



# Mining (General) Amendment (Miscellaneous) Regulation 2003

under the

Mining Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Mining Act 1992*.

KERRY ARTHUR HICKEY, M.P.,

Minister for Mineral Resources

## Explanatory note

The object of this Regulation is to amend the *Mining (General) Regulation 1997*:

- (a) to provide that, for the purposes of section 11A of the *Mining Act 1992*, certain activities are taken not to be prospecting or mining, and
- (b) to reduce the amount of deferred compensation to be paid by titleholders into a Warden's Court on the grant of mineral claims and opal prospecting licences from \$10 to nil.

This Regulation is made under the *Mining Act 1992*, including sections 11A (Certain activities taken not to be prospecting or mining), 266 (Compensation arising under mineral claim), 267 (Compensation arising under opal prospecting licence) and 388 (the general regulation-making power).

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Clause 1 Mining (General) Amendment (Miscellaneous) Regulation 2003

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# **Mining (General) Amendment (Miscellaneous) Regulation 2003**

under the

Mining Act 1992

### **1 Name of Regulation**

This Regulation is the *Mining (General) Amendment (Miscellaneous) Regulation 2003*.

### **2 Amendment of Mining (General) Regulation 1997**

The *Mining (General) Regulation 1997* is amended as set out in Schedule 1.

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**Schedule 1 Amendments**

(Clause 2)

**[1] Clause 10A Activities taken not to be prospecting or mining**

Omit clause 10A (1). Insert instead:

- (1) For the purposes of section 11A of the Act, any activity carried out for the purpose of recovering:
  - (a) halite (including solar salts), or
  - (b) magnesium salts, or
  - (c) potassium salts, or
  - (d) sodium salts,

from evaporation basins is taken not to be prospecting or mining if the person who carries out the activity has first given notice of the person's intention to do so to the Director-General.

**[2] Clause 10A (1B)**

Insert after clause 10A (1A):

- (1B) For the purposes of section 11A of the Act, any activity carried out on the land described in Schedule 8 (and shown by some distinctive marking on the maps marked "Hunter Enviro-Mining" held in the Department) by Hunter Enviro-Mining (Operations) Pty Limited (ABN 84 096 170 633) for or in connection with the use of the land for the environmental rehabilitation of coal reject emplacement sites (including the extraction of material for the purpose of recovering minerals from the material) is taken not to be prospecting or mining.

**[3] Clause 10A (2)**

Omit "subclause (1) or (1A)". Insert instead "subclause (1), (1A) or (1B)".

**[4] Clause 10A (3)**

Insert after clause 10A (2):

- (3) In this clause:

*evaporation basins* means natural depressions, modified natural depressions or man-made structures into which saline groundwater or surface water is pumped or drained for

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disposal by evaporation, in association with the mitigation or prevention of salinisation of land or water resources.

**[5] Clause 31A Compensation arising under mineral claim**

Omit "\$10". Insert instead "nil".

**[6] Clause 34A Compensation arising under opal prospecting licence**

Omit "\$10". Insert instead "nil".

**[7] Schedule 8**

Insert after Schedule 7:

**Schedule 8 Description of land for activities carried out by Hunter Enviro-Mining (Operations) Pty Limited**

(Clause 10A (1B))

**Part 1 Abandoned pit top areas**

<b>Name of site</b>	<b>Property description</b>	<b>Coordinates of approximate centre of site</b>
Aberdare South Pit Top	State Forest situated to the south of Howells Road and to the east of Ferguson Road Abernathy and Part Lot 542 DP 39553, Parish of Cessnock, County of Northumberland.	337480 E 1359810 N (ISG Zone 56/1), 350496 E 6360174 N (MGA Zone 56)
Abermain No 1 Pit Top	Crown land situated on the southern side of the South Maitland Railway at Abermain, Parish of Stanford, County of Northumberland.	339810 E 1367820 N (ISG Zone 56/1), 352673 E 6368226 N (MGA Zone 56)
Abermain No 1 Colliery Shaft 3	An irregularly shaped parcel (located on 2 parcels of Crown land) situated between the Villages of Neath and Kearsley, the South Maitland Railway and Neath Road, within the Parish of Stanford, County of Northumberland.	338630 E 1365840 N (ISG Zone 56/1), 351531 E 6366224 N (MGA Zone 56)

<b>Name of site</b>	<b>Property description</b>	<b>Coordinates of approximate centre of site</b>
Elrington	Part Lot 28 DP 844871 & Part Lot 7 DP 263182, Parish of Stanford, County of Northumberland, and Part Lot 20 DP 778222, Parish of Stanford, County of Northumberland.	339225 E 1360853 N (ISG Zone 56/1), 352220 E 6361250 N (MGA Zone 56)
Hebburn No 1	Part Lot 203 DP 829425, Parish of Stanford, County of Northumberland.	342445 E 1367255 N (ISG Zone 56/1), 355318 E 6367711 N (MGA Zone 56)
Pelaw Main Pit Top	Part Crown land (partially covered by ALC 4243) located south of Mulbring Street, Pelaw Main, Parish of Stanford, County of Northumberland.	344490 E 1366395 N (ISG Zone 56/1), 357379 E 6366890 N (MGA Zone 56)
Pinkeye	Crown land (partially covered by ALC 4250) located to the south of Weston on the southern side of the South Maitland Railway and bordered in the east by Lot 203 DP 829425, Parish of Stanford, County of Northumberland. Lot 203 DP 829425, located to the south of Weston, Parish of Stanford, County of Northumberland.	341822 E 1367350 N (ISG Zone 56/1), 354694 E 6367794 N (MGA Zone 56)

### Part 2 Chitter emplacements outside pit top areas

<b>Name of area</b>	<b>Property description</b>	<b>Coordinates of approximate centre of area</b>
Abermain South	Crown land (almost entirely covered by ALC 4250) situated on the western side of Hebburn Road, south of the South Maitland Railway and southeast of the Township of Abermain, Parish of Stanford, County of Northumberland.	340718 E 1366659 N (ISG Zone 56/1), 353603 E 6367083 N (MGA Zone 56)

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<b>Name of area</b>	<b>Property description</b>	<b>Coordinates of approximate centre of area</b>
Hospital Road	Part Lot 203 DP 829425, Parish of Stanford, County of Northumberland. Part Crown land located on the eastern side of Hebburn Road, Parish of Stanford, County of Northumberland.	Road commences at 340777 E 1364724 N (ISG Zone 56/1), 353699 E 6365149 N (MGA Zone 56) and ends at 342589 E 1365672 N (ISG Zone 56/1), 355492 E 6366131 N (MGA Zone 56)

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### Part 3 Rail emplacements

<b>Name of site</b>	<b>Property description</b>	<b>Coordinates of commencement and end points</b>
Rail Line Abermain No 2 to Aberdare South	Part Crown land parcel fronting Lake Road at Kearsley, Parish of Stanford, County of Northumberland. Part Crown land comprising a narrow north-south corridor that follows the eastern side of Kearsley Road, Part PT DP 755259, Parish of Stanford, County of Northumberland and Part PT DP 755215, Parish of Cessnock, County of Northumberland.	Rail line commences at 337205 E 1362311 N (ISG Zone 56/1), 350173 E 6362669 N (MGA Zone 56) and ends at 337516 E 1360041 N (ISG Zone 56/1), 350527 E 6360406 N (MGA Zone 56)
Rail Line Hebburn No 1 to Pelaw Main	Part Lot 203 DP 829425, Parish of Stanford, County of Northumberland and Part of several Crown land parcels: Lot 697 DP 755231 Parish of Heddon, Lot 332 DP 729940 Parish of Stanford, Lot 331 DP 729940 Parish of Stanford and Crown land covering the Pelaw Main pit top, Parish of Stanford, County of Northumberland.	Rail line commences at 342439 E 1367555 N (ISG Zone 56/1), 355307 E 6368011 N (MGA Zone 56) and ends at 344707 E 1366490 N (ISG Zone 56/1), 357594 E 6366989 N (MGA Zone 56)

<b>Name of site</b>	<b>Property description</b>	<b>Coordinates of commencement and end points</b>
Rail Line Pelaw Main to Heddon Greta	Several parcels of Crown land dividing Kurri Kurri in the north from Pelaw Main and Stanford Merthyr in the south, Parishes of Stanford and Heddon, County of Northumberland.	Rail line commences at 344712 E 1366390 N (ISG Zone 56/1), 357601 E 6366889 N (MGA Zone 56) and ends at 346824 E 1368363 N (ISG Zone 56/1), 359675 E 6368902 N (MGA Zone 56).
Rail Line Pelaw Main to Richmond Main East	Rail line traverses four parcels of Crown land within the Parish of Stanford, County of Northumberland. Crown land encompassing Pelaw Main Colliery pit top. A narrow strip of Crown land that bisects the urban area. Crown land (almost entirely covered by ALC 4242) located south of Mulbring Street, Stanford Merthyr, on the eastern side of Pelaw Main and Leggets Lane. Crown land (entirely covered by ALC 4242) located to the east of Crown land No 3, bordered in the north by Lot 327 DP 822130 and in the south by several lots including Lot 14 DP 716009.	Rail line commences at 344712 E 1366489 N (ISG Zone 56/1), 357599 E 6366988 N (MGA Zone 56) and ends at 346962 E 1363778 N (ISG Zone 56/1), 359900 E 6364321 N (MGA Zone 56)
Rail Line Pinkeye to Hebburn No 2	Crown land (covered by ALC 4250 on the eastern side of Hebburn Road) situated south of the South Maitland Railway and southeast of the Township of Abermain, Parish of Stanford, County of Northumberland. A narrow north-south section of Crown land following the western side of Hebburn Road southward to Hebburn No 2.	Rail line commences at 341219 E 1367093 N (ISG Zone 56/1), 351096 E 6367526 N (MGA Zone 56) and ends at 340471 E 1363845 N (ISG Zone 56/1), 353409 E 6364265 N (MGA Zone 56)

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<b>Name of site</b>	<b>Property description</b>	<b>Coordinates of commencement and end points</b>
Richmond Main Rail Line	Part Lot 2 DP 533820 & Lot 14 DP 716009, Parish of Stanford, County of Northumberland. Part Lot 26 DP 879812 Parish of Stanford, County of Northumberland. Part Lot 2 DP 986081, Parish of Stockrington, County of Northumberland. Part Lot 4 DP 1000943, Parish of Stockrington, County of Northumberland. Part Crown land parcels (entirely covered by ALC 4242), Parish of Stanford, County of Northumberland, bordered in the south by several lots including Lot 14 DP 716009 and Lot 26 DP 879812.	Rail line commences at 345380 E 1363337 N (ISG Zone 56/1), 358327 E 6363850 N (MGA Zone 56) and ends at 347928 E 1363628 N (ISG Zone 56/1), 360868 E 6364189 N (MGA Zone 56)
Rail Line Abermain No 1 to Abermain No 2	Traverses several Crown land parcels between Neath and Kearsley, Parish of Stanford, County of Northumberland Commences on the southern side of Cessnock Road and continues southward along the western side of Neath Road. The easement crosses Neath Road at Kearsley and enters the Abermain No 2 pit top area.	Rail line commences at 339512 E 1367347 N (ISG Zone 56/1), 352384 E 6367748 N (MGA Zone 56) and ends on Lake Road at 337206 E 1362375 N (ISG Zone 56/1), 350173 E 6362733 N (MGA Zone 56)

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BY AUTHORITY