

# Application for a new specific purpose water access licence (SPAL)

## How-to guide

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**This guide will assist you in completing the Application for a new specific purpose water access licence.**

The application form has several sections. In each section are questions which are identified by a number on the left-hand side of the form (for example, B4 is question 4 in section B). The information provided in the guide corresponds to these references in the application form.

Ensure that you provide all the information requested in this application form. If your application form is incomplete, it may not be accepted.

WaterNSW may contact you to request further information in relation to your application.

### How to complete the application form

You can apply for a new specific purpose water access licence using two options:

- Use **Water Applications Online** at [wao.waternsw.com.au](http://wao.waternsw.com.au) for an easy to use, interactive option. Applications using the online service can be processed faster than those submitted by post. Applicants can also track the progress of their application using a unique log in and password. Once completed, print out the application form and have it signed by all applicants, and submit to WaterNSW. When using the online option, application fees must be paid online using a credit card.
- **Download an application form as a PDF document.** Complete the printed hard copy form using BLOCK LETTERS and a black/blue pen or type in details directly into the form, save and print. The form must then be signed by all applicants, and submitted to WaterNSW.

If you have nominated to pay the application fee by credit card, WaterNSW will contact you on the details provided in the application form to process credit payment over the phone.

### How to pay application fees

Information on fees is available on our website at [waternsw.com.au/applications](http://waternsw.com.au/applications). You can select to pay by credit card on the form – WaterNSW will contact you for credit card details. You can also pay the application fee by enclosing a cheque or money order made out to WaterNSW when posting the hard copy application form.

Application fees are exempt from GST.

If an application has been accepted by WaterNSW, payment has been processed and a receipt has been issued, application fees will not be refunded.

## How to submit the completed and signed application form

- Post your completed application to: **WaterNSW PO Box 398 Parramatta NSW 2124** with the enclosed cheque or money order for payment of the application fee.
- Scan and email to: [Customer.Helpdesk@waterNSW.com.au](mailto:Customer.Helpdesk@waterNSW.com.au)

### Section A: Applicant details

These are the details of each of the holder(s) that will appear on the water access licence.

**A1-4** The name can be a person's name or the name of a legal entity, such as a corporation. Trading names are not permitted.

**A5-6** Insert the Australian Company Number (ACN) if it is a company application or an ABN if you are an organisation incorporated in NSW without an ACN.

**A7** Insert the position of the person(s) making the application for and on behalf of the corporation.

**A8-15** Insert the address of the applicant. If a corporation is applying, insert the address details of the corporation's registered office. Please ensure you have an email and mobile number listed on the application so we can contact you.

**A16-25** More than one person can hold one water access licence. Downloaded forms make provision for two applicants. For more than two applicants, provide the information on additional pages and attach to the application form. Each applicant will be a holder of any water access licence that might be issued as a result of the application. For online applications, click 'Add New Department Client' to add more than one applicant.

**A26-27** This is the total number of applicants to be listed on the water access licence (include applicants listed on any additional pages). Not applicable for online applications.

### Section B: Authorised contact person

**B1-15** Insert the name and contact details of the authorised contact person.

### Section C: Payment of application fee

Specify how payment is being made and provide contact for payment.

### Section D: Ownership of the SPAL

As a water access licence may be held by a number of persons, details of how the water access licence is to be divided are required.

**D1** Sole holders own 100 per cent of the water access licence and the water access licence becomes part of that person's estate once they die. Joint tenants hold the water access licence in equal shares and on the death of any one of the joint tenants, title vests in the surviving joint tenant(s). Tenants in common hold the water access licence in defined proportions, not necessarily equal, which may be dealt with independently of the shares of the other tenant(s) in common. If a tenant in common dies, that holding remains intact and passes to the beneficiary of the deceased's estate.

**D2** If the water access licence is to be held by tenants in common, specify the percentage of the water access licence to be held by each person, e.g. one person holds 25 per cent, while the other holds 75 per cent. The figures given must add up to 100 per cent.

## Section E: Details required for the SPAL

The share component of the water access licence is the number of shares in the available water within a water management area or from a water source to which the holders of the water access licence are entitled. The extraction component of the water access licence is the right to take water at specified times, at specified rates or in specified circumstances, or in any combination of these, and in specified areas or from specified locations.

You need to check the Water Management (General) Regulation 2018 and the relevant water sharing plan to see whether an application for the specific purpose water access licence may be made. Both the Regulation and water sharing plans are available online in the 'Regulations' section of the NSW Legislation website at [legislation.nsw.gov.au](http://legislation.nsw.gov.au)

**E1-2** Specify the water sharing plan and water source - this can be a surface or groundwater source, as described in the relevant water sharing plan. The current water sharing plans are available online in the 'Regulations' section of the NSW Legislation website at [legislation.nsw.gov.au](http://legislation.nsw.gov.au)

**E3** If the water sharing plan is divided into zones, specify the zone that you wish to extract water from. If you don't know the zone, give a brief explanation of where you will extract from. For example, on Lunts Creek, 100 m downstream of the junction of Lunts and Splitters Creeks.

**E4-5** Insert the category and sub-category of SPAL you wish to apply for. Refer to the [Guide to the components of a water access licence certificate](#) for more information on specific purpose categories.

**E6** Provide details of the purpose for which the SPAL is sought.

**E7** Complete the table to estimate how much water you require for your SPAL. Refer to the [How much water do I need? fact sheet](#) to help you estimate the volume of water required for domestic supply.

**E8** Specify the volume of water you are requesting, expressed in megalitres per year (ML/year).

**E9** Provide details of how the volume applied for has been calculated.

**E10** Provide details of where the water is to be used.

## Section F: Nominated works

It is an offence to take water otherwise than by means of the nominated water supply work. Provide details of the water supply work approval number for all water supply works that are to be nominated on the new SPAL, as work/s by means of which water credited to the WAL maybe taken. You are nominating all water supply works listed on an approval/s entered below.

**F1** Provide details of all water supply work approvals for all water supply works that are to be nominated on the new SPAL, as work(s) by means of which water credited to the water access licence may be taken. For approval(s) with more than one work, you are nominating all water supply works listed on the approval(s).

**F2** Provide the application number if you are currently applying for a water supply work approval for the water supply work/s to be nominated on the SPAL being applied for.

## Section G: Declaration of the SPAL holder/s

All applicants who are listed as owners of the SPAL must provide their name, sign the completed form, and write the date of signing. If the applicant is a company, the application may be signed:

- by two company directors, a director and a company secretary, or a sole director/ secretary, or

- by a duly authorised officer.

If the applicant is a company, insert the name of the company, select the position of the signatory, and ensure the application is signed by the relevant signatory or signatories. Application is to be signed for and on behalf of the applicant by two persons 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).

### **Section H: Declaration of approval holder/s**

Section H needs to be completed if a water supply work approval is being added in Section F under section 71W, and each holder of the approval listed is not also a holder of the new water access licence listed in section B.

If required to complete, each holder must provide their name, sign the completed form and write the date when it was signed.

If the applicant is a company, the application may be signed:

- by two company directors, a director and a company secretary, or a sole director/secretary, or
- by a duly authorised officer.

If the applicant is a company, insert the name of the company, select the position of the signatory, and ensure the application is signed by the relevant signatory or signatories. The application is to be signed for and on behalf of the applicant by two persons 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).

### **Privacy statement and offences under the *Water Management Act 2000***

It is your responsibility to understand the steps WaterNSW follows to comply with its obligations under the WaterNSW Privacy policy which can be found at [waternsw.com.au/privacy](http://waternsw.com.au/privacy)

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

#### **Need help?**

If you need further assistance, please contact our Customer Service Centre on **1300 662 077**, Monday to Friday between 8am-5pm or email [Customer.Helpdesk@waternsw.com.au](mailto:Customer.Helpdesk@waternsw.com.au)

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