

Request to register a security interest in a replacement water access licence, or notification that no security interest exists (initiated by interest holder)

Part A of this form should be used if a security interest holder (e.g. a mortgagee, or financier) wishes to register a security interest in a water access licence pursuant to clause 19 of Schedule 10 of the *Water Management Act 2000*. It applies if there was a registered mortgage in the land benefited by a 'prior' *Water Act 1912* licence granted before issue of a replacement water access licence (WAL).

For registration of new security interests, use the *Mortgage of Mortgage or Charge* form (Form W-05SM) available on the NSW Land Registry Services (NSW LRS) website, under [Forms > WAL dealings forms](#).

Before an interest can be registered, a security interest holder must notify the relevant licence holder in writing of their intention to request registration of the interest, and allow 90 days to lapse. The written notification is to be in a form approved by WaterNSW - a template letter is available from the WaterNSW website.

Part B of this form is to be used by the holder of an interest in land (e.g. a mortgagee) to which the *Water Act 1912* entitlement related to notify that there was NO interest in that entitlement and therefore no security interest that can be registered pursuant to clause 19 of Schedule 10 of the *Water Management Act 2000*.

Application Fees:

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

Complete Part A or Part B

PART A: Request to register a security interest in a water access licence

Security interest holder to complete

I, (full name) _____ of

(address) _____

occupation _____

being an authorised representative of (name of security interest holder, i.e. organisation)

do solemnly and sincerely declare that a security interest in the form of a mortgage was held in the *Water Act 1912* entitlement (licence number _____) in respect of

Lot _____ Deposited Plan _____

- The mortgage reference is (registration number) _____ registered pursuant to (tick one):
- Conveyancing Act 1919* (in the General Register of Deeds)
 - Real Property Act 1900* (in the NSW Land Titles Register)

OR, if unregistered:

- A copy of the mortgage document is attached.

Pursuant to Schedule 10, clause 19(1) of the *Water Management Act 2000* I seek to have this security interest registered in the name of the security interest holder in the following water access licences:

WAL	WAL
WAL	WAL
WAL	WAL

which replaced the above mentioned *Water Act 1912* licence.

I request that the water access licence certificates be issued by NSW Land Registry Services (NSW LRS) to:

Name of security interest holder _____

Address _____

Contact person _____

I declare that (name of security interest holder) _____

has advised (names of water access licence holders) _____

_____ in writing, in a form approved by WaterNSW, as to the existence of the security interest and of our intention to request it to be registered against the listed water access licences. Further, at least 90 days has elapsed since the letter was sent to the water access licence holder.

The response of the water access licence holder was (tick one)

- the water access licence holder consented to the registration of the security interest, OR
- no response was received from the water access licence holder, OR
- the water access licence holder objected to registration of the security interest.

I make this solemn declaration conscientiously believing the same to be true.

Declared at (place) _____ this (date) _____ day of (month) _____ (year) _____

Before me, (name of witness - Justice of the Peace or other party legally authorised to witness)

Signature of witness _____

Signature of declarant _____

PART B: Notification that NO security interest exists

Interest holder in land to complete

I, (full name) _____

being an authorised representative of (name of interest holder in land, i.e. Organisation)

declare that an interest in the form of a mortgage was NOT held in the *Water Act 1912* entitlement

(licence number _____) in respect of Lot _____ Deposited Plan _____

that was replaced by the following water access licences:

WAL	WAL
WAL	WAL
WAL	WAL

and that there is no security interest that can be registered pursuant to Schedule 10, clause 19 (1) of the *Water Management Act 2000*.

Name of interest holder in land _____

Signature _____ Date _____

Return this completed form to: Security Interest Administrator
WaterNSW
1243 Bruxner Highway
Wollongbar NSW 2477

For more information

www.waternsw.com.au

Phone: 1300 662 077

Email: Customer.Helpdesk@waternsw.com.au

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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