


Application form

New water access licence with zero licence shares

September 2018 Natural Resources Access Regulator



This application form is for a new water access licence with zero licence shares under section 61(1)(b) of the *Water Management Act 2000*.

A water access licence permits the licence holder to take water allocations credited to the licence in accordance with the terms and conditions of the licence.

A water access licence with zero licence shares will not be credited with any water allocations as the licence has no share in the available water.

In order to take water under a new water access licence with zero licence shares, you will need to

- purchase or lease licence shares from another licence holder, or
- purchase water allocations from another licence holder.



For information about water access licences, go to www.industry.nsw.gov.au/water > Licensing & trade > Licences > Types of licences > Water access licences.

Who can apply?

Any person can apply for a new water access licence with zero licence shares.

Who can use this application form?

Responsibilities for granting and managing water access licences are shared between NRAR in the Department of Industry – Lands and Water Division, and WaterNSW.

This application form is for use by our department's customers:

- Government agencies, including other NSW government agencies, local councils and the Commonwealth
- State owned corporations
- Water utilities, water supply authorities and licensed network operators under the *Water Industry Competition Act 2006*
- Major developments (state significant developments and state significant infrastructure)
- Mining activities
- Irrigation corporations
- Schools and hospitals
- Aboriginal communities and businesses
- Floodplain harvesting

If you are not our department's customer, your one stop shop for licensing services is WaterNSW. Go to <https://www.watarnsw.com.au/>

How to use this application form

Information about how to use this application form is provided in the *Guide to the application form for a new water access licence with zero licence shares*.

OFFICE USE ONLY	Fee paid: Officer signature: Application number:	Customer receipt number: Date: Acceptance date:
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How to complete and submit this application form

Information about how to complete and submit this application form is provided in the fact sheet *How to complete and submit an application form*.

Section A: Applicant details

List all applicants – photocopy/print multiple copies of the form if more than two applicants.

Applicant

A1 Title (Mr, Mrs, Ms)		A2 Surname	
A3 Given name/s			
A4 Company/corporation name (if applicable)			
A5 ACN (if applicable)		A6 Position held (if applicable)	
A7 Address			
A8 Town	A9 State	A10 Postcode	A11 Country
A12 Phone		A13 Mobile phone	
A14 Fax	A15 Email		

Additional applicant (if applicable)

A16 Title (Mr, Mrs, Ms)		A17 Surname	
A18 Given name/s			
A19 Company/corporation name (if applicable)			
A20 ACN (if applicable)		A21 Position held (if applicable)	
A22 Address			
A23 Town	A24 State	A25 Postcode	A26 Country
A27 Phone		A28 Mobile phone	
A29 Fax	A30 Email		

A31 If more than two applicants, specify total number of applicants

Section B: Contact person for application

Note: If there is only one applicant you do not need to complete this section.

B1 Title (Mr, Mrs, Ms)	B2 Surname		
B3 Given name(s)			
B4 Address			
B5 Town	B6 State	B7 Postcode	B8 Country
B9 Phone		B10 Mobile phone	
B11 Fax	B12 Email		

Section C: Water access licence tenancy

If tenants in comment, list all applicants – photocopy/print multiple copies of the form if more than two applicants.

c1 Licence to be held by: <input type="checkbox"/> Sole holder <input type="checkbox"/> Joint Tenants <input type="checkbox"/> Tenants in Common*			
* If the licence is to be held by Tenants in Common provide details:			
c2 Name Tenant in Common	to hold	fraction of licence	
c3 Name Tenant in Common	to hold	fraction of licence	

Section D: Water access licence details

D1: Specify the category or subcategory of the new licence	D1.1 Category
	D1.2 Subcategory
D2: Specify the water source from which to take water	D2.1 Water Sharing Plan
	D2.2 Water source
D3: Specify the management zone in the water source from which to take water (if applicable)	Management zone

Section E: Declaration of applicant/s

Each applicant must sign the completed form.

If there are more applicants than spaces on this form for individuals to sign then after the form has been completed the entire form must be photocopied or printed and signed by each applicant.

I/We, the undersigned applicants, acknowledge and agree:

- a) that I/We apply for a new water access licence with a zero licence shares as described in this application;
- b) that this application will be determined in accordance with the *Water Management Act 2000* and any associated regulations or guidelines as in force from time to time, and that no right or entitlement shall arise pending determination of this application and that any such determination may be subject to conditions;
- c) that the authorised contact person (where applicable) is authorised to act for and on my behalf in relation to any aspect of this application unless otherwise notified to us, and that the department will rely on information provided by the authorised contact person in its consideration of this application;
- d) that the Crown in right of the State of New South Wales, including the department and its officers, employees, agents and successors ('the State'), accepts no liability in relation to any action, proceeding, claim, demand, cost, loss, damage or expense (including reasonable legal costs or expenses) arising directly or indirectly as a result of or in connection with this application or any act or omission of the State in connection with this application and I/we hereby agree to release and indemnify the State from and against any such action, proceeding, claim, demand, cost, loss, damage or expense to the fullest extent permitted by law;
- e) that all information contained in this application is accurate, true and complete and that the Crown in right of the State of New South Wales, including the department and its officers, employees, agents and successors ('the State') will rely on such information;
- f) that the State does not provide any legal, financial or technical advice in connection with this application and that any such advice, if required, is to be obtained independently;
- g) that details about any licence arising out of this application will be recorded in the publicly available Water Access Licence Register pursuant to the *Water Management Act 2000*;
- h) that if this application is incomplete it may not be accepted; and
- i) that more information may be requested if it is considered that it would be relevant to the consideration of this application.

For applications made by individuals

Name	Signature	Date
Name	Signature	Date

For applications made by a corporation

Executed for and on behalf of the applicant 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).

Name of corporation		
Position of signatory <input type="checkbox"/> company director <input type="checkbox"/> company secretary <input type="checkbox"/> duly authorised officer (Tick the appropriate box)		
Name of signatory	Signature	Date
Position of signatory <input type="checkbox"/> company director <input type="checkbox"/> company secretary (Tick the appropriate box)		
Name of signatory	Signature	Date

Section F: Payment of application fee

F1 Specify proposed method of payment for application fee <input type="checkbox"/> Credit card <input type="checkbox"/> Direct deposit <input type="checkbox"/> Cheque
F2 Payee's name
F3 Payee's contact number

Privacy statement

The personal information you provide on this form is subject to the *Privacy & Personal Information Protection Act 1998*.

It is being collected by the department and will be used for purposes related to assessing and processing your application, or in connection with the operation of any water access licence granted, or for research-related purposes such as customer surveys. It may be used from time to time to contact you about services the department provides.

The department will not disclose your personal information to anybody else unless authorised by law.

The provision of this information is voluntary. However, if you choose not to provide the requested information we will not be able to process your application.

You have the right to request access to, and correct details of, your personal information held by the department.

Further information regarding privacy can be obtained from the NSW Department of Industry website at www.industry.nsw.gov.au/privacy

Offences and penalties

It is an offence, under section 344 of the *Water Management Act 2000*, to make a statement that you know to be false or misleading in, or in connection with, this application. A corporation found guilty of an offence against section 344 is liable to a penalty not exceeding \$2.002 million. An individual found guilty of an offence against section 344 is liable to a penalty not exceeding \$500,500.

An access licence or approval may be suspended or cancelled under the *Water Management Act 2000* in certain circumstances. These include if the holder of the licence or approval is convicted of an offence under that Act.