

## Application for Transfer of a Licence to Take and Use Surface Water and Operate Works

### What is this application form for?

Use this form to make application to transfer the ownership of a Licence to Take and Use Surfacewater and to Operate Works upon sale of land.

This application combines the requirements for transfer of:

- A Licence to Take and Use Water (Section 62 Water Act 1989) and
- A Licence to Operate Works (Section 74 Water Act 1989).

### What to do:

- Read the accompanying explanatory notes and refer to the current fee schedule (which can be obtained by calling 03 5826 3245 or downloaded from [www.g-mwater.com.au](http://www.g-mwater.com.au)) before you complete the form.
- Complete the form in full ensuring all relevant information is provided.
- Complete the checklist. Incorrect information may result in your application being refused. **Your application will be returned if it is Ineligible or incomplete.**
- Send the form, any required documentation and the application fee to: Goulburn Murray Water, PO Box 165, TATURA , VIC 3616.
- Goulburn-Murray Water accepts payment by cheque or credit card.





# Application form

## Application to Transfer - Licence to Take and Use Surface Water and Operate Works

### 1. LICENCE DETAILS

Surfacewater Licence No: ..... BEE number if Known: BEE .....

Is all land which is currently listed on the licence now owned by the purchaser?

Yes  No - I wish to alter the land on the current licence

### 2. DESCRIPTION OF LAND TO BE INCLUDED ON LICENCE TO BE ISSUED TO PURCHASER:

(i) LAND ON WHICH THE DIVERSION POINT/S ARE LOCATED AND (ii) LAND WHERE WATER IS TO BE USED

Property address: .....

Vol.: .....Fol: .....Lot No: .....Plan No: .....Crown Allotment: .....Section:.....

Vol.: .....Fol: .....Lot No: .....Plan No: .....Crown Allotment: .....Section:.....

Vol.: .....Fol: .....Lot No: .....Plan No: .....Crown Allotment: .....Section:.....

Vol.: .....Fol: .....Lot No: .....Plan No: .....Crown Allotment: .....Section:.....

Parish .....

**Note: If additional lands are required please attach a separate list to this application. If you are not the owner or occupier of this land please complete *Annexure 1 - Consent of Landowners/ occupier/ Crown Land Manager (attached)*.**

### 3. AGENTS DETAILS (Solicitor or Conveyancer)

Contact person: .....

Postal Address: .....

..... Postcode: .....

Telephone number: ( ) ..... Mobile number: .....

Fax Number: ..... Email: .....



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## Application to Transfer - Licence to Take and Use Surface Water and Operate Works

### 4. APPLICANT/S DETAILS - VENDOR/S

Please list full names, initials are not acceptable - if more than 3 licensees please note in the space provided

Applicant No 1: (Individual or company name).....

Applicant No 2: (Individual or company name).....

Additional applicants: .....

Postal Address: .....

..... Postcode: .....

Telephone number: ( ) ..... Mobile number: .....

Fax Number: ..... Email: .....

### 5. DECLARATION OF APPLICANT/S - VENDOR/S

Signature of applicant 1 ..... Date: .....

Printed name: .....

Signature of applicant 2 ..... Date: .....

Printed name: .....

#### Additional applicants:

Signature(s)..... Date: .....

Printed name: ..... Date: .....

Printed name: ..... Date: .....

Printed name: ..... Date: .....

If the name of the applicant is a Company name please provide the following details:

ACN No: ..... Position (eg director): .....

Please Refer to the application notes for information about who should sign this application.

#### Protecting your privacy

Goulburn-Murray Water protects your privacy by collecting and handling your personal information in accordance with the requirements of the Information Privacy Act 2000. The personal information collected in this form will only be used for the purpose of administering your application. It will only be disclosed to appropriate staff in regard to the purpose for which it was provided. Failure to provide the information sought in this form may result in processing delays. You have a right to access and correct the personal information you provide to Goulburn-Murray Water. For further information regarding Goulburn-Murray Water's privacy statement please refer to our website at [www.g-mwater.com.au](http://www.g-mwater.com.au)



# Application form

## Application to Transfer - Licence to Take and Use Surface Water and Operate Works

### 6. APPLICANT/S DETAILS - PURCHASER/S

Please list full names, initials are not acceptable - if more than 3 licensees please note in the space provided

Applicant No 1: (Individual or company name).....

Applicant No 2: (Individual or company name).....

Additional applicants: .....

Postal Address: .....

..... Postcode: .....

Telephone number: ( ) ..... Mobile number: .....

Fax Number: ..... Email: .....

### 7. DECLARATION OF APPLICANT/S - PURCHASER/S

I confirm that the information supplied in this application is complete and correct to the best of my knowledge. I am aware that it is an offence to supply false or misleading information.

I acknowledge that Goulburn Murray water may release information contained in this application, at the discretion of G-MW to relevant parties and organisations in accordance with relevant legislation.

Signature of applicant 1 ..... Date: .....

Printed name: .....

Signature of applicant 2 ..... Date: .....

Printed name: .....

#### Additional applicants:

Signature(s)..... Date: .....

Printed name: ..... Date: .....

Printed name: ..... Date: .....

Printed name: ..... Date: .....

If the name of the applicant is a Company name please provide the following details:

ACN No: ..... Position (eg director): .....

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# Application form

## Application to Transfer - Licence to Take and Use Surface Water and Operate Works



### General information and explanatory notes (retain for future reference)

#### Why do I need to transfer my licence when I sell my land?

A Licence to Take and Use Surfacewater and Operate Works does not automatically transfer when the ownership of land changes or a notice of acquisition/disposition is lodged with G-MW. Under the provisions of the Water Act 1989, if the current licence holder wishes to transfer the licence to the purchaser of their land, they must apply to transfer the licence to the purchaser and both parties must sign the application form.

#### What if I am not transferring all the land currently listed on the licence?

If only part of the land currently included on the surfacewater licence has been sold, the application form must include details of the changes to the land description (including land to be removed or updated) on the licence.

If the licence includes more than one point of diversion or pump and the seller wishes to retain part of the licensed volume to extract from the land not being sold, they must make application for a sub-division and assignment of the licensed volume. In this case the transfer application form will not be required. Please contact the Licensing Unit for a sub-division application form.

#### What documents do I need to provide to verify the changes to land ownership?

To verify the current ownership of land an application to transfer a licence must be accompanied by either a Notice of Acquisition or Disposition, or a registered search statement for all land titles to be included in the new licence.

#### How can I get a copy of the Notice of Acquisition/Disposition or my land titles?

Your solicitor can provide you with a copy of the Notice of Acquisition/Disposition.

You can obtain a registered search statement (see attached example of the correct search) by:

- Accessing the Land Titles office via the internet at [www.land.vic.gov.au](http://www.land.vic.gov.au) or phone (03) 8636 2456
- Requesting that G-MW complete the searches on your behalf.
- Contacting your solicitor or legal advisor.

#### What charges must be paid upon transfer of a licence?

An application fee must accompany an application to transfer a licence. You must also ensure that any outstanding charges on your account have been paid when the application is lodged. An application will not be approved if charges are outstanding. G-MW will arrange for charges for the current financial year to be transferred to the new licensee once the application to transfer is approved. Please contact Accounts Receivable for details of any outstanding charges prior to making application.

#### How long is a Licence valid for?

A transferred Licence to Take and Use Surfacewater and Operate Works will be issued to the new owner for the remainder of the existing licence term. Details about the licence expiry date can be requested by the current licensee by contacting the Licensing Unit.

### Important information for new licence owners - Aboriginal Cultural Heritage obligations

#### If I am installing or changing the location of a pump or other works do I have obligations in relation to protecting aboriginal cultural heritage?

In Victoria, Aboriginal cultural heritage is protected and managed under the Aboriginal Heritage Act 2006 (the Act) and the Aboriginal Heritage Regulations 2007 (the Regulations). Goulburn-Murray Water has an obligation to ensure applicants are made aware of their obligations under this legislation

Under the provisions of the Act a waterway, or land within 200m of a waterway, may be considered an area of cultural heritage sensitivity.

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## Application to Transfer - Licence to Take and Use Surface Water and Operate Works



To determine if the site of your proposed works may be in an area of cultural heritage sensitivity you can access an interactive map at: [www.dpcd.vic.gov.au/indigenous/heritage-tools/areas-of-cultural-sensitivity](http://www.dpcd.vic.gov.au/indigenous/heritage-tools/areas-of-cultural-sensitivity)

The installation of new pumps and/or attached pipelines normally occurs on or near a waterway so it is likely that these works may be located in an area of cultural heritage sensitivity.

If works are proposed to be constructed or altered as part of a licence application, applicants need to be aware of their obligations under the Act and its Regulations.

Applicants should also be aware that if your proposal to install (or alter) works meets the criteria for a high impact activity under Regulation 43 of the Act you may be subject to further obligations.

High impact activities include, among other things,

- the installation of any works affecting an area exceeding 25 square metres.
- the works are a linear project that is the construction of a pipeline (of any diameter) with a length exceeding 500 metres; or
- the works are a linear project with a length exceeding 100 metres (with a pipe diameter not exceeding 150 millimetres).

If the construction or alteration of works is considered a high impact activity and occurs in all or part of an area of cultural heritage sensitivity you may be required to prepare a Cultural Heritage Management Plan (CHMP).

You can check whether a Cultural Heritage Management Plan is required by accessing the “Aboriginal Heritage Planning Tool” developed by Aboriginal Affairs Victoria. The interactive online tool will guide you through a series of questions to help you determine your obligations. The website also has information to assist you with contacting the relevant Registered Aboriginal Party or Cultural Heritage Advisor if you require further assistance.

You should access the tool available at <http://www.dpcd.vic.gov.au/indigenous/heritage-tools> and print a receipt of your results for inclusion in your application.

If you do not have access to the internet please contact the Licensing Unit for further assistance.

## Assistance with completing the application form

### How do I get more information or assistance with completing this form?

Read the information included below, and if you need further assistance contact the Licensing Unit between 8.00am and 4.45pm Monday to Friday

Telephone: (03) 5826 3245 or free call Number 1800 013 357

Facsimile: (03) 5824 5815

Email: [licensingadmin@g-mwater.com.au](mailto:licensingadmin@g-mwater.com.au)

### Question 1 -Licence Details

Please provide the licence number for the licence to be transferred. If you do not have this number please contact the Licensing Unit to obtain the reference number for your licence. G-MW may require you to verify your identity prior to providing this information.

Please nominate whether all the land currently listed on the licence has been sold to the purchaser. If not please tick No and complete question 2. If you are not sure which land is currently licensed please contact the Licensing Unit.

### Question 2 - Description of land to be included on licence

Only include land which the purchaser wishes to have listed on the new licence which will be issued. The current ownership or proof of occupation of land must be verified. To ensure this information is accurate G-MW requires a current copy of the title/s for all land. Written consent from the landowner or occupier is also required. Please complete Annexure 1 - Consent of land owner/ occupier/ Crown Land Manager for this purpose.

# Application form

## Application to Transfer - Licence to Take and Use Surface Water and Operate Works



### Question 3 - Agents details (eg Solicitors or Conveyancer)

If you have a solicitor or broker acting on your behalf, please complete this section so that G-MW can send your nominated agent notification once the application is completed.

### Question 4 - Applicant/s details (seller/s)

All person/s listed on licence must complete and the application. If the applicant is a company, evidence must be provided that the person/s has authority to act on behalf of the company.

### Question 5 - Declaration of Applicants (seller/s)

All person/s listed on the current licence must complete and sign the application. If any person executes the document on behalf of another person or party, they must provide evidence of their authorisation. This can be in the form of a Power of Attorney or other legal document.

If the applicant is a company, evidence must be provided that the person/s signing the application has authority to sign on behalf of the Company. This must be in the form of a current copy of an ASIC Company Search listing all directors and/or office bearers which is not more than three months old.

### How can I get a copy of my Company Search?

You can obtain a company search statement by:

- Accessing the internet service at [www.asic.gov.au](http://www.asic.gov.au) or phone (03) 5177 3988
- Requesting that G-MW complete the searches on your behalf.
- This service may be available from your solicitor or legal advisor.

### Question 6 - Applicant/s details (buyer/s)

All person/s listed on licence must complete and the application. If the applicant is a company, evidence must be provided that the person/s has authority to act on behalf of the company.

### Question 7 - Declaration of Applicant/s (buyer/s)

All person/s listed on the current licence must complete and sign the application. If any person executes the document on behalf of another person or party, they must provide evidence of their authorisation. This can be in the form of a Power of Attorney or other legal document.

If the applicant is a company, evidence must be provided that the person/s signing the application has authority to sign on behalf of the Company. This must be in the form of a current copy of an ASIC Company Search listing all directors and/or office bearers which is not more than three months old.

### How can I get a copy of my land titles?

You can obtain a registered search statement (see attached example of the correct search) by:

- Accessing the Land Titles office via the internet at [www.land.vic.gov.au](http://www.land.vic.gov.au) or phone (03) 8636 2456
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## Application to Transfer - Licence to Take and Use Surface Water and Operate Works



Example of a Registered Search Statement produced for a land title from Land Victoria



# SAMPLE ONLY

Copyright State of Victoria. This publication is copyright.  
No part may be reproduced by any process except in accordance with  
the provisions of the Copyright Act and for the purposes of Section  
32 of the Sale of Land Act 1962 or pursuant to a written agreement.

The information is only valid at the time and in the form obtained  
from the LANDATA REGD TM System. The State of Victoria accepts no  
responsibility for any subsequent release, publication or reproduction  
of the information.

### REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 88888 FOLIO 999

Security no : 888888888888E

Produced 17/03/2010 09:30 am

### LAND DESCRIPTION

Lot x on Plan of Subdivision 999999.  
PARENT TITLE Volume 888888 Folio 999  
Created by instrument 888888 24/04/1919

### REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors  
JOHN DOE  
MARY DOE both of 9999 SMITH ST MELBOURNE 3051  
S999999F 09/11/1992

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AC9999999A 25/09/2003  
BENDIGO BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section  
24 Subdivision Act 1988 and any other encumbrances shown or entered on the  
plan or imaged folio set out under DIAGRAM LOCATION below.

### DIAGRAM LOCATION

SEE TP9999999P FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)  
Street Address: 999999 SMITH ST MELBOURNE VIC 3186



# Application form

Application to Transfer - Licence to Take and Use Surface Water and Operate Works

## Credit Card Payment Authority

Applicant/company name: .....

Payment for Application for a Transfer of a Licence to Take & use Surfacewater and Operate Works

### CREDIT CARD DETAILS

Please tick (✓) appropriate card:

#### CREDIT CARD DETAILS:

MasterCard

Visa

Card No

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--	--	--	--

--	--	--	--

--	--	--	--

Expiry date \_\_\_\_\_

Total \$ \_\_\_\_\_

\_\_\_\_\_  
Cardholder's name

\_\_\_\_\_  
Cardholder's signature

This page is destroyed by Goulburn-Murray Water after the Credit Card transaction has been processed.

#### Protecting your privacy

Goulburn-Murray Water protects your privacy by collecting and handling your personal information in accordance with the requirements of the *Information Privacy Act 2000*. The personal information collected in this form will only be used for the purpose of processing your credit card payment and will be destroyed once your payment has been processed. It will only be disclosed to appropriate staff in regard to the purpose for which it was provided. Failure to provide accurate or complete information may result in processing delays. You have a right to access and correct personal information you provide to Goulburn-Murray Water. For further information regarding Goulburn-Murray Water's Privacy Policy please refer to our website at [www.g-mwater.com.au](http://www.g-mwater.com.au)

# Application form

Annexure 1 - Consent of land owner/ occupier/  
Crown Land Manager



## PROFORMA FOR CONSENT OF LAND OWNER/ OCCUPIER/ CROWN LAND MANAGER

If an application for a licence includes land owned or occupied by a party other than the proposed licensee/s applicants must provide consent from land owners, occupiers or the relevant Crown Land Manager

I / We (print names): .....

Of (Postal Address): .....

being the legal owners/ occupiers/ Crown Land Manager of the land known as:

Property address: .....

Vol: ..... Fol: ..... Lot No: ..... Plan No: ..... Crown Allotment: ..... Section:.....

Vol: ..... Fol: ..... Lot No: ..... Plan No: ..... Crown Allotment: ..... Section:.....

Vol: ..... Fol: ..... Lot No: ..... Plan No: ..... Crown Allotment: ..... Section:.....

Vol: ..... Fol: ..... Lot No: ..... Plan No: ..... Crown Allotment: ..... Section:.....

Parish: .....

Authorise: .....

please include names of all Licence Holder(s)

of (Postal Address):.....

to access this land for the purpose of accessing and/ or operating works to take water.

Indicate Licence No: (if known).....

Signature(s) of owner/ occupier/ Crown Land Manager.....

Print Name(s) .....

Date: .....

\*if land title(s) are in the name of a company or other legal entity, an authorised officer (eg Director) must sign and provide evidence of this authorisation (ie Company extract).