
ADVICE TO MINING LEASE APPLICANTS — LODGEMENT OF APPLICATION —

GENERAL

Applications must be lodged within seven (7) days of the area being pegged out. An application must meet the requirements of the *Mineral Resources Development Act 1995* (MRDA). Applications that are incomplete will not be accepted. Please ensure that your application contains all the information required. A checklist is included with the application form to assist you.

APPLICANT DETAILS

One applicant should be nominated to deal with correspondence from the Department and to whom any notices are to be sent. Correspondence will not be sent to all applicants.

NOTICE OF MARKING OUT

Pursuant to Regulation 6, you are required to post a Notice of Marking Out on the datum post of the land.

OBJECTIONS

If any objections to the application are received the Director of Mines will arrange for mediation between the parties. If the objection is not resolved the matter will be referred to the Mining Tribunal.

PRIORITY OF TENURE

If the area of the lease application is situated within an exploration licence or retention licence not held by the applicant/s for the lease, you will require the **written consent** of the holder of the licence where the licence is for the same minerals as the lease application.

AREA AND SHAPE OF LAND

The area of land to be comprised in a lease is not limited in size but generally will be determined by the size and location of known mineral reserves, the availability of land under the Act, and may include land for the establishment of treatment plants, freshwater dams, ore stockpiles, tailings dams and any other infrastructure associated with the mining operation.

It is preferable that mining leases be in the shape of squares or rectangles, with boundaries based on either magnetic or grid north. Where it is impractical or inefficient to have boundaries located on a magnetic/grid-based datum, applicants should consult with Mineral Resources Tasmania to discuss acceptable alternatives.

Roads, rivers or private property boundaries may also be used as mining lease boundaries where it is impractical to follow this requirement.

DESCRIPTION OF LAND

If possible, evidence from the Lands Titles Office of the Department of Primary Industries and Water in relation to the parcels and owners of land should be submitted with the application.

If applicable, the background tenure of the parcels of land in which the lease application is situated, including the access land, should be described as in the following examples:

<i>(Purchased)</i>		<i>(Crown Land)</i>	
Title Reference/Plan No.:	24478 /2	Title Reference/Plan No.:	-
Tenure:	Private Property	Tenure:	State Forest Multiple Use Forest Land
Land District:	Devon	Land District:	Cornwall
Locality:	Beaconsfield	Locality:	Fingal
Current Usage:	Rural/Residential	Current Usage:	Extractive Industry

The 'surface area' column is to indicate to what extent the parcel of land is covered by surface area.

COMPENSATION AGREEMENTS

If a compensation agreement is required between the lessee and the owner/s of the land, a copy of the agreement must be provided as a pre-requisite for granting of the application.

If the applicant is also the owner of the land then a compensation agreement is not required but proof of ownership must be provided.

If the owner of the land does not hold all the interest in the mining lease, then compensation will be required in respect of the other holders. If all the owners of the land do not hold an interest in the mining lease, then compensation will be required in respect of the other owners.

If a lessee and a landowner are unable to agree on compensation then either party may have the matter referred to the Mining Tribunal.

EXCLUSIONS FOR A LEASE

A lessee may not work on private land within 100 metres of the surface of any natural lake, artificial lake, dam, reservoir, water producing well or artificial pond without the consent of the owner or occupier of the land.

A lessee may not work within 100 metres of an occupied dwelling without the consent of the owner or occupier of the dwelling.

SIGNATURES

If an agent is signing the application form on behalf of an applicant or applicants, the agent must produce written evidence of his authority to sign the form and act for the applicant/s.

Where the applicant is a company, the application form should be signed in accordance with the Articles of Association of the company.

Applications may be personally lodged or delivered to the office of the Registrar of Mines by the applicant(s). A person (who need not necessarily be the applicant or one of the applicants) may be authorised by the applicant(s) to lodge the application and to make any alterations, changes or corrections to the application form as may be necessary in respect of any matter that may arise or be revealed by the processing of the application at the time of lodgement. The name of the person authorised should be stated on the form and that person must sign the form.

It is recommended that applications not personally lodged be sent to the Registrar of Mines by a courier service or by certified/registered mail.

LEGISLATIVE REQUIREMENTS

The lessee must abide by all legislative requirements. The following legislation is relevant to mining operations:

- Industrial Relations Act 1984*
- Workplace Health and Safety Act 1995*
- Land Use Planning and Approvals Act 1993*
- Environmental Management and Pollution Control Act 1994*
- Fire Service Act 1979*
- Dangerous Goods Act 1998*
- Water Management Act 1999*
- The Building Act 2000*

MINING PLAN

A mining plan is required under the MRDA and as part of the Mining Lease conditions. The purpose of the plan is to describe the nature and extent of the proposed operation, its environmental impacts, and proposals to ameliorate the impacts. The plan will be assessed as part of a lease application.

For simple operations the Environmental Impact Information (EII) form may be used. This is combination of a mining plan and environmental self assessment. It is primarily designed for quarry applications, but may also be used for mines. The EII form provides basic information for a sketch plan (Copies of the EII form may be obtained from MRT or downloaded from the MRt website at:

http://www.mrt.tas.gov.au/portal/page?_pageid=35,830956&_dad=portal&_schema=PORTAL

Where an applicant must prepare a Forest Practices Plan for a quarry this may also be accepted in place of an EII (please check with MRT).

Details of the geology and mineral resource, details of mineral processing, tailings and waste storage should be provided for coal or metallic mineral mines.

Where an application is for a more substantial operation a report with plans is required. This should provide details of location, plan of the operation, market, access, neighbours, plant schematic, benches, stages of operation, water courses, drainage and erosion control, topsoil protection and rehabilitation provisions.

Where an applicant is also preparing an environmental management plan for a development application, this may also be suitable for lease application (please check with MRT).

REHABILITATION ON THE LEASE

The lessee must have a Mining Plan and must operate the mine or quarry in accordance with this plan. The plan must also provide for rehabilitation of the land to be disturbed by mining. Staging of or progressive rehabilitation is generally required. Soil conservation, drainage and erosion control, revegetation and weed management are required.

Lease conditions usually provide for a maximum area of disturbance, i.e. that required for the pit, access and working area, stockpile and includes clearing and overburden stockpiles. Rehabilitated stages will normally be credited against further disturbance.

SECURITY DEPOSIT (BOND)

A security deposit will be levied against the rehabilitation or environmental liability. This will be based on the expected cost of the rehabilitation requirement to the State. Deposits may be lodged in the form of an irrevocable Bank Guarantee or cash. Further information is available from the MRT website or by contacting the office of the Registrar of Mines.

REPORTING

The lessee shall provide to the Director if demanded, copies of records kept under Section 188 of the *Mineral Resources Development Act 1995*.

Such records are to contain the following:

- (a) the quantities and values of products sold or held in stock;
- (b) the quantities of ore and waste mined and ore treated;
- (c) the sources of ore and waste mined and details of waste disposed of;
- (d) details of any mine development undertaken;
- (e) details of any process development;
- (f) a breakdown of any capital expenditure;
- (g) the operating costs of any mining and exploration carried out;
- (h) details of the workforce;
- (i) details of on-lease exploration as the Director requires and to the standard set out in the brochure *Mineral Tenements — Guidelines for Reporting* as published by Mineral Resources Tasmania from time to time, and;
- (j) details of ore reserves and resources in accordance with the standards as published in the *Australasian Code for Reporting of Identified Mineral Resources and Ore Reserves* by the Australian Institute of Mining and Metallurgy.

COMPLIANCE WITH QUARRY CODE OF PRACTICE

The lessee shall ensure that any surface operations adhere to the principles outlined in the *Quarry Code of Practice* and *Mineral Exploration Code of Practice*, as approved under Section 204 of the *Mineral Resources Development Act 1995*. Where permit or lease conditions under the *Land Use Planning and Approvals Act 1993* and the Mining Lease are in conflict with the Code, the permit or lease conditions shall take precedence.

BUFFER ZONES AT EDGE OF LEASE

The lessee must ensure that an adequate stable buffer zone of at least ten metres from any private property and/or lease boundary is maintained throughout the life of the lease. The lessee's operation may only encroach on the buffer zone with the prior written approval of an Inspector of Mines.

INSURANCE

Lessees must take out, and keep current throughout the term of the lease, public liability insurance indemnifying the Ministers and the Lessees respective liability arising from, or attributable to, the Lessee's occupation or use of the lease area.

FIRE

The lessee is to take care with the use of fire during mining operations.

The lessee must take immediate action to suppress any fire for which there is no permit, that commences on the lease area during mining operations

The lessee must not burn material other than in accordance with the *Fire Service Act 1979*.

PUBLIC SAFETY AT CLOSURE OF MINING

Where an excavation, building, equipment, stockpile or dam on a mining lease ceases to be used for mining operations, the lessee is responsible to remove any hazards which may exist. Such work must be carried out to good engineering practice. At closure rehabilitation will be required under lease and permit conditions, and safety provisions should be incorporated into the rehabilitation works.

- (a) Access for persons and vehicles to areas of potential hazard shall be removed or blocked.
- (b) Shafts, adits, portals, stopes and other underground excavations, which intersect the surface of the land, shall be filled in or covered. A prominent notice showing the position of the excavation shall be erected in the immediate vicinity of the excavation.
- (c) Excavations, open cuts and quarries shall be graded, filled or reworked to reduce their height or otherwise left in a condition to remove any hazard. Materials which are potentially unstable (stockpiles and faces of overburden, waste and other material) shall be graded or otherwise re-worked to leave a stable slope.
- (d) Dams, sumps and ponds shall be breached, emptied or filled in. There may also be closure requirements through dam approvals under the *Water Management Act 1999*. Safety provisions should be incorporated into the rehabilitation works.
- (e) Buildings should be demolished and equipment and materials removed. Chemicals shall be removed.

Should (b) above be considered impractical alternative proposals may be considered by the Director. Any fence shall be constructed of durable, robust materials and be secure.

CULTURAL HERITAGE AND ALTERNATIVE USE

Cultural heritage may be a consideration and works or arrangements may be required to retain buildings or features of historic interest. Where it is considered that an ongoing use may provide for the control of hazards, proposals may be considered.

NOTICE OF CLOSURE

The lessee shall give the Director of Mines three months notice of his intention to cease mining operations, and provide MRT with plans of the lease showing the excavations, buildings, equipment, stockpiles, dams and access routes on the mining lease and the provisions made to remove any hazards.

NOTICE OF TEMPORARY CLOSURE

Where a temporary closure of mining operations is proposed for a period of 60 days or more, the lessee shall provide the Director of Mines with the safety precautions to be taken during the period of closure.

ADDRESS FOR CORRESPONDENCE AND LODGEMENT OF FORMS

Mineral Resources Tasmania

Post:

PO Box 56
Rosny Park
Tasmania 7018

Street Address:

30 Gordons Hill Road
Rosny Park
Tasmania 7018

Telephone: (03) 6233 8377 or (03) 6233 8341

Facsimile: (03) 6233 8338