

Form AD13

Notice to withdraw an application or objection

Mining Act 1992

December 2017 | v2.2

More information

For help with lodging this application, or for more information about authorisations in New South Wales, contact:

Division of Resources and Geoscience

Titles Customer Assistance Line

Phone +61 2 4931 6500 (9:30am-4:30pm)

titles.services@industry.nsw.gov.au

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The information contained in this publication is based on knowledge and understanding at the time of writing. However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning and Environment or the user's independent advisor.

Privacy statement

This information is collected by the NSW Department of Planning and Environment for the purposes of assessing an application for an authorisation or an application associated with an authority as required by the *Mining Act 1992* or *Mining Regulation 2016*.

This information may also be used by the department to confirm applicant details in the event that subsequent applications are made, and may also be used to establish and maintain databases to assist the Department with its work generally.

Except for purposes required by law, the information will not be accessed by any third parties in a way that would identify the person without the consent of that person.

You may apply to the Department to access and correct any information the Department holds if that information is inaccurate, incomplete, not relevant or out of date.

When to use this form

Complete this form if you are an applicant or the holder of an authority or mineral claim in New South Wales and you want to:

- **withdraw an application for the grant, renewal, transfer, cancellation, registration of an interest or suspension of conditions of an authority or mineral claim**
- **withdraw an objection to the grant of an assessment or mining lease.**

This form has been prepared for the purposes of Sections [130](#) and [208](#), and [Schedule 1B clause 14\(6\)](#), of the *Mining Act 1992*.

If there is insufficient room in the fields please provide the information as an attachment.

Important notes

If this application is lodged by an agent on behalf of the applicant/s, the NSW Department of Planning and Environment (Department) may seek confirmation of the authority under which the agent operates and any limits of that authority. The agent will need to complete the declaration at the end of this form and supply evidence of their appointment, if not already supplied to the Department ([Clause 97](#) of the *Mining Regulation 2016*).

The withdrawal becomes effective on the date of lodgement and is irrevocable.

There is no fee payable to withdraw an application or objection. In the case of a withdrawal of an application, you may be eligible for a refund if a suitable reason for the refund is established ([Section 292RA\(1\)](#) of the *Mining Act 1992*).

If any refund is triggered by this notice of withdrawal, the monies will be refunded to the authority holder or applicant for the original title application now being withdrawn

How to submit this form

- **By email:** Send an electronic copy of the form including any attachments to titles.services@industry.nsw.gov.au
- **By mail:** Mail your form and any attachments to Division of Resources and Geoscience, Titles Services, PO Box 344, Hunter Region Mail Centre NSW 2310.
- **In person:** Submit your application in person at the Division of Resources and Geoscience's Titles Services office, 516 High Street, Maitland, New South Wales. Office hours are 9.30am to 4.30pm.

Next steps

We will notify you in writing of the outcome of your application.

1 Authority/Application details

Type Number Act

2 What are you seeking to withdraw under this notice?

- An **objection** to an application.
- An **application**. If you are withdrawing an application, indicate the type of application:
- Grant of an authority
 - Renewal of an authority
 - Approval of a transfer
 - Registration of interest
 - Suspension of conditions
 - Cancellation of an authority
 - Other, please specify

3 Applicant/objector details

Provide the full name of applicant/s or objector/s and if applicable, the ACN or ARBN (for foreign companies).

Name	<input type="text"/>
ACN / ARBN (if applicable)	<input type="text"/>
Name	<input type="text"/>
ACN / ARBN (if applicable)	<input type="text"/>
Name	<input type="text"/>
ACN / ARBN (if applicable)	<input type="text"/>

Additional applicants/objectors

Provide the full name and if applicable, the ACN or ARBN (for foreign companies) of additional applicant/s or objector/s.

4 Contact for this notice of withdrawal

Any correspondence in relation to this notice of withdrawal will be sent to this person.

Contact name	<input type="text"/>
Position held	<input type="text"/>
Company	<input type="text"/>
Postal address	<input type="text"/>
Phone (inc. area code)	<input type="text"/>
Mobile	<input type="text"/>
Email	<input type="text"/>

Your preferred contact method

- Email (For companies – provide a generic company email address which is regularly monitored rather than an individual employee’s email address.)
- Mail (including DX)

5 For the withdrawal of an objection only

Indicate the objection you are withdrawing

- Grant of an assessment lease**
 - You are the holder of an exploration licence that includes some or all of the area in an application for an assessment lease ([Section 38](#) of the *Mining Act 1992*).
 - You have major proposals for some other use of the land ([Schedule 1 Clause 2](#) of the *Mining Act 1992*).
- Grant of a mining lease**
 - You are the holder of an exploration licence that includes some or all of the area in an application for a mining lease. ([Section 59](#) of the *Mining Act 1992*).
 - You are a government agency ([Schedule 1 Clause 9\(1\)](#) of the *Mining Act 1992*).
 - You are the Dams Safety Committee ([Schedule 1 Clause 9\(2\)](#) of the *Mining Act 1992*).
 - You are a council ([Schedule 1 Clause 18](#) of the *Mining Act 1992*).
 - You are a landholder ([Schedule 1 Clause 22](#) of the *Mining Act 1992*).
 - You are anyone (other than a person referred to in [Schedule 1 Clause 28](#) of the *Mining Act 1992*) and not mentioned previously ([Schedule 1 Clause 26](#) of the *Mining Act 1992*).

5.1 On what date was the objection lodged?

Date the objection was lodged

6 Refund of application fee

If you are withdrawing an application, you may be eligible for a refund of the application fee in whole or in part if you are able to demonstrate that there is “good cause” for the refund. Please indicate if you are seeking a refund and the basis on which you make this request.

- No, I am not seeking a refund.
- Yes, I am seeking a refund for the reasons outlined below.

7 Payment details for refunds

The withdrawal of an application may be eligible for a refund of fees. The Department’s preferred method is electronic funds transfer. Select your refund method below.

By direct deposit

Account name	<input type="text"/>
BSB	<input type="text"/>
Account number	<input type="text"/>
SWIFT code (for accounts outside Australia)	<input type="text"/>

By cheque

Cheques will be made out to the applicant or authority holder and will only be issued to a postal address in Australia. Note that the refund may be delayed as there is a longer processing time for issuing cheques.

Postal address	<input type="text"/>
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8 Declaration

This form should be signed by the person/s giving notice of the withdrawal (in the case of a company a duly authorised officer) or an agent authorised to act on behalf of such person/s.

I/We declare that the information provided in this notice is true and correct. I/We understand that under [Part 5A](#) of the *Crimes Act 1900*, knowingly giving false or misleading information is a serious offence; and under [Section 378C](#) of the *Mining Act 1992*, any person who provides information that the person knows to be false or misleading is also guilty of an offence, for which they may be subject to prosecution.

8.1 Person/s giving notice of withdrawal

Name	
Position/title	
Date	
Signature	

Name	
Position/title	
Date	
Signature	

Name	
Position/title	
Date	
Signature	

OR

8.2 Agent authorised to act for the person/s giving notice of withdrawal

Evidence of appointment is required if this has not been previously supplied to the Department.

Name	
Position/title	
Date	
Signature	

Office use only

Notice received

Time:

Date:

Received under delegation from the Secretary

Name

Signature

Document control

Authorised by: Director Titles Services

RM8 Reference: PUB17/XXX

Amendment schedule

Date	Version #	Amendment
01 March 2016	2.0	Legislation update, new template
06 March 2016	2.1	Hyperlinks updated, minor edits
December 2017	2.2	Update legislation, hyperlinks, change of department name, new DPE bank account details