

**EXTRACTIVE MINERAL LEASES****Introduction**

The purpose of these explanatory notes is to assist with statutory obligations that applicants will need to observe when preparing an application for an Extractive Mineral Lease. It also describes post application and post grant requirements and processes with respect to this title type.

Whilst these Notes have been provided to assist applicants in their compliance with the *Mining Act*, it is incumbent on them to acquaint themselves with the provisions of the *Mining Act* and all other laws of the Northern Territory as are applicable. Although these notes are here to assist you, in all cases the legislation prevails.

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**For further information, please contact:**

In person	Titles Division Customer Service Desk 5th Floor, Centrepont Building, The Mall, Darwin, NT 0800
By post	Customer Services Titles Division, Department of Resources GPO Box 3000, Darwin NT 0801
By fax	(08) 8981 7106 – Attention: Customer Services
By phone	(08) 8999 5322 – Customer Service Officer
By e-mail	titles.info@nt.gov.au – Customer Service Officer

## Purpose of title

An extractive mineral lease allows the holder to extract and remove the extractive mineral, clay or stone specified in the lease document. For further information please refer to Section 101 of the *Mining Act*.

## Pre-requisites

The common essential pre-requisites are:

- each applicant holds a Northern Territory Miner's Right;
- **the applicants have made application for approval to apply for an extractive mineral lease;**
- the land is available and has been surveyed prior to grant;
- state the extractive mineral/s to be mined, or if the area is required for ancillary purposes in conjunction with the development of an extractive mineral resource;
- the applicants have the financial and technical resources to undertake their proposed program;
- the applicants have complied with the *Mining Act* in respect of making a valid application.

## Application for Approval to Apply for an Extractive Mineral Lease

**Prior to marking out the area** of a proposed extractive mineral lease, applicants must seek approval to make the lease application from the Minister. Applicants should provide a description of matters which maybe of relevance to the Minister.

The required form has been attached to the lease application form. Please note that these two forms should accompany each other at the time of lodgement.

## Marking Out of Area

In addition to these explanatory notes, please refer to Regulation 19 of the *Mining Act*.

### Minister's Approval

The prior approval of the Minister to apply for an extractive mineral lease is required in order to enter on any land for the marking out of the proposed lease area.

The relevant form has been attached to the application form for the lease. These two forms should be submitted together to the Titles Division.

In accordance with Regulation 19, extractive mineral lease areas must be marked out within 14 days of receiving the Minister's approval to apply, and within a further 14 days, details of the method of marking out must be provided to the Department.

### Marking Out (Pegging)

There shall be erected at each corner of the proposed lease area, a substantial metal post (or cairn of stones) which, shall project above the surface of the area by not less than one metre.

The use of a star picket over which a sleeve, not less than 75mm in diameter of metal, heavy duty PVC or ferro cement has been placed, is acceptable.

**Note:** These sleeves should be either filled, capped, or the base cut at an angle so as to prevent fauna from becoming trapped.

### Datum Post

As per Regulation 19, the metal post or cairn of stones placed at the north-eastern corner of the area shall be the datum post.

At the time of marking out, a notice comprising of a metal plate etched or stamped, or printed in durable oil-based paint so as to remain clearly legible, specifying the type of title, the time and date of marking out, the size of the area, the subject of the application and the full name and address of the applicant/s, shall be affixed to the datum post.

Example of Datum Notice affixed to the North-East Corner Post:

**DATUM NOTICE**  
EXTRACTIVE MINERAL LEASE  
  
PEGGED 1400H 11 JULY 2001  
100 HA  
ROCK AND STONE QUARRY  
  
PEGMRIGHT PTY LTD  
GPO BOX 000, DARWIN NT 0801

All corner posts (or cairns of stones) must be set in the angle of either 2 trenches or lockspits of stone, 1 metre long and 150 millimetres deep or high, arranged to indicate the direction of the boundary lines.

Common posts may be utilised, but only where the area sought abuts an area already held by the applicant or is likewise being sought by the same applicant.

Witness posts may be used where it is impracticable to erect corner posts because of water or some other obstacle. Such a post is to be marked "W.P" with a bearing and distance to where the corner post should be located.

For the purposes of 'Flagging' the sole use of combustible material (flagging tape) is not acceptable. Flagging tape must be used in conjunction with other non-combustible flagging.

Example:

Metal tags (minimum of 75mm x 25mm) fixed on either side of the trees at 1.5 metres above ground level should be placed along the line of sight between corner pegs or additional metal posts or flagged trees.

Boundary lines should lie as near as possible to the **true meridian** (not magnetic) bearings of north south and east west. A clear line of sight between posts, no more than 1 metre wide, should be made. Immature trees may be removed; mature trees are to be flagged.

The shape of the area shall be a rectangular parallelogram, **the length of which shall not exceed twice the width**, except in exceptional circumstances, such as existing boundaries, natural features, etc. (Refer to Regulation 20 of the *Mining Act*).

### Survey of Area

Prior to grant, applicants will be notified to arrange for the surveying of the proposed lease area. The survey shall be in accordance with the Surveyor-General's requirements and will need to be registered with its office.

## Assistance to fill in an application form

### Lodging of Applications

Applications for extractive mineral leases must be accompanied by an 'Application for Approval to Apply for an Extractive Mineral Lease' form. For assistance to fill in that form, please refer to the relevant explanatory notes on page 2.

**Note: The proposed area of the lease must not be marked out at this stage!**

Marking out of the lease area must be carried out after lodging the application forms and within 14 days of receiving the Minister's approval from the Titles Division.

### Part 1 - Particulars of Applicant

In this part of the form, all applicants are required to identify themselves. If there are more than four parties to the application, please use an attachment to identify further applicants.

#### Full name of applicant:

In case of individuals, please state the full name of each person. In case of corporations, state the name of each corporation as per the latest Certificate of Incorporation.

#### Principal or residential address of applicant:

Please state each applicant's principal or residential address. This is the address at which documents may be served on each applicant and NOT the address of its agent.

#### Australian Company Number (ACN):

This is the number described on the Certificate of Incorporation of a corporation.

#### Miner's Right Number:

Each applicant for an extractive mineral lease is required to hold a valid Miner's Right.

Miner's Rights cost \$100 and maybe issued to an individual over the age of 15 or to a corporation. Individuals need to produce either their Driver's Licence, Birth Certificate, Passport or some other form of evidence as proof of identity, whereas a Certificate of Incorporation is necessary for a corporate body. The holder of a Miner's Right is referred to as "a Miner".

If you do not have a Miner's Right or if you are unsure that you have one, please contact the Customer Service section by any of the methods described on the first page of these explanatory notes.

#### Interest:

All applicants are required to state their proposed interest in percent (not shares).

## Part 2 - Particulars of Agent

An agent can be any one person or corporation, who has been nominated by the applicant/s to administer the subject application on behalf of the applicant/s. The Titles Division with respect to the subject application will address ALL correspondence to the agent.

The agent is not required to have a Miner's Right, however contact details will be recorded into the Titles Division's Titles Administration System.

In case of a single applicant this person/corporation may be the applicant itself or its consultant, agent or attorney. In case of multiple applicants this person/corporation may be any **one** of the applicants who is nominated by the other parties or **one** nominated consultant, agent or attorney.

### Full name of agent:

State the full name of the agent.

### Postal Address:

This is the postal address of the agent. This will be the 'care-of' address for the applicant/s that the Titles Division will use in communication with respect to the subject application.

Example: 'Reminder Letters', 'Offers of Grants' or 'Grant Documents' will be sent to this address with respect to the subject application.

### Authorisation to Act as Agent:

If the agent is not the applicant, please provide a copy of authorisation to act as agent from each applicant. Such authorisations should be, in case of corporations, on company letterhead or, in case of individuals, signed by the applicant.

## Part 3 - Particulars of Period

The maximum number of years that an extractive mineral lease may be granted for is 10 years. In this section please state the number of years that you require the subject application to be granted for.

## Part 4 - Particulars of Area

Please refer to the "Land Availability" and "Land Status" sections in order to determine what land may be applied for.

### Number of Hectares:

The maximum area that can be sought under an application is 100 hectares.

### Geographic Datum:

Please state the geographic datum on which the coordinates have been provided. (ie. GDA94, WGS84)

### Datum Post:

The Datum Post, being the North-Eastern corner post, must be described by latitudes and longitudes **as well as** by distance and bearing from a geographical feature or known survey point.

### Written description:

All boundaries are measured in metres and all bearings true.

### Example of written description:

Commencing from NTS310 (Mount Wells), proceed 250m on a true bearing of 90 degrees to Datum Post.

Thence 800m on a bearing of 180 degrees,  
Thence 400m on a bearing of 270 degrees,  
Thence 800m on a bearing of 360 degrees,  
Thence 400m on a bearing of 90 degrees back to the Datum Post.

In addition, digital spatial information can be e-mailed to the titles.info@nt.gov.au stating the projection and datum of the data.

### Map of application area:

Under Section 162 of the *Mining Act*, each application must be accompanied by a map that indicates the area of land to which the application relates, including the boundaries of existing land holdings or geographical features.

This map must be at a scale that clearly depicts the boundaries of the application. It should also depict locations of any residences/buildings that are within and up to 50m outside of the area of the application.

Maps may be printed from the Titles Information System, which is the Division's online query system. For further information please contact us or log into [www.minerals.nt.gov.au/tis](http://www.minerals.nt.gov.au/tis)

### Reasons for Irregular Shape:

As per Regulation 19 of the *Mining Act*, boundary lines should lie as near as possible to the **true meridian** (not magnetic) bearings of north south and east west. In addition, Regulation 20 requires the shape of the area to be a rectangular parallelogram, **the length of which shall not exceed twice the width**, except in exceptional circumstances, such as existing boundaries, natural features, etc.

Therefore if applicable, please provide specific reasons for the irregular shape of the subject application.

## Part 5 - Extractive Mineral/s to be Mined or Associated Purpose in Conjunction with Mining of Extractive Minerals

Please describe either:

- the extractive mineral/s to be recovered, or
- the nature of the ancillary purpose in conjunction with mining of extractive minerals.

## Part 6 - Exchange of Tenement

Where applicable, a list of the titles to be surrendered in exchange for the extractive mineral lease should be included in the application.

## Part 7 - Details of financial resources to fund proposals

Applicants need to substantiate that they have the financial resources to fund proposals:

- Companies may lodge excerpts from their Annual or Quarterly Reports containing financial details.
- Individuals may obtain a letter from their bank giving some indication as to their financial position (exact funds held not required – just an indication that there are adequate funds to undertake the proposed program).
- Company or private accountant verification on letterhead of available funds.

## Part 8 - Details of Technical Qualifications/ Expertise or Experience and Technical Advice

Applicants need to substantiate that either they have the technical qualifications, or that they have ready access to technical advice to ensure the proposed program can be undertaken.

Applicants should detail the names and credentials of the individuals or consultants that are to be utilised.

## Part 9 - Native Title Agreement

Please advise of any written agreements that the applicant/s have entered into or are in the process of entering into with native title claimants **over the area that is the subject of this application.**

## Part 10 - Names and addresses of affected land owners/occupiers

Section 97 of the *Mining Act* requires the applicant/s to identify the names and addresses of ALL affected land owners/occupiers. In determining who is affected by an application, consideration needs to be given to those who are likely to be affected by the access to the area sought.

This address can be obtained either from the:

- Northern Territory Land Titles Office  
GPO Box 3021, Darwin NT 0801  
Phone: 8999 6520; Fax: 8999 6239.  
In this case please attach a copy of the land title search, which you would have obtained for a fee from that office.
- Integrated Land Information System (ILIS)  
Contact NT Land Information Systems  
Dept. Planning and Infrastructure  
Telephone: 89244128  
Email: ilis.support@nt.gov.au

## Part 11 – Native Title Claimants/ Bodies Corporate/Representative Bodies

Please identify the names and addresses of affected native title claimants, bodies corporate and representative bodies.

Please attach a current Native Title Search Certificate that you would have obtained for a fee from the Native Title Tribunal.

Native Title Tribunal  
GPO Box 9973, Darwin NT 0801  
Telephone: (08) 8936 1600  
Facsimile: (08) 8981 7982

## Part 12 - Fees

On lodgement of an application, certain fees and charges apply, which are determined by the cadastral (land) status of the application area.

Please note that applications received without correct payments cannot be accepted. The same applies for applications that are received with insufficient payments.

<b>Application area entirely over Freehold land:</b>	
Application Fee	\$292.00
NT News Advertising Fee	\$291.04
<b>TOTAL</b>	<b>\$583.04</b>
<b>PLUS</b>	
Centralian Advocate Advertising Fee (if applicable)	\$208.36
<b>TOTAL</b>	<b>\$791.40</b>

<b>Application area is over land that may be affected by native title:</b>	
Application Fee	\$292.00
NT News Advertising Fee	\$291.04
Koori Mail Advertising Fee	\$205.00
<b>TOTAL</b>	<b>\$788.04</b>
<b>PLUS</b>	
Centralian Advocate Advertising Fee (if applicable)	\$208.36
<b>TOTAL</b>	<b>\$996.40</b>

Please Note: Advertising and associated fees are subject to change without notice. Amounts are inclusive of GST.

## Part 13 - Payment methods:

### Acceptable payment methods:

Personal cheques or Money Orders are payable to the Receiver of Territory Monies and must accompany the application.

Visa or Master card requires written authorisation either on the application form or in a covering letter accompanying the application.

Direct debit to the Department's account can be arranged by contacting the Mineral Titles Division and obtaining the Department's account number.

EFTPOS is only available for applications that are lodged in person.

Cash payment is only available for applications that are lodged in person.

## Part 14 - Signatures of applicants

Applications will not be accepted without the signatures of the applicants' or the agent. Exceptions to this are e-mailed applications.

## Land Status

There are 3 main categories of land tenure, which determine the grant process of an application:

- Freehold Land;
- Aboriginal Freehold Land; and
- Native Title Affected Land.

It is a policy of the Department to split applications that are/may be over more than one type of land tenure.

### Freehold Land

Freehold land title, sometimes referred to as a Grant in Fee Simple or Estate in Fee Simple, means that the Crown (or Government) has passed all interest in the land, other than minerals, onto the owner. An example of freehold land is the average house block in a city or town.

Applications over Freehold titles can proceed under the *Mining Act*. Therefore it is in the applicant's interest to separate areas of interest over Freehold and allow the application to be processed without any unnecessary delay.

### Aboriginal Freehold Land

Aboriginal Land Rights (Northern Territory) Act 1976 (Commonwealth)

For the purposes of the *Mining Act*, any Freehold land title that is owned by an Aboriginal Land Trust is referred to as Aboriginal Freehold Land. Applications over Aboriginal Freehold Land must be processed through the *Mining Act* as well as the Aboriginal Land Rights Act (ALRA). Please also refer to the "Additional requirements for application on Aboriginal Land" section of these explanatory notes.

**Note: Due to the provisions of the Aboriginal Land Rights Act, applications on Aboriginal Freehold Land which traverse across Land Council boundaries cannot be accepted and the application will need to be split.**

### Native Title Affected Land

*Native Title Act 1993* (Commonwealth)

Native Title is a concept in the law of Australia that recognises that there was/is a continued beneficial legal interest in land and waters held by Indigenous Australians. Native Title is recognised across Australia and can co-exist with other forms of land title including pastoral leases and mining exploration licences.

For a complete definition refer to section 223 of the *Native Title Act 1993*.

In practical terms, land that is neither Freehold nor Aboriginal Freehold is considered to be land that is affected by Native Title. The Department uses the 'Right to Negotiate' procedures under the Commonwealth

*Native Title Act 1993* to process applications over land which may be affected by native title.

### **Mining Act Section 4 Interpretation**

Crown Land means all land in the Territory **other than** – a reserve or park, private land, Aboriginal land, land the subject of a mining tenement or exploration retention licence, land reserved from occupation under section 178 of this Act, land reserved for or dedicated to a public purpose.

Private Land means land that is – alienated from the Crown for an estate of freehold, the subject of a conditional purchase agreement, or the subject of a lease or concession, with or without a right of acquiring the fee simple, other than a lease or concession for pastoral or timber purposes.

**But does not include** –

Aboriginal land, land held for an estate in fee simple, or in a lease from the Crown, by the Conservation Land Corporation established by section 27 of the Parks and Wildlife Commission Act; or land held or occupied for mining purposes under the *Mining Act* or the repealed *Mining Act*.

In addition, where a pastoral lease is subdivided and the resultant parcels are 150 square kilometres or less in area the parcels are considered private land for the purposes of the *Mining Act*. (Section 4(5) of the *Mining Act*.)

### Northern Territory National Parks

The Department of Resources and the Parks and Wildlife Commission have entered into an arrangement whereby mineral claims can be granted, subject to stringent conditions, over Northern Territory National Parks.

### Telecommunication Sites

It is the practice of the Department to exclude from the grant of any extractive mineral lease any telecommunication sites or Commonwealth Land. For further information concerning this, please contact the Titles Division.

### Council or Shire Rates

Titles, when granted, may be assessed for Local Council or Shire rates. To be assessable for rates a title must also have an Authorisation granted under the Mining Management Act. Rates do not apply to titles for exploration purposes. Contact your Local Government Office for more information.

**Note: Applications that cover both Aboriginal Freehold land and land that may be affected by Native Title cannot be accepted. Applicants will be requested to split such applications into single landforms to allow processing under the appropriate Act.**

## Land Availability

### Current Title Maps

The Department maintains an electronic spatial database for the recording and maintenance of Mineral Title information. The Title Information System (TIS) provides an online public access to this database. TIS depicts areas currently held or sought by miners and those which are reserved from occupation.

In order to determine areas that are available or that are likely to become available, through Titles Information System (TIS) a web browser (like Internet Explorer) a dynamic map of the Territory can be viewed and current information printed. Registered users can access queries and textual information on all current titles. Registration is free and application forms can be printed from:

**[www.minerals.nt.gov.au/](http://www.minerals.nt.gov.au/)**

For further information or assistance please contact us by either of the methods described on the first page of these explanatory notes.

### Conflicting Land Tenure

As described in the 'Land Status' section, Land Status determines what land can be included in any one application.

Applications for extractive mineral leases which combine Aboriginal Freehold land with either Native Title affected land or NT Freehold land (or both), will not be accepted. Applicants will be requested to split such applications

into single landforms to allow processing under the appropriate Act.

Exception to this may be where there are small (less than 1 hectare) areas of Freehold land within the boundaries of an application that is otherwise exclusively over Aboriginal Freehold land or exclusively over Native Title affected land. In such cases, applicants may be asked to either exclude the smaller areas or submit a separate application as mentioned above.

It is the practice of the Department to exclude any Telecommunication Sites or Commonwealth Land from the grant of an extractive mineral lease.

### Conflicting Mining Tenure

Extractive mineral leases may be sought over areas of land subject to an exploration licence or an application for an exploration licence.

When a mineral claim has been approved for extractive mineral exploration, the removal of extractive material may only occur when the mineral claim is surrendered in exchange for an extractive mineral lease.

In addition to the above, extractive mineral lease applications **cannot** be made over land that is currently the subject of:

- an application for an extractive mineral lease;
- a granted extractive mineral lease;
- a Reservation from Occupation under section 178 of the *Mining Act*.

## Mining Management Act 2001

**Prior to any extractive activities** taking place, holders of extractive mineral leases are required to obtain an Authorisation under the *Mining Management Act 2001*.

Please contact the Mines Division for further information:

Mine Audit Officer  
GPO Box 3000, Darwin NT 0801  
Telephone: (08) 8999 6528  
Facsimile: (08) 8999 6527

## Competing applications

Competing applications over the same area made on the **same day** have equal priority, and are determined on their merits.

Factors taken into account include:

- the proposed development program;
- the technical expertise available, and
- the financial resources available.

## Additional requirements for applications on Aboriginal Land

Before applying for an extractive mineral lease on Aboriginal land, the intending applicants must seek and obtain an agreement with the Land Trust and the Land Council to the grant of the proposed extractive mineral lease.

For further details, please refer to Section 19(4A) of the Aboriginal Land Rights Act (NT). A copy of the agreement must accompany the application.

## Post Application Requirements

### Unauthorised Activity

Unless authorised under pre-existing tenure that will ultimately be surrendered in exchange for the grant of an extractive mineral lease, no activity may take place on the area under application until the extractive mineral lease is granted.

### Service of Notice

Within 14 days **after** receiving notice of the Minister's approval to apply for an extractive mineral lease, the applicant is required, pursuant to Section 99 of the *Mining Act*, to serve notice on the affected landowners and occupiers.

Serving notice prior to the lodgement of the application with the Department is not in compliance with the *Mining Act*, and applicants will be requested to re-serve the notice to ensure the validity of their application.

Where possible the following should be included in the notice to the affected land owner/occupier:

- Application number and name of project (if applicable);
- Resume of the applicant – latest achievement, technical expertise and reputation;
- Purpose of the extractive mineral lease;
- Details of development proposals and likely disturbance to property;
- A map depicting the area sought in relation to the area owned or occupied by the affected land owner/occupier;
- Contact names in full, telephone and facsimile numbers, including those of any contractors;
- An invitation to the affected land owner/occupier to visit the applicant's office or seek a mutually convenient time to visit the affected land owner's/occupier's home or office to discuss proposals;
- An undertaking to fully discuss the proposed program should the extractive mineral lease be granted.

Within 14 days of serving the above mentioned notice, the applicant is required to lodge a **copy of the notice and evidence of the service** of the notice with the Mining Registrar.

The usual practice is to provide a copy of the registered mail slip. However, a statutory declaration stating to whom and when the notice was dispatched will also suffice. In both cases a copy of the letter served will be required.

### Unknown or Absentee Land Owner

Where a notice has to be served on a person whose name or present address is not known to the applicant, the following procedure applies.

Applicants must, with the prior approval of the Secretary, publish a notice in the NT News on at least 3 occasions and not less than 7 days apart. Additionally, a notice must be posted on the public notice board in the office of the Secretary for 7 days. The notice board is located at the Titles Customer Service Desk on the 5<sup>th</sup> Floor of the Centrepoint Building, Darwin.

### Advertising

As soon as practicable after the application is received, the Department will arrange to have a notice of the application published in the appropriate newspaper.

### Securities

Applicants will be advised in due course if they are required to pay securities.

### Planning Approvals

Applications in the Litchfield Shire require approval from the Development Consent Authority under the Planning Act.

Ph: (08) 8999 6044

PO Box 1680, Darwin NT 0801

## Notification of Determination

### Survey of Area

Prior to grant, applicants will be notified to arrange for the surveying of the proposed lease area. The survey shall be in accordance with the Surveyor-General's requirements and will need to be registered with its office.

### Successful Applications

Applicants of successful applications will be notified of the Minister's intention to grant the extractive mineral lease by an "Offer of Grant" letter. Generally the grant may be subject to:

- the applicant paying the prescribed rent within the timeframe specified in the "Offer of Grant" letter;
- lodging any security required within the timeframe specified in the "Offer of Grant" letter.

The date of issue of the receipt for the rent or security, whichever is latest in time, will be the date of grant of the lease.

### Unsuccessful Applications

Shall an application be found unsuccessful; a letter of refusal will be sent to the applicants.

In cases where the refusal occurred prior to advertising of the application, advertising fees will be refunded. Please note that application fees will be retained in all cases.

## Post Grant Requirements

### Lease Conditions

**Before undertaking any mining activity, the holder of an extractive mineral lease must obtain an Authorisation to extract under the *Mining Management Act 2001*.**

Please contact the Mines Division of the Department of Resources to apply for such an Authorisation:

Mine Audit Officer  
GPO Box 3000  
DARWIN NT 0801  
Telephone: (08) 8999 6528  
Facsimile: (08) 8999 6527

In addition, the holder of an extractive mineral lease should read and fully understand the conditions attached to the lease and the statutory provisions under the *Mining Act*.

The conditions applicable to each extractive mineral lease may vary to those applying to a previous lease. Upon receipt of a notification of the grant of an extractive mineral lease, the assumption must not be made by the holder that the conditions will be identical to those of a previous lease.

### Sacred Sites

Holders of extractive mineral leases should be familiar with the provisions of the *Northern Territory Aboriginal Sacred Sites Act*. It is recommended that extractive mineral lease holders visit the Aboriginal Areas Protection Authority to determine whether there are any registered sacred sites within the lease area, and consider whether to apply for an Authority Certificate in accordance with Section 20 of the *Northern Territory Aboriginal Sacred Sites Act 1989* prior to commencing.

Advice on that Act is available from the Aboriginal Areas Protection Authority:

1<sup>st</sup> Floor T.I.I. Building  
74 Cavenagh Street, Darwin  
Northern Territory  
Telephone: (08) 8981 4700  
Facsimile: (08) 8981 4169

### Rights of Fossickers

By virtue of Section 130D of the *Mining Act*, a fossicker may fossick for minerals within an area the subject of an extractive mineral lease or an application for an extractive mineral lease, but only with the written consent of the holder of, or applicant for that lease as the case may be.

## Partial Surrender

Where a portion of an extractive mineral lease area is to be surrendered, the area to be retained is to be surveyed by a licensed surveyor and the Surveyor-General's certificate of survey is to be lodged with the Principal Registrar.

## Renewal

The holder of an extractive mineral lease may, at any time before 3 months before the expiry of the lease, make an application for the renewal of that lease.

Where an application for renewal is not determined until after the date of expiry of the previous term of the lease, by virtue of Section 103(4) of the *Mining Act*, the extractive mineral lease is deemed to continue in force until the application for renewal is determined.

Extractive mineral leases can be renewed for periods not exceeding 10 years, and the Minister may vary or add to the conditions attached to the extractive mineral lease.

To apply for a renewal of an extractive mineral lease, the applicant must be the holder of the extractive mineral lease to be renewed and submit the following:

Comprehensive Report of Mining Activities carried out during the term of the Extractive Mineral Lease to the Date of Application.

To substantiate an application for renewal, applicants should give full details of the project including production and details of any reasons that the leaseholder feels would justify the renewal of the extractive mineral lease.

### Fees

The following fees and charges are required at the time of lodgement of the renewal application:

Renewal Application Fee	\$28.00
Annual Rent (incl GST)	\$220.00/Ha

Please note that applications received without correct payments cannot be accepted.

## Disclaimer

Whilst these Notes have been provided to assist applicants in their compliance with the *Mining Act*, it is incumbent on them to acquaint themselves with the provisions of the *Mining Act* and all other laws of the Northern Territory as are applicable. The Minister may grant a title in respect of all or part of the land over which an application is made. Where other interests exist over the area applied for, applications may not be successful. Fees are subject to change.