

Department of Primary Industries Parks Water and Environment

Application to Surrender a Water Licence

Use this form to surrender a water licence if you no longer intend to take water of the Water Management Act 1999 (the Act).

A water licence is required if you intend to take water from a water resource for commercial purposes. Water resources include watercourses (rivers, streams etc.) and lakes and dams. However, if you no longer need to take water for commercial purposes you may wish to surrender the licence and thereby avoid paying the annual water licence fees.

Alternatively, if you no longer need the water you may wish to transfer the water licence to another person who may be able to use the water. Transfers can only be made between connected water resources and may result in a reduction of allocations if there is reduced water availability. If you are unsure as to what best suits your situation it is recommended you contact a Regional Water Management Officer at your local DPIPWE office to determine whether or not you require a water licence.

There are also extensive details on water licensing on the Department's web site at: <http://dpiuwe.tas.gov.au/water/>

When completing this form you must advise whether or not any other person or institution has, or will have, an interest (e.g. a mortgage) over the water licence or allocation. If so they must provide written consent to the surrender of the licence.

If the licence holder is deceased, then the executor of the estate may choose to surrender the water licence using this form or may choose to transfer the licence to a new owner using the application to transfer a water licence form.

In either case, where the licence holder is deceased then the form must be accompanied by the statutory declaration that the person signing the surrender has the authority to act on behalf of the deceased's estate.

Steps to Completing this Form

- 1. Complete the licence details.** Enter the number of the water licence to be surrendered. If there is more than one licence then use the additional boxes.
- 2. Complete the licence holder details.** These are the details of the current licence holder and are used to cross check against the licence number to make sure the correct licence is being surrendered.
- 3. Complete the information relating to any financial interest.** If there is a financial interest then you must provide consent in writing from the interest holder that they agree to the licence being surrendered.
- 4. Identify the reason for the surrender.** Here you need to tick the box next to the reason why you are surrendering the water licence.
- 5. Sign the declaration.** You need to sign the declaration that you wish to surrender the water licence.
- 6. Sign the Statutory declaration.** This only needs to be signed and submitted if you are applying to surrender a water licence on behalf of a deceased licence holder.
- 7. Submit the completed and signed Application**
There are two options for submitting the completed application;
 - Post the completed application to:
DPIPWE, Water Management & Assessment Branch, PO Box 44, Hobart TAS 7001
or
 - Lodge the completed application at any Service Tasmania outlet.

Personal information will be collected from you for the purpose of managing Tasmania's water resource and will be used by DPIPWE for purposes permitted by the Water Management Act 1999 and regulations made under this Act. Under the Water Management Act 1999, a person must not furnish information to the Minister, a water entity or an authorised officer that is false or misleading in a material particular. Your personal information will be used for the primary purpose for which it is collected, and may be disclosed to contractors and agents of the Agriculture and Water Division, law enforcement agencies, courts and other organisations authorised to collect it. Your basic personal information may be disclosed to other public sector bodies where necessary, for the efficient storage and use of the information. Personal information will be managed in accordance with the Personal Information Protection Act 2004 and may be accessed by the individual to whom it relates on request to DPIPWE.



Water Management Act 1999

APPLICATION TO SURRENDER WATER LICENCE
(pursuant to Section 77)

(Please note: This application form is effective from 1 July 2020 to 30 June 2021)

Please note:

- Subject to the requirements of the *Water Management Act 1999*, you may transfer a water licence and/or water allocation to another water user.
- If you have more than one licence to surrender with the same licensee details (ie name, financial interest and reasons for surrender) you may use this form for up to 3 licences.

Water Licence Numbers 1. 2. 3.

Full Name of Licence Holder:

ACN: (if applicable)

Postal Address: **Postcode:**

Phone Number: (Home)..... **(Mobile)**

Property Address (if different to above):

Postcode: **Email:**.....

Does any other person have a **financial interest** registered against the licence (ie mortgagor, financial institution, partner)? **YES** **NO**

If **YES**, you must attach written consent of these person/s to surrender the water licence and/or water allocation, as applicable.

Please tick the **reason** for the water licence being surrendered:

Surrender of licence - Water Licence (and allocation, as applicable) no longer required by water licence holder

Deceased Estate – Water licence (and allocation, as applicable) not required by Estate (complete attached Statutory declaration)

Other (Please state)

Terms

- On surrender of a water licence, the water allocation vests with the Minister.
- A water licence may not be surrendered without the written consent of **all** persons in whose name the licence is issued **and** any person registered as having a financial interest in the licence or water allocation.
- Where this form is being completed on behalf of a deceased estate, the Executor must sign the form and if *Probate* or *Letters of Administration* is obtained/to be obtained, a copy of same; or if neither is to be obtained, a copy of death certificate, or extract thereof, and a completed statutory declaration (form attached).
- Upon approval of the application to surrender the water licence, the Minister will provide written notice to the licence holder (or Executor) and any other person noted as having a financial interest in the water licence.

Declaration

I, (Full Name of Licence Holder/ Executor), state that I wish to surrender water licence number/s, I have read and understand the terms associated with the surrender of a water licence and declare that the above particulars are true in every respect.

..... (Signature of Licence Holder/ Executor) (Date)

OATHS ACT 2001

STATUTORY DECLARATION

I,.....
.....
..... (full name, address and occupation)

do solemnly and sincerely declare that: I am the Executor of the Estate of
..... (deceased licensee's
name); neither *Probate* nor *Letters of Administration* will be obtained in respect of the deceased's
estate; I am entitled to surrender the licence/s identified on this form; no-one has any better claim to
exercise that authority; I will indemnify the Minister, the Crown its officers, employees and agents
against any claim or demands in respect of the surrender of the licence; the indemnity will be a
continuing obligation which will not merge on surrender of the licence.

I make this solemn declaration under the *Oaths Act 2001*.

Declared at _____
(Place)

on _____
(Date)

by _____
(Signature of declarant)

Before me, _____

(Justice/Commissioner for Declarations/authorised person)