

2010/2011 Water Share Ballot

Fact Sheet



When will the 2010 ballot take place?

On **Monday 12 July 2010** Goulburn-Murray Water will conduct a ballot, at its Tatura office, for water share applications to be processed in the 2010/2011 season.

When can I submit my application for the ballot?

Applications lodged between the following dates will be included in the ballot:

Monday 21 June and 4.00pm Friday 9 July 2010.

Why does G-MW hold a ballot?

- At the beginning of each season the volume of water shares which can be transferred out of the irrigation areas under the 4% annual limit is re-set and additional opportunity becomes available.
- To ensure there is fair and equitable access to the new volume, water share applications are accepted over a period of three weeks and included in a ballot to randomly allocate the order in which they will be processed.

How do I know the ballot is conducted fairly?

- Rules established for the ballot by G-MW and DSE detail how the ballot will be conducted and how applications will be processed after the ballot.
- An independent auditor verifies that all eligible applications are included in the ballot.
- A customer representative is also invited to the ballot.
- The order established by the ballot will not be made public. Applications will be included in the ballot whether or not they are subject to the 4% limits; therefore publishing the order will not provide meaningful information about the likelihood of an application being approved under the 4% limit.
- To provide assurance that applications have been processed in balloted order, an audit will be conducted when processing of applications has been completed.

How do I submit an application for the ballot?

- **By mail to:** 40 Casey Street Tatura Vic 3616
- **In person to:** G-MW offices at Tatura, Shepparton, Cobram, Kerang, Rochester and Pyramid Hill.
- Applications submitted by post or in person **will not** be checked by staff for accuracy when they arrive or before the ballot is conducted.
- G-MW will send a letter to applicants advising that the application has been received.

Does the ballot determine which applications are approved?

- No, the function of the ballot is to randomly allocate a processing order number to each application lodged during the application period.
- The decision about whether an application is approved is made when the applications are processed after the ballot.

What if I submit my application during the ballot period but the 4% doesn't apply?

To ensure the processing order set by the ballot is maintained, all water share applications submitted during the ballot application period will be balloted regardless of whether they are subject to the 4% limits.

For applications that are not subject to the 4% limit, the ballot has no effect on the success of the applications, it merely sets the order in which the processing is done.

This category includes:

- Applications to transfer water shares to the Commonwealth which are granted an exemption from the 4% limit.
- Applications to transfer water shares within an irrigation area or as part of a land and water dealing.
- Applications to transfer water shares which are not associated to irrigation areas (such as river diverters or non-water users).
- All other non-transfer applications (ie divisions etc)

What happens if I lodge multiple applications for the same water share in the ballot?

- Multiple applications for the same water share **will not** be eligible for the ballot.
- If multiple applications are lodged during the ballot application period for the same water share, and one is an Application to Vary a water share (Form 9), this application will be accepted for the ballot. All other applications will be returned.
- If more than one application of the same type is lodged, a random process will select one application which will be included in the ballot. All other applications will be returned.

What happens after the ballot?

- After the ballot is complete, processing of applications will commence in balloted order.
- If an application is found to be incomplete, it will be removed from the processing queue and placed *With Applicant*.
- Applications in this category will lose their original balloted processing number and will not rejoin the processing queue until requirements have been met.
- Space **will not** be reserved under the 4% limit for these applications.

How will I know if I have been successful?

- Applicants will be notified of the outcome of ballot applications in writing after the application has been processed.
- If an application is refused because the 4% has been exceeded by the time it is processed, the applicant will be notified of the refusal.
- Application forms in this category will not be returned to applicants but the application fee will be refunded to the applicant/lodging party.

How do I get more information about the ballot?

- Applicants should carefully consider the rules for the ballot before lodging an application. Applicants and lodging parties are encouraged to obtain a copy of the *2010/2011 Water Share Ballot Rules and Procedures*. This document is available from any G-MW office or can be downloaded from www.g-mwater.com.au/customerservices/water-trading.

How do I make sure I get my application right?

- Application requirements for Water Share Applications can be complex. You are strongly encouraged to seek professional advice from a suitably experienced broker or advisor prior to lodging an application.
- Applicants should take particular care when completing applications during the ballot acceptance period as applications will not be checked or verified by G-MW.
- Detailed individual application checklists are available to assist applicants in completing the various application forms. These checklists should be consulted prior to lodging an application. The checklists and a range of other information is available from any G-MW office or to download at www.g-mwater.com.au/customerservices/water-trading

Pay particular attention to the following:

Ensure all questions on the application form have been answered.

- Applications must have the correct names, transfer volume and monetary consideration included where requested on the form.
- If any mandatory information is missing, the application cannot be processed and will be removed from the processing queue.

Ensure the correct water share reference number is listed on the application form.

- An application cannot be processed if a valid water share reference is not provided. If a water share is cancelled (or an invalid number is provided) the application will lose its place in the queue and returned to the applicant.
- A water share reference number always has a prefix of WEE...

Payment of outstanding Water Entitlement Storage Fees

- An application to transfer (or divide and transfer) a water share **cannot** be processed until all outstanding water share fees are paid.
- For applications lodged during the ballot application period the outstanding water share fees include the following:
 - Any unpaid Water Storage Entitlement fees for years prior to 2010/2011.
 - The 2010/2011 Water Storage Entitlement fees. Accounts for these fees will be issued by G-MW on 1 July 2010.
- A statement listing outstanding water share charges and an estimate (or actual amount after 1 July) of 2010/2011 charges will be included with the letter G-MW sends to applicants/ lodging parties upon receipt of ballot applications.
- If an application is lodged very late in the application period, applicants are encouraged to contact G-MW by telephone to obtain details of the fees which are payable.

Signatures of all sellers and buyers must be provided

- All sellers and buyers of a water share must sign the application form where indicated.
- If any of the current owners of the Water share is a company, the Annexure attached to the application form should be completed and an ASIC Company Extract listing all Directors attached to the application.

100 Point checks must be provided for all current water share owners

- A 100 point check of identity must be provided with an application to transfer or divide and transfer for all owners of a water share.
- The 100 Point check can be carried out by a solicitor, CPA or G-MW officer. The 100 Point check documents, plus all supporting identification documentation must be attached to each application to Transfer or Divide and Transfer a water share. The 100 Point Check explanatory note, available on the G-MW website, provides further information about this form.

If a water share is to be associated to a Water Use Licence/ Registration which is in different ownership further documentation must be attached the application.

- A *Statutory Declaration* detailing the reason for the association of the water shares with land owned by another party must be signed by all applicants.
- If the declaration is made on the basis of the water share owner being a *related person* to the land owner or if the association depends on the occupation or transfer of land a *Consent of Landowner to Association of a Water Share* should also be completed signed by the landowner(s) and attached to the application.

For general information call or visit

1800 013 357

www.g-mwater.com.au