



**MINING LEASE: APPLICATION**

**USE THIS FORM TO:** Apply for a mining lease for minerals or extractive minerals.

**Section A: Applicant(s)**

	NAME OF COMPANY or INDIVIDUAL	% SHARE		ⓘ List all applicants and percentage share in the application.
Applicant 1			%	
Applicant 2			%	

**Note:** Each party must complete a separate copy of the 'applicant details' page attached to this form.

**Section B: Project Name**

NAME OF PROJECT	ⓘ Nominate a name for your project.

**Section C: Class of mining lease sought**

Mineral type	<input type="checkbox"/> Mineral Lease (ML)	<input type="checkbox"/> Extractive Minerals Lease (EML)	ⓘ Information provided in this section must be consistent with that provided in the mining proposal.
Mineral(s) sought			
			ⓘ Indicate whether you intend to seek Section 39 authorisation.
Section 39 Authorisation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

A list of minerals is found on the SA commodity list: [http://minerals.dpc.sa.gov.au/\\_data/assets/pdf\\_file/0018/244224/Commodity\\_List\\_5\\_1.pdf](http://minerals.dpc.sa.gov.au/_data/assets/pdf_file/0018/244224/Commodity_List_5_1.pdf)

Further information about applying for Section 39 Authorisation, which may (if approved) allow you to recover minerals on an Extractive Minerals Lease or extractive minerals on a Mineral Lease, is contained in Appendix A.

**Section D: Lease area**

<input type="checkbox"/> The whole of the land comprised in mineral claim (MC) or retention lease (RL) number(s):		ⓘ Provide all MC and RL numbers for the application area.
<input type="checkbox"/> The portion of the land shown on the attached plan, comprised in MC or RL number(s):		
Local Council area	ⓘ Co-ordinates taken from Google maps or other software are not sufficient.	
<p><b>For applications over a portion of the MC or RL area, a detailed plan of the location of the lease must be attached.</b></p> <p>The plan must show –</p> <ul style="list-style-type: none"> <li>• dimensions and coordinates/bearings of claim boundaries; and</li> <li>• bearings and distances from land boundaries or other known points; and</li> <li>• the proposed means of access from a public road.</li> </ul> <p><b>All measurements taken for the purposes of the plan must be taken with a GPS unit or other survey equipment on the ground from each post.</b></p>		

## Section E: Native title land

Does 'native title land' exist within the claim area?

Yes

No

**i** Part 9B of the Act sets out what procedures must be undertaken prior to the conduct of mining activities on 'native title land'.

Native Title land means land where native title does or might exist, but does not include land where native title has been extinguished (as found or declared by an appropriate court). Land held under certain titles (including freehold and some perpetual leases) is not native title land.

**Note: If land is native title land, you must comply with the provisions of Part 9B of the Act. The Minister may refuse an application for a lease over native title land if the applicant is not proceeding with reasonable diligence to obtain the necessary agreement or determination.**

## Section F: Owners of Land and Notice of Entry

Provide details of the land owner(s) within the claim area and date the Notice of Entry (Form 21) was served in accordance with section 58A of the Act.

Land Title Reference	Owner of land	Date Notice of Entry served on owner or agreement

**i** A copy of each land title (less than 3 months old), proving land ownership, **must be attached.**

**OR**

Provide details of any agreements with owner(s) of land to authorise entry in lieu of a Notice of Entry.

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**i** Copy of Form 21 and proof of service or a negotiated agreement **must be attached.**

**Note: A Notice of Entry must have been served on all relevant owners of land e.g. pastoral leasee, native title party and/or petroleum exploration licence holder.**

## Section G: Exempt Land

Does 'exempt land' exist within the claim area?

Yes

No

**i** Section 9 of the Act sets out all categories of exempt land.

**If no, please proceed to Section I.**

Certain land is exempt from exploration or mining, and cannot be explored or mined without permission from the landowner.

**Note: Exempt land categories include, for example, land that is:**

- Lawfully and genuinely used as a yard, garden, cultivated field, plantation, orchard or vineyard;
- Situated within 400 metres of a building or structure used as a place of residence; or
- Situated within 150 metres of a spring, well, reservoir or dam.

**i** Identify exempt land in the **area plans provided.**

Provide details of any 'exempt land' within the claim area and identify the feature(s) giving rise to the exempt status.

Owner of land	Details of exempt land	Feature(s) giving rise to exempt status


**i** Land may be considered exempt even if the mining operations are not on that land (e.g. the mining operations are on a neighbouring property, but within 400 metres of a home).

Provide details of any waiver of exemption(s) that has been negotiated.



**i** A copy of the each waiver **must be attached.**

## Section H: Attachments

Ensure the following items are included with your application (where applicable) in order for it to be valid.


Section	Item	<p> Applications <b>must</b> contain these items (as applicable) in order to be valid.</p> <p>Further information may be requested before application is accepted for registration.</p>
A. Applicant Details	<input type="checkbox"/> A separate copy of the 'Applicant details' page has been completed and attached for each applicant	
D. Lease Area	<input type="checkbox"/> A plan showing the MC/RL area and proposed lease area (if applicable)	
F. Owners of Land & Notice of Entry	<input type="checkbox"/> A copy of each Notice of Entry to land and proof of service <input type="checkbox"/> A copy of any agreement waiving Notice of Entry, signed by both	
G. Exempt Land	<input type="checkbox"/> A copy of any Waiver of Exemption that has been completed. These must be submitted before mining operations can begin.	
I. Calculation of Fees	<input type="checkbox"/> Capital cost declaration	
K. Payment Details	<input type="checkbox"/> Payment details below are complete, including the correct fee amount	
Mining Proposal	<input type="checkbox"/> A mining proposal document that meets the requirements of section 35(1) of the Act <input type="checkbox"/> The relevant Ministerial determination	

## Section I: Calculation of Fees Payable

			FEES	<p> Refer to the current fee schedule for the applicable fees.</p> <p><b>Annual production</b> as estimated in the mining proposal document or attach information.</p> <p>Attach <b>Capital cost calculation</b>. Refer to Appendix below.</p>
All Lease Applications	Application for a mining lease – Base Component	\$		
	Application for a mining lease – Advertising Component	\$		
<b>PLUS</b>				
Extractive Minerals Lease Applications (Tick One Only)	<input type="checkbox"/> Annual production of less than 100,000 tonnes	\$		
	<input type="checkbox"/> Annual production of 100,000 tonnes or more	\$		
<b>OR</b> Mineral Lease Applications (Tick One Only)	<input type="checkbox"/> Within the area of a council or a reserve - capital cost of < \$1,000,000	\$	Capital Cost Declaration	
	<input type="checkbox"/> Within the area of a council or a reserve - capital cost of >= \$1,000,000			
	<input type="checkbox"/> Outside the area of a council or a reserve - capital cost of < \$1,000,000			
	<input type="checkbox"/> Outside the area of a council or a reserve - capital cost of >= \$1,000,000			

## Section J: Declaration that application is complete and accurate

I declare the information provided in this application and the attached mining proposal is complete and accurate, and meets the requirements of section 35(1) of the Act and regulations 30(1) and 30(2) (and the relevant published Ministerial determination under regulation 30(3)) of the Mining Regulations 2011.


APPLICANT 1	Individual or Company Representative 1		Individual's Witness or Company Representative 2		<p> Ensure that applicants sign in the order listed in Section A.</p>
Print Name	1.		2.		
Signature	1.		2.		
APPLICANT 2	Individual or Company Representative 1		Individual's Witness or Company Representative 2		
Print Name	1.		2.		
Signature	1.		2.		

**COMPANY:** Sign in accordance with the *Corporations Act 2001*. If agent, written authority must be provided.

**INDIVIDUAL:** Signature must be witnessed by a person who is not a beneficiary of the application (e.g. not a joint applicant).

## Section K:

## Payment Details

Fee	Total of Fees from Section I		\$		 Refer to the current fee schedule for the applicable fee.
Payment method	<input type="checkbox"/> Cheque - made out to 'DEM'		<b>OFFICE USE ONLY</b> RECEIPT		
	<input type="checkbox"/> Credit Card - provide details below - Visa / MasterCard (circle one)				
Card number					CVV Code is the last 3 digits printed in the signature block on the back of the credit card.
Expiry MM/YYYY		CVV Security Code			
Cardholder name					
Cardholder signature					



**MINING LEASE: APPLICANT DETAILS**

**USE THIS FORM TO:** Provide the details of a new client, or provide updated details for an existing client. One company or one individual per page only. No joint names.

This applicant's percentage share

	<b>%</b>
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Applicant number

	of		<i>i</i> Provide the total number of applicants.
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**Applicant type:**

**Company**

Company name

ABN

Registered address line 1

Registered address line 2

Suburb / Locality

	ACN	
	State	Postcode

*i* If 'Company', provide **registered business street address**, and either an ABN or ACN.  
  
New company clients need to attach a copy of their certificate of business registration.

**Individual**

Surname

Given names

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**Applicant Contact Details**

Postal address is the same as company registered address above

Postal Address Line 1

Postal Address Line 2

Suburb / Locality

Email

Website

Telephone

	State	Postcode
	Mobile	

*i* Provide a postal address if it is different to the registered business street address.

**Contact Person for Queries**

Contact Name

Position title

Email

Telephone

Do you consent to receiving electronic correspondence from the Department regarding tenement matters?

Yes

No

	Mobile	

*i* A contact person **must** be nominated for each client.

**Certified Correct**

Name

Signature


*i* May be certified by any appropriate person.



## MINING LEASE: APPLICATION

## APPENDIX A: SECTION 39 AUTHORISATION

Applicants who wish to recover, use and sell, or dispose of:

- (a) extractive minerals produced as a result of mining operations on a mineral lease; or
- (b) minerals produced as a result of mining operations on an extractive minerals lease


may apply to the Minister under section 39(2) and 39(7) of the Act respectively for authorisation to do so ("Section 39 Authorisation").

Applicants who wish to seek Section 39 Authorisation must demonstrate that the secondary material (being the extractive mineral produced as a result of mining operations on a mineral lease, or the mineral produced as a result of mining operations on an extractive minerals lease) is produced during the recovery or processing stage of the primary mining operations.

Please note section 39(3) of the Act requires the Minister, in considering an application detailed under (a), to consult with relevant owners of land. This may result in the refusal of the application, or grant subject to specific conditions.

For more information about applying for Section 39 Authorisation, contact Mineral Resources on (08) 8463 3103.

## APPENDIX B: MINING LEASE AND MISCELLANEOUS PURPOSES LICENCE ASSESSMENT FEE

 The following information is provided as a guide only.

**EXTRACTIVE MINERALS LEASE APPLICATIONS:**

The calculation of the assessment fee for an Extractive Minerals Lease application is based on the *estimated annual production* for the proposed operation.

The declared *estimated annual production* will be assessed in accordance with the Mining Lease Proposal lodged with the application for the Extractive Minerals Lease.

Please refer to the current [Schedule of fees under the Mining Act 1971](#) for the fee payable.

**MINERAL LEASE AND MISCELLANEOUS PURPOSES LICENCE APPLICATIONS:**

The calculation of the assessment fee for a Mineral Lease and a Miscellaneous Purposes Licence application is now based on the *capital cost* and location of the proposed lease and/or licence. *Capital cost* has been defined in the Regulations to provide clarity on what costs applicants are required to consider when calculating and declaring the total *capital cost*. It only includes costs incurred or reasonably expected to be incurred prior to operations commencing.

Applicants who require a combination of several mining tenements for a single project, i.e. a combination of a Mineral Lease and one or more Miscellaneous Purposes Licences, should discuss this requirement with the Department prior to submitting their applications. Applicants will be encouraged to submit a consolidated package of applications as the Department has the discretion to waive multiple assessment fees ensuring the total cost of the fee is capped and commensurate with the complexity of the applications.

**Mining Regulations 2011 – regulation 3 – Interpretation capital cost means—**

- (c) *in relation to a mining lease, the aggregate of the costs incurred or reasonably expected to be incurred before operations constituting the mining or recovery of minerals commence under the lease; or*
- (d) *in relation to a miscellaneous purposes licence, the aggregate of the capital costs incurred or reasonably expected to be incurred under or in connection with the licence, including costs associated with any of the following:*
  - (e) *engineering, planning or design work;*
  - (f) *works associated with open pit development or underground working development;*
    - (e) *constructing or installing infrastructure for the operations including—*
      - (i) *pit and underground infrastructure; and*
      - (ii) *fixed plant; and*
      - (iii) *rock and tailings waste storage facilities; and*
      - (iv) *buildings, powerlines, bores and roads;*
      - (f) *constructing or installing structures, or undertaking earthworks, to prevent, or limit, damage to or impairment of, the environment by the operations;*
      - (g) *measures associated with the assessment, management, limitation and remediation of the environmental impacts of the operations;*

(h) making provision for contingencies, excluding any costs incurred or reasonably expected to be incurred in acquiring land or constructing or installing infrastructure outside the area of the mining lease or miscellaneous purposes licence (as the case may be).

**CAPITAL COST DECLARATION AND CALCULATION:**

An applicant for a Mineral Lease and/or a Miscellaneous Purposes Licence is now required to declare the *capital cost* of the proposed project on the application form (see Calculation of Fees Payable).

The Applicant is required to provide specific information to support the *capital cost* declaration as an attachment to the application. The Department will assess the information provided with the application to ensure it meets the requirements of the Mining Regulations and that it is consistent with any public information.

Please refer to the examples below of the information that may be provided to support a *capital cost* calculation:

**Example 1 – Open Pit Mine**

Capital Cost breakdown	Cost \$(AUD)
Open Pit Pre-strip	
Mobile Equipment	
Mine related Infrastructure	
Processing Plant	
Process Plant related infrastructure	
Ancillary Buildings	
Engineering Design	
Project Management Costs	
Environmental Monitoring	
Contingency	
<b>Total</b>	

**Example 2 – Underground Mine**

Capital Cost breakdown	Cost \$(AUD)
Underground Mining	
Underground Infrastructure	
Process infrastructure	
Onsite infrastructure and utilities	
Freight and Logistics	
Project Costs	
Owners Costs	
Contingency	
<b>Total</b>	

**Example 3 – Direct/Indirect Cost Model**

Capital Cost breakdown	Cost \$(AUD)
Direct Costs	
Overall Site	
Mining	
ROM Pad	
Crushing	
Crushed Ore Stockpile	
Grinding and Flotation	
Tailings	
Site Services and Utilities	
Ancillary Buildings	
Plant Mobile Equipment	
Indirect Costs	
Construction Indirect costs	
Spares	
First Fills	
Freight and Logistics	
Commissioning	
EPCM	
Owners Costs	
Contingency	
<b>Total</b>	

## ASSESSMENT FEE PAYABLE:

### Capital Cost less than \$1,000,000

For a Mineral Lease and/or Miscellaneous Purposes Licence application where the expected *capital cost* is less than \$1,000,000 the assessment fee is as per Schedule of Fees.

### Capital Cost more than \$1,000,000

For a Mineral Lease and/or Miscellaneous Purposes Licence application where the expected capital cost is more than \$1,000,000 the assessment fee varies depending on where the proposed project is to be located and the expected *capital cost*. The assessment fee is calculated as a percentage of the expected *capital cost* up to a maximum capped fee of \$200,000\*.

The percentage payable is dependent on the location of the proposed lease or licence. Where a proposed project is outside the area of a council and outside the area of a reserve (within the meaning of the [National Parks and Wildlife Act 1972](#)), the fee is calculated as **0.125%\*** of the expected *capital cost*. Please refer to Example 4.

Where a proposed project is within the area of a council or a reserve, the fee is calculated at **0.25%\*** of the expected *capital cost*. Please refer to Example 5.

### Example 4 – Assessment fee for Mineral Lease and/or Miscellaneous Purposes Licence Application outside the area of a council and outside the area of a reserve:

For an application where the location of the proposed project is outside the area of a council and is also outside a reserve the assessment fee is calculated at **0.125%\*** of the *expected capital cost* up to a maximum capped fee of \$200,000\*.

Capital Cost	Percentage of Capital Cost*	Calculated Assessment Fee	Set Assessment Fee
<\$1,000,000			\$1,000
\$2,000,000	0.125%	\$2,500	
\$5,000,000	0.125%	\$6,250	
\$10,000,000	0.125%	\$12,500	
\$25,000,000	0.125%	\$31,250	
\$50,000,000	0.125%	\$62,500	
\$75,000,000	0.125%	\$93,750	
\$80,000,000	0.125%	\$100,000	
\$100,000,000	0.125%	\$125,000	
\$150,000,000	0.125%	\$187,500	
\$160,000,000	0.125%	\$200,000	
>\$160,000,000			\$200,000

\*Percentage of Capital Cost correct as at 19 January 2015

### Example 5 – Assessment fee for Mineral Lease and/or Miscellaneous Purposes Licence Application within the area of a council or within the area of a reserve:

For an application where the whole or any part of the proposed project is *within the area of a council* or *within a reserve* the assessment fee is calculated at **0.25%\*** of the expected *capital cost* up to a maximum capped fee of \$200,000\*.



<b>Capital Cost</b>	<b>Percentage of Capital Cost*</b>	<b>Calculated Assessment Fee</b>	<b>Set Assessment Fee</b>
<\$1,000,000			\$1,000
\$2,000,000	0.25%	\$5,000	
\$3,000,000	0.25%	\$7,500	
\$4,000,000	0.25%	\$10,000	
\$5,000,000	0.25%	\$12,500	
\$10,000,000	0.25%	\$25,000	
\$25,000,000	0.25%	\$62,500	
\$50,000,000	0.25%	\$125,000	
\$75,000,000	0.25%	\$187,500	
\$80,000,000	0.25%	\$200,000	
>\$80,000,000			\$200,000

\* Percentage of Capital Cost correct as at 19 January 2015

Please refer to the current [Schedule of fees under the Mining Act 1971](#) for the fee payable.