

Buying or selling a property

Fact sheet

When selling or buying a property that has an approval, for example a work, combined, use or flood work approval, or a water access licence both parties may be required to take action in relation to the water access on that property.

Approvals (including domestic and/or stock use)

All approvals, including works, use, combined and flood works, transfer with the property shortly after settlement. When the transfer of land title is registered with NSW Land Registry Services (LRS), WaterNSW is notified of the change. WaterNSW issues the buyer with a notice advising they are the new Approval Holder and how to access a copy of the Statement of Approval and the conditions of their approval.

Approval for irrigation or other commercial purpose

If the property purchased has an approval for irrigation or other commercial purposes, and the buyer plans to continue to use water for that purpose, the buyer will also need to have a water access licence (WAL) with the required shares (volume of water) linked to that approval.

Licences

Water access licence (WAL) - As sellers decide if the WAL is part of the sale, buyers will need to check with their solicitor if the water entitlement is included in the contract of sale. The solicitor needs to ensure the WAL title is transferred with LRS at the same time as the land.

If a WAL is not included in the sale, the buyer will need to apply to WaterNSW for a zero share WAL, and if granted go to the market and buy water (unless use is for stock and domestic purposes). You can view your WAL and approval details on the NSW Water Register.

Specific purpose water access licences (SPAL) for domestic and/or stock which is linked to an approval must stay with the property as it is issued specifically for that holding. This will not transfer automatically as it is a separate title to the land. The buyer will need to lodge a transfer application form - 71M direct with LRS.

No approval for the work?

If there is a work, for example a bore, on the property you have purchased and you are unsure if it is authorised by an approval, you can check on the NSW Water Register by using the Lot/DP details.



Click here to visit the [NSW Water Register](#)

If the work is not approved, you can lodge an application with WaterNSW. Do not take water until an approval is in place, as doing so may be a breach of the *Water Management Act 2000*.

If there is a bore and it is not required, please contact WaterNSW to discuss your options including decommissioning the bore.

Sold your property and still receiving bills?

If you are still receiving a bill after selling a property, it means that the transfer of the title for your WAL has not been completed by the solicitor as part of the settlement. To transfer your WAL to the buyer, you will need to lodge a transfer application form - 71M direct with LRS. Until this happens, you will remain the holder of the WAL and continue to be billed.

Note: If a seller is planning to sell a portion of an existing property, they will need to make changes to any approvals held with WaterNSW, prior to the sale. Otherwise, approvals for the whole property may be transferred to the buyer of the portion sold.

Need help?

If you need more information, please contact our Customer Service Centre on [1300 662 07](tel:130066207), Monday to Friday between 8am-5pm or email Customer.Helpdesk@waternsw.com.au