

Form EL5

Application to renew an exploration licence

Mining Act 1992

March 2016 | v4.1

More information

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

Division of Resources and Energy

Titles Customer Assistance Line

Phone +61 2 4931 6500

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 Industry, Skills and Regional Development or the user's independent advisor.

Privacy statement

This information is collected by the Department of Industry, Skills & Regional Development (NSW Department of Industry) for the purposes of assessing an application for an authorisation or associated with an authority as required by the *Mining Act 1992* or *Mining Regulation 2010*.

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access and correct any information the department holds if that information is inaccurate, incomplete, not relevant or out of date.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 applying to renew an exploration licence under the *Mining Act 1992* in New South Wales.

This form has been prepared in accordance with [Part 3 Division 1](#) of the *Mining Act 1992* and [Clause 14](#) of the *Mining Regulation 2010*. The form and associated templates are approved in accordance with [Section 382](#) of the *Mining Act 1992*. The information requested in this form may not be specifically referenced in the *Mining Act 1992* or the *Mining Regulation 2010* however its inclusion in the approved form validates the authority of the NSW Department of Industry, Division of Resources and Energy (the department) to request it.

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 any of the fields please provide the information as an attachment.

Important notes

Any information or template 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 according to [Schedule 1B, Clause 6\(d\)](#) of the *Mining Act 1992*.

If this application is lodged by any party other than the applicant/s (ie. an agent), the department may seek confirmation of that authority and any limits of that authority given to that other party by the applicant ([Section 163F](#) of the *Mining Act 1992* and [Clause 78A](#) of the *Mining Regulation 2010*). 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.

You must lodge your renewal application within the period of **two months prior up to midnight on the expiry date** of the exploration licence.

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

How this application will be processed

Once your application has been registered and checked, it will be assessed by the department. The Minister for Resources and Energy (or their delegate) will consider the department's recommendation and all relevant information, and may propose to grant or refuse the application.

The target processing time for applications for renewals is 45 business days.

1 Exploration licence details

EL number	<input type="text"/>	Act	<input type="text"/>
Licence expiry date	<input type="text"/>		

2 Term for which licence is sought

Years sought	<input type="text"/>	Note the maximum term is six (6) years.
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3 Exploration licence holder details

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

Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Registered street address	<input type="text"/>
Postal address	<input type="checkbox"/> Same as above <input type="checkbox"/> Enter here if different

Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Registered street address	<input type="text"/>
Postal address	<input type="checkbox"/> Same as above <input type="checkbox"/> Enter here if different

Name	<input type="text"/>
ACN / ARBN	<input type="text"/>
Registered street address	<input type="text"/>
Postal address	<input type="checkbox"/> Same as above <input type="checkbox"/> Enter here if different

Additional authority holders

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

<input type="text"/>

4 Licence holders seeking renewal

Information about licence holders and renewal applications can be found in [Section 116](#) of the *Mining Act 1992*.

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

- Yes
- No. Provide written confirmation from the party who is not seeking renewal. Check the box below to indicate you have attached this confirmation to your application.
- I have attached confirmation from the party who is not seeking renewal.

5 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

6 Groups of mineral/s

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

- Yes.
- No. If no, select the group/s you wish to retain.
- 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)
-

Proposed area for renewal

This help text relates to **Questions 10, 11 and 12**.

You need to identify the land to be renewed. Note that:

- you can only renew up to half of the existing exploration licence area, unless you can justify that there are [special circumstances](#) supporting renewal over a larger area
- the maximum number of parts of an exploration area you can apply to renew is five (5)
- you can only apply to renew an area of land held at the time this renewal application was lodged (you cannot apply for area you did not hold prior to the expiry date).

For details on the area that can be renewed read the department's licence renewal policy and see [Part 7 Division 1](#) of the *Mining Act 1992* and [Clause 18](#) of the *Mining Regulation 2010*.

For more information on special circumstances read the department's [Policy on renewal of exploration licences for minerals](#) and [Policy on renewal of exploration licences for coal](#).

7 Percentage of area to be renewed

You can only renew up to half of the existing exploration licence area, unless you can justify that there are [special circumstances](#) existing to support renewal over a larger area.

Indicate the portion of area you are applying to renew.

I am applying to renew 50% or less of the licence area.

Provide justification for renewal by completing a [renewal justification statement](#) (Questions 11) and identify the renewal area:

- For groups 1-8, 10-11 ▶ **Go to Question 8**
- For group 9 (coal) ▶ **Go to Question 9**
- For group 9A (oil shale) ▶ **Go to Question 10**

I am applying to renew more than 50% and less than 100% of the licence area.

Provide justification for renewal and special circumstances by completing a [renewal justification statement](#) (Question 11) and identify the renewal area:

- For groups 1-8, 10-11 ▶ **Go to Question 8**
- For group 9 (coal) ▶ **Go to Question 9**
- For group 9A (oil shale) ▶ **Go to Question 10**

I am applying to renew 100% of the licence area.

Provide justification for renewal and special circumstances by completing a [renewal justification statement](#). ▶ **Go to Question 11**

9 Proposed area for part renewal – for mineral group 9 only (coal)

9.1 Standard map for mineral group 9 (coal)

Provide a standard map, as described in [Clause 9](#) of the *Mining Regulation 2010*, which shows 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.

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.

9.2 Co-ordinates of the proposed exploration area

Provide the co-ordinates below or attach the co-ordinates as a separate document in a CSV format or an alternative format.

I have attached the co-ordinates to this application

I have entered the co-ordinates in the field below.

Total area

 m² ha km²

Surface area

 m² ha km²

9.3 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

9.4 Depth restriction sought

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

- Whole area metres
- Part (must be shown on the map)
- Various parts (must be shown on the map)
- Nil

10 Proposed area for part renewal of the licence area – for mineral group 9A (oil shale)

10.1 Standard map for mineral group 9A (oil shale)

Provide a standard map, as described in [Clause 9](#) of the *Mining Regulation 2010*, which shows 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.

Indicate whether you have attached your map or inserted it into the field below.

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

10.2 Co-ordinates of the proposed exploration area

Provide the co-ordinates below or attach the co-ordinates as a separate document in a CSV format or an alternative format.

- I have attached the co-ordinates to this application
- I have entered the co-ordinates in the field below.

Total area m² ha km²

Surface area m² ha km²

10.3 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

10.4 Depth restriction sought

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

- Whole area metres
- Part (must be shown on the map)
- Various parts (must be shown on the map)
- Nil

11 Renewal justification statement

Complete and attach a [renewal justification statement](#), as described in [Clause 18\(1\)\(e\)](#) of the *Mining Regulation 2010*. Before completing the template, read the [Guide to completing a renewal justification statement](#). Check the box below to indicate you have attached it to this application.

- Yes, I have attached a renewal justification statement.

12 Prospecting title work program

Complete and attach a [Prospecting title work program](#) (note that it is mandatory to use this form available on the Division of Resources and Energy website). Before completing the form, read

the [Exploration guideline: work programs for prospecting titles](#). Check the box below to indicate you have attached it to this application.

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

13 Technical advice

Nominate an exploration technical manager who will be responsible for supervising prospecting operations and (geoscientific) exploration reporting.

The person is expected to be a geoscientist or mining engineer with relevant experience in exploration.

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 exploration technical manager details and acceptance of the role.

OR

I have entered the exploration technical manager details and authorisation below.

Contact details

Name	<input type="text"/>
Position	<input type="text"/>
Company	<input type="text"/>
Phone	<input type="text"/>
Email	<input type="text"/>

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 exploration technical manager to support their acceptance of the role.

14 Statement of financial capability

Complete and attach a [Statement of financial capability](#) template and check the box below to indicate you have attached it to this application.

Yes, I have attached a Statement of financial capability.

15 Statement of corporate compliance and environmental performance history

Complete Section 1 (Corporate History) **ONLY** of the [Statement of corporate compliance and environmental performance history](#) guideline and template and check the box below to indicate you have attached it to this application.

Yes, I have attached a Statement of corporate compliance and environmental performance history.

16 Activity approvals

16.1 Approved Category 2, Category 3 and 'Assessable' activities

Any prospecting operations which are **not** defined as 'Exempt Development' under [Clause 10](#) of the *State Environmental Planning Policy 2007 (Mining, Petroleum Production and Extractive Industries)* require approval before they commence. Refer to the guideline [ESG5: Assessment requirements for exploration activities](#) for more information on activities.

16.1.1 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?

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).

Approved activity numbers

No

16.2 Rehabilitation

Rehabilitation of prospecting operations is deemed 'satisfactory' when:

- an [EDG13 – Rehabilitation and relinquishment report](#) is submitted to the department by the authority holder, and
- the department has formally notified the authority holder that the rehabilitation is satisfactory.

16.2.1 Are there any prospecting operations on the licence (from current or previous terms) that have *not* been rehabilitated to the satisfaction of the department?

Yes. There are areas that have **not** been rehabilitated to the department's satisfaction. (Enter the activity approval numbers below).

Activity numbers

No

17 Rehabilitation cost estimate

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

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

17.1 What is the total rehabilitation cost estimate?

The estimate should cover the rehabilitation for **all** prospecting operations.

Total rehabilitation cost estimate

\$

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 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 authority, including approved prospecting operations and those prospecting operations defined as exempt development.

17.1.1 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 – Attach your calculations or use the field below to describe the tool or cost guide you have used.

17.2 What period is covered by the estimate?

Current disturbance at date of application

17.3 What security is currently held by the department?

Current security held by the department

\$

17.4 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. If yes, ensure you have completed and attached [EDG13 – Rehabilitation and relinquishment report](#) to this application.
- No

18 Environmental and rehabilitation reporting

Depending on the authority conditions, you may need to submit an Environmental Management Report or Environmental and Rehabilitation Report prepared in accordance with [ESG4: Environmental Compliance Reporting Guidelines for Coal and Mineral Prospecting Operations](#).

18.1 Do the authority conditions require an Environmental Management Report or Environmental and Rehabilitation Report?

- No.
- Yes, I have attached the required report.

19 Fee payment

Payment, proof of payment or details that allow the payment to be made must accompany this application form. Refer to [Schedule 10](#) of the *Mining Regulation 2010* for a list of legislated fees.

Fees and fee calculation

- The application fee amount is \$2,000.
- The area fee is \$12.50 per unit per year for the first group; \$6.25 per unit per year for additional groups; or \$2.00 per hectare or part hectare per year for group 9 and 9A.

Below are sample calculations.

EXAMPLE 1

You have applied for two groups e.g. Groups 1 and 2.
 The area is 5 units and the term is 6 years.

Application fee	\$1,000.00
Unit fee: 5 units @ \$12.50 each x 6 years	375.00
Additional unit fee: 5 units @ \$6.25 x 6 years	\$187.50
Total fee	\$1,562.50

EXAMPLE 2

You have applied for one group only - Group 9A.
 The area is 2.3 hectares and the term is 6 years.

Application fee	\$1,000.00
Area fee: 3 hectares* @ \$2.00 each x 6 years	\$36.00
Total fee	\$1,036.00

**Note figure is rounded up*

Select your payment method

Direct deposit

Account name: NSW Department of Industry, Skills and Regional Development
 BSB: 032001
 Account number: 169146
 Reference: REN [authority identifier and number] (e.g. REN EL 1234)

Direct deposits will require a copy of the deposit receipt issued by the banking authority as evidence to accompany the application form.

Cheque made payable to 'NSW Department of Industry, Skills and Regional Development'

Credit card (enter details below)

Payment amount	\$ <input type="text"/>
Type of card	<input type="text" value="Select card type..."/>
Cardholder's name:	<input type="text"/>
Card number:	<input type="text"/>
Expiry date (mm/yy):	<input type="text" value="mm / yy"/>

20 Checklist of items to be included with this application

Item		Reference
Written confirmation from licence holder not seeking renewal (if applicable)	<input type="checkbox"/>	Question 4
For groups 9 or 9A applications only – co-ordinates of the exploration area (if applicable)	<input type="checkbox"/>	Question 9 Question 10
For groups 9 or 9A applications only – a standard map of the proposed exploration area if applicable	<input type="checkbox"/>	Question 9 Question 10
Renewal justification statement	<input type="checkbox"/>	Question 11
Prospecting title work program	<input type="checkbox"/>	Question 12
Technical advice support documentation	<input type="checkbox"/>	Question 13
Statement of financial capability	<input type="checkbox"/>	Question 14
Statement of corporate compliance and environmental performance	<input type="checkbox"/>	Question 15
Rehabilitation cost estimate (attach calculations to evidence how the rehabilitation cost estimate is derived)	<input type="checkbox"/>	Question 17
Environmental Management Report or Environmental and Rehabilitation Report (if applicable)	<input type="checkbox"/>	Question 18
For payments made by direct deposit – proof of payment	<input type="checkbox"/>	Question 19
For agents only – evidence of appointment as agent, if this has not been previously supplied to the department	<input type="checkbox"/>	Question 21

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.

21 Declaration

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

I/We declare that the information provided in this application is true and correct. I/We understand that under [Part 5A](#) of the *Crimes Act 1900*, knowingly giving false or misleading information is a serious offence; and under [Section 378C](#) of the *Mining Act 1992* 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.

Applicant/s

Name	
Position/title	
Date	
Signature	

Name	
Position/title	
Date	
Signature	

Name	
Position/title	
Date	
Signature	

OR

Agent authorised to act for this applicant/s

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

Name	
Position/title	
Date	
Signature	

Office use only

Application received:

Time: Date:

Application fee amount: \$2000 (per authority)

Area fee amount \$ WBS: D1655-1 GL: Z4014

Area fee amount: Area Fee is \$12.50/unit/year for the first group, \$6.25/unit/year for additional groups or \$2.00/ha/year or part hectare for group 9 or 9A

Area fee amount \$ WBS: FINM46-1 Coal or Oil Shale GL: Z4010
 WBS: FINM46-3 Minerals

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: Group Director Operations and Programs

RM8 Reference: PUB16/101 INT16/16102 (V15/5289#12)

Amendment schedule

Date	Version #	Amendment
01 March 2016	4.0	Legislation update, new template
06 March 2016	4.1	Hyperlinks updated, minor edits