

Guide to the application to consolidate water access licences

General instructions

This guide provides explanations of terms and requirements to help you complete the application. The WaterNSW website www.waternsw.com.au provides more information on water access licences (WALs) and dealings.

The application form comprises sections which are divided into a series of questions. The questions are identified by a number on the left hand side of the form (for example, B4 is question 4 in section B). The following information corresponds to these references in the application form.

To make sure that your application is processed efficiently please note these general instructions:

- If completing a 'hard copy' form in handwriting, please use a black/blue ink pen and use BLOCK letters.
- For downloaded forms, if there is not enough space on the form for all your information, copy the relevant page(s), complete the answer as required and attach it to application form (remember to include this page(s) when numbering your pages).
- Ensure that you fully complete the form, as all the information is necessary to verify and process your application – your application may be rejected if all the required information is not provided.

A schedule of fees is available at: www.waternsw.com.au

If the application form is incomplete, the application process may be delayed or the application may be refused. Further information may be requested in relation to the application.

Making and submitting an application

Download an application form as a PDF document (or obtain a printed copy from your local water licensing office) and complete it in either in handwriting or fill out using Adobe Acrobat Reader (Version 8 or above). The form must then be signed by all applicants, and submitted by fax, email (as a scanned attachment) or by post.

Application fees must be paid by cheque made out to WaterNSW.

SECTION A: WALs to be consolidated

This section requires the details of the WALs being consolidated. If you do not have a copy of the original WAL certificates, you may obtain a title record of the WALs from the NSW Land Registry Services (LRS) search function (refer to Dealing information on WaterNSW website). All references to the WAL certificates will apply to both the WAL certificates and the WAL record titles.

You can only consolidate WALs of the same category or subcategory in the same water source, using this form. The nominated works specified in the WALs to be consolidated will be specified as the nominated works in the replacement WAL.

Rules specified in the relevant water sharing plan for the water source and in the access licence dealing principles under the *Water Management Act 2000* regulate the changes that are permitted (refer to the *Water Management Act 2000* and regulations listed at www.legislation.nsw.gov.au).

- A1** List the licence numbers of the WALs you propose to consolidate. The WAL number is found in the top right hand corner of your WAL certificate or at the top of the WAL Statement of Conditions. It is preceded by the letters WAL.
- A2** Insert the share component of the WAL. The share component may be in units or megalitres.

SECTION B: Holder details

These are the details of the registered holder(s) that appear on the WAL.

- B1-4** The name can be a person's name or the name of a legal entity, such as a corporation.
- B5** Insert the Australian Company Number (ACN) if it is a company application. Note that an ABN (Australian Business Number) is not permitted.
- B6** Insert the position of the person(s) who is/ are making the application for and on behalf of the corporation.
- B7-11** Insert the address of the holder(s). For corporations, insert the address details of the corporation's registered office.
- B16-30** More than one person can hold one WAL. Downloaded forms make provision for two holders. For more than two holders provide the information on additional pages and attach them to the application form. Each holder will be a holder of any WAL that might be issued as a result of the application.
- B31** This is the total number of holders listed on the WAL (include applicants listed on any additional pages).

SECTION C: Authorised contact person (*optional*)

- C1-12** Insert the name and contact details of the authorised contact person.

SECTION D: Declaration

Please ensure you understand your legal obligations before signing this document. You may need to obtain independent legal advice for this.

- D1** Each of the WAL holders must fill in their name, followed by a signature and the date of signing.
- D2** If the holder is a corporation, insert the name of the corporation. The application is to be signed for and on behalf of the holder by two persons 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).

Registration at LRS

If consent is given to the application, the dealing must be registered at NSW Land Registry Services (LRS) before it takes effect. WaterNSW will provide an LRS Notification form for this purpose.

The WAL Certificate for the WALs (to be consolidated) specified in Section A and the consents of any security holders must be lodged or produced with the Notification form.

LRS charges fees to register Water Access Licence dealings (including share assignment dealings) on the WAL Register.

On registration of the Notification form, LRS will issue a new edition of the WAL Certificate for the WALs that were consolidated.

Registration must be lodged within six months or the consent to the dealing is automatically revoked.

More information

Phone: 1300 662 077

Email: Customer.Helpdesk@waternsw.com.au

www.waternsw.com.au find out more about water licensing and compliance.

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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