

# Guide to the application to extend a water supply work and/or water use approval

July 2012

## What is a water supply work or use approval?

A **water supply work approval** gives its holder the right to construct and use a specified water supply work at a specified location.

A **water use approval** gives its holder the right to use water for a particular purpose at a particular location.

The expiry date of an approval is provided in the *Statement of Approval*. If an approval expires the approval holder will no longer have a right to use a work or to use water.

Water supply work and use approvals are administered under the *Water Management Act 2000*.

Find out more about water supply work and use approvals at [www.water.nsw.gov.au](http://www.water.nsw.gov.au) under Water Licensing > [Approvals](#).

## Extending an approval

Application forms to extend an approval for a water supply work and/or for water use are posted by the NSW Office of Water to approval holders before the expiry date of an approval.

If an approval holder wants to extend the period of an approval, they must provide the information required in the application form and pay an application fee.

If a determination is made to extend the approval, it is usually extended for the period for which it was first granted.

## Applying to extend an approval

There are two ways to apply to extend an approval:

1. Use Water Applications Online for an easy to use, interactive service. This service is available, along with some FAQs, at [www.water.nsw.gov.au](http://www.water.nsw.gov.au) under Water Licensing > [Applications and fees](#).

If you apply using the online service, the application can be processed faster than those submitted by post. Applicants can also track the progress of their application using a unique log in.

To apply online, enter your application online reference number which is provided on the hard copy of your application form and then provide the required information in the online form.

If you complete the form online, you must print the form and all approval holders must sign it. The signed form must then be posted to the NSW Office of Water.

2. Fill out the application form by hand and ensure it is signed by all approval holders.

## Paying application fees

Information on the required fee is provided in the letter posted to approval holders by the NSW Office of Water with the application form.

Information on fees is also available at [www.water.nsw.gov.au](http://www.water.nsw.gov.au) under Water Licensing > [Applications and fees](#).

You can pay the application fee:

- by credit card by providing your credit card details either when completing the application form online or when completing the application form by hand; or
- by enclosing a cheque or money order for the application fee made out to the NSW Office of Water when posting the form.

## Submitting an application

Post your completed and signed application form to extend an approval to your local office of the NSW Office of Water.

Contact details for your local office are listed in the letter sent with the application form and are also listed at [www.water.nsw.gov.au](http://www.water.nsw.gov.au) under About us > Contact us > [Water licensing enquiries](#).

### Applications made before the expiry date

If an application to extend an approval is lodged *before* the expiry date of the approval, the approval is extended until a decision is made on the application.

If the application is approved, a copy of the extended approval showing the new expiry date on the *Statement of Approval* will be posted to the approval holder.

If the information required in the application form is not provided or the application is not signed by all the approval holders, the application may be delayed, rejected or returned and the approval will no longer be in force.

### Applications made after the expiry date

If an application to extend an approval is made *after* the expiry date, it must:

- be made by the former holder/s of the expired approval; and
- be accompanied by a statutory declaration setting out the reasons for the delay in making the application.

While the Minister considers the reasons for the delay in applying, the approval is no longer in force and the former approval holder/s no longer has a right to use a work or to use water under the expired approval.

However, if the above requirements are met and the reasons for the delay are accepted by the Minister, the approval will then be extended until a decision is made on the application.

Payment of a higher fee is required for applications to extend an approval that are lodged after the expiry date.

If the application to extend the approval is approved, a copy of the extended approval, showing the new expiry date on the *Statement of Approval*, will be posted to the approval holder.

### What happens if the holders of an approval change?

If an existing approval holder/s wants to extend an approval but other holders have changed, the approval will need to first be updated for the new holders. Contact the Office of Water for advice on the requirements to update this approval.

If you are no longer the holder of this approval, please contact the Office of Water so the records for the approval can be updated. Charges that may relate to this approval for future water use may then be directed to the correct holder/s.

### Warning – penalties for unauthorised use of water and / or a water supply work

A person may be committing an offence under the *Water Management Act 2000* if they continue to use water and/or any water supply work after their approval has expired.

The maximum penalty for such offences is:

- in the case of a corporation, \$1,100,000 and, in the case of a continuing offence, a further penalty of \$132,000 for each day the offence continues; and,
- in any other case, \$247,500 and, in the case of a continuing offence, a further penalty of \$66,000 for each day the offence continues.

The expiry of an approval may have other consequences. For example, State Water is unable to accept a water order where the water access licence nominates an approval that has expired.

### More information

Find out more about water licensing and compliance at [www.water.nsw.gov.au](http://www.water.nsw.gov.au).

### Contact us

- Contact a water licensing officer at a local office listed at [www.water.nsw.gov.au](http://www.water.nsw.gov.au) under About us > Contact us > [Water licensing enquiries](#) or
- call the licensing information line on 1800 353 104 or
- Email: [information@water.nsw.gov.au](mailto:information@water.nsw.gov.au).

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