Necessary Criteria for a Mineral Application

Relevant Legislation: Mineral Titles Act 2010 (MTA) and Mineral Titles Regulations 2011 (MTR).

Mineral title application lodged

After lodgement, the application is assessed in accordance with the necessary criteria requirements outlined at s 58 of the MTA and r 44 MTR. These are:

- Applicant must provide all the information required for the Minister to make a proper decision. This includes:
  - making the application within the prescribed timeframe;
  - on the approved form (or in a form approved by the Minister);
  - payment of appropriate fees; and
  - all relevant attachments are included.

- If the applicant currently holds one or more mineral titles, the applicant must have substantially complied with the conditions of each mineral title held. This may include (but not limited to):
  - all reports having been lodged and accepted within specified timeframes;
  - authorised activities being actively conducted on all granted titles; and
  - any other requirement under the MTA and MTR.

- If the applicant has previously held one or more mineral titles that are no longer in force they must have:
  - paid all outstanding rents and fees and late lodgement fees; and
  - substantially complied with any rehabilitation matters, including progressive rehabilitation (where applicable) required under the Mining Management Act 2001 to the extent required by the Minister.

- If the applicant is currently engaged in negotiations for the grant of a mineral title under the Native Title Act 1993 or the Aboriginal Land Rights (Northern Territory) Act 1976 process:
  - the applicant may be required to provide evidence they are “actively negotiating” with the intention of progressing the application towards grant.

Necessary criteria assessment complete

The application has met the necessary criteria requirements and will continue through the application process.

The application has not met the necessary criteria requirements.

Applicant requested to provide additional information or rectify any identified issues.

Has the issue been rectified?

Yes

No

Application refused.

s 70 MTA

Note for r 44 of the MTR
The determination as to the extent of compliance is a discretionary matter for the Minister, or Delegate, based on particular facts and circumstances relating to conditions of grant and other requirements under the MTA.