

Notice to withdraw an application or objection

Form AD13, *Mining Act 1992*



Regional
NSW

Lodgement information

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

Mining, Exploration and Geoscience

Resource Operations

Phone +61 2 4063 6600 (8.30am – 4.30pm)

resource.operations@planning.nsw.gov.au

Note

- any reference to the '**Department**' in this form, refers to **Regional NSW**

How to submit this form

- **By email:** Send an electronic copy of the form including any attachments and proof of payment to resource.operations@planning.nsw.gov.au
- **By mail:** Mail your form, any attachments and proof of payment to Mining, Exploration and Geoscience, Resource Operations, PO Box 344, Hunter Region Mail Centre NSW 2310
- **In person:** Submit your application in person at the Department office, 516 High Street, Maitland, New South Wales. Office hours are 8.30am to 4.30pm

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The information contained in this publication is based on knowledge and understanding at the time of writing (July 2020). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Regional NSW or the user's independent adviser.

Privacy statement

This information is collected by the Department 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access and correct any information the Department holds if that information is inaccurate, incomplete, not relevant or out of date.

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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 [s130](#), [s208](#), and [cl14\(6\) sch1B](#), of the *Mining Act 1992*.

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

Important notes

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 ([s382A](#) 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.

Agents

If this application is lodged by an agent on behalf of the applicant/s, the 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 ([cl97](#) of the *Mining Regulation 2016*).

How to submit this form

Refer to the cover page for details.

Next steps

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

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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).

Full name of the authority holder/s	
Name	
ACN / ARBN	
Name	
ACN / ARBN	
Name	
ACN / ARBN	

Additional applicants/objectors

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

Additional details

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4 Contact for this application

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

Details	
Contact name	
Position held	
Company	
Postal address	
Phone (incl area code)	
Mobile	
Email	

Your preferred contact method

- Email (for companies - provide a 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 ([s38](#) of the *Mining Act 1992*)
 - You have major proposals for some other use of the land ([cl2 sch1](#) 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 ([s59](#) of the *Mining Act 1992*)
 - You are a government agency or body ([cl9\(1\) sch1](#) of the *Mining Act 1992*)
 - You are a council ([cl18 sch1](#) of the *Mining Act 1992*)
 - You are a landholder ([cl22 sch1](#) of the *Mining Act 1992*)
 - You are anyone (other than a person referred to in [cl28 sch1](#) of the *Mining Act 1992*) and not mentioned previously ([cl26 sch1](#) of the *Mining Act 1992*)
- Grant of a mineral claim**
 - You are a landholder who is entitled to use land for agricultural purposes ([s179](#) of the *Mining Act 1992*)
- Constitution of an Opal Prospecting Area**
 - You are a landholder ([s222](#) of the *Mining Act 1992*)

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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.

- By direct deposit**

Bank details	
Account name	
BSB	
Account number	
SWIFT code (for accounts outside Australia)	

Please include proof of bank account such as a copy of your bank statement which includes BSB number, account number and your name.

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8 Declaration

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

8.1 Applicant/s (individual or company)

For each applicant (signed below):

I certify that the information provided is true and correct to the best of my knowledge and belief. I understand under the *Crimes Act 1900 NSW* Part 5A, that knowingly or recklessly giving false or misleading information is a serious offence, and under the *Mining Act 1992* section 378C, any person who provides information that the person knows to be false or misleading is guilty of an offence, for which they may be subject to prosecution.

(For companies only) In addition to the declaration above, by signing below, I **also** certify that I am authorised to complete and provide the information in this form on behalf of the company listed in section 3 of this form.

1 st Applicant details	
Name	
Position/title	
Date	
Signature	

2 nd Applicant details	
Name	
Position/title	
Date	
Signature	

3 rd Applicant details	
Name	
Position/title	
Date	
Signature	

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8.2 Agent authorised to act for this applicant/s

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

Agent details	
Name	
Position/title	
Date	
Signature	

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Office/Administrative use only

Application received:	
Time:	Date:
Officer's Name	
Signature	

Document control

Approved by: Executive Director, Resource Operations, Regional NSW under delegation from the Minister administering the *Mining Act 1992*.

CM9 Reference: DOC20/429505

Amendment schedule		
Date	Version #	Amendment
July 2020	1.0	New format for Regional NSW. Form updated to reflect new Departmental name and branding, and updated links.