SWC764465

Application to Assign Surface Water Allocation

Application for Minister's consent under sections 71T and 71V of the *Water Management Act 2000*

Details of fees payable and lodgement procedures are provided overleaf, further details can also be found at www.waternsw.com.au. Applicant(s) should refer to these notes prior to submitting an application. All parties acknowledge that the application will be managed in accordance with these procedures.

WARNING PENALTIES APPLY FOR FALSE DECLARATIONS

Part 1 Trade Information (Volume/Sale Price)

Macquarie River AWD	. ML	**Macquarie River Carryover**	. ML
Lachlan River Take	. ML	**Lachlan River High Security** AWD Sub Account	. ML
Lachlan River Hold	. ML	**Lachlan River High Security** Spillable Sub Account	. ML
Volume All Other Valleys	. ML		
Sale price (All Valleys)	$.	(per ML - mandatory)	

Part 2 Seller(s) Information

Seller(s) licence number eg 50AL503000 **Seller(s) reference**

I/we confirm that the information provided for the purpose of this application is true and accurate and that there is sufficient water available in this licence's water allocation account to proceed with the application.

- ☐ I am/we are holder(s) of this Water Access Licence; or
- ☐ I am/we are authorised to make this application on behalf of the holder(s) of this licence; or
- ☐ I am/we are authorised to make this application on behalf of the Corporation holding this licence; or
- ☐ All holders of this licence have consented to this dealing (to include additional signatures attach Annexure 1).

Print name(s) of the holder(s) of the Access Licence and the name(s) of the person(s) signing and insert date below:

Applicants Name	Licence Holder(s) Name (if different)	Signature of Applicant(s)	Date

Contact Phone Number	Contact Fax Number	Contact Email Address

Part 3 Seller(s) Agent, if applicable

Name	Email Address	Phone Number

Part 4 Buyer(s) Information

Buyer(s) licence number eg 50AL503000 **Buyer(s) reference**

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

- ☐ I am/we are holder(s) of this Water Access Licence; or
- ☐ I am/we are authorised to make this application on behalf of the holder(s) of this licence.

Print name(s) of the holder(s) of the Access Licence and the name(s) of the person(s) signing and insert date below:

Applicants Name	Licence Holder(s) Name (if different)	Signature	Date

Contact Phone Number	Contact Fax Number	Contact Email Address

Part 5 Buyer(s) Agent, if applicable

Name	Email Address	Phone Number

Office Use Only

Received	Receipt No.	Entered	Approved/Refused

Notes:

Part 6 Payment Options

Applications including the appropriate application fee may be paid by credit card, cheque or money order (made payable to WaterNSW).

To calculate your application fee please go to www.waternsw.com.au/customer-service/trading

To pay this via credit card please go to www.payway.com.au and make your payment using biller code 228627.

For any issues, please call our customer helpdesk on 1300 662 077 and choose option 2 for Temporary Water Allocations. A Customer Service Officer will assist you.

Part 7 Seller(s) Meter Reading (optional – refer to notes below)

Seller(s) Combined / Works Approval or Licence Number | | | | | | | | | | |

WMA 2000 eg 50**WA**503000 or 40**CA**403000 (not 50AL503000)

Date of Meter Reading | | | / | | / | | | | |

Extraction Site Number	Pump Description	Meter Reading

INFORMATION FOR PARTIES TO DEALINGS

Applicant(s) should note the following information when submitting an 'Application to Assign Surface Water Allocation':

1. Rules and Regulations

The assignment of water allocation is considered in accordance with the rules and regulations set out in the *Water Management Act 2000* and any relevant Water Sharing Plan(s) in force at the time of the application.

Applicants should note that it is the responsibility of the persons selling (disposing of) water allocation to notify the approval authority in writing of the agreed price, either at, or before, the time the approval is sought (refer Section 12.48 of the MDBA Water Trading Guidelines).

2. Payment of usage charges on water assigned

Unless the purchaser has a NSW WAL with associated water supply works and complying metering by means of which the water traded in this transaction is to be taken, the purchaser and seller acknowledge and agree that:

(i) in accordance with clause 2.4 of Schedule 4 of the IPART determination, on receipt of the application WaterNSW will promptly bill the seller for the usage charges in respect of the allocation traded in this transaction; and

(ii) those charges must be paid to WaterNSW before the application is finalised.

3. Fees

Not withstanding item 2 above, an application fee of **$49.50** (GST free) applies for each application. This fee has been set in accordance with the relevant ACCC pricing determination.

Application fee(s) will not be refunded if an allocation assignment has been processed and does not proceed through no fault on the part of WaterNSW Corporation or the Minister administering the Water Management Act, 2000.

4. Execution of the application

Section 72A of the Water Management Act requires that where a licence is co-held, a dealing with that licence must be consented to by all co-holders. If this application concerns a co-held licence, WaterNSW may require evidence of consent of all co-holders. **Caution - It is an offence under Clause 344 of the *Water Management Act 2000* to provide false or misleading information with any application.**

5. Lodgement

Applications should be emailed, faxed or mailed to the address below.

WaterNSW

8-20 Edwardes St
PO Box 453
DENILIQUIN NSW 2710

Phone 1300 662 077
Fax (03) 8668 1154
Email water.trade@waternsw.com.au

6. Processing times for intravalley and intervalley applications

An application to assign water allocation **may** take up to 5 working days to be finalised providing that all necessary information is supplied with the application. Incomplete or incorrect applications may result in delays or rejection of the application.

7. Processing times for interstate applications

An application to assign water allocation to or from an interstate water licence **may** take up to 10 working days to be finalised. Submissions involving an interstate licence are subject to the approval of the relevant interstate authority and will only be finalised when written approval from the relevant state is obtained by WaterNSW.

8. Incomplete applications

WaterNSW will return all applications deemed to be incomplete. Where a broker has been nominated to act on behalf of the applicants, the broker will be notified.

Applications will be deemed incomplete and the application returned if the buyer and seller sections are not completed on the same form.

9. Interstate (71V) Applications

Applications requesting an assignment of a water allocation to or from an interstate party **must** provide copies of all relevant interstate application forms with the application at time of lodgement. Failure to provide copies of relevant applications will result in the application being returned.

Interstate applications must comply with the rules and regulations outlined by the donor or receiving state. Any applications not approved by the relevant state authority will be refused.

It is the responsibility of the applicant(s) to forward all necessary applications forms and fees to the relevant state authority.

10. Multiple licences

A separate application form **must** be completed for each assignment of water allocation between multiple licences. Applications combining more than one licence will be returned.

11. Meter Readings

Sellers are encouraged to submit current meter readings (Part 7) with each Application to Assign Surface Water Allocation.

Applications submitted without supplying a current meter readings will be processed according to the information available to WaterNSW. An application to approve an assignment which exceeds the account will be returned.

12. Returned applications

In some cases (subject to WaterNSW's discretion), incorrect or incomplete applications will be returned to the applicant. Where a broker has been nominated to act on behalf of the applicant(s), the application will be returned to the broker.

Applicant(s) will be given a period of 10 working days to return the corrected application. Corrected applications received after this time will not be accepted and the application will be considered refused and the fee forfeited.

13. Amendments to an application

Amendments to an application will not be accepted once an application is registered in WaterNSW's Water Accounting System. Applicants wishing to make an amendment to an application must withdraw the application and lodge a replacement application and fee.

There is no scope to amend an application once the application has been finalised by WaterNSW or after a NSW approval to an interstate party has been sent by WaterNSW.

14. Withdrawal of an application

Applicant(s) wishing to withdraw an application must notify WaterNSW in writing. The consent of both seller and buyer (or agent) must be provided before WaterNSW will withdraw an application. The withdrawal of an interstate application must also be approved in writing by the donor or receiving state authority.

There is no scope to amend an application once the application has been finalised by WaterNSW or after a NSW approval to an interstate party has been sent by WaterNSW.

15. Notification of application finalisation

Applicant(s) will be notified in writing upon finalisation of the application. Where an agent(s) has lodged the application, the agent(s) will be notified.

Agents should note that if an agent email address is not provided, WaterNSW will not provide notification on status/finalisation of the application to the agent.

16. Disputes

An application can only proceed if made by/on behalf of both buyer and seller. WaterNSW will not finalise an application if either a buyer or seller advises of a withdrawal from the application. In such cases, WaterNSW will cease to process the application for a period of time which will be specified. This will allow both parties a reasonable period of time in which to resolve any dispute. If there is no resolution within the specified time, WaterNSW will regard the application as withdrawn.

During periods of dispute, the volume of water associated with the application will be unavailable for use by both buyer and seller until the application is either finalised or withdrawn.

17. Finances

It is the responsibility of the applicants to arrange financial settlement for the water assigned.

18. Penalty provision

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

19. 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 authorised parties as required.

The Water Management Act 2000 requires that, should your application be granted, details of the water access licence will also appear in a public water access licence register.