

Application for a new specific purpose water access licence

This application is for a new specific purpose water access licence (WAL) under section 61 (1) (a) of the *Water Management Act 2000*. A WAL entitles its holder to specified shares in the available water within a specified water management area or from a specified water source (the share component), and to take water at specified times, at specified rates or in specified circumstances, or in any combination of these, and in specified areas or from specified locations (the extraction component). A WAL does not permit the use of water for a particular purpose nor does it permit the holder to construct or use a water supply work. Those rights are conferred by a water use approval and a water supply works approval, respectively.

A specific purpose WAL specifies the purpose the WAL can be used for and may limit the operation of the WAL to a particular location where it can be used. A specific purpose WAL cannot be 'mortgaged' and very limited dealing (trade) rules apply. A specific purpose WAL will be cancelled if the purpose for which it was granted no longer exists.

If you intend to apply for a new zero share component WAL, a new WAL pursuant to a controlled allocation order, or you wish to make changes to or transfer an existing WAL, you require a different form.

Applicants are advised to read the guide to this form. Step-by-step instructions on each section are included in the guide, which also lists options for submitting this application and application fees. Information on fees is also available from the WaterNSW website at www.waternsw.com.au.

If an application has been accepted by WaterNSW, payment has been processed and a receipt has been issued, application fees will not be refunded.

You can either complete this form by typing in the PDF or writing using a black/blue ink pen using BLOCK capitals.

SECTION A: Applicant details

List all applicants – photocopy and attach extra pages if more than two applicants.

First applicant

A1 Title (<i>Mr, Mrs, Ms</i>)		A2 Surname		A3 Given name(s)	
A4 Corporation name (<i>if applicable</i>)					
A5 ACN (<i>if applicable</i>)			A6 Position held (<i>if applicable</i>)		
A7 Address					
A8 Town		A9 State	A10 Postcode	A11 Country	
A12 Phone			A13 Alternate phone		
A14 Fax		A15 Email			

Second applicant (if applicable)

A16 Title (<i>Mr, Mrs, Ms</i>)		A17 Surname		A18 Given name(s)	
A19 Corporation name (<i>if applicable</i>)					
A20 ACN (<i>if applicable</i>)			A21 Position held (<i>if applicable</i>)		
A22 Address					
A23 Town		A24 State	A25 Postcode	A26 Country	
A27 Phone			A28 Alternate phone		
A29 Fax		A30 Email			
A31 If more than two applicants, specify total number of applicants					

OFFICE USE ONLY	Fee paid: \$	Customer receipt number:	Office Stamp
	Officer signature:	Date:	
	Application number:	Acceptance date:	

SECTION B: Authorised contact person (optional)

The person specified below is authorised to amend this application, clarify information in this application, or provide additional information to WaterNSW in relation to this application on behalf of all applicants.

Nominating an authorised contact person is optional. However, if no contact person is authorised and WaterNSW requires further information in connection with this application, delays may occur as all the applicants may be required to approve the additional or varied information.

B1 Title (<i>Mr, Mrs, Ms</i>)	B2 Surname	B3 Given name(s)	
B4 Address			
B5 Town	B6 State	B7 Postcode	B8 Country
B9 Phone		B10 Alternate phone	
B11 Fax	B12 Email		

SECTION C: Water access licence tenancy

Tick the appropriate box – relates to applicants listed in Section A.

c1 Licence to be held by: <input type="checkbox"/> Sole holder <input type="checkbox"/> Joint tenants <input type="checkbox"/> Tenants in Common*			
* If the WAL is to be held by Tenants in Common specify details:			
c2 Name	to hold	fraction of licence	
Name	to hold	fraction of licence	

For more than two applicants, include details on attached pages.

SECTION D: Water access licence details

Specify the water source where you wish to extract water

D1 Water source	D2 Zone (<i>if applicable</i>)
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Specify the proposed category (sub-category) of the WAL

D3 Category (Sub-category)*

* **Note:** You need to check the *Water Management (General) Regulation 2004* and the relevant water sharing plan to see whether an application for the specific purpose WAL may be made. See the guide to this form for more information.

D4 Provide details of the purpose for which the WAL is sought:

D5 Volume of water applied for: _____ megalitres per year

D6 Provide details of how the volume applied for has been calculated:

D7 Provide details of where the water is to be used:

Lot	DP	Parish	County

If necessary, photocopy and attach extra pages.

SECTION E: Nominated works

Provide details of the water supply work approval number for all water supply works that are to be nominated on the new WAL, as work(s) by means of which water credited to the WAL may be taken. You are nominating all water supply works listed on an approval(s) entered below.

Photocopy and attach extra pages to include details for more than two water supply work approvals.

E1 Approval number: 1	Approval number: 2
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Or

E2 <input type="checkbox"/> Water supply work approval (application number)

Note: The consent of each approval holder (E1) must be attached if those persons are not applicants for the new WAL, or, the consent of each applicant for an approval (E2) must be attached if those persons are not applicants for the new WAL. See the declaration of approval holder(s) below.

SECTION F: Declaration

Photocopy and attach extra pages if more than two applicants

I/We, the undersigned applicants, acknowledge and agree:

- a) that I/We apply for a water access licence as described in this application
- b) that this application will be determined in accordance with the *Water Management Act 2000* and any associated regulations or guidelines as in force from time to time, and that no right or entitlement shall arise pending determination of this application and that any such determination may be subject to conditions
- c) that the Crown in right of the State of New South Wales, including WaterNSW and its officers, employees, agents and successors ('the State'), accepts no liability in relation to any action, proceeding, claim, demand, cost, loss, damage or expense (including reasonable legal costs or expenses) arising directly or indirectly as a result of or in connection with this application or any act or omission of the State in connection with this application and I/we hereby agree to release and indemnify the State from and against any such action, proceeding, claim, demand, cost, loss, damage or expense to the fullest extent permitted by law
- d) that all information contained in this application is accurate, true and complete and that the State will rely on such information
- e) that the State does not provide any legal, financial or technical advice in connection with this application and that any such advice, if required, is to be obtained independently
- f) that details about any water access licence arising out of this application will be recorded in the publicly available Water Access Licence Register pursuant to the *Water Management Act 2000*.

For applications made by individuals

F1 Name	Signature	Date
Name	Signature	Date

For applications made by a corporation: Executed for and on behalf of the applicant in accordance with section 127 of the *Corporations Act 2001* Cth (if a company) or by a duly authorised officer (for other types of corporation)

F2 Name of corporation		
F3 Position of signatory		
F4 Name of signatory	Signature	Date
F5 Position of signatory		
F6 Name of signatory	Signature	Date

SECTION G: Declaration of approval holder(s)

Photocopy and attach extra pages if there is more than one approval and/or more than two approval holders.

Note: Section G should only be filled in if each holder of an approval listed in Section E, or if each person listed on an approval application listed in Section E, is not listed as an applicant in this application. If this does not apply insert 'N/A' (not applicable) at G1 below.

I/We, the undersigned, acknowledge and agree:

- that I/We are the holder(s) of the approval referred to at G1 below, or I/We are applicants for the approval application listed at G1 below
- that I/We consent to the water supply work(s) listed on the approval being nominated as work(s) by means of which water credited to the water access licence being applied for in this application may be taken
- that all information contained in this application relating to the approval(s) is accurate, true and complete and that the Crown in right of the State of New South Wales, including WaterNSW and its officers, employees, agents and successors ('the State') will rely on such information
- that the State does not provide any legal, financial or technical advice in connection with this application and that any such advice, if required, is to be obtained independently
- that details about the approval may be recorded in the publicly available Water Access Licence Register, pursuant to the *Water Management Act 2000*.

G1 Approval number

or

Approval application number

For individuals:

G2 Name	Signature	Date
Name	Signature	Date

For corporations: Executed for and on behalf of the corporation in accordance with section 127 of the *Corporations Act 2001 Cth* (if a company) or by a duly authorised officer (for other types of corporation):

G3 Name of corporation		
G4 Position of signatory		
G5 Name of signatory	Signature	Date
G6 Position of signatory		
G7 Name of signatory	Signature	Date

Privacy note

The personal information you provide in this form will be treated in accordance with the *Privacy and Personal Information Protection Act 1998*, under which you have rights of access and correction. Your personal information will be used for assessing and processing your application or in connection with the operation of any water access licence granted and may be disclosed to State or Commonwealth public authorities and other parties: (i) for any of the above mentioned purposes; or (ii) for research related purposes; or (iii) as required by law. If a water access licence is granted, the *Water Management Act 2000* requires that various details relating to the water access licence are to be recorded in the Water Access Licence Register kept by the Minister. Information recorded in the Water Access Licence Register is publicly available.

Offences and suspension or cancellation

It is an offence, under section 344 of the *Water Management Act 2000*, to make a statement that you know to be false or misleading in a material particular in, or in connection with, this application. A corporation found guilty of an offence against section 344 is liable to a penalty not exceeding \$1.1 million. An individual found guilty of an offence against section 344 is liable to a penalty not exceeding \$247,500.

An access licence may be suspended or cancelled, under section 78 of the *Water Management Act 2000*, if: (a) the holder of the licence has failed to comply with any term or condition to which the licence is subject, (b) the holder of the licence has been convicted of an offence against the Act or the regulations, (c) if any fees, charges or civil penalties in respect of the licence have not been paid, whether or not those fees, charges or civil penalties were incurred by the current holder of the licence, (d) the holder of the licence has failed to comply with any direction given to the holder under this Act in connection with the licence, or (e) the licence was granted as a result of false, misleading or materially inaccurate information supplied by or on behalf of the applicant.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (October 2017). However users are reminded of the need to ensure that the information upon which they rely on is up to date and to check currency with WaterNSW or with the user's independent adviser.

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