

# New specific purpose access licence – Aboriginal cultural water

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Use this form to apply for a new water access licence with a specific purpose (subcategory Aboriginal cultural water), under section 61 (1) of the *Water Management Act 2000* (WM Act).

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An Aboriginal cultural water specific purpose access licence may be granted to an Aboriginal person or community group to provide up to **10 megalitres** per year for various activities such as drinking, food preparation, washing and watering domestic gardens. The water can also serve Aboriginal cultural uses, such as manufacturing traditional artefacts, hunting, fishing, gathering, recreation and ceremonial purposes.

Find more information about Aboriginal cultural water specific purpose access licences on the NSW Department of Climate Change Energy the Environment and Water webpage: [Cultural water access for Aboriginal people](#)

A specific purpose access licence is a type of water access licence. A water access licence provides the licence holder a right to a defined share of water in a specific water source.

Water taken under a water access licence with a specific purpose can only be used for the specific purpose for which the licence was granted.

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## Who can apply?

Any Aboriginal person or Aboriginal entity can apply for a new water access licence with a specific purpose for Aboriginal cultural purposes.

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## Who can use this application form?

This application form is for use by Aboriginal individuals, communities, associations, corporations and other Aboriginal entities.

For assistance completing this application form please contact us by email

[water.enquiries@dcceew.nsw.gov.au](mailto:water.enquiries@dcceew.nsw.gov.au) or phone **1300 081 047** (Monday to Friday 9am to 5pm)

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## Part 1 – Applicant details

### Section A: Applicant details

#### Applicant Type

Tick the appropriate box.

<p>A1 Are you applying as:</p> <p><input type="checkbox"/> Individual</p> <p><input type="checkbox"/> Corporation</p> <p><input type="checkbox"/> Association</p> <p><input type="checkbox"/> Other Aboriginal Entity</p>
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#### Applicant Name – Individual

Enter your name if you are applying as an individual.

A2 Title ( <i>Mr, Mrs, Ms</i> )	A3 Surname	A4 Given name(s)
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#### Applicant Name – Corporation / Association / Entity

Enter the name of the organisation if you are applying as a company / association / entity.

A5 Name of organisation ( <i>if applicable</i> )
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### Section B: Contact person for application

Enter the name of the contact person for this application.

B1 Title ( <i>Mr, Mrs, Ms</i> )	B2 Surname	B3 Given name(s)
B4 Address		
B5 Town	B6 State	B7 Postcode
B8 Phone	B9 Alternate phone (optional)	
B10 Email		

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## Part 2 – Water details

### Section C: Water Source Details

#### Licence category

You do not need to answer this question. Go to question C3 below.

C1 Category: Specific Purpose Access Licence
C2 Subcategory: Aboriginal Cultural Water

#### Water source

Tick the appropriate box.

C3 Select the water source - surface water or groundwater: <input type="checkbox"/> Surface water e.g. river, creek ( <i>continue to question C4</i> ) <input type="checkbox"/> Groundwater ( <i>skip question C4 and go to question C5</i> )
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#### Surface water source

Tick the appropriate box.

C4 The water will be: <input type="checkbox"/> kept in the water source <input type="checkbox"/> taken out of the water source
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#### Water source for the water access licence

Enter the details of the water source (*if you need help to find the information to answer this question, please contact our Water Enquiries team – see contact details on page 1*).

C5 Water Sharing Plan ( <i>optional</i> )
C6 Water Source
C7 Water Management Zone ( <i>if applicable</i> )

## Section D: Water Use Details

### Volume of water required

Enter the volume of water (*in Megalitres*)

D1 Volume of water required (Aboriginal cultural water SPALs are available for a volume up to 10 megalitres)

Megalitres

### The purpose for using this water

Tick the appropriate box(es) (*tick all that apply*).

D2 The water will be used for the following purpose(s):

- Cultural activities – hunting, fishing etc
- Cultural site management
- Education and training
- Community wellbeing / cultural healing
- Recreation
- Environmental restoration
- Establishment and maintenance of a native garden e.g. bush tucker or medicinal plants
- Other (please specify)

### Location of water use

Provide information in the tables below about where you would like to use the water.

D3 For water that is to be **taken out of the river** or from groundwater:

Lot	Section	DP	Latitude or Eastings	Longitude or Northings

D4 For water that is to be kept **in the river**:

Water source (river or creek name)	Name of locality / location	Latitude or Eastings	Longitude or Northings

## Part 3 – Supporting Documentation

### Section E: Supporting documentation

Tick the box(es) that describe the supporting documentation you are providing.

E1 Please attach any documentation that outlines:

- How you intend to use the water
- Why the volume of water requested is appropriate
- Any cultural, community or environmental outcomes associated with the proposed use

*Examples include project outlines, maps, cultural watering plans, community statements or letters of support/endorsement.*

*Please identify or clearly mark any information you consider to be ICIP or culturally sensitive*

## Part 4 – Declaration

### Section E: Declaration of applicant/s

I/We, the undersigned applicants, acknowledge and agree:

- a. that I/We apply for a new water access licence with a specific purpose as described in this application
- b. that this application will be determined in accordance with the *Water Management Act 2000* and any associated regulations or guidelines as in force from time to time, and that no right or entitlement shall arise pending determination of this application and that any such determination may be subject to conditions

- c. that the authorised contact person (where applicable) is authorised to act for an on my behalf in relation to any aspect of this application unless other notified to us, and the department will rely on information provided by the authorised contact person in its consideration of this application
- d. that the Crown in right of the State of New South Wales, including the department and its officers, employees, agents and successors ('the State'), accepts no liability in relation to any action, proceeding, claim, demand, cost, loss, damage or expense (including reasonable legal costs or expenses) arising directly or indirectly as a result of or in connection with this application or any act or omission of the State in connection with this application and I/we hereby agree to release and indemnify the State from and against any such action, proceeding, claim, demand, cost, loss, damage or expense to the fullest extent permitted by law
- e. that all information contained in this application is accurate, true and complete and that the Crown in right of the State will rely on such information
- f. that the State does not provide any legal, financial or technical advice in connection with this application and any such advice, if required, is to be obtained independently
- g. that details about any licence arising out of this application will be recorded in the publicly available Water Access Licence Register pursuant to the *Water Management Act 2000*
- h. that if this application is incomplete it may not be accepted and
- i. that more information may be requested if it is considered that it would be relevant to the consideration of this application.

**For applications made by individuals**

E1 Name	Signature	Date
E2 Name	Signature	Date

### For applications made by a corporation

Executed for and on behalf of the applicant in accordance with section 127 of the *Corporations Act 2001* Cth (if a company) or by its duly authorised officer (for other types of corporations).

E3 Name of corporation or association		
E4 Position of signatory (1) <i>(tick the appropriate box)</i> <input type="checkbox"/> Corporation/Association director <input type="checkbox"/> Corporation/Association secretary <input type="checkbox"/> Duly authorised officer		
E5 Name of signatory (1)	Signature	Date
E6 Position of signatory (2) <i>(tick the appropriate box)</i> <input type="checkbox"/> Corporation/Association director <input type="checkbox"/> Corporation/Association secretary <input type="checkbox"/> Duly authorised officer		
E7 Name of signatory (2)	Signature	Date

## Privacy statement

The personal information you provide on this form is subject to the *Privacy and Personal Information Protection Act 1998*.

It is being collected by the department and will be used for purposes related to assessing and processing your application, or in connection with the operation of any approval granted, or for research-related purposes such as customer surveys. It may be used from time to time to contact you about services the department provides.

The department will not disclose your personal information to anybody else unless authorised by law.

The provision of this information is voluntary. However, if you choose not to provide the requested information we will not be able to process your application.

You have the right to request access to, and correct details of, your personal information held by the department.

Further information regarding privacy can be obtained from: [nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback#toc-privacy-statement](https://nsw.gov.au/departments-and-agencies/dcceew/information-access-governance-and-feedback#toc-privacy-statement)

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## Indigenous Cultural and Intellectual Property

We acknowledge that information shared through this application process may include Indigenous Cultural and Intellectual Property (ICIP), such as cultural knowledge, stories, language, or information about Country.

Applicants are encouraged to identify or clearly mark any information they consider to be ICIP or culturally sensitive, so it can be handled respectfully and in accordance with the department's ICIP Protocol.

Any ICIP provided will be used for purposes related to assessing and processing your application, or in connection with the operation of any approval granted, and except as authorised by law, will not be shared or used for any other purpose without the free, prior and informed consent of the relevant knowledge holders.

The provision of this information is voluntary. However, if you choose not to provide the requested information, we will not be able to process your application.

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## Offences and penalties

It is an offence, under section 344 of the *Water Management Act 2000*, to make a statement that you know to be false or misleading in, or in connection with, this application. A corporation found guilty of an offence against section 344 is liable to a penalty not exceeding \$2.002 million. An individual found guilty of an offence against section 344 is liable to a penalty not exceeding \$500,500.

An access licence or approval may be suspended or cancelled under the *Water Management Act 2000* in certain circumstances. These include if the holder of the license or approval is convicted of an offence under that Act.