

Application for Vary/Transfer of a Private Works Licence For use Only on GMW's Land or Asset

GOULBURN-MURRAY
WATER



What is this application form for?

This application should be used when a customer requests approval to transfer or vary a Private Works Licence on land or assets owned or managed by Goulburn-Murray Water (GMW).

Following are examples of when you might need to vary or transfer the licence

- Change in ownership (sale of property)
- Change in name/s (Company Directors/shareholding)
- Cancellation of Licence

What to do:

- Read the accompanying explanatory notes and refer to the current fee schedule (which can be obtained by calling 03 5826 3606 or downloaded from www.g-mwater.com.au) before you fill out 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 illegible or incomplete.
- Send the form, any required documentation and the application fee to: Goulburn-Murray Water, C/- Asset Services, PO Box 165, TATURA , VIC 3616.
- Goulburn-Murray Water accepts payment by cheque or credit card.

PLEASE NOTE: THIS APPLICATION ONLY RELATES TO GMW LAND AND ASSETS.

DO NOT USE THIS FORM WHEN MAKING APPLICATIONS FOR WATER USE AND ENTITLEMENTS

1. DETAILS OF THE WORKS

Type of Works: Syphon Subway Occupation Crossing Meter Outlet
(Gravity/pumped) Direct Suction Retaining Wall Pump shed
Vegetation removal Onfarm automation interface
Other:

If you are making application to vary or transfer more than one type of works please complete separate applications

Description of current licence document to be transferred or varied

Private Works Licence Number: _____ **Property No** _____

A copy of the original Private Works Licence document must be included with this application

2. TRANSFER OF OWNERSHIP REQUIREMENTS

In most circumstances GMW will approve the existing licence to be transferred to a new owner providing the structure is safe and sound and complies with GMW standards and specifications. Both parties will be required to complete & sign this form before GMW can assess the application.

If GMW find the works require upgrade or improvement GMW will issue a works notice to the Licensee.

Ensure you complete Item 9 “Declaration of Applicant/s”

3. IRRIGATION/STORAGE AREA WHERE THE LICENCE APPLIES (please tick one where applicable)

Irrigation Area: Murray Valley Central Goulburn
 Shepparton Rochester
 Loddon Campaspe (Pyramid Hill, Boort and Campaspe)
 Central Murray (Torrumbarry & Woorinen) Goulburn Weir

Storage: Lake Eildon Lake Eppalock Goulburn Weir Lake Hume
 Lake Boga Dartmouth Lake Nillahcootie Lake William Hovell
 Lake Buffalo Laanecoorie Tullaroop Cairn Curran
 Lake Mulwala (Yarrowonga) Greens Lake

4. DETAILS OF APPLICATION (please tick one)

- Cancel the Private Works Licence** – Note: You may be required to remove the structure and make good the land
- Transfer the Private Works Licence**
- Vary the Private Works Licence**

5. CURRENT LICENSEE'S DETAILS

Please list full names of all existing Licensee's (initials are not acceptable)

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

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

Additional Licensee's:

Postal Address:

Postcode: Telephone number: ()

Mobile number: Email:

Signature of Licensee No. 1 Date:

Signature of Licensee No. 2 Date:

6. DETAILS OF TRANSFEREE OR VARIATION REQUIRED

Please list full name/s of all transferees (initials are not acceptable)

Upon signing the licence or any variation to the licence, the approved licensee must provide to GMW a Certificate of Currency for Public Liability for not less than \$20million. Please tick the box to confirm you can comply with these requirements.

I understand and acknowledge I will provide (upon approval of transfer or variation) GMW with a Certificate of Currency for Public Liability not less than \$20million and noting GMW as an Interested party as Licensor.

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

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

Additional transferees:

Postal Address:

.....

Postcode: Telephone number: ()

Mobile number: Email:

Signature of transferee No. 1 Date:

Printed name:

Signature of transferee No. 2 Date:

Printed name:

Additional transferees:

Signature(s)..... Date:

Printed name: Date:

If the name of the transferee 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.

7. DESCRIPTION OF THE LICENSED LAND:

Property address:
Vol:Fol:Lot No: Plan No:Crown Allotment: Section:.....
Parish

Only the rightful owner of this land may make application to transfer or vary this Private Works Licence.

8. 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 have/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.

9. DECLARATION OF APPLICANT/S

I/we 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/we acknowledge that Goulburn-Murray Water may release information contained in this application, at the discretion of GMW to relevant parties and organisations in accordance with relevant legislation. I approve Goulburn-Murray Water to have discussions with relevant third parties such as local government agencies or other relevant authorities as necessary.

I/we confirm the following items have been checked and are compliant with GMW's requirements

- 1 The existing structure is in a safe and sound condition and is compliant with the Licence conditions
1. I confirm I have a current Insurance Policy in place noting Goulburn-Murray Water as an Interested Party as Licensor.

Signature of applicant 1 Date:

Printed name:

Signature of applicant 2 Date:

Printed name:

Additional applicants:

Signature(s)..... Date:

Printed name: 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.g-mwater.com.au or call 1800 013 357 to obtain a copy of this policy.

Assistance with completing the application form

This application/transfer form is required when the Licensee wishes to transfer or vary the existing Private Works Licence - ie. Change in ownership or Cancellation.

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 Leasing & Licensing Unit between 8.00am and 4.45pm Monday to Friday

Telephone: (03) 5826 3606

Facsimile: (03) 5826 3501

Email: privateworks@gmwater.com.au

Question 1 – Transfer or Vary requirements

In most circumstances GMW will approve the existing licence to be transferred to a new owner providing the structure/works is safe and sound and complies with GMW standards and specifications. Both parties will be required to complete & sign this form before GMW can assess the application.

If GMW find the works require upgrade or improvement GMW will issue a works notice to the Licensee.

Question 2 - Insurance Requirements

Contractors: Prior to commencement of any works the licensee must provide to GMW a copy of the Contractor's Certificate of Currency for an amount of not less than \$20 million Public Liability.

Landowner: Upon signing the licence or any variation to the licence, the approved licensee must provide to GMW a Certificate of Currency for Public Liability for not less than \$20million.

Special Conditions: In all cases the Certificate must "*Note: Goulburn-Murray Water as an interested party as Licensor*"

Question 3 – When will my application be approved?

There are a number of steps to this process and in order for GMW to assess the risk and impacts on GMW's assets and services you should allow a minimum of 4 weeks from **receipt of completed application/transfer and application fees. Applications will not be processed if all relevant details are not completed in this form.** This will in turn impact on the approval process.

It is important to note, that GMW may refer your application to several agencies for approval. This will depend on the nature and location of the transfer.

Question 4 – Applicant/s details

All rightful landowners attached to the Certificate of Title must complete the application to transfer. Further all rightful transferees must sign the application form.

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 – Description of land on which the approved structure is located

The current ownership or proof of occupation of land must be verified. To ensure this information is accurate GMW requires a current copy of the title/s for all land. Written consent from the landowner or occupier is also required. A Registered Title Search Statement for each separate title must be provided. Rates notices will **NOT** be accepted. A signed Notice of Acquisition/Disposition is sufficient proof of sale to a new Owner.

Question 6 - How can I obtain a copy of my land title/s?

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 or phone (03) 8636 2456
- Requesting that GMW complete the searches on your behalf. (fees apply)
- Contacting your solicitor or legal advisor to conduct the search on your behalf (fees may apply)

Question 7 - How can I obtain a copy of my Company Search?

You can obtain a company search statement by:

- Accessing the internet service at www.asic.gov.au or phone (03) 5177 3988
- Requesting that GMW complete the searches on your behalf. (fees apply)
- Contacting your solicitor or legal advisor to conduct the search on your behalf (fees may apply).

Question 8 - Aboriginal Cultural Heritage Requirements

If new works will be installed 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 9- Declaration of Applicant/s

All applicants must sign the application/transfer. 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.

General information and explanatory notes

Why do I need to Transfer the existing Private Works Licence?

If you wish to utilise a private structure on Goulburn-Murray Water Asset or Land (including land in which an Easement is in place in favour of GMW), you must first obtain an Executed Construction & Use of Private Works Licence from Goulburn-Murray Water. This process ensures that the integrity of GMW's assets and systems is not compromised and that the time of the proposed works, will not interfere with GMW's operations. When purchasing land where Private Works are already constructed, you will be required to take ownership of the works to enable ongoing use. This process is formalised by transferring the Licence from the previous Licensee to the Purchaser.

How long is a licence valid?

A Construction & Use of Private Works Licence is generally issued for a term of 15 years, and in the case of new applications with a completion date set 3 months after the Licence Start date. The Licence is deemed as ongoing unless cancelled by GMW.

Can I transfer the licence?

The Construction & Use of Private Works Licence may be transferred by completing this form, signed by the current Vendor and Purchaser and forwarding to GMW for processing. Please note: The licence does not automatically transfer upon change of ownership.

What does a Private Works Licence authorise?

A Private Works Licence authorises you to use works located on GMW's land or assets. You become responsible for and own the works.

This licence does not allow you to take or use water. For any dealings with water entitlements contact Water Administration on (03) 5826 3500.

What does the application fee cover?

Application fees cover the full cost of undertaking a licence assessment in accordance with GMW's obligations under the *Water Act 1989 and Recreational By-Laws*. This includes administering the application including approval of plans and undertaking a full site inspection. The Supervisor of the works will review the proposed works site and advise whether there is any potential for interference with GMW's assets or land, other water users or the environment.

If your licence is approved it will be recorded in GMW's Asset database for the purpose of identifying all structures/works on GMW's land or assets.

Are there ongoing costs associated with having a Licence?

No.

Additional Application Requirements

1. 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 (GMW) 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

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 millimeters).

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.

2. Statutory Planning

The relevant municipal council must be contacted to determine whether or not a planning permit is required.

3. Native Vegetation

- 3.1 The Department of Environment & Primary Industries (DEPI) and the relevant municipal council must be contacted to determine if a permit for the removal of native vegetation and a planning permit are required.
- 3.2 The Department of Environment & Primary Industries (Fisheries) council must be contacted to determine if a permit for the removal of standing dead timber or snags and other fish habitat is required.
- 3.3 Any disturbance to native vegetation or ground surface levels at the pump site caused through excavation and installation of works must be restored to the satisfaction of the DSE land manager.
- 3.4 Any works in, on or over a designated waterway will require approval of the relevant Catchment Management Authority.

4 Electricity Supply

- 4.1 Electrical supply (buried or overhead cabling) and electric switch-boards will not normally be permitted on land owned or controlled by Goulburn-Murray Water.

General information and explanatory notes cont...

5 General

- 5.1 Prior to commencement of approved works on any land controlled by Goulburn-Murray Water, the licensee or new licence applicant must give the Supervisor of the works ten days written notice.
- 5.2 All works must be constructed in accordance with the approved plans
- 5.3 All works on land controlled by Goulburn-Murray Water must be maintained by the licensee to the satisfaction of Goulburn-Murray Water and not vary from the specifications approved for installation without the written consent of Goulburn-Murray Water and amendment to the Private Works Licence.
- 5.4 The licensee is responsible for any damage to land and/or structures controlled by Goulburn-Murray Water resulting from the installation, maintenance and/or operation works.
- 5.5 Water levels in Goulburn-Murray Water Storages are subject to regulated operations of the storage and will not be held at any specified level. It is the responsibility of the licensee to be aware of any fluctuations in water levels of the storage.
- 5.6 Fuel operated pumps are not permitted on land controlled by Goulburn-Murray Water.
- 5.7 Fuel operated pumps on private land must be bunded as specified by Goulburn-Murray Water.
- 5.8 Bulk fuel and lubricants must not be stored on Goulburn-Murray Water controlled land.
- 5.9 Any fuel and lubricant leaks that impact on Goulburn-Murray Water controlled land must be reported to Goulburn-Murray Water and attended to immediately along with any reclamation works necessary.
- 5.10 Intake pipes and/or works must not protrude above the natural surface level of GMW's asset, nor cause a public hazard and/or obstruction.
- 5.11 All existing licences must comply with the guidelines upon alteration or renewal of works and/or change of ownership.

Credit Card Payment Authority – Land & Licensing – Private Works

Applicant/company name:

.....

Payment for: **Vary/Transfer Use of Private Works or Undertake Works**

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

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.g-mwater.com.au or call 1800 013 357 to obtain a copy of this policy.