



**MISCELLANEOUS PURPOSES LICENCE: APPLICATION**

**USE THIS FORM TO:** Apply for a miscellaneous purposes licence relating to the conduct of mining operations.

**Section A: Applicant(s)**

	NAME OF COMPANY or INDIVIDUAL	% SHARE		ⓘ List all applicants and their 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: Related applications / mining operations**

Provide details of any mining operations and/or applications to which the proposed licence (MPL) relates.

	ⓘ Provide tenement reference(s), if available.

**Section D: Location of proposed licence**

Section, Hundred  
Pastoral block  
Land Title reference  
Local Council area

	ⓘ Clearly define the MPL area with as much detail as possible.
<p><b>A detailed plan of the location of the proposed licence area must be attached.</b> The plan must show –</p> <ul style="list-style-type: none"> <li>• dimensions and coordinates/bearings of proposed licence area 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>	
Area plan	

**Section E: Purpose of proposed licence**

Provide reasons for the application of an MPL.

	ⓘ MPL may be granted for the carrying on of any business that is conducive to the effective conduct of mining operations, or for other purposes detailed in s.52 of the Act (e.g. drainage from a mine).

**Section F: Pegging of proposed licence area**

Pegging date  
Pegged by

	ⓘ Can be pegged by an agent of the applicant.

## Section G: Native title land

Does 'native title land' exist within the proposed licence area?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<p><b>i</b> Part 9B of the Act sets out what procedures must be undertaken prior to the conduct of mining activities on 'native title land'.</p> <p><b>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.</b></p>
<p>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 <u>not</u> native title land.</p>		

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

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

**OR**

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

Land Title Reference	Owner of land	Date Notice of Entry served on owner or agreement	<p><b>i</b> A copy of each land title (less than 3 months old), proving land ownership, <b>must be attached.</b></p> <p><b>i</b> Copy of Form 21 and proof of service or a negotiated agreement <b>must be attached.</b></p>

**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 I: Exempt Land

Does 'exempt land' exist within the proposed licence area?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<p><b>i</b> Section 9 of the Act sets out all categories of exempt land.</p> <p><b>i</b> Identify exempt land in the <b>area plans provided.</b></p>
<p><b>If no, please proceed to Section I.</b></p> <p>Certain land is exempt from exploration or mining, and cannot be explored or mined without permission from the landowner.</p> <p><b>Note: Exempt land categories include, for example, land that is:</b></p> <ul style="list-style-type: none"> <li>- Lawfully and genuinely used as a yard, garden, cultivated field, plantation, orchard or vineyard;</li> <li>- Situated within 400 metres of a building or structure used as a place of residence; or</li> <li>- Situated within 150 metres of a spring, well, reservoir or dam.</li> </ul>		

Provide details of any 'exempt land' within the proposed licence 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	<p><b>i</b> 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).</p>

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

	<p><b>i</b> A copy of the each waiver <b>must be attached.</b></p>

## Section J: Attachments

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

- |   |  |
|---|--|
| <p><input type="checkbox"/> <b>A detailed plan (labelled Plan 1) of the location of the land</b><br/>The plan must show the land sought to be included in the licence, and also –</p> <ul style="list-style-type: none"> <li>- dimensions and coordinates/bearings of licence 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><input type="checkbox"/> <b>A detailed plan (labelled Plan 2) of the physical features of the land</b><br/>This plan must show, with reasonable accuracy –</p> <ul style="list-style-type: none"> <li>- the physical features of the area including high and low ground, the location of creeks, drainage channels, dams, roads, houses, fences, power lines, existing workings, dumps and tailing dams, standing trees and shrubs and any other relevant features within or adjacent to the licence area; and</li> <li>- the location of proposed buildings, treatment plant, tailings or other disposal areas, roads and tracks and other features of the proposal.</li> </ul> <p>All measurements taken for the purposes of the plans must be taken with a GPS unit or other survey equipment.</p> <p><input type="checkbox"/> <b>A management plan for the licence area</b><br/>The management plan must do the following –</p> <ul style="list-style-type: none"> <li>- specify the nature and extent of the proposed operations or activities; and</li> <li>- set out an assessment of the environmental impacts of the proposed operations or activities; and</li> <li>- set out an outline of the measures proposed to manage, limit or remedy those environmental impacts; and</li> <li>- set out a statement of the environmental outcomes that are expected to occur; and</li> <li>- include a draft statement of the criteria to be used to measure the expected environmental outcomes; and</li> <li>- include the results of any consultation undertaken in connection with the proposed operations or activities.</li> </ul> | <p><b>(i)</b> Attach two clearly labelled plans containing the required components.</p> <p><b>(i)</b> Attach a management plan that addresses each of the criteria listed.</p> |
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## Section K: Application checklist

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

Section	Item	
H. Owner of Land & Notice of Entry	<input type="checkbox"/> A copy of each title evidencing ownership of the land, less than 3 months old <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 parties	<b>(i)</b> Invalid applications may be refused or further information may be requested before the application is accepted for processing.
I. Exempt Land	<input type="checkbox"/> A copy of any Waiver of Exemption agreement that has been finalised	
J. Attachments	<input type="checkbox"/> Plan 1 - location of the land <input type="checkbox"/> Plan 2 - physical features of the land <input type="checkbox"/> Management plan for the licence area <input type="checkbox"/> A separate 'applicant details' page for each applicant	
N. Payment Details	<input type="checkbox"/> Payment details below are complete, including fee amount	

## Section L: Calculation of Fees Payable

		FEES		
MPL Applications	Application for a MPL – Base Component	\$		<b>(i)</b> Refer to the current fee schedule for the applicable fees.
	Application for a MPL – Advertising Component	\$		
<b>PLUS</b>	<input type="checkbox"/> Within the area of a council or a reserve - capital cost of < \$1,000,000 <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	Capital Cost Declaration	\$	<b>(i)</b> Attach <b>Capital Cost calculation</b> . Refer to Appendix below.

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

I declare the information provided on this form is complete and accurate and meets the requirements of section 53(1) of the Act and regulations 49(1) and 49(2) of the *Mining Regulations 2011*.

APPLICANT 1	Individual or Company Representative 1		Individual's Witness or Company Representative 2	
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.	

ⓘ Ensure that applicants sign in the correct order, as listed on page 1.


**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).

**Please refer to Section N on page 5 for Payment Details**

**Section N:**

**Payment details**

Fee	Application for Miscellaneous Purposes Licence		\$		 Refer to the current fee schedule for the applicable fee.  CVV Code is the last 3 digits printed in the signature block on the back of the credit card.
Payment Method	<input type="checkbox"/> Cheque - made out to 'DEM' <input type="checkbox"/> Credit card - provide details below			OFFICE USE ONLY	
				RECEIPT	
Card Number		Visa / MasterCard (circle one)			
Expiry MM/YYYY		CVV Security Code			
Cardholder Name					
Cardholder Signature					



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

Company name					<i>i</i> If 'Company', provide <b>registered business street address</b> , and either an ABN or ACN.  New company clients need to attach a copy of their certificate of business registration.
ABN		ACN			
Registered address line 1					
Registered address line 2					
Suburb / Locality		State	Postcode		
<input type="checkbox"/> <b>Individual</b>					
Surname		Given names			

**Applicant Contact Details**  Postal address is the same as company registered address above

Postal Address Line 1					<i>i</i> Provide a postal address if it is different to the registered business street address.
Postal Address Line 2					
Suburb / Locality		State	Postcode		
Email					
Website					
Telephone		Mobile			

**Contact Person for Queries**

Contact Name		Position title			<i>i</i> A contact person <b>must</b> be nominated for each client.
Email					
Telephone		Mobile			
Do you consent to receiving electronic correspondence from the Department regarding tenement matters?	<input type="checkbox"/> Yes		<input type="checkbox"/> No		

**Certified Correct**

Name					<i>i</i> May be certified by any appropriate person.
Signature					

## MISCELLANEOUS PURPOSES LICENCE: APPLICATION

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

*i* The following information is provided as a guide only.

**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—**

- (a) 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
- (b) 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:
  - (c) engineering, planning or design work;
  - (d) 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\*.

Capital Cost	Percentage of Capital Cost*	Calculated Assessment Fee	Set Assessment Fee
<\$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.