File No:

(Court Use Only)

**Form 05** | *Mineral Resources Act 1989* – sections as selected on page 3 of this form

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| **REFERRAL OF MINING COMPENSATION MATTERS**  **on behalf of the Chief Executive, Department of Natural Resources, Mines and Energy (DNRME)** |

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| **SECTION 1 – MANDATORY DETAILS** | |
| **Mining District:** | |
| |  | | --- | | Click to enter name of mining district. | | |
| **Local Government Area(s):** | |
| |  | | --- | | Click to enter name of local government. | | |
| **Tenure Identifier:** | |
| |  | | --- | | Click to enter tenure identifier. | | |
| **Referral requested by:** *(Tick whichever is applicable)* | |
|  | **Applicant** |
|  | **Landowner** |
|  | **Other** |

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| **SECTION 2 – MINING TENURE APPLICANT / HOLDER DETAILS**  *(if there is more than one applicant, please click the plus button at the bottom right corner of the table to add them)* |

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| --- |
| **Tenure Applicant / Holder Name(s):** |
| |  | | --- | | Click to enter name of tenure applicant / holder. | |
| **Residential or Business Address:** |
| |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | Click to enter address. | **Suburb:** | Click to enter suburb. | **State:** | Select an item. | **Postcode:** | Enter postcode. | |
| **Address for Service:** *(if different from above)* |
| |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | Click to enter address. | **Suburb:** | Click to enter suburb. | **State:** | Select an item. | **Postcode:** | Enter postcode. | |
| **Contact number(s):** |
| |  |  | | --- | --- | | Click to enter telephone number. | Click to enter mobile phone number. | |
| **Email address:** |
| |  | | --- | | Click to enter email address. | |

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| **SECTION 3 – LANDOWNER DETAILS**  *(if there is more multiple landowner details, please click the plus button at the bottom right corner of the table to add them)* |

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| **Landowner Name:** |
| |  | | --- | | Click to enter name of landowner. | |
| **Residential or Business Address:** |
| |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | Click to enter address. | **Suburb:** | Click to enter suburb. | **State:** | Select an item. | **Postcode:** | Enter postcode. | |
| **Address for Service:** *(if different from above)* |
| |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | Click to enter address. | **Suburb:** | Click to enter suburb. | **State:** | Select an item. | **Postcode:** | Enter postcode. | |
| **Contact number(s):** |
| |  |  | | --- | --- | | Click to enter telephone number. | Click to enter mobile phone number. | |
| **Email address:** |
| |  | | --- | | Click to enter email address. | |
| **Property Description(s):** *(e.g. Lot on Plan descriptions or Land Parcel identifiers)* |
| |  | | --- | | Click to enter property description(s). | |

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| **SECTION 4 – AFFECTED AREA** | |
| **Estimate of the Access Area over the Property:** *(Please attach map showing access route and area)* | |
| **Access Length:** | |  | | --- | | Click to enter number. *(metres)* | |
| **Access Width:** | |  | | --- | | Click to enter number. *(metres)* | |
| **Total Access Area:** | |  | | --- | | Click to enter number. | |
| **Estimate of the Tenure Area affecting the Property:** *(Please attach map showing access route and area)* | |
| |  | | --- | | Click to enter number. | | |

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| **SECTION 5 – REFERRAL DETAILS** | | |
| **On behalf of the Chief Executive, Department of Natural Resources, Mines and Energy, I refer the following mining compensation matter under the Mineral Resources Act 1989 for the attention of the Land Court:** *(Please tick boxes where appropriate)* | | |
| **Mining Claim Matters** | | |
|  | Section 85(5) | **Request for referral** of compensation for Choose an item. of mining claim by the mining claim applicant / holder or the landowner |
|  | Section 85(12) | Referral of compensation for grant of mining claim after 3 months |
|  | Section 85A | Referral of compensation for renewal of mining claim after 3 months |
|  | | |
| **Mining Lease Matters** | | |
|  | Section 281(1) | **Request for referral** of compensation for Choose an item. of mining lease by the mining lease applicant / holder or the landowner |
|  | Section 279(5) | Referral of compensation for grant of mining lease after 3 months |
|  | Section 279A | Referral of compensation for renewal of mining lease after 3 months |
| **Please also indicate whether compensation:** | | |
|  | includes access | |
|  | is only for access | |

| **SECTION 6 – BACKGROUND ISSUES AND INFORMATION** | | | |
| --- | --- | --- | --- |
| **Is a determination required under s 87 or s 283 of the Mineral and Resources Act (MRA) regarding the identity of the owner of the land?** | | | Please select. |
| **Have the parties attempted mediation or any other Alternative Dispute Resolution (ADR) process?** | | | Please select. |
| **Have there been any previous compensation determinations in respect of this property and tenure?** | | | Please select. |
|  | **If yes, please identify the Court file number/s and attach a copy of previous decisions if possible:** | | |
|  | | |  | | --- | | Click here to enter text. | | |
| **Has any other matter relating to this tenure previously been referred to the Land Court for any purpose?** *(e.g. for the hearing of objections)* | | | Please select. |
|  | **If yes, what type of matter and file number:** | | |
|  | | |  | | --- | | Click here to enter text. | | |
| **Are there any other landowners affected by this tenure who are entitled to compensation?** | | | Please select. |
|  | **If yes, has or will the issue of compensation be referred to the Land Court? Please identify any relevant court file numbers:** | | |
|  | | |  | | --- | | Click here to enter text. | | |

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| **SECTION 7 – REFERRAL DOCUMENTS** | |
| **The following documents *must* be provided to the Land Court with this referral:** *(See Land Court Practice Direction 4 of 2013)* | |
|  | **MinesOnline Public Enquiry Report** |
|  | **Map showing the tenure area and access land** |
|  | **Information and maps showing which areas of the mining lease(s) or claim(s) are situated on which underlying land tenures** |
|  | **A copy of the application for the grant of a mining claim or mining lease or renewal application (whichever is relevant)** |
|  | **A copy of any amendments to the application or renewal that have occurred since lodgement** |
|  | **A copy of the mining claim application certificate or certificate of application for the mining lease** |
|  | **Any Land Court instruction or recommendation in respect of the mining claim or mining lease** |
|  | **A copy of any application by the mining tenure applicant or landowner for a determination of compensation** |
|  | **A copy of any compensation agreements filed in respect of the mining claim or mining lease** |
|  | **A copy of any environmental authority issued for the mining claim or mining lease** |
| **List any other attachments:** | |
| |  | | --- | | Click here to enter text. | | |

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| **SECTION 8 – DECLARATION SIGNATURE** |
| **Signed by:** |
| **Name and position:** |
| |  | | --- | | Click to enter name and position. | |
| **Assessment hub:** |
| |  | | --- | | Click to enter assessment hub. | |
| **Date of referral:** |
| |  | | --- | | Click here to enter a date. | |
|  |
| Click here to select date of signing. |

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| **Are you the ongoing contact person for this matter?** | | | Please select. |
|  | **If no, please identify the relevant contact person for this matter and their job title, together with a telephone number, postal address and email address for the person:** | | |
|  | | |  | | --- | | Click here to enter text. | | |

| **SECTION 10 – PROCEDURE FOR FILING** |
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| This referral and associated documents must be uploaded to the Land Court’s SharePoint portal. Each Department and individual Mining Hubs have designated libraries which are to be used for uploading the referral material. Each referral must have correctly named PDF documents which are all contained in one Zip folder. |