

# Exit a co-held water access licence (s74)

## How-to guide

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**This guide will assist you in completing an application to exit a co-held water access licence.**

When applying to exit a co-held water access licence, the [fact sheet](#) provides essential information specific to this application. You must read this information prior to completing the [application form](#).

The form has several sections, in each section are questions which are identified by a number on the left-hand side of the form (for example, A1 is question 1 in section A). The information provided in the guide corresponds to these references in the application form.

If you require further assistance, we encourage customers to book an appointment with us. Visit our website to [book a meeting](#) or contact [1300 662 077](tel:1300662077) to speak with a WaterNSW team member.

### Completing your application

Please [complete the form](#) with a black/blue ink pen and use BLOCK letters. You can also type directly in this form. Once completed, please print and sign the form.

Applicants are advised to read the instructions carefully before filling in the application form. The completed form must be signed by all approval holders.

Ensure you provide all the information requested in this application form. If your application form is incomplete it will not be accepted. WaterNSW may contact you to request further information in relation to your application.

### Submit your application form

- Email the scanned copy to [Customer.Helpdesk@waternsw.com.au](mailto:Customer.Helpdesk@waternsw.com.au) or
- Post to **WaterNSW, PO Box 398, Parramatta NSW 2124.**

If there is not enough space in the form, please attach additional pages to the back of the form.

### Application fee

Information regarding fees are available on [our website](#). Application fees are exempt from GST and can be paid after you have submitted your application by:

- Providing your credit card details by calling our Customer Service Centre at [1300 662 077](tel:1300662077).
- Enclosing a cheque or money order when posting the application form.

**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. You will receive an acknowledgement letter providing an application reference number and a receipt for the application fee.

## Section A: Pre-application meeting

It is recommended that you hold a pre-application discussion with WaterNSW prior to submitting your form. If a meeting has not been held go to Section B.

**A1-3** Insert the details of the pre-application meeting.

## Section B: Co-held water access licence to be exited

**B1** Enter the number of the co-held water access licence to be exited. The water access licence number is found in the top right-hand corner of the access licence certificate or at the top of the access licence statement of conditions. It is a number preceded by the letters WAL.

## Section C: Co-holder/s details for the holding/s to exit for the water access licence

In this section provide the details of the holdings that are exiting from the water access licence and the registered co-holder/s for each of these holdings. Each of the exiting co-holders must sign the application form.

**C1** Create a unique identifier for each holding that is exiting the WAL such as Holding A and Holding B.

**C2** Insert the number of co-holders for the holding identified in C1.

**C3-6** The name can be a person's name or the name of a legal entity, such as a company or corporation, that is the holder of the water access licence to which the application relates.

**C7-8** Insert the Australian Company Number (ACN) if the application is by a company or Australian Business Number (ABN) if there is no ACN.

**C9** Insert the position of the person/s who is/are making the application for and on behalf of the company or corporation. If the applicant is a company this would be either a company director or company secretary. If the applicant is a corporation this would be the duly authorised officer.

**C10-13** Insert the postal address of the applicant. For companies or corporations, insert the address details of the registered office.

**C14-16** Insert the contact details for the applicant. There can be more than one co-holder for each holding being exited from the water access licence.

The form makes provision for two holdings and two co-holders for each. If there are more than two holdings or two co-holders per holding, photocopy/print multiple copies of the blank Section C, complete it and attach it to the form.

## Section D: Nominated contact person

If there is only one person/entity exiting, you do not need to complete this section.

**D1-14** Insert the name and contact details of the nominated contact person. This will assist WaterNSW if it needs to contact someone to discuss the details of the application. If this section has not been completed, we will assume the first holder on the form is the nominated contact person and contact that person, if necessary, prior to the determination of the application. If a third party is acting on behalf of the water access licence holders and they are to be considered the nominated contact their details must be provided

## Section E: Payment of application fee

Nominate your method of payment. If you have nominated to pay the application fee by credit card, WaterNSW will contact you on the details provided in the application form to process credit payment over the phone.

## Section F: Details of the holdings to exit

This section captures the details of the new water access licence/s to be granted to replace each of the exited holdings specified in section C.

Only complete this section if more than one holding is exiting the water access licence.

Only complete the relevant sections for the number or combination of new water access licences requested.

**F1** Tick if you require only one new water access licence to replace **all** the exited holdings, or

**F2** Tick if you require one new water access licence to replace **each** of the exited holdings

**F3** Complete where more than two holdings are exiting and a combination of F1 and F2 is required.

**F4** The holding identifier specified in Section C.

**F5** Complete if you require one licence to replace the holding in F4.

**F6** If you require the holding in F1 to be combined with another holding include the other holding identifier specified in Section C.

For example:

F4 Holding identifier (as indicated in Section C)	F5 Convert to a single water access licence	F6 If combined with another holding specify the holding identifier (Section C) to be combined with.
Holding A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Holding B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Holding C		Holding D
Holding D		Holding C

**Note:** One or more holdings can be extinguished and replaced with a new water access licence.

## Section G: Water account balance to be distributed

### All co-holders consent

If all co-holders of the original access licence consent to this application, then all of Section F must be completed to request how the entitlements of the original water access licence are distributed between the original water access licence and the new water access licence/s or indicate the choice to have the water account balance split in proportion to the share holdings.

### **Co-holder with a majority share in the original WAL consent**

If co-holders with a majority share of the holdings in the original water access licence consent to this application which means the proportion of the coholders' interest in the original access licence must be more than 50%, the entitlements of the original access licence must be distributed between the original access licence and the new water access licence/s in the same proportions as the holding/s to exit bears to the original access licence.

If co-holders with a majority share of the holdings in the original water access licence consent to this application only complete G1 and G2 providing the details of the proportions of the exiting holding held in the original water access licence.

### **Supreme Court Order**

If there is a Supreme Court Order in place you only need to complete G1 and G2 below. The distribution shown below must be in line with the Order and a copy of the Order is to be attached.

**G1** Holding identifier as specified in Section C.

**G2** The distribution of the share components between the original access licence and the new water access licence/s are to be specified by units or megalitres (ML). The distribution is to reflect the type of consent nominated or the Supreme Court Order.

**G3** The distribution of the extraction component between the original access licence and the new water access licence/s are to be specified.

**G4** The distribution of the water allocation account balance between the original access licence and the new water access licence/s are to be specified.

**G5** The distribution of the carryover water allocation balance between the original access licence and the new water access licence/s are to be specified.

**Note:** If more than two holdings are to exit from the original water access licence, attach extra copies of this page and use the holding identifiers created for each holding in Section C.

### **Section H: Declaration of co-holders of the original access licence**

Each co-holder of the water access licence that is being exited must provide their name, sign the completed form, and write the date when it was signed. Each co-holder needs to indicate if they are an applicant and exiting the original water access licence or whether they are providing consent only.

If the applicant is a company, the application may be signed:

- by two company directors, a director and a company secretary, or a sole director/secretary, or
- by a duly authorised officer.

If the applicant is a company, insert the name of the company, select the position of the signatory, and ensure the application is signed by the relevant signatory or signatories.

## Section I: Final checklist before submitting

WaterNSW cannot accept this application if there is any money owing on the original licence or if the original licence is held by co-holders as joint tenants.

If you wish to surrender part of a co-held water access licence, you need to exit the co-held water access licence and then surrender the new water access licence.

Please ensure each section is completed.

### Privacy statement and offences and penalties

It is your responsibility to understand the steps WaterNSW follows to comply with its obligations under the [WaterNSW Privacy Policy](#).

It is an offence under Clause 344 of the *Water Management Act 2000* to provide false or misleading information with any application.

#### Need help?

If you need further assistance, please contact our Customer Service Centre on [1300 662 077](tel:1300662077), Monday to Friday between 8am-5pm or email [Customer.Helpdesk@waternsw.com.au](mailto:Customer.Helpdesk@waternsw.com.au)

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