

# CAVEAT prohibiting the recording of dealings

## Section 71E Water Management Act 2000

Before completing this form, carefully read the instructions available from NSW Land Registry Services (NSW LRS). Failure to do so may lead to rejection. All handwriting must be in block capitals.

Leave this space clear for office use

(A) STAMP DUTY Leave this space clear for Revenue NSW use

**PRIVACY NOTE:** The Water Management Act 2000 authorises the collection of the information required by this form for the establishment and maintenance of the Water Access Licence Register. That Act allows for public access to the Register and for ministerial disclosure of information contained in the Register.

**WARNING:** Care should be exercised in completing a caveat form. An insupportable caveat may be challenged in the Land and Environment Court; damages may be awarded in the Supreme Court for lodging a caveat without justification; and penalties could be imposed for a breach of the Oaths Act 1900. See also section 9 Water Management Act 2000.

CODE	DETAILS OF THE PERSON OR FIRM LODGING THIS FORM FOR REGISTRATION AT NSW LRS			
<b>X</b>	(B) Document Collection Box	(C) Name, Address, Telephone, and Customer Account Number if any  Email:	(D) Reference	(E) Dealing No. of

(F) WATER ACCESS LICENCE NUMBER	(G) LICENCE TENURE TYPE
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(H) REGISTERED HOLDER AFFECTED BY THIS CAVEAT (Insert full name and postal address)

Postcode:

(I) CAVEATOR being an affected person in terms of section 71E(3) Water Management Act 2000 (Insert full name and postal address)

Postcode:

(J) ADDRESS FOR SERVICE OF NOTICES ON THE CAVEATOR (must be a street address in New South Wales not a post office box)

NSW postcode:

(K) ACTION PROHIBITED: Schedule 2, Item No.

(L) The caveator claims to be an affected person entitled to the interest specified in Schedule 1 in the above water access licence by virtue of the set out in that schedule and prohibits the Minister from taking, with respect to the water access licence the action specified in Item (K) unless the caveator has consented in writing or this caveat has lapsed or been withdrawn.

This form is continued on page 2.

**(M) SCHEDULE 1 Interest claimed**

The caveator claims to be an affected person in terms of section 71E(3) Water Management Act 2000 by virtue of being:  
[select at least one item by placing an "x" in the box opposite the relevant item]

- the holder or a co-holder of the licence or holding
- a holder of a security interest over the licence or holding (whether or not registered)
- a party to a dealing, or a prospective dealing, in the licence or holding
- a person entitled, or claiming to be entitled, to be registered as a holder or co-holder of the licence or holding by devolution as referred to in section 72 Water Management Act 2000

The nature of the interest claimed by the caveator in the water access licence and the instrument and /or facts on which it is based is specified below:

**(N) SCHEDULE 2 Action prohibited by this caveat - the recording in the Access Register of:**

Item 1. Any general dealing, security interest or change in co-holder's tenancy arrangements other than those recordings specified in section 71F(2) Water Management Act 2000 (i.e. a Ministerial action, devolution, assignment dealing and dealing on default).

Item 2. Any general dealing, security interest or change in co-holder's tenancy arrangements other than those recordings specified in section 71F(2) Water Management Act 2000 (i.e. a Ministerial action, devolution, assignment dealing and dealing on default), except the following may be recorded —

- application for a replacement licence certificate
- change of name
- variation of mortgage
- transfer unilaterally severing a joint tenancy
- other (specify any other general dealing and/or security interest).....

**(O) STATUTORY DECLARATION \***

I, \_\_\_\_\_, solemnly and sincerely declare that to the best of my knowledge, information and belief the caveator has a good and valid claim to the interest set out in Schedule 1.

Made and subscribed at \_\_\_\_\_ in the \_\_\_\_\_ on \_\_\_\_\_  
in the presence of \_\_\_\_\_ of \_\_\_\_\_,  
 Justice of the Peace (J.P. Number: \_\_\_\_\_)  Practising Solicitor  
 Other qualified witness [specify] \_\_\_\_\_,

\*\* who certifies the following matters concerning the making of this statutory declaration by the person who made it:  
1. I saw the face of the person OR I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering; and  
2. I have known the person for at least 12 months OR I have confirmed the person's identity using an identification document and the document I relied on was a \_\_\_\_\_ [Omit ID No.]

Signature of witness: \_\_\_\_\_ Signature of declarant: \_\_\_\_\_  
Capacity of declarant if other than the caveator: \_\_\_\_\_

\* As the services of a qualified witness cannot be provided at lodgment, the declaration should be signed and witnessed prior to lodgment. \*\* If made outside NSW, cross out the witness certification. If made in NSW, cross out the text which does not apply.