

# Application to exit a holding from a water access licence



NSW Government

DEPARTMENT OF NATURAL RESOURCES

Application under section 74 of the *Water Management Act 2000*

Please complete the form with a black/blue ink pen and use BLOCK letters.

## Section A: Water Access Licence

A1 WAL number ..... A2 Current share component ..... units

## Section B: Holding to exit

(attach/ photocopy extra page if more than 3 co-holders)

In relation to the holding to exit, provide the name of each person with a share of the holding:

### Co-holder 1

B1 Surname ..... B2 Given name(s) .....

OR

B3 Company name ..... B4 ACN .....

### Co-holder 2

B5 Surname ..... B6 Given name(s) .....

OR

B7 Company name ..... B8 ACN .....

### Holding to exit - as a fraction of the original WAL:

B11 Size of holding as a fraction of the WAL  
(specified in WAL Register) .....

## Section C: Contact details of applicant or applicant's agent

C1 Surname ..... C2 Given name(s) .....

C3 Company name ..... C4 ACN .....

C5 Name of company representative: .....

Position held: .....

C6 Address ..... C7 Town .....

C8 State ..... C9 P'code ..... C10 Phone .....

C11 Mob phone ..... C12 Fax ..... C13 E-mail .....

<b>Office use only</b>	Officer signature: _____	Date: _____	<b>Office Stamp</b>
	Application number: _____		
	Date accepted: _____		

## Section D: Resulting WALs

### Distribution of share component

- D1 Original WAL – share component after exit \_\_\_\_\_ units
- D2 New WAL exiting holding \_\_\_\_\_ units

### Distribution of extraction component

Applicable only where original WAL specifies a volume limit or other restriction on the amount of water to be extracted:

- D3 Original WAL \_\_\_\_\_ Time/ Rate / Circumstance
- D4 New WAL exiting holding \_\_\_\_\_ Time/ Rate / Circumstance

### Nominated work (for new WAL)

If you wish to nominate a different water supply work in the new WAL, please specify the approval or approval application number below:

- D5 Approval number \_\_\_\_\_

### Water allocation account - Distribution of water allocation credits

		Original WAL	New WAL
D6	Current water allocation balance (%)		
D7	Carryover water allocation balance (%)		

Important note: All liabilities against the water account of the original licence will carry over to the original WAL and the new WAL in proportion to the split in the share component.

## Section E: Consent of holders – holding to exit

(attach/ photocopy extra page if more than 4 co-holders)

I/We state that the information provided for the purpose of this application is accurate and true.

**Where all co-holders of the 'exit' holding are individuals and consent to the exit of the holding specified in Section B:**

E1	Name	Signature	Date

**Where the holder of the 'exit' holding is a corporation, the corporation consents to the exit of the holding specified in Section B:**

E6 Name of company \_\_\_\_\_

E7 Name of company representative \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

E8 Position of signatory \_\_\_\_\_

Witnessed by:

E9 Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**Section F: Consent of holders – holdings to remain**

*(attach/ photocopy extra page if more than 3 remaining holdings)*

For the purposes of this application, the holdings to remain in the original WAL are referred to as Holding A, Holding B, Holding C etc. No ranking or other meaning will be implied by the order that these holdings are recorded.

I/We state that the information provided for the purpose of this application is accurate and true.

**HOLDING A**

All co-holders of this holding are individuals and consent to the exit of the holding specified in Section B:

F1	Name	Signature	Date

The holder of this holding, being a corporation, consents to the exit of the holding specified in Section B:

F2 Name of company \_\_\_\_\_

F3 Name of company representative \_\_\_\_\_

F4 Position of signatory \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Witnessed by:

F5 Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

F6 Size of Holding A as a fraction of the original WAL (prior to the proposed exit) \_\_\_\_\_

**HOLDING B**

All co-holders of this holding are individuals and consent to the exit of the holding specified in Section B:

F7	Name	Signature	Date

The holder of this holding, being a corporation, consents to the exit of the holding specified in Section B:

F8 Name of company \_\_\_\_\_

F9 Name of company representative \_\_\_\_\_

F10 Position of signatory \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Witnessed by:

F11 Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

F12 Size of Holding B as a fraction of the original WAL (prior to the proposed exit) \_\_\_\_\_



# Guide - Application to exit a holding from a water access licence



NSW Government

DEPARTMENT OF NATURAL RESOURCES

## Introduction

This guide is provided to assist you in completing an application to exit a holding from a water access licence (WAL) under section 74 of the *Water Management Act 2000*.

If you intend to make any other type of dealing (eg. assign water allocations) you will need to complete a different application form.

Should this dealing be granted, it becomes legally effective only when it is registered on the Water Access Licence Register.

## General Instructions

The Application to Exit a Holding from a Water Access Licence form comprises Sections A to F, which are divided into one or more questions. The questions are identified by a number on the left hand side of the page, for example, C4, which is question 4 in Section C. This guide provides explanations of terms and requirements to help you fill in the application form. We recommend you read this carefully before completing the application form. However, if you require further assistance, please contact your local office of DNR.

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

- use BLOCK capitals as they are much easier to read;
- if there is not enough space on the form for all your information, complete the answer on a separate sheet of paper and attach to the application form (remember to include this page when numbering your pages);
- ensure that you fully complete the form as all the information is necessary to verify and process your application – it may be rejected if all the information is not available for the assessment.

## Section A: Water Access Licence

Section A identifies the WAL from which the holding is to exit.

A1: The WAL number is found in the top right hand corner of the WAL certificate or at the top of the

WAL Statement of Conditions. It is a 5-digit number preceded by the letters WAL.

A2: The share component of the WAL is the share component (expressed as unit shares) found on the WAL certificate under PART C ACCESS LICENCE, Share Component (1).

## Section B: Holding to exit

Section B identifies the holding in the WAL that is to exit (to create a new WAL).

B1 B10: Enter the names of the current co-holders of the holding to exit.

B11: The holding to exit comprises a fraction of the WAL. Enter the fraction of the WAL to exit. The fraction of the holding is specified on the title.

## Section C: Contact details of applicant or applicant's agent

These are the contact details of either the applicant or the applicant's representative. All correspondence for this application will be sent to the contact person.

C3: Insert the name of the company that is acting as agent or contact for the applicants;

C4: Insert ACN (Australian Company Number) of the company acting as agent or contact for the applicants.

C5: Indicate the name and what position the nominated contact holds in the applicant company, eg Managing Director, Chief Executive. This only applies to company applications.

## Section D: Resulting WALs

In this section you will specify the components of the resulting WALs (ie. the remainder of the original WAL and the new WAL created from the exiting holding).

Note: As a general rule, the sum of the components of the Original WAL (after exit) and the new WAL must equal the components of the Original WAL before the exit.

D1: Original WAL is the WAL from which the holding is to exit.

D2: New WAL – upon exit, the holding will be the basis for a new WAL.

D4: Nominated work – all WALs must nominate a work if they are to be exercised to take water. Use this section if you wish to change from the work(s) currently nominated on the Original WAL.

### **Section E: Consent of holders – holding to exit**

Please ensure you understand your legal obligations prior to signing this document. If you require assistance, please ring your local DNR office.

E1: All co-holders must complete and sign this declaration.

E6: If the holder is a company, enter the name of the company.

E7: Enter the name of the person delegated to sign on behalf of the company;

E8: Enter the position or title of the company representative.

E9: An independent witness is required to sign this section in order to verify that the position stated in E8, is the position held by the signatory in E8.

### **Section F: Consent of holders - holdings to remain.**

This section should be completed by the holders of the holdings to remain who consent to the proposed exit.

F1: Consent of all the co-holders in a particular holding is required if completing this section.

F2: If the holder is a company, enter the name of the company.

F3: Enter the name of the person delegated to sign on behalf of the company;

F4: Enter the position or title of the company representative.

F5: An independent witness is required to sign this section in order to verify that the position stated in F4, is the position held by the signatory in F4.

### **Submitting your application**

This form must be completed and lodged at a local DNR office.

If the application is complete and correct it will be registered on DNR's database. The application will be delayed if it is incomplete or incorrect, as further information will be requested. If this information is not received within the specified time, DNR will reject the application.

### **Registration at LPI**

If consent is given to the application, it will be necessary to register the dealing at Land and Property Information (LPI) before the dealing takes effect. DNR will provide an LPI Notification form for this purpose. The WAL Certificate for the WAL specified in Section A (if one has been issued) and the consents of any security holders must be lodged or produced with the Notification form.

LPI charges fees to register Water Access Licence dealings on the WAL Register.

On registration of the Notification form, LPI will issue a new edition of the WAL Certificate for the WAL that was reduced. A new edition of the WAL Certificate for the WAL that was increased will only be issued where the WAL Certificate was lodged or produced with the Notification form.

Registration must be lodged within 6 months or the consent to the dealing is automatically revoked.

### **For more information**

Call 1800 353 104 or Email: [info@dnr.nsw.gov.au](mailto:info@dnr.nsw.gov.au)

Information on dealings and water management in NSW is also available on our website: [www.naturalresources.nsw.gov.au/](http://www.naturalresources.nsw.gov.au/)

Alternatively, contact your local DNR office.

Contact Land and Property Information at the Department of Lands for more information on the registration process:

Sydney 02 9228 6666

toll free 1300 0LANDS

[lpi-online.lpi.nsw.gov.au](http://lpi-online.lpi.nsw.gov.au)