



Holder verification for replacement water access licences

Water Management Act 2000

This form outlines the information required to verify the holder of a water access licence that replaces a licence granted under the *Water Act 1912*. You are advised to read the *Guide to Holder Verification for replacement water access licences* (attached) before filling in this form.

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

Note: If you wish to register dealings in the replacement water access licence(s), you will need to complete and attach a 'Secured Interest Registration' form (available from the DNR website).

Section A: Licence

A1 Insert 'prior' water licence (*Water Act 1912*) number. For bore licences, insert only the relevant 'property account' number

A2 Insert the number of the Water Access Licence* (WAL) replacing the water licence or property account specified at A1 above.
Note: one prior licence may be replaced by multiple WALs.

A3	WAL
A4	WAL
A5	WAL

* a reference to a WAL is also a reference to an Aquifer Access Licence or a Supplementary Water Access Licence.

Section B: Owners of the benefited land

Only provide information for this section if the person(s) or corporation to hold the replacement WAL(s) specified in Section A **owned the land** benefited by the prior licence on the date the relevant Water Sharing Plan commenced:

Evidence of ownership certified by a solicitor is attached (please mark appropriate box with an 'X'):

B1	Proof of title (eg. manual title search(s); 'Old System' land title search)	<input type="checkbox"/>
B2	Change of landholder name (eg. marriage certificate; change of company name)	<input type="checkbox"/>
B3	Other evidence of ownership (please specify in the space below)	<input type="checkbox"/>

Section C: Lawful occupiers of benefited land

Only provide information for this section if the person(s) or corporation to hold the replacement WAL(s) specified in Section A was granted the original water licence and **lawfully occupied the land** benefited by the prior licence on the date the relevant Water Sharing Plan commenced:

Evidence of lawful occupation certified by a solicitor is attached (please mark appropriate box with an 'X'):

C1	Notification of grant of prior licence (may be requested from the relevant DNR office)	<input type="checkbox"/>
C2	Lease agreement (including any assignment of the lease to evidence continued occupation)	<input type="checkbox"/>
C3	Change of occupier name (eg. marriage certificate; change of company name)	<input type="checkbox"/>
C4	Other evidence of lawful occupation (please specify in the space below)	<input type="checkbox"/>

Office use only	Officer name:	Office Stamp	
	Officer signature:		Date:
	Application number:		

Section D: WAL Holder details

First Holder

D1 Title (*Mr, Mrs, Ms*) _____ D2 Surname _____

D3 Given name(s) _____

D4 Company name (*if applicable*) _____

D5 ACN _____ D6 Position held: _____

D7 Address _____ D8 Town _____

D9 State _____ D10 Postcode _____ D11 Country _____

D12 Phone no. _____ D13 Alternate phone no. _____

D14 Fax no. _____ D15 E-mail _____

Second Holder

D16 Title (*Mr, Mrs, Ms*) _____ D17 Surname _____

D18 Given name(s) _____

Additional holders

D19 Total no. of holders (*details of additional holders to be attached*)

Section E: Contact details of applicant's representative

(Only fill in this section if a different person from the first holder in section D will be dealing with the application)

E1 Title (*Mr, Mrs, Ms*) _____ E2 Surname _____

E3 Given name(s) _____

E4 Company name (*if applicable*) _____

E5 ACN _____ E6 Position held: _____

E7 Address _____ E8 Town _____

E9 State _____ E10 Postcode _____ E11 Country _____

E12 Phone no. _____ E13 Alternative phone no. _____

E14 Fax no. _____ E15 E-mail _____

Section F: Declaration

(attach/ photocopy extra page if more than 2 holders)

Please note that it is an offence to provide misleading or incorrect information. The replacement WAL (should this ownership be confirmed) may be cancelled or suspended if you are convicted of an offence under the *Water Management Act 2000*.

Submit your completed form to your local DNR office.

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 for assessing and processing your application and may be disclosed to public authorities and other parties as required.

NB The *Water Management Act 2000* requires that holders of a water access licence appear in a public Water Access Licence Register once the holder of the water access licence is verified.

I/We, the undersigned, seek verification as the holder(s) of water access licences specified in Section A of this form.

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

In the case licences held by individuals:

F1 Name _____ F2 Signature _____ F3 Date _____

F4 Name _____ F5 Signature _____ F6 Date _____

In the case of licences held by companies:

F7 Name of company _____

F8 Position of signatory _____

F9 Name _____ F10 Signature _____ F11 Date _____

Witnessed by:

F12 Name _____ F13 Signature _____ F14 Date _____



Guide to *Holder verification for replacement water access licences form*

Introduction

This guide is provided to assist you in completing the *Holder Verification for replacement water access licences form*.

The holder of a water access licence (WAL) that replaced a licence granted under the *Water Act 1912* is determined by reference to the land that was benefited by the 'prior' water licence(s) (*Water Act 1912*).

In most cases, the holders of the 'prior' water licence will be the same as the owners of the land benefited by that 'prior' licence. In these cases, the holder(s) is considered to be verified.

However, where the occupier of the land on the day the relevant water sharing plan commenced was not the owner, and the occupier was granted the 'prior' water licence, the occupier will be the lawful holder of the replacement WAL.

In some cases the Department requires additional information to determine with certainty, who should be the holder of the replacement WAL.

About these instructions

The *Holder Verification for replacement water access licences form* comprises Sections A to F. Each section is divided into one or more questions. The questions are identified by a number on the left hand side of the page, for example, B4, which is question 4 in Section B. This guide provides explanations of terms and requirements to help you fill in the form. We recommend you read this carefully before completing the form.

If you require further assistance, please contact your local DNR office.

General instructions

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 for verification purposes.

Section A: Licence

Section A identifies the water licence to be replaced.

- A1: Insert the number of the 'prior' Water Licence, ie. the licence that existed prior to the commencement of the water sharing plan. In the case of bore licences, insert only the relevant property account number.
- A2-4: Enter the numbers of the water access licence(s) that replaced the *Water Act 1912* licence specified in A1.

Section B: Owners of the benefited land

Only provide information for this section if the person(s) or corporation to hold the replacement WAL owned the land benefited by the prior licence on the date the water sharing plan commenced.

Note: all documentary evidence must be certified by a solicitor.

- B1: Proof of title – Land and Property Information is completing the computerisation of all land titles. Your property may comprise lots that have yet to be computerised. A copy of a manual title search or 'old system' title search will be required. The evidence of title must relate to the date the water sharing plan commenced.
- B2: Change of landholder name – DNR records may not match with land title details if a change of name has only been registered with one of the relevant agencies. A copy of the registration of the change of name (eg. Certificate of marriage, registration of name change at a 'Births, Deaths and Marriages' registry, or registration of change of company name with Australian Securities and Investment Commission) should be attached.
- B3: Use this field if another type of document can evidence of your claim to ownership of the benefited land. Please describe the document(s) in the space provided.

Section C: Lawful occupiers of benefited land

Only provide information for this section if the person(s) or corporation to hold the replacement WAL was the applicant for the prior licence AND lawfully occupied the land benefited by the prior licence on the date the water sharing plan commenced.

Note: all documentary evidence must be certified by a solicitor.

- C1: Notification of grant – A copy of the notification of grant of the licence specified in Section A must be attached to this form. If a copy is not available, contact the DNR office where the application was lodged.
- C2: Lease – This must establish lawful occupation on the date of commencement of the water sharing plan. The lease must relate to ALL land benefited by the prior licence. Documents must evidence continued occupation for the term of the prior licence. If the lease is in a former name (eg. the name subsequently changed by marriage or change of company name), then evidence of this change must also be provided.

Section D: Holder details

Use this section to complete the details for each of the holders identified in either Section B or C. In many cases, the holders of the replacement WAL(s) will be the same as the holders of the 'prior' *Water Act 1912* licence.

- D19: Should there be more than two holders, specify the total number of holders in this field and attach the details of the additional holders to your application. Include those pages in the total number of pages specified at the bottom of the application.

Section E: Contact details

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

- E4: Insert the name of the company that is acting as agent or contact for the applicants;
- E5: Insert ACN (Australian Company Number) of the company acting as agent or contact for the applicants.
- E6: Indicate what position the nominated contact holds in the applicant company, eg Managing Director, Chief Executive. This only applies to company applications.

Section F: Declaration

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

- F1-6: All intended holders of the new WAL must complete and sign this declaration.
- F8: If the applicant is a company, then a representative of that company must fill in the title, which he/she holds in that company.
- F12-14: An independent witness is required to sign this section in order to verify that the position stated in F8, above, is the position held by the signatory in F9.

Submitting your application

This form must be completed and lodged at a Department of Natural Resources office.

Verification will be delayed if the form is incomplete or incorrect, as further information will be requested.

For more information

Contact the water licensing officer at your local Department of Natural Resources office (contact details are available on the website) or

Free Call: 1800 353 104

Information: 02 9228 6333
Centre

email: wma.info@dnr.nsw.gov.au

website www.naturalresources.nsw.gov.au

© State of New South Wales through the Department of Natural Resources, Updated October 2006