

# Notice under Section 26C of the *Native Title Act 1993 (Cth)* Proposed Request for Commonwealth Minister to determine an approved opal or gem mining area

This notice is given in accordance with section 26C(5) of the *Native Title Act 1993 (Cth)*.

## Description of the nature of the act

The NSW Attorney General, as the State Minister for native title in NSW, is intending to make a request to the Commonwealth Attorney General, as the Commonwealth Minister for native title, to determine that the area described below within the White Cliffs Mineral Claims District is an approved opal or gem mining area under section 26C of the *Native Title Act 1993 (Cth)*.

If an approved opal or gem mining area determination is made under section 26C of the *Native Title Act 1993 (Cth)*, the right to negotiate provisions under the *Native Title Act 1993 (Cth)* will not apply to individual grants for exploring or prospecting, mining or puddling in respect of opals or gems, under the *Mining Act 1992 (NSW)* in the area.

In an approved opal or gem mining area, future grants to authorise exploring or prospecting, mining or puddling for opals or gems would be permitted for a period of no more than 5 years (and if a renewal is allowed, for a period of no longer than 5 years for each renewal), in an area:

- for mining or puddling for opal or gems, no larger than 5 hectares; or
- for exploration or prospecting for opals or gems no larger than 500 hectares.

## Description of area

The request applies to all areas where native title has been determined to exist, as described in *Barkandji Traditional Owners #8 (Part A) v Attorney-General of New South Wales [2015] FCA 604*, within the White Cliffs Mineral Claims District area (approximately 200 kilometres northeast of Broken Hill), being the land parcels described in the table on the following page. An indicative map also appears below.

## Submissions Invited

Submissions are invited about the intended request, in particular about the area covered by the request (as described above) and about processes for the identification and protection of any area or site within that area of particular significance to native title holders in accordance with their traditional laws and customs.

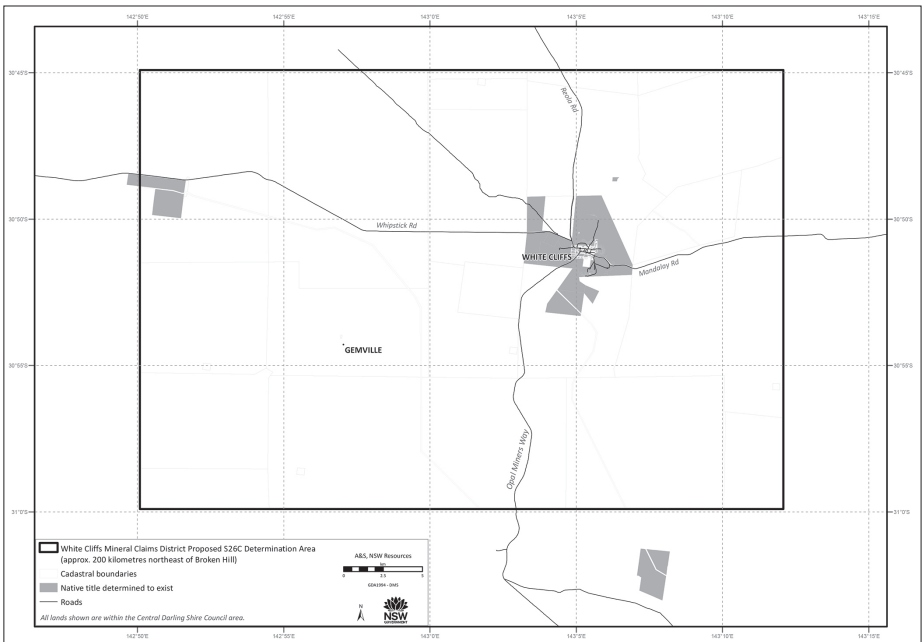
**Note:** All submissions received will be considered by the NSW Attorney General before a request is made to the Commonwealth Attorney General.

## How further information about the proposed request can be obtained

Further information may be obtained from: NSW Resources, Department of Primary Industries and Regional Development on (02) 4063 6600 or sent Attention: Jamie Tripodi Executive Director Assessment & Systems via [titles@regional.nsw.gov.au](mailto:titles@regional.nsw.gov.au).

## To make a submission

Submissions must be made in writing to the Native Title Legal team in the NSW Department of Planning, Housing and Infrastructure at [native.title@dpie.nsw.gov.au](mailto:native.title@dpie.nsw.gov.au) by **11 October 2024**. No late submissions will be considered, unless agreed in writing prior to the due date for submissions.





# Notice under Section 26C of the *Native Title Act 1993* (Cth) Proposed Request for Commonwealth Minister to determine an approved opal or gem mining area (Land Parcels)

LOT NO	SECTION NO	DEPOSITED PLAN NO	LOT NO	SECTION NO	DEPOSITED PLAN NO	LOT NO	SECTION NO	DEPOSITED PLAN NO	LOT NO	SECTION NO	DEPOSITED PLAN NO	LOT NO	SECTION NO	DEPOSITED PLAN NO	LOT NO	SECTION NO	DEPOSITED PLAN NO
1		34992	188		757488	249		757488	5	6	759084	22		1297338	34		1297340
365		44260	189		757488	250		757488	6	1	759084	23		1297338	35		1297340
366		722942	190		757488	251		757488	6	6	759084	24		1297338	36		1297340
367		722942	191		757488	252		757488	7	1	759084	25		1297338	37		1297340
5275		722957	192		757488	253		757488	7	6	759084	26		1297338	38		1297340
5		757488	193		757488	254		757488	8	1	759084	27		1297338			1297342
17		757488	194		757488	255		757488	8	6	759084	28		1297338	1		1297342
20		757488	195		757488	256		757488	9	1	759084	29		1297338	2		1297342
36		757488	196		757488	257		757488	10	1	759084	30		1297338	3		1297342
37		757488	197		757488	258		757488	11	1	759084	31		1297338	4		1297342
38		757488	198		757488	259		757488	12	1	759084	32		1297338	5		1297342
39		757488	203		757488	260		757488	13	1	759084	33		1297338	6		1297342
50		757488	204		757488	261		757488	496		760224	34		1297338	7		1297342
52		757488	205		757488	262		757488	496		760225	35		1297338	8		1297342
67		757488	206		757488	263		757488	4420		766863	36		1297338	9		1297342
70		757488	208		757488	264		757488	1		914623	37		1297338	10		1297342
71		757488	210		757488	265		757488	1		914628	38		1297338	11		1297342
72		757488	211		757488	266		757488	6923		1027237	39		1297338	12		1297342
78		757488	213		757488	267		757488	7305		1177785	40		1297338	13		1297342
86		757488	214		757488	268		757488	7306		1177785	41		1297338	14		1297342
89		757488	215		757488	269		757488	7307		1178643	1		1297340	15		1297342
90		757488	216		757488	270		757488	7308		1178643	2		1297340	16		1297342
91		757488	217		757488	271		757488	7301		1178687	3		1297340	17		1297342
94		757488	218		757488	272		757488	7302		1178687	4		1297340	18		1297342
103		757488	219		757488	273		757488	7301		1178815	5		1297340	19		1297342
104		757488	220		757488	274		757488	7317		1181686	6		1297340	20		1297342
106		757488	221		757488	275		757488	1		1182315	7		1297340	21		1297342
107		757488	222		757488	276		757488	5		1182315	8		1297340	22		1297342
108		757488	223		757488	278		757488	6		1182315	9		1297340	23		1297342
122		757488	224		757488	279		757488	7		1182315	10		1297340	24		1297342
123		757488	225		757488	280		757488	8		1182315	11		1297340	25		1297342
131		757488	226		757488	281		757488	794		1219109	12		1297340	26		1297342
134		757488	227		757488	282		757488	1		1297338	13		1297340	27		1297342
135		757488	228		757488	283		757488	2		1297338	14		1297340	28		1297342
141		757488	229		757488	284		757488	3		1297338	15		1297340	29		1297342
146		757488	230		757488	285		757488	4		1297338	16		1297340	30		1297342
147		757488	231		757488	286		757488	5		1297338	17		1297340	31		1297342
153		757488	232		757488	287		757488	6		1297338	18		1297340	32		1297342
154		757488	233		757488	289		757488	7		1297338	19		1297340	33		1297342
155		757488	234		757488	293		757488	8		1297338	20		1297340	34		1297342
156		757488	235		757488	294		757488	9		1297338	21		1297340	35		1297342
157		757488	236		757488	296		757488	10		1297338	22		1297340	36		1297342
159		757488	237		757488	297		757488	11		1297338	23		1297340	37		1297342
160		757488	238		757488	298		757488	12		1297338	24		1297340	38		1297342
161		757488	239		757488	299		757488	13		1297338	25		1297340	39		1297342
165		757488	241		757488	300		757488	14		1297338	26		1297340	40		1297342
168		757488	242		757488	362		757488	15		1297338	27		1297340	41		1297342
171		757488	243		757488	1	5	759084	16		1297338	28		1297340	42		1297342
176		757488	244		757488	1	6	759084	17		1297338	29		1297340	43		1297342
177		757488	245		757488	2	1	759084	18		1297338	30		1297340	44		1297342
182		757488	246		757488	2	6	759084	19		1297338	31		1297340			1297342
183		757488	247		757488	3	6	759084	20		1297338	32		1297340			1297342
186		757488	248		757488	4	6	759084	21		1297338	33		1297340			1297342