (V17/10428)

Amendment schedule

Date	Version #	Amendment
01 March 2016	3.0	Legislation update, new template
06 March 2016	3.1	Hyperlinks updated, minor edits
01 April 2016	3.2	Hyperlinks updated, minor edits
03 May 2016	3.3	Hyperlink updated, changed date, added a line to part 16
02 December 2016	3.4	Amendments to the address requirements for the statements of corporate compliance, environmental performance history and financial capability, rehabilitation and coordinates
17 March 2017	3.5	Minor formatting fixes
1 April 2017	3.6	Update bank details, project codes, Dept name
26 April 2017	3.7	Division name change, minor administrative changes

1 September 2017	3.8	Correct numbering error in 11.1
October 2017	3.9	Update project codes, minor amendment to technical manager information, remove proof of identity, DPE branding, repair hyperlinks.
December 2017	3.10	Update DPE banking details and remove cost codes