March 2023

Application to renew an exploration licence

# *Form EL5, Mining Act 1992*

**Access the** [**Titles Management System (TMS) Portal**](https://meg.resourcesregulator.nsw.gov.au/mining-and-exploration/titles-management-system) **to lodge this application electronically.**

**Any required fee payments and attachments can be submitted through the portal.**

## **When to use this form**

**Complete this form if you are applying to renew an exploration licence or an exploration (mineral owner) licence under the *Mining Act 1992* in New South Wales.**

This form is an approved form under s 382 of the Mining Act for the purposes of s 113 (Applications for Renewal) of the Mining Act and cl 18 (Renewal of Exploration Licences) of the [Mining Regulation 2016](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498). Any reference to the ‘**Department**’ in this form, refers to the Department of **Regional NSW**.

## **How to lodge**

You can lodge your application (this form and any attachments) in the following ways:

* **By email:** titles@regional.nsw.gov.au
* **By mail:** Mining, Exploration and Geoscience, Assessments and Systems, PO Box 344, Hunter Region Mail Centre NSW 2310
* **In person:** in person at the Department’s office, 516 High Street, Maitland, New South Wales business days, between the hours of 9.30am and 4.30pm.
* **Facsimile:** +61 2 4063 6973

Lodgement of your application in any of the above ways is taken to be lodgement with the Secretary under the Mining Act.

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

Mining, Exploration and Geoscience - Assessments and Systems

**Phone: +61 2 4063 6600 (8.30am – 4.30pm)**

**Email:** titles@regional.nsw.gov.au

## **Important notes**

Timing for lodgement

Renewal applications must be lodged within the **three-month period** before midnight on the expiry date of the exploration licence.[[1]](#footnote-2) Following lodgement of a renewal application, the exploration licence will continue to have effect in relation to the land to which the application relates until the application is finally disposed of.

Accompanying documentation

All information specified in this form, and all required documents, things or information required to be lodged with your application, should be provided at lodgement.

A decision-maker may reject the application if the applicant does not supply the statement of corporate compliance, environmental performance history and financial capability required under cl 18(1)(d1) of the Regulation and the work program as required by cl 18(1)(f) and 35 of the Regulation within 10 business days of making the application,[[2]](#footnote-3) and in relation to partial renewals, the description of land and required by s 113(5) of the Mining Act and cl 18(2) of the Regulation.

Until it is amended by proclamation, Sch 1B cl 6 also provides separate grounds for the decision-maker to refuse an application on the basis that the applicant has failed to lodge any information required to accompany the application within 10 business days after the application is lodged.

If there is insufficient room in any of the fields in this form, please provide the information as an attachment submitted with this form, marking clearly the field or other requirement to which the additional information relates.

A decision-maker may require you to furnish further information in connection with your application and may refuse the application if you do not furnish that information within the specified period.[[3]](#footnote-4)

Minimum standards

In determining an application for the renewal of an exploration licence, the decision-maker may take into account whether the applicant meets the publicised ‘minimum standards’.[[4]](#footnote-5) The [*Minimum standards for work programs and technical and financial capability*](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) are available on the Department’s website. Failure to meet the applicable minimum standards is a ground of refusal.[[5]](#footnote-6) The [minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) apply to an applicant’s proposed work program,[[6]](#footnote-7) and their technical and financial capability to carry out the proposed work program.[[7]](#footnote-8)

Agents

If this application is lodged by an agent on behalf of the applicant/s, 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.[[8]](#footnote-9)

Determination of your application

Once your complete application has been received, it will be determined by way of granting or refusing the renewal in accordance with the Mining Act and Regulation.

1. Exploration licence details

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Type |       | Number |       | Act Year |       | Expiry date |       |

1. Term for which renewal is sought

|  |  |  |
| --- | --- | --- |
| Years sought |        | Note the maximum term is * 6 years, or
* 2 years (for exploration (mineral owner) licence/s)
 |

1. Licence holder/s details

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

|  |
| --- |
| 1st Licence holder |
| Name |       |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

|  |
| --- |
| 2nd Licence holder |
| Name |       |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

Additional licence 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 licence holders.

|  |
| --- |
| Additional licence holder |
|       |

1. Licence holder/s seeking renewal

Refer to s116 of the Mining Act*.*

* 1. Where the exploration licence is held by more than one holder, are all holders seeking renewal?

[ ]  Yes

[ ]  No – I have attached written confirmation from the holder/s who is not seeking renewal that they do not wish the authority to be renewed in their name.

1. Contact for this application and service

Any correspondence in relation to this application and any subsequent authority will be sent to this person, including documents that the Department is required to serve.

|  |
| --- |
| Details |
| Contact name |       |
| Position held |       |
| Company |       |
| Postal address |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email (required) |       |
| Email for service of documents (required) |       |

The Department will contact you and **serve** documents related to your licence **via the email address specified above**.

* 1. Your preferred contact method

If you would **also** like a copy of documents to be sent to you by mail to the postal address indicated above, please check the box below.

[ ]  I request that copies of documents and communications are also sent to me by mail.

1. Mineral/s sought for renewal

Are you renewing a mineral owner licence?

[ ]  No – **go to Section 6.1**

[ ]  Yes – **go to Sections 6.2 and 6.3**

* 1. Group of mineral/s

Are you seeking renewal for **all of the mineral groups** currently held?

[ ]  Yes

[ ]  No – if no, select the group/s you wish to retain:

|  |
| --- |
| Groups of mineral/s |
| [ ]  | Group 1 (Metallic minerals) |
| [ ]  | Group 2 (Non-metallic minerals) |
| [ ]  | Group 3 (Semi-precious stones) |
| [ ]  | Group 4 (Marine aggregate) |
| [ ]  | Group 5 (Clay minerals) |
| [ ]  | Group 6 (Corundum, diamond, ruby and sapphire) |
| [ ]  | Group 7 (Opal) |
| [ ]  | Group 8 (Geothermal energy) |
| [ ]  | Group 9 (Coal) |
| [ ]  | Group 9A (Oil shale) |
| [ ]  | Group 10 (Mineral sands) |
| [ ]  | Group 11 (Uranium and thorium) |
| [ ]  | Group 12 (Hydrogen and non-metals) |

**Note in relation to renewal of Groups 9 and 9A**

On 18 December 2015, Group 9 minerals (previously coal and oil shale) were split into Group 9 (coal) and Group 9A (oil shale). On renewal, the Department will be updating all exploration licences to reflect whether they relate to Group 9, Group 9A or both.

On renewal:

1. if your existing exploration licence refers to oil shale, it will be updated to refer to Group 9A. If your exploration licence only relates to oil shale (and not coal), it will be updated to refer to Group 9A only

2. if your existing exploration licence refers to Group 9 minerals generally, provided it was granted before 18 December 2015, it will be updated to refer to both Group 9 and Group 9A (subject to the following).

If you do not wish to renew in relation to a group you currently hold, then select the groups you wish to retain from the list above.

Note that if your renewed exploration licence refers to both Groups 9 and 9A, your work program must address both of these minerals (see Question 13 and the [Exploration guideline: work programs for prospecting titles](https://www.regional.nsw.gov.au/meg/exploring-and-mining/application-forms-and-fees/mining-act-1992-forms)).

* 1. Privately owned mineral/s

Are you seeking renewal for **all of the mineral/s** you currently hold?

[ ]  Yes

[ ]  No – if no, select the mineral/s you wish to retain:

|  |
| --- |
| mineral/s |
| [ ]  | agate | [ ]  | graphite | [ ]  | potassium salts |
| [ ]  | antimony | [ ]  | gypsum | [ ]  | pyrophyllite |
| [ ]  | apatite | [ ]  | halite (including solar salt) | [ ]  | quartz crystal |
| [ ]  | argon  | [ ]  | helium other than excluded helium  | [ ]  | quartzite |
| [ ]  | arsenic | [ ]  | hydrogen | [ ]  | radon |
| [ ]  | asbestos | [ ]  | ilmenite | [ ]  | rare earth minerals |
| [ ]  | barite | [ ]  | indium | [ ]  | reef quartz |
| [ ]  | bauxite | [ ]  | iron minerals | [ ]  | rhodonite |
| [ ]  | bentonite (inc. fuller’s earth) | [ ]  | jade | [ ]  | rubidium |
| [ ]  | beryllium minerals | [ ]  | kaolin | [ ]  | ruby |
| [ ]  | bismuth | [ ]  | krypton | [ ]  | rutile |
| [ ]  | borates | [ ]  | lead | [ ]  | sapphire |
| [ ]  | cadmium | [ ]  | leucoxene | [ ]  | scandium and its ores |
| [ ]  | caesium | [ ]  | limestone | [ ]  | selenium |
| [ ]  | calcite | [ ]  | lithium | [ ]  | serpentine |
| [ ]  | chalcedony | [ ]  | magnesite | [ ]  | sillimanite-group minerals |
| [ ]  | chert | [ ]  | magnesium salts | [ ]  | silver |
| [ ]  | chlorite | [ ]  | manganese | [ ]  | sodium salts |
| [ ]  | chromite | [ ]  | marble | [ ]  | staurolite |
| [ ]  | clay/shale | [ ]  | marine aggregate | [ ]  | strontium minerals |
| [ ]  | cobalt | [ ]  | mica | [ ]  | structural clay |
| [ ]  | columbium | [ ]  | mineral pigments | [ ]  | sulphur |
| [ ]  | copper | [ ]  | molybdenite | [ ]  | talc |
| [ ]  | corundum | [ ]  | monazite | [ ]  | tantalum |
| [ ]  | cryolite | [ ]  | neon | [ ]  | thorium |
| [ ]  | diamond | [ ]  | nephrite | [ ]  | tin |
| [ ]  | diatomite | [ ]  | nickel | [ ]  | topaz |
| [ ]  | dimension stone | [ ]  | niobium | [ ]  | tourmaline |
| [ ]  | dolomite | [ ]  | oil shale | [ ]  | tungsten and its ores |
| [ ]  | emerald | [ ]  | olivine | [ ]  | turquoise |
| [ ]  | emery | [ ]  | opal | [ ]  | vanadium |

|  |
| --- |
| mineral/s |
| [ ]  | feldspathic materials | [ ]  | ores of silicon | [ ]  | vermiculite |
| [ ]  | fluorite | [ ]  | peat | [ ]  | wollastonite |
| [ ]  | galena | [ ]  | perlite | [ ]  | xenon |
| [ ]  | garnet | [ ]  | phosphates | [ ]  | zeolites |
| [ ]  | geothermal energy | [ ]  | platinum | [ ]  | zinc |
| [ ]  | germanium | [ ]  | platinum group minerals | [ ]  | zircon |
| [ ]  | gold | [ ]  | potassium minerals | [ ]  | zirconia |

* 1. Evidence of ownership of privately-owned minerals

You must provide evidence that the minerals the subject of this application are owned by the holder/s such as copies of the land grants and searches indicating the minerals sought are privately owned by the holder. For the purposes of confirming a holder’s ownership of any mineral, you may be required to provide further information, which may include written advice from an Australian legal practitioner certifying that the relevant evidence establishes that the holder owns the mineral.

[ ]  Yes – I have attached evidence that the minerals are owned by the holder/s

1. Area of exploration licence sought to be renewed

Are you seeking to renew the exploration licence over the **whole** of the area to which it currently applies?

[ ]  Yes – go to Section 12 of this form.

[ ]  No – describe the land sought for part renewal according to Sections 8 - 11 of this form (as applicable).

* The renewal area sought must be ‘genuinely required’ to support the proposed work program accompanying your application, unless special circumstances exist to justify retaining a larger area than that ‘genuinely required’.
* The maximum number of parts of an exploration licence area you can apply to renew is five (5)[[9]](#footnote-10)
* You cannot apply for area that was not subject to the licence immediately before the renewal).
1. Description of land sought for part renewal - Groups 1-8 and 10-12 only

Complete this question if you are applying to renew **part** of the licence area. For Groups 1-8 and 10-12 minerals, identify the name of the 1:1,000,000 map sheet (eg Sydney), the block number and unit references as described in sch 4 of the Regulation.

In the table below, identify the area sought for renewal by providing the map sheet, block number, unit and total number of units sought for renewal.

If there is insufficient fields in the table below, please provide in attachment.



| Name of map sheet | Block number | Unit letter/s to be renewed (list from a to z except ‘i') | Total units per block |
| --- | --- | --- | --- |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
| **Total number of units applied for** |  |

* 1. Depth of surface exception in metres

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

|  |
| --- |
| Depth of surface exception in metres |
| [ ]  | Whole area |        | metres |
| [ ]  | Part (indicate which part is subject to the surface exception and attach to this application) |
| [ ]  | Various parts (indicate which parts are subject to the surface exception and attach to this application) |
| [ ]  | Nil |

* 1. Depth restriction sought in metres

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

|  |
| --- |
| Depth restriction sought |
| [ ]  | Whole area |        | metres |
| [ ]  | Part (indicate which part is subject to the surface exception and attach to this application) |
| [ ]  | Various parts (indicate which parts are subject to the depth restriction and attach to this application) |
| [ ]  | Nil |

1. Description of land sought for part renewal - for Group 9 only (coal)
	1. Map of area sought for renewal

Provide a standard map which shows the alignment of the proposed licence boundaries relative to the Map Grid of Australia, showing coordinates 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, or

[ ]  I have inserted my standard map below:



* 1. Coordinates of area sought for renewal

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

[ ]  I have attached a CSV file with the MGA94 coordinates to this application

|  |
| --- |
| MGA94 coordinates to this application |
| Total area |       | [ ]  m2 | [ ]  ha | [ ]  km2 |
| Surface area |       | [ ]  m2 | [ ]  ha | [ ]  km2 |

* 1. Depth of surface exception in metres

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

|  |
| --- |
| Depth of surface exception in metres |
| [ ]  | Whole area |        | metres |
| [ ]  | Part (must be shown on the map) |
| [ ]  | Various parts (must be shown on the map) |
| [ ]  | Nil |

* 1. Depth restriction sought in metres

Indicate the depth to which you require the licence to extend. Note that for Group 9 (coal) the maximum depth that any licence will be renewed is 900 metres below Australian height datum (AHD):

|  |
| --- |
| Depth restriction sought |
| [ ]  | Whole area | Embraces the surface and soil below thereof (as otherwise limited by a surface exception) to a depth of 900 metres below AHD |
| [ ]  | Part (must be shown on the map) |
| [ ]  | Various parts (must be shown on the map) |

1. Description of land sought for part renewal - Group 9A (oil shale) only
	1. Map of area sought for renewal

Provide a standard map which shows the alignment of the proposed licence boundaries relative to the Map Grid of Australia, showing coordinates 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, or

[ ]  I have inserted my standard map below:



* 1. Coordinates of area sought for renewal

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

[ ]  I have attached a CSV file with the MGA94 coordinates to this application

|  |
| --- |
| MGA94 coordinates to this application |
| Total area |       | [ ]  m2 | [ ]  ha | [ ]  km2 |
| Surface area |       | [ ]  m2 | [ ]  ha | [ ]  km2 |

* 1. Depth of surface exception in metres

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

|  |
| --- |
| Depth of surface exception in metres |
| [ ]  | Whole area |        | metres |
| [ ]  | Part (must be shown on the map) |
| [ ]  | Various parts (must be shown on the map) |
| [ ]  | Nil |

* 1. Depth restriction sought in metres

Indicate the depth to which you require the licence to extend. Note that for Group 9A (oil shale) the maximum depth that any licence will be granted is 900 metres below Australian height datum (AHD):

|  |
| --- |
| Depth restriction sought |
| [ ]  | Whole area | Embraces the surface and soil below thereof (as otherwise limited by a surface exception) to a depth of 900 metres below AHD |
| [ ]  | Part (must be shown on the map) |
| [ ]  | Various parts (must be shown on the map) |

1. Description of land sought for part renewal - exploration (mineral owner) licence only

Complete this question if you are applying for the renewal of **part** of the exploration (mineral owner) licence area only. Provide the lot and deposited plan numbers of the **area to be renewed**:

|  |
| --- |
| Lot and deposited plan numbers |
| Lot number |       |
| Deposited plan |       |
|  |
| Lot number |       |
| Deposited plan |       |
|  |
| Lot number |       |
| Deposited plan |       |

* 1. Other land

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

1. Renewal justification statement

Applications for renewal of exploration licences must be accompanied by a ‘renewal justification statement’.[[10]](#footnote-11)

The area of land over which renewal of an exploration licence is sought must be ‘genuinely required’ to support the proposed work program accompanying your application, unless ‘special circumstances’ exist to justify retaining an area greater in size than that ‘genuinely required’.[[11]](#footnote-12)

In deciding whether an area of land is ‘genuinely required’ to support a proposed work program, the decision-maker may have regard to the renewal justification statement and your performance measured against previous work programs for the exploration licence.[[12]](#footnote-13) The decision-maker may also have regard to information and reports provided under a requirement of the Mining Act, Regulation or the conditions of the exploration licence.

The renewal justification statement must:

* be prepared using the form [Renewal justification statement for exploration licences](https://meg.resourcesregulator.nsw.gov.au/sites/default/files/documents/rjs-for-prospecting-titles-fillable-form.docx) in accordance with the [Guide to completing a renewal justification statement](https://www.resourcesregulator.nsw.gov.au/sites/default/files/documents/guide-to-completing-a-renewal-justification-statement.pdf) and
* contain:
* information on the details of the operations carried out on land within the licence during the current term of the authority, including types of operations carried out, a map showing the location of operations carried out, and any expenditure incurred in relation to those operations[[13]](#footnote-14)
* a summary of the results of operations carried out on the land and the conclusions reached in relation to the potential resources of the land[[14]](#footnote-15)
* a statement giving reasons why the decision-maker should be satisfied of the matter in s 114A(1)(a) of the Mining Act i.e. that the renewal area sought is ‘genuinely required’ to support the proposed work program accompanying your application[[15]](#footnote-16)
* a statement giving reasons why the decision-maker should be satisfied of the matter in s 114A(1)(b) of the Mining Act i.e. that ‘special circumstances’ exist to justify retaining an area greater in size than that ‘genuinely required’[[16]](#footnote-17)
* a statement giving the reasons as to why the renewal is justified.[[17]](#footnote-18)

Tick the relevant box below to indicate you have attached a renewal justification statement to this application.

[ ]  I have attached a renewal justification statement as set out above.

1. Proposed work program

Applications for renewal of exploration licences must be accompanied by a work program for the proposed term of renewal.[[18]](#footnote-19) The proposed work program must:

* be prepared using the [Prospecting authority work program form](https://meg.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/form-prospecting-authority-work-program.pdf) in accordance with the *Work programs for prospecting titles guideline*
* comply with the content requirements for work programs set out in cl 35 of the Regulation
* meet the [minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) for work programs.[[19]](#footnote-20)

Tick the relevant box below to indicate that you have attached a proposed work program to this application.

[ ]  I have attached a proposed work program as set out above.

1. Technical capability
	1. Technical capability

Applications for renewal of exploration licences must demonstrate that the applicant has the technical capability to carry out the proposed work program.[[20]](#footnote-21) In accordance with the [minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf), a key requirement for demonstrating technical capability is appointing an appropriate technical manager who will be responsible for guiding work programs, supervising prospecting operations, and for geoscientific reporting.

The renewal application must:

* be accompanied by particulars of technical advice available to the applicant;[[21]](#footnote-22)
* meet the [minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) with respect to the technical capability to carry out the proposed work program[[22]](#footnote-23), including particulars of the applicant’s technical manager.[[23]](#footnote-24)
	1. Technical manager

You can attach required information about your technical manager by using the form [Template for technical managers](https://meg.resourcesregulator.nsw.gov.au/mining-and-exploration/applying-to-explore-and-mine-nsw/mining-act-1992-forms) or enter the information below. Tick the relevant box below to indicate which option you have selected:

[ ]  I have attached the form [Template for technical managers](https://meg.resourcesregulator.nsw.gov.au/mining-and-exploration/applying-to-explore-and-mine-nsw/mining-act-1992-forms) 🞂 **Go to Question 15**

**OR**

[ ]  Information about the technical manager satisfying the requirements of the [Minimum Standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf), their details and their acceptance is provided below, in Parts 14.2.1, 14.2.2, and 14.2.3 below.

* + 1. Technical manager professional membership/qualifications

The technical manager must have either ‘A’ or ‘B’ below (tick as appropriate):

A. [ ]  Membership with a recognised relevant professional organisation at the minimum level of *Member*, with the required degree qualification related to the geosciences:

|  |
| --- |
| Provide the name and member number of any relevant professional association(s) to which the technical manager belongs:  |
| [ ]  AusIMM [ ]  AIG membership number:        [ ]  Other - please specify (including membership number):      Provide details of the degree qualification related to the geosciences (e.g. B. Science (Geology)):         |

**OR**

B. [ ]  5 years or more experience working in the deposit setting that is proposed in the work program (in this case you must attach the technical manager’s curriculum vitae to evidence this if not already supplied to the Department).

* + 1. Technical manager conduct

The technical manager must also meet certain conduct requirements.

Has the technical manager:

* at any time had their membership refused, revoked or suspended by any relevant professional organisation(s) for conduct-related reasons?

[ ]  Yes [ ]  No

* in the past 10 years, been convicted of an offence under the Mining Act, the *Protection of the Environment Operations Act 1997* or other relevant legislation (as defined in the [Minimum standards](https://www.regional.nsw.gov.au/meg/exploring-and-mining/compliance-and-reporting/mineral-prospecting-minimum-standards))?

[ ]  Yes [ ]  No

|  |
| --- |
| If you ticked yes to either or both of the above, please provide details:  |
|       |

* + 1. Technical manager contact details

|  |
| --- |
| Technical manager contact details |
| Name |       |
| Position |       |
| Company |       |
| Phone (incl. area code) |       |
| Mobile |       |
| Email |       |
| Technical manager acceptance**Signature** **of the nominated technical manager** In signing below, I hereby:* confirm my acceptance of the role; and
* certify that the information provided in response to Parts 14.2.1 and 14.2.2, is true and correct to the best of my knowledge and belief.
* confirm that I understand that under the *Crimes Act 1900 NSW* Part 5A, knowingly or recklessly giving false or misleading information is a serious offence, and that under the Mining Act s 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.
 |

Date:

1. Financial capability and resources

Applications for renewal of exploration licences must demonstrate that the applicant has the financial capability to carry out the proposed work program.[[24]](#footnote-25)

The renewal application must:

* + meet the [Minimum Standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) relating to financial capability[[25]](#footnote-26)
	+ be accompanied by particulars of financial resources available to the applicant.[[26]](#footnote-27)

Answers to the questions relating to financial capability in Parts 15.1 and 15.2 below should be given having regard to:

* + the work program and proposed operations
	+ obligations under the exploration licence
	+ current assets and liabilities.
	1. Financial status

Is any applicant bankrupt or a body corporate that is subject to a scheme of arrangement, receivership, winding up or other external administration?

[ ]  Yes [ ]  No

**Note:** this includes each applicant where there is more than one applicant.

* 1. Access to capital and financial resources

You must be able to answer yes to at **least one** of the following three questions.

**A**. Does at least one applicant have sufficient capital available over the term to meet the forecast expenditure and committed objectives of the entire proposed work program?

 [ ]  Yes [ ]  No

**B.** Is at least one applicant subject to an agreement with a third party for the provision of finance to meet the forecast expenditure and committed objectives of the entire proposed work program (e.g. a deed)?

 [ ]  Yes [ ] No

**C**. Has at least one applicant’s board members or corporate officers successfully raised capital in the past for similar exploration programs in NSW or other jurisdictions?

 [ ]  Yes [ ]  No

Please provide any other particulars of the financial resources available to the applicant:

|  |
| --- |
|       |

1. Statements of corporate compliance, environmental performance history and financial capability

Applications for renewal of exploration licences must be accompanied by a statement of the corporate compliance, environmental performance history and financial capability of the applicant, made in the approved form.[[27]](#footnote-28) The approved form is the Statements of corporate compliance, environmental performance history and financial capability form (**SOCH**) available through the [Resources Regulator portal](https://nswresourcesregulator.service-now.com/regulator) on the Department’s [website](https://www.resourcesregulator.nsw.gov.au/rehabilitation/resources/rehabilitation-forms).

[ ]  I have submitted a new SOCH online the reference number is

1. Activity approvals
	1. Approved Category 2, Category 3 or ‘Assessable prospecting operations’

Any prospecting operations which are **not** defined as ‘Exempt Development’ under cl 10 of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* require approval under the [*Environmental Planning and Assessment Act 1979*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203) before they commence. Refer to the guideline [ESG5: Assessment requirements for exploration activities](https://www.resourcesregulator.nsw.gov.au/sites/default/files/documents/attachment-i-final-esg5-assessment-requirements-for-exploration-activities.pdf) for more information on activities.

Are there any Category 2, Category 3 or ‘Assessable prospecting operations’ that have been approved and are continuing into the new term of the authorisation?

|  |
| --- |
| Assessable prospecting operations |
| [ ]  | **Yes** – there are Category 2, Category 3 or ‘Assessable prospecting operations’ that have been approved and are continuing into the new term of the authorisation. (Enter the activity approval numbers below).Activity approval numbers       |
| [ ]  | **No** |

* 1. What security deposit amount is currently held by the Department

|  |
| --- |
| Current security held by the Department |
| $       |

1. Environmental and rehabilitation reporting

Depending on the exploration licence conditions, you may need to submit an Environmental and Rehabilitation Compliance Report with the renewal application, prepared in accordance with [ESG4: Guideline for preparing an Environmental and Rehabilitation Compliance Report](https://www.resourcesregulator.nsw.gov.au/meg.site/mining-and-exploration/compliance-and-reporting/exploration-reporting). An ‘Environmental and Rehabilitation Compliance Report’ is referred to using varying terms depending upon the exploration licence conditions and includes: Environmental Management Report; Environmental and Rehabilitation Report; Compliance and Rehabilitation Report; Environmental and Rehabilitation Compliance Report.

* 1. Do the licence conditions require an Environmental and rehabilitation compliance report?

[ ]  No

[ ]  Yes – I have attached the required report

1. Fee payment

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

* 1. Fees and calculation
1. the application fee amount is $2,000
2. the area fee is:
* for Groups 1-8, 10 and 11 minerals: $12.50 per unit per year for the initial group of minerals; $6.25 per unit per year for additional groups
* for Groups 9 and 9A: $2.00 per hectare or part hectare, per year
* **Note:** Group 9 was split into two groups on 18 December 2015. Group 9 includes coal only and Group 9A includes oil shale only. If you are renewing an exploration licence for Group 9 you also retain the rights to explore for Group 9A, however you only need to pay the area fee for one group.
* for exploration (mineral owner) licences: $2.00 per hectare or part hectare per year

Below are sample calculations.



* 1. Select your payment method

|  |  |
| --- | --- |
| Select | Payment method |
| [ ]  | **Direct deposit**Account name: Department of Regional NSW BSB: 032 001Account number: 183837Reference: REN [authority type and number] (eg REN EL1234)If you are paying by direct deposit, attach a copy of the receipt issued by your banking authority as evidence that you have paid. |
| [ ]  | **Credit card\***  |
| To pay by credit card, please tick the credit card box and contact Resource Operations on (02) 4063 6600 to speak to a customer service representative. To comply with PCI-DSS your Credit Card information is never stored on file.You may also submit the application on TMS. |
| \*Credit card merchant fees are applicable to all credit card payments and will be added to the payment amount at the following rates: Visa & Mastercard: 0.4% Amex: 1.4%  |

1. Checklist of items to be included in this application

|  |  |  |
| --- | --- | --- |
| Item |  | Reference |
| Confirmation from any holder/s not seeking renewal (if applicable) | [ ]  | Question 4 |
| Evidence of mineral ownership (if applicable) | [ ]  | Question 6 |
| For mineral Groups 1-8 and Groups 10-12 only – details to indicate depth of surface exception and depth restrictions for part areas (if applicable) | [ ]  | Question 8 |
| For Groups 9 or 9A only – map of the area sought for renewal (if applicable) | [ ]  | Question 9 and 10 |
| For Groups 9 or 9A only – coordinates of the area sought for renewal (if applicable) | [ ]  | Question 9 and 10 |
| Renewal justification statement | [ ]  | Question 12 |
| Proposed work program  | [ ]  | Question 13 |
| Technical capability documentation (if applicable) | [ ]  | Question 14 |
| Statement of corporate compliance, environmental performance history and financial capability (where not lodged online) | [ ]  | Question 16 |
| Environmental and rehabilitation reporting (if applicable) | [ ]  | Question 17 |
| For payments made by direct deposit - proof of payment | [ ]  | Question 18 |
| For agents only – evidence of appointment as agent | [ ]  | Question 20 |

* 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\*

Failure to supply the information within this timeframe may be considered as grounds for refusing the application under cl6(d) sch1B

1. Declaration

Each applicant (or the authorised officer or agent) must complete the declaration below and sign this form.

* (For companies and agents) I declare that I am authorised to complete and lodge this application.
* 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 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.

|  |
| --- |
| 1st Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | Agent Signature |

|  |
| --- |
| 2nd Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | Agent Signature |

* 1. Agent authorised to act for this applicant/s

Evidence of appointment is required.

|  |
| --- |
| Agent details |
| Name |       |
| Position/title |       |
| Company |       |
| Postal address |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email |       |
| Date |       |
| Signature | Agent Signature |

Evidence of appointment:

[ ]  I have attached evidence of appointment to this application

# Office/Administrative use only

|  |
| --- |
| Application received: |
| Time: |       | Date: |       |
| Officer’s Name |       |
| Signature | Office use only signature |
| **Application fee amount:** $2,000 (per exploration licence) |
| Fee amount | $       |
| **Area fee amount:** Area fee is $12.50/unit (or part unit)/year for the first group, $6.25/unit (or part unit)/year for additional groups or $2.00/ha/year or part hectare for Group 9 and 9A or mineral owner licence/s |
| Area fee amount | $       |
| **Total amount:** | $       |
| **Receipt number** |       |

# Document control

Approved by: Executive Director, Assessments and Systems, Regional NSW, under delegation from the Minister administering the Mining Act.

CM9 Reference: RDOC22/121779

|  |
| --- |
| 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 |
| August 2022 | 2.0 | Form updated to include Minimum standards criteria.Form updated to remove requirement for rehabilitation completion information, update SOCH submission information, and to modify credit card payment detailsNew format to reflect new template Regional NSW/MEGUpdate contact details to reflect @regional email addressUpdated footer; date and document numberReviewed links to legislation |
| February 2023 | 3.0 | Form updated to reflect commencement of Mining Regulation 2016 on 1 March 2023 and administrative updates. Included information on protected reserves and incomplete applications.Updated to reflect the commencement of relevant exploration licence renewal provisions of the *Mining and Petroleum Legislation Amendment Act 2022* and the commencement of the Renewal of mineral and coal exploration licence policy |

1. Section 113(2), Mining Act; cl 32B(a), Regulation. [↑](#footnote-ref-2)
2. Section 381B, Mining Act; cl [94AA(4)](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498#sec.94A)(b), Regulation. [↑](#footnote-ref-3)
3. Sch. 1B cl 5, Mining Act. [↑](#footnote-ref-4)
4. Sch. 1B cl 4, Mining Act. [↑](#footnote-ref-5)
5. Sch. 1B, cl 6(b), Mining Act. [↑](#footnote-ref-6)
6. Sch. 1B cl 4(g), Mining Act. [↑](#footnote-ref-7)
7. Sch. 1B cl 4(a), Mining Act. [↑](#footnote-ref-8)
8. Clause 97, Regulation. [↑](#footnote-ref-9)
9. Clause 18(3) Regulation. [↑](#footnote-ref-10)
10. Clause 18(1)(e), Regulation. [↑](#footnote-ref-11)
11. Section 114A, Mining Act. [↑](#footnote-ref-12)
12. Clause 32C(a) & (b), Regulation. [↑](#footnote-ref-13)
13. Clause 18(1)(e)(i), Regulation. [↑](#footnote-ref-14)
14. Clause 18(1)(e)(ii), Regulation. [↑](#footnote-ref-15)
15. Clause 18(1)(e)(iia), Regulation. [↑](#footnote-ref-16)
16. Clause 18(1)(e)(iia), Regulation. [↑](#footnote-ref-17)
17. Clause 18(1)(e)(iii), Regulation. [↑](#footnote-ref-18)
18. Section 129A, Mining Act; cl 18(1)(f), Regulation; cl 35, Regulation. [↑](#footnote-ref-19)
19. Schedule 1B, cl. 2(1)(b), cl 4(g) & cl (6)(b)(i), Mining Act. [↑](#footnote-ref-20)
20. Schedule 1B, cl. 2(1)(b) & 6(b)(ii), Mining Act. [↑](#footnote-ref-21)
21. Clause 18(1)(d), Regulation. [↑](#footnote-ref-22)
22. Schedule 1B, cl. 2(1)(b), cl 4(a) & cl (6)(b)(ii), Mining Act. [↑](#footnote-ref-23)
23. Clause 14(1)(g), Regulation. [↑](#footnote-ref-24)
24. Sch. 1B, cl 6, Mining Act. [↑](#footnote-ref-25)
25. Schedule 1B, cl. 4(a), Mining Act. [↑](#footnote-ref-26)
26. Clause 18(1)(d), Regulation. [↑](#footnote-ref-27)
27. Clause 18(1)(d1), Regulation. [↑](#footnote-ref-28)