

Permanent Transfer (all or part) of a Licence to Take & Use Surface water (unregulated)

What is this application form for?

Use this form to make application to transfer all or part of a Licence to Take and Use Water and to Operate Works.

This application combines the requirements for;

- A Licence to Take & Use Water permanently section 62 *Water Act* 1989 (Vic); and
- A Surrender of a Licence to Take and Use Water and Licence to Operate Works section 61 *Water Act* 1989 (Vic)

What to do:

- Read the accompanying explanatory notes and refer to the current fee schedule (which can be obtained by calling 1800 013 357 or downloaded from www.gmwater.com.au) before you complete the form.
- Visit www.gmwater.com.au or contact GMW to access information about permanent transfer rules in your area.
- 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 or email to licensingadmin@gmwater.com.au
- Goulburn-Murray Water accepts payment by cheque or credit card.

Part 1 – Sellers Licence Information

1. LICENCE DETAILS

Surfacewater Licence No: BEE number if Known: BEE

2. AGENTS DETAILS (Broker or Solicitor)

Contact person:

Postal Address:

..... Postcode:

Telephone number: () Mobile number:

Fax Number: Email:

3. APPLICANT/S DETAILS – SELLER/S

Please list full names, initials are not acceptable

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

Date of Birth:/...../.....

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

Date of Birth:/...../.....

Applicant No 3: (Individual or company name).....

Date of Birth:/...../.....

Applicant No 4: (Individual or company name).....

Date of Birth:/...../.....

Postal Address:

..... Postcode:

Telephone number: () Mobile number:

Fax Number: Email:

4. VOLUME TO BE TRANSFERRED BY SELLER

Sellers Licence volume.....ML

Volume to be transferred:ML

Please indicate if you are transferring:

Whole entitlement

Part entitlement

Note: If you are transferring your whole entitlement to the buyer, your existing licence will be surrendered automatically without further notice to you. The works (pump) can be retained or if the works are no longer required, you can seek a licence to decommission. Please tick which is applicable:

All works retained - (annual fee will apply)

Works to be decommissioned (an application form to decommission will be sent to you)

Total monetary Consideration (\$) (Please note this is mandatory)
(EG. If 10 ML is being transferred at \$200.00per ML the total monetary consideration is \$2,000.00

Do you have works in place? (please circle) Yes No

Have you used water in the current irrigation season? (please circle) Yes No

Service Point Number:..... Sellers Meter Reading: (time of transfer)

Service Point Number:..... Sellers Meter Reading: (time of transfer)

Service Point Number:..... Sellers Meter Reading: (time of transfer)

Meter Reading Date:

5. DECLARATION OF APPLICANTS

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 GMW may release information contained in this application, at the discretion of GMW to relevant parties and organisations in accordance with relevant legislation.

Signature of applicant 1

Date:

Printed name:

Signature of applicant 2

Date:

Printed name:

Signature of applicant 3

Date:

Printed name:

Signature of applicant 4

Date:

Printed name:

DECLARATION OF COMPANY

Please note: If the applicant is a Company, please ensure that the form is signed by two directors, alternatively one director and one secretary, unless there is a sole director and secretary of the company

Signed by Company (name)ACN

in accordance with section 127(1) of the Corporations Act 2001 by being signed by those persons duly authorised to sign on behalf of the company:

.....
Director Director/Secretary

Name: Name:

Position: Position:

Address: Address:

.....

.....

Date: Date:

Protecting your privacy

Goulburn-Murray Water (GMW) protects your privacy by collecting and handling your personal information in accordance with the requirements of the *Privacy & Data Protection Act 2014*. Your personal information is collected on this form and will be used for the purpose of administering this application and updating our records. Information collected is usually disclosed to staff involved in processing your application, contractors, connection staff and other relevant GMW staff. Failure to provide the information sought may result in processing delays or non acceptance of your application. It may also limit our ability to be able to provide various programs or services. You may gain access to and correct your personal information. For further information please refer to our Privacy Policy at www.gmwater.com.au or call 1800 013 357 to obtain a copy of this policy.

Part 2 – Buyers Licence Information

6. APPLICANT/S DETAILS – BUYER/S

Please list full names, initials are not acceptable

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

Date of Birth:/...../.....

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

Date of Birth:/...../.....

Applicant No 3: (Individual or company name).....

Date of Birth:/...../.....

Applicant No 4: (Individual or company name).....

Date of Birth:/...../.....

Postal Address:

..... Postcode:

Telephone number: () Mobile number:

Fax Number: Email:

7. LICENCE DETAILS WHERE THE WATER IS BEING TRANSFERRED TO (BUYER)

Buyers Licence No*: BEE number if Known: BEE

Buyers existing licence volume:ML

*If you do not currently hold a Licence to Take and Use Surfacewater / Licence to Operate Works an application for a new licence will be required prior to the approval of the transfer. Please contact the Licensing Unit for more information.

8. VOLUME TO BE TRANSFERRED TO BUYER

Volume to be transferred:ML Proposed new adjusted licence volume:ML
(=current volume + purchased volume)

*Please note for applications over 50ML additional requirements must be provided. Please contact the Licensing Unit.

9. PROPOSED USE OF SURFACEWATER

- | | |
|--|---|
| <input type="checkbox"/> Irrigation (area to be irrigatedha) | <input type="checkbox"/> Dairy Wash/Cooling |
| <input type="checkbox"/> Commercial or Industrial | <input type="checkbox"/> Urban Supply |

10. DESCRIPTION OF LAND WHICH THE BUYERS DIVERSION POINT/S ARE LOCATED AND WATER IS TO BE TAKEN & 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.

11. ABORIGINAL CULTURAL HERITAGE

Please refer to the explanatory notes prior to completing this section.

Please tick the box if you agree with the statement below.

- I/we are aware of, and have fulfilled my/our obligations under the *Aboriginal Cultural Heritage Act 2006* and *Aboriginal Heritage Regulations 2007* in relation to the construction or alteration of any works associated with this application.

12. DECLARATION OF APPLICANTS

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 GMW may release information contained in this application, at the discretion of GMW to relevant parties and organisations in accordance with relevant legislation.

Signature of applicant 1 Date:

Printed name:

Signature of applicant 2 Date:

Printed name:

Signature of applicant 3 Date:

Printed name:

Signature of applicant 4 Date:

Printed name:

ACN No: Position (eg director):

DECLARATION OF COMPANY

Please note: If the applicant is a Company, please ensure that the form is signed by two directors, alternatively one director and one secretary, unless there is a sole director and secretary of the company

Signed by Company (name)ACN

in accordance with section 127(1) of the Corporations Act 2001 by being signed by those persons duly authorised to sign on behalf of the company:

.....
Director Director/Secretary

Name: Name:

Position: Position:

Address:
.....
..... Address:
.....
.....

Date: Date:

Protecting your privacy

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Assistance with completing the application form

How can 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: 1800 013 357 (free call from most fixed line phones)

Facsimile: (03) 5826 3334

Email: licensingadmin@gmwater.com.au

Sellers Licence Information – Part 1

<p>Question 1 Licence Details</p>	<p>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 number for your licence. GMW may require you to verify your identity prior to providing this information</p>
<p>Question 2 Agent Details (eg Broker or Solicitor)</p>	<p>If you have a solicitor or broker acting on your behalf, you must complete this section. GMW will send your nominated agent a copy of the licence.</p>
<p>Question 3 Applicant/s details (seller's)</p>	<p>All applicants must complete and sign the application form. If any of the applicants is a company, the directors must sign the form where appropriate.</p>
<p>Question 4 Volume to be transferred by seller</p>	<p>Please provide the total volume of the existing licence and the volume that is being transferred to the buyer. Please note the whole volume of the transfer must be unused for the current season. This will authorise GMW to surrender your existing licence as indicated in question 1 (licence details).</p>
<p>Question 5 Declaration of Applicant/s</p>	<p>All applicants must 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.</p> <p>If the applicant is a company, the directors and/or secretary must sign the form. A current company copy of an ASIC Company Search listing all directors and/or office bearers which is not more than twelve months old. Two directors or one director and one secretary must sign the form, unless the company has a sole director and secretary.</p> <p>How can I obtain a copy of my Company Search? You can obtain a company search statement by:</p> <ul style="list-style-type: none"> • Accessing the internet service at www.asic.gov.au or by phoning (03) 5177 3988. • Requesting that GMW complete the searches on your behalf. • Contacting your solicitor or legal advisor to conduct the search on your behalf (fees may apply).

Buyer's Licence Information – Part 2

<p>Question 6 Applicant/s details (buyers)</p>	<p>All applicants must complete and sign the application form. If any of the applicants is a company, the directors must sign the form where appropriate.</p>
<p>Question 7 Provide licence details where the water is to be transferred to (buyer)</p>	<p>Provide the buyers licence number and the existing volume of the licence in ML.</p>
<p>Question 8 Volume to be</p>	<p>Please indicate the volume to be transferred (must match question 4 in part 1). Also provide the new adjusted volume after the transfer. This value will be the current volume</p>

transferred to buyer	plus the purchased volume.
Question 9 Proposed use of groundwater	Applicants must provide details about the purpose for which the water is to be used.
Question 10 Description of land on which the groundwater will be used	<p><u>New Customers applying for a New Take and Use Licence for Permanent trade</u></p> <ul style="list-style-type: none"> If you do not currently hold a licence to Take and Use and Operate Works, an application for a new licence will be required prior to the approval of the transfer. The current ownership of land will be verified under the new licence application requirements therefore current copies of titles will not be required for the Permanent Trade. <p><u>Existing Customer/s who are applying for a Permanent Trade</u></p> <ul style="list-style-type: none"> If you are currently a GMW customer and have an existing Take and Use and Operate Works Licence (groundwater) that you are transferring to, current copies of titles will not be required for the Permanent Trade. If the works are located on land that is not in the applicant's ownership, written consent from the landowner is also required. Please complete Annexure 1 – Consent of Landowner. <p>A registered title search for each separate title must be provided. Rates notices are not acceptable.</p> <p>How can I get a copy of my land titles? You can obtain a registered search statement for land titles by:</p> <ul style="list-style-type: none"> Accessing the Land Titles office via the internet at www.land.vic.gov.au or phone (03) 8636 2456 Requesting that GMW complete the searches on your behalf. Contacting your solicitor or legal advisor.
Question 11 Aboriginal Cultural Heritage	If new works will be installed (pumps/pipes etc) as part of this application you must ensure that you comply with any obligations under the Aboriginal Heritage Act 2006 – Please refer to the explanatory notes for further information before answering this question.
Question 12 Declaration of Applicant/s	<p>All applicants must 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.</p> <p>If the applicant is a company, the directors and/or secretary must sign the form. A current company copy of an ASIC Company Search listing all directors and/or office bearers which is not more than twelve months old. Two directors or one director and one secretary must sign the form, unless the company has a sole director and secretary.</p> <p>How can I obtain a copy of my Company Search? You can obtain a company search statement by:</p> <ul style="list-style-type: none"> Accessing the internet service at www.asic.gov.au or by phoning (03) 5177 3988. Requesting that GMW complete the searches on your behalf. Contacting your solicitor or legal advisor to conduct the search on your behalf (fees may apply).

General information and explanatory notes (retain for future reference)

What are the benefits of transferring a Licence to Take and Use Surface water and Operate Works?

Transferring surface water entitlement provides existing licensed water users with the opportunity to maximise the value of their licence by selling their unused entitlement, and provides others with the ability to purchase water entitlements in areas where new entitlement is not available.

What are the rules relating to the permanent transfer of a licence?

Rules have been established which allow the permanent transfer of surfacewater entitlement. These rules and policies are issued and updated from time to time by the Victorian Minister for Water. The following general rules apply to permanent transfer of a licence to take and use surfacewater:

- Transfer of a licence is not permitted to or from farm dams unless there is a standard Licence to Take and Use Water has been issued. A registration licence can be converted to a standard Licence upon request to GMW. Please contact the Licensing Unit for further information.
- If a licence has been issued with a winter-fill condition, it cannot be transferred to a licence which has been issued as an all-year licence.
- All transfers into unregulated sub-catchments are subjected to an assessment against the sustainable diversion limit to determine whether they can be permitted. If your sub catchment is fully committed you will only be allowed to transfer from another licence within your sub catchment.
- Water cannot be used by the buyer until the transfer has been approved and GMW has notified all parties in writing.

Additional rules may apply to an individual catchment as a result of local management rules established under a Water Supply Protection Area. Water Supply Protection Areas are declared to protect the water resources of surface water catchments, groundwater aquifers or both and aim to provide a balanced and sustainable sharing of stream flows between all water users in unregulated systems.

How do I know which trading zone and trading rules apply to my licence?

The trading zone applicable to your licence is listed on your licence document and can also be obtained by contacting the Licensing Unit (fees apply). Trading zone rules and other information relating to trading is available from www.gmwater.com.au. Rules relating to trading are also contained in the *Policies for Managing Take and Use Licences - consolidated 21 Sept 2010* issued by the Victorian Minister for Water. This document can be downloaded from the Victorian Water Register website at www.waterregister.vic.gov.au. If you cannot access the internet please contact the Licensing Unit to request a copy by email, mail or fax.

Where can I get more information about trading opportunities and current prices in my area.

You should visit the GMW website to obtain information about trading rules and restrictions applicable to your licence before proceeding to locate a buyer or seller for your licence volume. If you are still unsure about the rules you should contact the Licensing Unit to discuss your proposal.

GMW cannot provide you with information on the current market value of water, however if you decide to proceed with a transfer, information about market activity and pricing can be obtained from your local water broker. Details of brokers in your area can be located in the yellow pages or through advertisements in your local newspaper.

What is a winter fill Licence?

A Surface Water Licence is termed a Winter Fill Licence if it is subject to conditions which limit the extraction of water during a specified period. A Winter Fill Licence entitles the holder to take water to fill a dam, tank or other storage, or apply directly to a crop during the period from 1 July to 31 October in any year. All flow occurring outside of this period must be passed downstream.

Do I need to meter my surface water use?

Currently all new Licences to Take and Use Surface water contain a condition requiring that the pump is metered. Metering of water use is required under Victorian Government policy to improve management of Surface Water resources. Goulburn Murray Water will provide you with the necessary information required to purchase and install a flow meter. The meter can be installed by a licensee or alternatively GMW can carry out the installation. Once a meter is installed it becomes the property of GMW.

What happens when I lodge my application?

After you lodge your application GMW will notify you in writing that it has been received. The timeframe to complete an assessment may vary depending on the nature of your application. If delays are expected you will be notified by

GMW. When the decision has been made to your application you will notified in writing of the outcome, either that the application has been approved or refused. Application fees are not refundable if an application is refused.

Do I need to meet the new Irrigation Development Guideline requirements?

If the licence being transferred will be used for irrigation an Irrigation Development Guideline Assessment will be required if you intend to:

- irrigate land that has never been irrigated before,
- increase the annual use limit on the land in the current licence, or,
- increase the area allowed to be irrigated in the current licence.

You will be contacted if the Irrigation Development Guidelines apply to you.

What volume of water is available to the buyer when a permanent transfer is approved?

The permanent transfer of a licence to take and use water and operate works includes transfer of the licence entitlement for the requested volume from the sellers to the buyer's existing or new licence.

When can the buyer take and use water under the licence?

The buyer can take and use water upon written confirmation from GMW that the transfer has been approved subject to the conditions of the licence. Use may be restricted from time to time in accordance with the conditions of the licence.

Are there ongoing costs associated with having a Licence?

Yes, a Licence to Take and Use Water and Operate Works is subject to annual fixed charges, issued by GMW in July each year. For specific details about which charges will apply to your licence, please contact the Licensing Unit.

Additional Application Requirements:

Aboriginal Cultural Heritage

If I am installing 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.

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

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.

Advertising and notifications

Do I have to advertise my application in the newspaper or notify my neighbours(buyer only)?

After you lodge your application, GMW will notify you in writing if you are required to advertise and/or notify your neighbours. GMW will send out the proforma for advertising and notification to neighbours, this will include a reference number which relates to your application. If the volume sought in the application is greater than 20ML you will be required to advertise and notify neighbours, if the volume is 19ML or less, only notification of neighbours will apply.

Credit Card Payment Authority

Applicant/company name:

.....

Payment for: **Application for Permanent Transfer of a Licence to Take & Use Surfacewater**

CREDIT CARD DETAILS

Please tick (✓) appropriate card:

CREDIT CARD DETAILS:

MasterCard Visa

Card Number

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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

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