

[Mortgagee's letterhead]

[Date]

[Water access licence holder – name and address]

Dear [salutation]

Re: Proposed registration of Mortgage affecting *Water Act 1912* Licence [licence number] against the replacement water access licence (*Water Management Act 2000*).

On [insert date water sharing plan commenced], the water licence you held under the *Water Act 1912* was replaced by one or more water access licences under the *Water Management Act 2000*. You would have received a letter from the WaterNSW (or its predecessor agencies) advising you of the details of this replacement water access licence.

The *Water Management Act 2000* provides that any security interest relating to a 'prior' licence under the *Water Act 1912* continues as an equivalent interest in the replacement water access licence. A security interest involves a mortgage.

A mortgage is typically held over land. The mortgagee (e.g. a bank) will have the power to sell the mortgaged land in the event that the mortgagor (e.g. the landowner) defaults on the mortgage. Mortgages may be registered on the Real Property Act Register, otherwise known as the Land Titles Register.

Accordingly, [name of mortgagee] intends to apply to have the existing interest as a mortgagee of Lot [number] DP [number] [or, if on another basis, state that basis] registered on the Water Access Licence Register, administered by NSW Land Registry Services (NSW LRS), against your interest in the new water access licence. A mortgage over the land remains in place and continues to secure that land.

If you are unsure or disagree with our interest as mortgagee being noted on your water access licence you should contact us at the earliest opportunity.

If you object to the mortgage being registered on the Water Access Licence Register as described please complete the section at the bottom of this form and return a copy to us at [address].

[Insert text about proposed dispute resolution procedures]

If you object and we cannot resolve the dispute, both our security interest and your objection will be noted on the Water Access Licence Register.

Please be aware that failure to notify us in writing of any objection within the period of 90 days from the date of this letter will be taken to be deemed consent to the registration of our interest.

If you do not object to the mortgage being registered on the Water Access Licence Register you do not need to respond to this letter.

Yours faithfully

[Name and signature]

Objection of water access licence holder

I / we _____, the holder/s of the above water access licence, object to the security interest relating to the 'prior' licence under the *Water Act 1912* being registered on the Water Access Licence Register.

Signature