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| **FORM 10** | Mining Act 1971 (“the Act”) - Part 6 | C:\UserData\Documents\gosa_BW_v.png |
| **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 | | MC900293188[1]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 | MC900293188[1]Nominate a name  for your project. |
|  |

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

|  |  |  |  |
| --- | --- | --- | --- |
| Mineral type |  |  | MC900293188[1]Information provided in this section must be consistent with that provided in the mining proposal.  MC900293188[1]Indicate whether you intend to seek authorisation to use the extractive minerals produced during the course of operations pursuant to section 56K of the Act. |
| Primary Mineral(s) sought: |  | |
|  |  | |
| Other Mineral(s) sought: |  | |
|  |  | |
| Section 39 Authorisation |  |  |

A list of minerals is found on the SA commodity list: [Mineral commodities | Energy & Mining (energymining.sa.gov.au)](https://www.energymining.sa.gov.au/industry/minerals-and-mining/mineral-commodities)

Further information about applying for authorisation to use extractive minerals produced during the course of operations pursuant to section 56K of the Act, which may (if approved) allow you to recover minerals on an Extractive Minerals Lese or extractive minerals on a Mineral Lease, is contained in Appendix A.

**Section D:** Lease area

|  |  |  |  |
| --- | --- | --- | --- |
| ❑ The whole of the land comprised in mineral claim (MC), retention lease (RL) or exploration licence (EL) number(s): | |  | Provide all MC, RL or EL numbers for the relevant application area  MC900293188[1] Co-ordinates taken from Google maps or other software are not sufficient |
| ❑ The portion of the land shown on the attached plan, comprised in MC, RL or EL number(s): | |  |
| Local Council area |  | |
|  | **For applications over a portion of the MC or RL area, a detailed plan of the location of the lease must be attached.**  The plan must show –  • dimensions and coordinates/bearings of claim boundaries; and  • bearings and distances from land boundaries or other known points; and  • the proposed means of access from a public road.  **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**. | |

**Section E:** Native title land

|  |  |  |  |
| --- | --- | --- | --- |
| Does ‘native title land’ exist within the claim area? |  |  | MC900293188[1]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.  **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 | MC900293188[1]A copy of each land title (less than 3 months old), proving land ownership, **must be attached**.  MC900293188[1]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? |  |  | MC900293188[1]Section 9 of the Act sets out all categories of exempt land.  MC900293188[1]Identify exempt land in the **area plans provided.** |
|  | **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.** | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 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 | MC900293188[1]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. |  | MC900293188[1]A copy of 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** | MC900293188[1]Applications **must** contain these items (as applicable) in order to be valid.  Further information may be requested before application is accepted for registration. |
| A. Applicant Details | ❑ A separate copy of the ‘Applicant details’ page has been completed and attached for each applicant |
| D. Lease Area | ❑ A plan showing the MC/RL/EL area and proposed lease area |
| F. Owners of Land & Notice of Entry | ❑ A copy of each Notice of Entry to land and proof of service  ❑ A copy of any agreement waiving Notice of Entry, signed by both parties |
| G. Exempt Land | ❑ A copy of any Waiver of Exemption that has been completed. These must be submitted before mining operations can begin |
| I. Calculation of Fees | ❑ Capital cost declaration |
| K. Payment Details | ❑ Payment details below are complete, including the correct fee amount |
| Mining Proposal | ❑ A mining proposal document that meets the requirements of section 36(1) of the Act, the Mining Regulations and the relevant Ministerial determination |

**Section I:** Calculation ofFees Payable

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | | | | FEES | MC900293188[1]Refer to the current fee schedule for the applicable fees.  **Annual production** as estimated in the mining proposal document or attach information. |
| All Lease Applications | Application for a mining lease – Base Component | | $ |  |
| **PLUS** | Application for a mining lease – Advertising Component | | $ |  |
| Extractive Minerals  Lease Applications  (Tick One Only)  **OR** |  | | $ |  |
| Mineral Lease  Applications  (Tick One Only) |  | Capital Cost Declaration | $ |  | Attach **Capital cost calculation**. Refer to Appendix below. |
| $ |

**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 36(1) of the Act and regulation 30(1) (and the relevant published Ministerial determination under regulation 30(2)) of the Mining Regulations 2020.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **APPLICANT 1** | Individual or Company Representative 1 | | Individual’s Witness or Company Representative 2 | | MC900293188[1]Ensure that applicants sign in the order listed in Section A. |
| 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** | | **$** |  | | MC900293188[1]Refer to the current fee schedule for the applicable fee. |
| Payment method |  | | | | **OFFICE USE ONLY** |
| RECEIPT |
| 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 |  | | | | |

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| **FORM 10** | Mining Act 1971 (“the Act”) - Part 6 | C:\UserData\Documents\gosa_BW_v.png |
| **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 invidual per page only. No joint names. | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| This applicant’s percentage share |  | **%** | Applicant number |  | of |  | MC900293188[1]Provide the total number of applicants. |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Applicant type: |  |  | |  |  |  |
| Company name |  | | | | | MC900293188[1]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. |
| ABN |  | ACN |  | | |
| Registered address line 1 |  | | | | |
| Registered address line 2 |  | | | | |
| Suburb / Locality |  | |  | |  |
| State | | Postcode |
|  |  |  |  | |  |
| Surname |  | Given names |  | | |
| Applicant Contact Details | | | | | |  |
| Postal Address Line 1 |  | | | | | MC900293188[1]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 |  | | | MC900293188[1]A contact person **must** be nominated for each client. |
| Email |  | | | | |
| Telephone |  | Mobile |  | | |
| Do you consent to receiving electronic correspondence from the Department regarding tenement matters? | |  |  | | |
| Certified Correct | | | | | |  |
| Name |  | | | | | MC900293188[1]May be certified by any appropriate person. |
| Signature |  | | | | |

|  |  |  |
| --- | --- | --- |
| **FORM 10** | Mining Act 1971 (“the Act”) - Part 6 | C:\UserData\Documents\gosa_BW_v.png |
| **MINING LEASE: APPLICATION** | |

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| **APPENDIX A: SECTION 56K AUTHORISATION** |

Applicants who wish to:

1. Allow for the management and use of extractive minerals produced during the course of authorised operations under the mining lease; and
2. Request that royalties will not be payable on those extractive minerals

may apply to the Minister for the lease to authorise this under section 56K of the Act (“Section 56K Authorisation”).

Applicants who wish to seek Section 56K Authorisation must outline the proposed use of the extractive material and ensure that the Mining Proposal outlines that the material will be produced during the course of carrying out authorised operations.

An application for 56K authorisation will be considered when assessing the lease application and may be refused, granted or granted subject to specific conditions.

For more information about applying for Section 56K Authorisation, contact Mineral Tenements on (08) 8463 3103.

|  |
| --- |
| **APPENDIX B: MINING LEASE AND MISCELLANEOUS PURPOSES LICENCE ASSESSMENT FEE** |

**MC900293188[1]** 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*](https://www.energymining.sa.gov.au/industry/minerals-and-mining/forms-legislation-and-guidance/fees-and-calculators) 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.

**CAPITAL COST DECLARATION AND CALCULATION:**

An applicant for a Mineral Lease (for metallic or industrial minerals) and/or a Miscellaneous Purposes Licence is required to use the *capital cost* of the proposed project to determine the application fee payable. This is included on the application form (see Calculation of Fees Payable).

The Applicant is typically requested to provide specific information to support the *capital cost* declaration as an attachment to the application.

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 |  |
| **Total** |  |

**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 |  |
| **Total** |  |

**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 |  |
| **Total** |  |

**ASSESSMENT FEE PAYABLE:**

**Capital Cost less than $1,000,000**

For a Mineral Lease (for metallic and industrial minerals) 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 (for metallic and industrial minerals) 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](http://www.legislation.sa.gov.au/LZ/C/A/NATIONAL%20PARKS%20AND%20WILDLIFE%20ACT%201972.aspx)), 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 2 February 2023

**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 2 February 2023

Please refer to the current [Schedule of fees under the *Mining Act 1971*](http://www.minerals.statedevelopmhttps:/www.energymining.sa.gov.au/industry/minerals-and-mining/forms-legislation-and-guidance/fees-and-calculatorsent.sa.gov.au/fees_schedule) for the fee payable.