

Convert a water access licence to a new category 71O

Under the *Water Management Act 2000* (WMA), a licence holder may apply to convert a water access licence to a new category or sub-category.



Note

WaterNSW can provide general advice on water access licence dealings. Please seek independent advice that considers your specific circumstances.

- the *Access Licence Dealing Principles Order 2004* may also require a conversion factor to be applied to the new water access licence. Any conversion factor would be determined by WaterNSW according to rules set out in the relevant water sharing plan or other management plan.

When might this transaction be used?

This dealing cancels an existing water access licence and re-issues a new water access licence of a different category or sub-category.

In general, any interests in the cancelled water access licence will become equivalent interests in the new water access licence. However, if the share component of the new water access licence is lower than the share component of the cancelled water access licence, it may be necessary to forfeit the difference between the share components (unless the applicable management plan specifies otherwise).

Limitations to keep in mind.

There are some limitations that apply to cancellation and issue of a new water access licence in a different category or sub-category.

Any new water access licence:

- will be subject to the mandatory conditions applicable to the category or sub-category of licence to which it belongs; for a period no greater than the residue of the period for which the cancelled access licence would have had effect (if it had not been cancelled); and in the same water management area or water source as the cancelled water access licence.
- must have share and extraction components which comply with any requirements specified in the relevant Water Sharing Plan or other management plan.
- subject to the requirements specified in the relevant water sharing plan or other management plan, the extraction component and nominated water supply works on the new licence must be the same as those that were on the cancelled licence.

When is this dealing type prohibited?

The *Access Licence Dealing Principles Order 2004* prohibits this type of dealing if:

- the application under s 71O relates to conversion of a local water utility access licence and/or supplementary access licence.
- the water access licence is suspended.
- the water access licence is proposed to be converted to category (a) regulated river (conveyance), or (b) estuarine, or (c) coastal, or (d) supplementary.
- the water access licence is a specific purpose access licence and there is provision in the *Water Management (General) Regulation 2018* or relevant water sharing plan for applications to be made under section 61 of the *Water Management Act* for new licences of that category/sub-category in relation to the proposed water source.
- the water access licence is a specific purpose access licence, and that water access licence nominates a water supply work on land that gives rise to a domestic and stock right under section 52 of the *Water Management Act*.
- the applicable water sharing plan or other management plan does not contain provisions that protect environmental water, and basic landholder rights, and available water under other access licences from being affected by the conversion of the water access licence to a new category or sub-category.

How do I go about it?

Use the [Application to change a water access licence form](#) and download the [guide](#) to completing the form. This form is used to change the category, share component, extraction component (Section D1) of a

water access licence or to add or remove a nominated water supply work. The guide provides detail on how to complete each section.

You can also submit this application through [Water Applications Online](#).



Schedule a meeting at [waternsw.com.au/licensing](https://www.waternsw.com.au/licensing) with one of our Water Regulations Officers to discuss your dealing.

More information

Contact our Customer Service Centre on [1300 662 077](tel:1300662077) or email Customer.Helpdesk@waternsw.com.au

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