

Notice to surrender a domestic and/or stock water access licence in an unregulated river

Use this form to give notice of your intention to surrender a water access licence (WAL) under section 77 of the *Water Management Act 2000* (WMA).

WaterNSW may refuse to accept the surrender of a WAL if:

1. the licence is subject to a registered security interest or caveat; or
2. the holder of the access licence has failed to make due payment of any outstanding water charges or fees; and
3. there is the potential for continued use of the work nominated on the WAL and the take of water is not otherwise authorised under the WMA.

WaterNSW may contact you to request further information in relation to this form.

Prior to submitting the notification to surrender a WAL form

1. Check if the information about your WAL is correct. If the information is not correct phone 1300 662 077 or email water.enquiries@dpi.nsw.gov.au.
2. Ensure the completed form is signed by **all holders** of the WAL to be surrendered.
3. Ensure that any money owed in relation to the water access licence, including water management charges or civil penalties are paid up to the date of surrender. For a statement, and to organise payment of any charges owing phone 1300 662 077.
4. Ensure all security interests over the WAL, including mortgages or caveats, are discharged or withdrawn.
5. WAL Certificate of Title or declaration why it is not provided with the form is included. If WAL Certificate of Title not provided a copy of a recent WAL Title Search is attached. For a WAL Title Search refer to the following website http://www.nswlrs.com.au/land_titles.
6. You have considered the Water Allocation Account balance and undertaken any water dealings as required. Negative water allocation account balances are not permitted. Water allocation may be traded prior to the specified surrender date.

Completing and submitting the notification to surrender a WAL form

1. Complete all sections of the form in capital letters with a black/blue pen.
2. Submit the completed and signed form. You can either:
 - scan and email the completed and signed form to water.enquiries@dpi.nsw.gov.au. You will receive confirmation that your email has been received; or
 - post to the local WaterNSW office.

For further information on surrendering a WAL contact our **Advisory Services team** on **1300 662 077**.

SECTION A: WAL to be surrendered

A1 WAL number	A2 Share component	megalitres/year
A3 Tenure type:		
A4 Category	A5 Sub-category	
A6 Water sharing plan		
A7 Water source		

SECTION B: Details of holder/s of WAL to be surrendered

List all holders of the WAL to be surrendered. Photocopy multiple copies of the following additional WAL holder page, complete it and attach it to this form if there are more than two WAL holders.

WAL holder

B1 Title (Mr, Mrs, Ms)	B2 Surname				
B3 Given name(s)					
B4 Company/corporation name <i>(if applicable)</i>					
B5 ACN <i>(if applicable)</i>		B6 ABN <i>(If you do not hold an ACN and are an organisation incorporated in NSW you must provide an ABN and a copy of your certificate of incorporation.)</i>			
B7 Position held <i>(if applicable)</i>					
B8 Address					
B9 Town	B10 State	B11 Postcode	B12 Country		
B13 Phone		B14 Mobile phone			
B15 Fax	B16 Email				

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

Additional WAL holder (if applicable)

B17 Title (Mr, Mrs, Ms)	B18 Surname		
B19 Given name(s)			
B20 Company/corporation name (if applicable)			
B21 ACN (if applicable)	B22 ABN (If you do not hold an ACN and are an organisation incorporated in NSW you must provide an ABN and a copy of your certificate of incorporation.)		
B23 Position held (if applicable)			
B24 Address			
B25 Town	B26 State	B27 Postcode	B28 Country
B29 Phone		B30 Mobile phone	
B31 Fax	B32 Email		

B33 If there are more than two WAL holders, specify the total number of WAL holders.
--

SECTION C: Date of surrender

The WAL holder/s can specify a date of surrender. The specified date of surrender must be a future date. If the date of surrender is not specified the date will be set by WaterNSW.

c1 Specified Date of Surrender	
--------------------------------	--

SECTION D: Water charges

The WAL holder/s are responsible for paying fees and charges up to the specified date of surrender.

d1 Have all water fees and charges been paid up to the specified date of surrender?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><i>If yes, attach copy of financial statement and receipt.</i></p> <p><i>If no, please contact WaterNSW on 1300 662 077 to organise payment up to the specified date of surrender.</i></p>	

SECTION E: WAL certificate

E1 Are there security interests and/or caveats registered on the WAL? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>If yes, you are required to provide documentary evidence the interest holder/s consent to the surrender of the WAL</i>	
E2 Is the WAL certificate attached to this form? If Yes, go to Section F. <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, you are required to:	
a) declare why you have not provided the WAL certificate; and	
b) undertake and provide a copy of a WAL Title Search.	

SECTION F: Nominated water supply work

A WAL holder/s cannot surrender a WAL if there is a nominated work and there is potential for continued use of the work nominated on the WAL and the take of water is not otherwise authorised under the WMA.

Complete this section if the WAL has a nominated work.

F1 Are you the holder of the approval for the nominated work associated with this WAL? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, do you want to surrender the approval for the nominated work associated with this WAL? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, go to F2, if No, go to Section G		
F2 Approval number to be surrendered		
Declaration of holder/s of Approval to be surrendered		
<i>I/we the undersigned consent to the surrender of the approval and declare the works authorised by the approval are no longer in use, have been rendered ineffective or have been removed.</i>		
Name	Signature	Date
Name	Signature	Date

Name of corporation		
Position of signatory (Tick the appropriate box)	<input type="checkbox"/> company director	<input type="checkbox"/> company secretary
	<input type="checkbox"/> duly authorised officer	
Name of signatory	Signature	Date
Position of signatory (Tick the appropriate box)	<input type="checkbox"/> company director	<input type="checkbox"/> company secretary
Name of signatory	Signature	Date

SECTION G: Declaration of holder/s of WAL to be surrendered

All holders of the WAL to be surrendered must sign this section.

Photocopy/print multiple copies of the entire form after Sections A to C have been completed (before anyone signs Section D) if there are more than three holders of the WAL to be surrendered.

I/We, the undersigned, acknowledge and agree:

- a) that I/We consent to the surrender of the water access licence described in this form;
- b) that the Crown in right of the State of New South Wales, including Water NSW 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 the surrender of the access licence or any act or omission of the State in connection with the surrender of the access licence 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;
- c) that all information contained in this form is accurate, true and complete and that the Crown in right of the State of New South Wales, including Water NSW and its officers, employees, agents and successors ('the State') will rely on such information;
- d) that the State does not provide any legal, financial or technical advice in connection with this form and that any such advice, if required, is to be obtained independently;
- e) that if this form is incomplete it may not be accepted;
- f) that more information may be requested if it is considered that it would be relevant to the consideration of this form;

For consent by individuals

Name	Signature	Date
Name	Signature	Date

For consent 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 its duly authorised officer (for other types of corporation).

Name of corporation		
Position of signatory (Tick the appropriate box)	<input type="checkbox"/> company director	<input type="checkbox"/> company secretary
	<input type="checkbox"/> duly authorised officer	
Name of signatory	Signature	Date
Position of signatory (Tick the appropriate box)	<input type="checkbox"/> company director	<input type="checkbox"/> company secretary
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 by WaterNSW in connection with the surrender of any water access licence and may be disclosed to State or Commonwealth public authorities and other parties: (i) for the above mentioned purpose; or (ii) for research related purposes; or (iii) as required by law. It may be used from time to time to contact you about services WaterNSW provides.

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.

Published by WaterNSW.