



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 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/price)

All fields marked * must be completed.

Macquarie AWD	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> ML	Macquarie Carryover	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> ML
Lachlan General sec take	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> ML	Lachlan High sec AWD	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> ML
Lachlan General sec hold	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> ML	Lachlan High sec spillable	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> ML
All other valleys	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> ML	*Please indicate the purpose of this trade by using the trade purpose classification table on page 2: Reason for trade # <input type="text"/> If other, please specify below: <input type="text"/>	
*Sale price	\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> per ML		
*Date price agreed (Strike date)	<input type="text"/> / <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		

Part 2 Seller(s) details and authorisation

Seller(s) licence number

<input type="text"/>	Licence holder name(s)
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e.g. 50AL000001 or 60AL000001 or 70AL000001

Is this licence owned by/associated with a water broker? Yes No

Type of licence/holding: Consumptive Environmental

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.

Please check all those that apply.

- I am/We are holder(s) of this water access licence.
- I am/We are authorised to make this application on behalf of the holder(s) of this licence.
- I am/We are authorised to make this application on behalf of the Corporation holding this licence.
- All holders of this licence have consented to this dealing (to include additional signatures attach Annexure 1).

Print the name(s) of the person(s) signing, insert date, sign and complete the contact details below.

Applicants name

Date

Signature

<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/>
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Applicants email

Phone

See Information for parties to dealings
section 15 for agent obligations.

Part 3 Buyer(s) details and authorisation

Buyer(s) licence number

<input type="text"/>	Licence holder name(s)
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e.g. 50AL000001 or 60AL000001 or 70AL000001

Is this licence owned by/associated with a water broker? Yes No

Type of licence/holding: Consumptive Environmental

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.

- I am/We are authorised to make this application on behalf of the holder(s) of this licence.

Print the name(s) of the person(s) signing, insert date, sign and complete the contact details below.

Applicants name

Date

Signature

<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/>
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Applicants email

Phone

See Information for parties to dealings
section 15 for agent obligations.

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.

Brokers must complete Part 4 as well as list their details in Part 2 and 3. Part 4 is a standalone statement we use for compliance purposes.

Trade Price is a requirement for every application to have a sale price indicated in Part 1. If the price is NIL (\$0), the box indicating same MUST be ticked. Under **Part 5 – Trade purpose classification**, those reasons with an asterisk* **MUST** not have \$0 as the price.

Reasons for trade to comply with MDBA guidelines, every application must have indicated a reason for the allocation assignment. The reasons are:

1. Standard commercial*
2. Forward contract*
3. Carryover parking*
4. Carryover parking return
5. Related party
6. Compensatory trade for outcome delivery
7. Private lease arrangement (not 71M)*
8. Allocation trade as part of share transfer*
9. Environmental use
10. Returned unused environmental water
11. Government program e.g. Water for Fodder
12. Other

For a description for each of these reasons, see the Trading Water FAQ's on the WaterNSW website waternsw.com.au

9. Interstate (71V)

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 reading 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 upon finalisation of the application via email or fax. Where an agent(s) has lodged the application, the agent(s) will be notified. Agents should note that if an agent email or fax number is not provided, WaterNSW will not provide notification on status/finalisation of the application to the agent.

Agents are obligated to pass on any Dealing confirmations from WaterNSW to the Licence Holder.

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.