



Application for Transfer of Water Entitlement OR Transfer of Water Licence

Application for transfer of water entitlement/licence under Schedule 1, Clause 29 of the *Rights in Water and Irrigation Act 1914*

Please note:

- This is a paper application. Alternatively, applications can be completed and submitted online at <https://online.water.wa.gov.au>
- A fee is payable for this application.
- All fields applicable to your application type must be completed and are to be written clearly in block letters.
- If there is insufficient room please use a separate piece of paper.
- Submission of this form is an application only and is subject to assessment by a licensing officer.
- Incomplete applications will be returned.
- Refer to the checklist on page 7 when completing the application.
- The licence holder is to fill out Part 1, Part 9 and sign Part 10 only.
- If more than one name is on the licence, all persons must sign this and future forms.
- Transfer duty is payable on the greater of the consideration paid or the value of the water entitlement. A transaction record (e.g. contract for sale) or transfer duty statement must be submitted to State Revenue within two (2) months of the date of the transaction, together with a copy of this form.

Part 1: Application and licence holder details

Application to transfer entitlement/licence under Schedule 1, Clause 29

Transfer of Licence

A transfer of an existing licence that usually takes place when a property is sold or changes to the name of licensee on the licence is called a licence "transfer".

- ☐ Transfer of an existing licence to take water
☐ Transfer of an existing licensed entitlement

Current licence number

Current licence allocation

Name of individual/
company

Transfer of Water Entitlement
If part of an existing licensed entitlement to take water is to be transferred to another property and/or to another licence, please select the "entitlement" option

Is the water included
as part of a property
sale price?

- ☐ Yes
☐ No

If no, please specify the
amount paid for the licence
or entitlement:

\$

List all relevant third parties and security interests and attach their written consent to their transfer. If transfer duty has been paid or is exempt, please attach a copy of the certificate of duty issued by the Office of State Revenue.

Part 2: Transferee(s) details

The applicant's full name is the name that will appear on the licence. Do not use initials unless they form part of the legal entity's name. Include all names to appear on the licence. Include all names to appear on licence.

Provide the legal name registered under the ABN or ACN.

Provide house and lot number details where applicable

Provide at a minimum your primary contact number.

Please indicate whether the transfer is due to sale of ALL the land related to the licence to the transferee by selecting one out of the three adjacent options

Transferee(s) full name

Contact name

(if different from above)

ABN/ACN (if applicable)

Company name

Postal address
(PO Box if applicable)

Property address

(if different from above)

Telephone

Fax

Mobile

Email

Is the transfer due to the sale of ALL the land?

- ☐ No (proceed to part 3)
☐ Yes (if changes are required to licence proceed to part 3) or
☐ Yes (if changes are not required, complete part 4 and go to part 7)

Part 3: Transferee(s) Property from which water is to be taken

Legal land description(s) for properties should be provided as they appear on the Certificate of Title (e.g. Lot 75 on Plan 14797)

Property

Area of property

GPS Coordinates

Mine name

Mining tenement numbers

Mining field

		ha
Easting	Northing	Zone

OR

Legal land descriptions for mining tenements should be provided as they appear on TENGRAPH.

Part 4: Transferee(s) Legal Access

This field is required to be completed by the third party and relevant legal access information must be provided.

Please note: An application for a 5C licence must satisfy the requirements of Schedule 1 Clause 3 of the *Rights in Water and Irrigation Act 1914* to satisfy the legal access requirements to the land.

What is the nature of your access to the land on which the water is located?

- ☐ Own the land
 ☐ Mining tenement
 ☐ Lease the land from the Crown
- ☐ Approval of landholder to use land
 (attach copy of landholder's written approval and the term of the lease)
- ☐ Negotiating to purchase or lease the land
 (provide copy of contract of sale/lease or owner's name)

Name

Date

- ☐ Other (please specify)

Part 5: Transferee Details of Water Use

Transferor(s) (Part 10) and Transferee(s) are required to complete the relevant water usage details as applicable in relation to the existing 5C licence, including current and proposed areas of irrigation, crop types and any other water uses. Please note upon submission of this application an officer from the Regional Office may contact you to undertake a compliance inspection of the property in accordance with 'Operational Policy No. 5.13 – Water entitlement transactions for Western Australia'

Transferee to complete below information where applicable:

Where is the water to be used?

Tick all that apply

- ☐ House
 ☐ Garden/lawn
 ☐ Fire fighting
- ☐ Industrial
 ☐ Horticultural
 ☐ Stock watering
- ☐ Mining
 ☐ Aquaculture
- ☐ Other

1 acre is equal to 0.4 ha

1 kL = 1000 litres

Area (for garden / lawn or other use)

ha

Irrigation use:
Planting density
(number of plants
per hectare e.g. for
orchards, tree farms
etc.)

Irrigation method
(e.g. sprinkler,
trickle, butterfly
sprinkler).

Irrigation use - specify each crop type (ie carrots, apples)	Planting density (per ha) if applicable	Irrigation method	Usage area (ha)	Estimated annual quantity (kL) if known
Total				

Stock use:
Stock type
(e.g. sheep, horses) Describe operation (e.g. meat production, breeders, agistment). Intensive means conditions in which the cattle or stock are confined to an area smaller than that required for grazing under normal conditions and are usually fed by hand or by mechanical means.

Specify each stock type & description of operation (e.g. sheep, cattle, feedlot meat production)	Average No of stock (Yr)	Intensive operation (Y/N)	Estimated annual quantity (kL) if known
Total			

Aquaculture use:
Aquaculture type
(e.g. yabbies, marron, fish etc).

Details of pond dimensions, holding facilities, evaporation, seepage and discharge must be supplied.

Aquaculture use – specify each type of operation	Plan of operation details attached (Y/N)	No of times ponds emptied per year	Estimated annual quantity (kL) if known
Total			

Other water use:
Other water usages include firefighting, road verge watering, bottling, public water supply, road construction, ablutions, public open spaces, recreations reserves, non-mining dewatering.

Other water usage – specify individual usage	Usage area (ha)	Estimated annual quantity (kL) if known

Mining or industrial use:
Specify each water usage e.g. processing, dewatering, dust suppression, camp purposes, rehabilitation, care and maintenance.

Mining or industrial use - water usage	Estimated annual quantity (kL) if known	Salinity per use (TDS)

If dewatering, will water be discharged to the environment?

☐ No
☐ Yes

Part 6: Transferee(s) resources

Do you have the resources (including financial) to undertake the proposed activities in relation to the licence?

☐ Yes

☐ No

If no, what steps are you taking to undertake the activities?

Please indicate timeframe:

Part 7: Other approvals

Have you applied or do you intend to apply for approvals under the Environmental Protection Act?

☐

No

☐

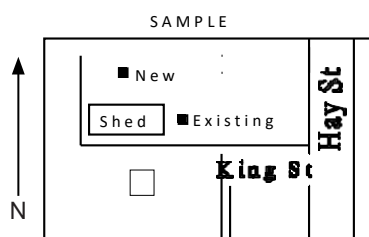
Yes

This includes:

Registration of premises, Works approval,
Licence to discharge to the environment, or
Permit to clear native vegetation

Please give details:

Part 8 : Transferee location plan



In the adjacent box, please complete a sketch of the property including the following features:

- location of all wetlands/watercourses, etc
- any major improvements (house, sheds, etc)
- proposed and existing crop areas/areas of irrigation

For mining leases, please include a tenement map showing location within WA and MGA co-ordinates of drawpoints.

Attached ☐

--

Part 9: Transferor(s) Details of Water Use

Transferor(s) to complete below information where applicable:

Where is the water to be used?

Tick all that apply

- | | | |
|-------------------------------------|--|---|
| <input type="checkbox"/> House | <input type="checkbox"/> Garden/lawn | <input type="checkbox"/> Fire fighting |
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Horticultural | <input type="checkbox"/> Stock watering |
| <input type="checkbox"/> Mining | <input type="checkbox"/> Aquaculture | |
| <input type="checkbox"/> Other | | |

1 acre is equal to 0.4 ha

1 kL = 1000 litres

Area (for garden / lawn or other use)

ha

Irrigation use:
Planting density
(number of plants
per hectare e.g. for
orchards, tree farms
etc.)

Irrigation method
(e.g. sprinkler,
trickle, butterfly
sprinkler).

Irrigation use - specify each crop type (ie carrots, apples)	Planting density (per ha) if applicable	Irrigation method	Usage area (ha)	Estimated annual quantity (kL) if known
Total				

Stock use:
Stock type
(e.g. sheep,
horses) Describe
operation (e.g.
meat production,
breeders,
agistment).
Intensive means
conditions in which
the cattle or stock
are confined to
an area smaller
than that required
for grazing under
normal conditions
and are usually
fed by hand or by
mechanical means.

Specify each stock type & description of operation (e.g. sheep, cattle, feedlot meat production)	Average No of stock (Yr)	Intensive operation (Y/N)	Estimated annual quantity (kL) if known
Total			

Aquaculture use:
Aquaculture type
(e.g. yabbies,
marron, fish etc).

Details of pond
dimensions,
holding facilities,
evaporation,
seepage and
discharge must be
supplied.

Aquaculture use – specify each type of operation	Plan of operation details attached (Y/N)	No of times ponds emptied per year	Estimated annual quantity (kL) if known
Total			

Other water use:
Other water usages
include firefighting,
road verge watering,
bottling, public
water supply,
road construction,
ablutions, public open
spaces, recreations
reserves, non-mining
dewatering.

Other water usage – specify individual usage	Usage area (ha)	Estimated annual quantity (kL) if known

Mining or industrial use:
Specify each water usage e.g. processing, dewatering, dust suppression, camp purposes, rehabilitation, care and maintenance.

Mining or industrial use - water usage	Estimated annual quantity (kL) if known	Salinity per use (TDS)

If dewatering, will water be discharged to the environment?

☐ Yes ☐ No

Part 10: Signature or seal of transferor(s) and transferee(s)

All persons named on and to be named on the licence(s) must provide their signature

By signing this form you are declaring that the statements on this form are true and correct

We hereby request that approval be given to the transfer of _____ kilolitres in accordance with the information provided

Signature of Transferor(s)

Signature of Transferee(s)

Name and position

Name and position

Signature of applicant or person duly authorised to sign on behalf of the applicant

Signature of applicant or person duly authorised to sign on behalf of the applicant

Date: (dd/mm/yyyy)

Date: (dd/mm/yyyy)

OR

OR

Common seal or company seal was hereby affixed in the presence of

Common seal or company seal was hereby affixed in the presence of

Name and position

Name and position

Date: (dd/mm/yyyy)

Date: (dd/mm/yyyy)

Please note: if you are signing on behalf of another person proof of your authority in writing must be provided.

Please retain a copy of this form for your records

Part 11: Fees

A \$200 application fee applies to this application.

Evidence of payment is required before your application can be accepted.

Attach payment, receipt or transaction record with your application, or record your receipt number here

Payment options:

Cheque/Money Order made payable to Department of Water and Environmental Regulation.

EFT/bank transfer to

BSB: 066040

Account No: 18300113

Name of Bank: Commonwealth Bank of Australia.

Please include in the description the full name of licence holder

Credit card payment (online) at www.dwer.wa.gov.au.

Select 'Make a payment' and follow the prompts (Biller Code 1568864)

Please include :

Full name (state the full name of the licence holder)

Description of Payment (state the licence number)

Contact phone No: (10 digits)

Office use only (to be completed before payment can be processed in Finance)

Application ID/ Instrument number :

Date sent to Financial Services Section:

Officer name and location:

Signature:

Important information

This application for a licence will not be accepted unless all required information in this form has been provided. Please use the attached checklists to ensure you have supplied all required documentation

Prior to the department granting a licence, documentation from the Office of State Revenue must be provided stating that duty has been paid on transfer of licence or entitlement, if the value is not included in the property sale or exempt.

Checklist

Part 1: Application and transferor(s) details

At least one of the two boxes in Part 1 of the form must be ticked, and transferor's name and existing licence number provided. The amount paid for the entitlement or licence must be provided if the licence or entitlement is not included as part of the property purchase.

☐

The document that evidences the purchase of the water licence or entitlement (e.g. contract for sale), or a transfer duty statement (available from Office of State Revenue website), must be lodged with the Office of State Revenue within two (2) months of the date of the transaction, together with a copy of this form. The Office of State Revenue will provide you with a Certificate of Duty showing the duty paid on the transfer of the licence or entitlement, which must be presented to the Department of Water and Environmental Regulation.

☐

If you purchased a property which included the transfer of a water licence or entitlement, confirmation the purchase price paid for the property recorded on the land transfer documents was also for the transfer of the water licence or entitlement.

☐

For further information on lodging and paying transfer duty, contact the Office of State Revenue on 08 9262 1100 or visit their website www.finance.wa.gov.au.

Part 2: Transferee details

Name of individual(s), company or water service provider must be indicated

If a company/association, the ABN or ACN and contact person must be supplied.

Postal address must be completed.

One out of the three options in relation to the sale of ALL the land in association with the licence must be selected

☐☐☐☐

Part 3: Property from which water is to be taken

Property or mining description details must be provided where water is to be taken.

☐

Part 4: Legal access

Must be completed by the transferee(s) in relation to the property under application. A copy of the contract of sale or lease must be provided with the application if the transferee does not currently own the land.

☐

Part 5: Transferee details of water use

Details of non-commercial/commercial/mining or industrial/other water uses must be described as accurately as possible in relation to the existing and proposed water usage for the transferee(s) on the property.

☐☐

Part 6: Transferee resources

At least one of the boxes in Part 6 must be ticked.

If the answer is 'No', outline the steps which are being taken to address this.

☐☐

Part 7: Other approvals

One of the boxes in Part 7 must be ticked

☐

Part 8: Location Plan

A detailed location plan as described on the form must be drawn in the box provided or attached.

For mining tenements, a map showing tenements numbers must be provided.

☐☐

Part 9: Transferor details of water use

Details of non-commercial/commercial/mining or industrial/other water uses must be described as accurately as possible in relation to the existing and proposed water usage for the licence holder of the property

☐

Part 10: Signature of seal of applicant

The applicant's name and signature or signature of person duly authorised to act on behalf of the Applicant is mandatory OR Common Seal or Company Seal accompanied by signature of an authorised person.

☐

Part 11: Fees

Ensure payment or evidence of payment is attached

Where and how to submit this form

This form can be submitted by fax, post, email or in person to the:

Department of Water and Environmental Regulation
Swan Avon Region: Victoria Park Regional Office, Business Support Unit.
7 Ellam Street Victoria Park WA 6100
Tel: 1800 508 885
Fax: 08 6250 8050
Email: licence.enquiry@dwer.wa.gov.au

For assistance in completing this form contact our Business Support Unit on 1800 508 885