

Licence to Take and Use Surface Water and Operate Works (Unregulated)

What is this application form for?

Use this form to make application for a Licence to Take and use Surface water and Operate Works.

This application combines the requirements for:

- A Licence to Take and Use Water section 51 *Water Act 1989* (Vic) and
- A Licence to Operate Works section 67 *Water Act 1989* (Vic).
- A Licence to Decommission Works section 67 *Water Act 1989* (Vic)
- An amendment to an existing Licence to Take and Use Water and Licence to Operate Works (section 59A *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 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 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.

1. APPLICATION TYPE

(please tick relevant boxes)

Licence to Take and Use Water and Licence to Operate Works

Please provide the Works Licence number (if known)

Amend existing Licence to Take and Use Water and Licence to Operate Works No

Amendment Type (please tick one or more boxes)

Add service point

Change extraction rate

Add additional land **(titles for additional land/s only)**

Remove land

Amend the authorised purpose

Remove Service Point

Decrease licence entitlement volume – *Before decreasing your entitlement you may have the potential to trade any entitlement associated with this licence. Contact GMW's Licensing Support Team on 1800 013 357 for further information.*

2. APPLICANT/S DETAILS

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:

3. DESCRIPTION OF LAND TO BE LICENSED INCLUDING

(i) Land on which the water is to be taken

(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:.....

Parish

Note: If additional lands are required please attach a separate list to this application. If any land is not in the ownership of the licensee/s please complete *Annexure 1 – Consent of Landowners (attached)*.

4. PROPOSED USE OF WATER

- Irrigation (area to be irrigated(ha)
- Domestic and/or Stock
- Commercial or Industrial
- Dairy Wash/Cooling
- Urban Supply
- Aquaculture
- Communal Domestic and/or Stock (number of residences.....)

5. SOURCE OF SUPPLY

Tributary of : Waterway:

6. AMENDMENTS REQUESTED TO EXISTING LICENCE DETAILS

Service point(s) to be licensed:

Service point(s) to be removed from current licence:

Change purpose to:

7. PROPOSED LICENCE DETAILS

Please indicate whether this application is for a new volume or is to decrease your existing volume.

Service Point No:	Proposed extraction Rate (ML/day)	ML/ Year Volume Requested	Use type
		New:..... Increase: Decrease:	
		New:..... Increase: Decrease:	
		New:..... Increase: Decrease:	

Total Volume..... (ML/Year)

8. IRRIGATION DEVELOPMENT GUIDELINES

Please tick the most appropriate statement for your application:

- The water will be used on land where there has been never been an irrigation licence in the past.
- This application proposes to increase the current licence volume on the land that is being irrigated.
- This application proposes to increase the area allowed to be irrigated in my current licence.
- None of the above statements are relevant to my application.

9. 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.

10. 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. I approve GMW to have discussions with relevant third parties such as the Irrigation Designer, Engineers and Contractors as necessary.

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.

Assistance with completing the application form

This application form is required to be completed when applying for a new licence or to amend an existing licence. It combines the requirements for:

- Licence to Take and Use Water (section 51, *Water Act 1989*) (Vic) and
- Licence to Operate Works (section 67, *Water Act 1989*) (Vic).

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: 1800 013 357

Facsimile: (03) 5826 3334

Email: licensingadmin@gmwater.com.au

<p>Question 1 Type of Application</p>	<p>It is important to indicate whether you applying for a new licence or to amend an existing licence. If the application is for an amendment to an existing licence the reason for the amendment should be nominated by ticking the appropriate box.</p>
<p>Question 2 Applicant/s details</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 3 Description of land on which the service point (works) is located and water to be taken and used</p>	<p><u>Applying for a New Take and Use Licence and Operate Works:</u></p> <ul style="list-style-type: none"> • New applications for a Take and Use licence and Operate Works will require current title searches to verify current ownership. If the work/s are located on land that is not in the applicant's ownership, written consent from the landowner where the work is located also is required. Please complete Annexure 1 – Consent of Landowner for this purpose. <p><u>Existing Customer/s who are applying to amend their Take and Use Licence and Operate Works:</u></p> <ul style="list-style-type: none"> • If you are a current GMW customer, copies of titles will only be required if you are applying to add additional land/s onto your licence. If the additional land is located on land that is not in the applicant's ownership, written consent from the landowner also is required. Please complete Annexure 1 – Consent of Landowner for this purpose. <p>A Registered Title Search for each separate title must be provided. Rates notices will not be accepted.</p> <p>An example of an acceptable Registered Title Search is attached.</p> <p>How can I obtain a copy of my Registered Title Search? You can obtain a registered title search (see attached example of the correct search) 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 search/s on your behalf. • Contacting your solicitor or legal advisor to conduct the search/s on your behalf (fees may apply) <p>Do I require consent if the works are not located on my land? Yes, consent is required from the relevant Authority's if any of the following applies:</p> <ul style="list-style-type: none"> • On freehold land now owned by the applicant, consent of the land owner identifying where the works and associated works are sited • On an easement, evidence that the applicant has notified the easement owner • On Crown Land, consent of the Minister administering the <i>Conservation, Forest and Land Act 1987</i> • On a Waterway within a Park referred to in section 30M of the National Parks Act 1975, consent of Minister <i>administering the National Parks Act 1975</i>

	To obtain consent from the Crown Manager, use the following website to determine location where to send your referral: http://www.depi.vic.gov.au/about-us/contact-us/office-locations
Question 4 Proposed use of water	Please indicate the intended use of the water being extracted. This information will be used as part of the licence application assessment process.
Question 5 Source of Supply	Please provide the name of the waterway or the tributary where the water will be extracted.
Question 6 Service details	Applicants must provide details about the new or replacement service point/s to be licensed. The number of service point/s to be added or removed must be listed.
Question 7 Proposed Licence Details	The proposed volume of the new licence or the amended volume should be provided.
Question 8 Irrigation Development Guidelines	<p>An Irrigation Development Guideline assessment report may be required as part of the licence application for irrigation developments that meet one of the following criteria:</p> <ul style="list-style-type: none"> • A proposal to irrigate land that has never been previously subject to irrigation; • An application to increase the annual use limit on the land in the current licence, or • An application to increase the area allowed to be irrigated in the current licence. <p>You will be contacted if the Irrigation Development Guidelines apply.</p>
Question 9 Aboriginal Cultural Heritage Requirements	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 <i>Aboriginal Heritage Act 2006</i> .
Question 10 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)

Why do I need a Licence to Take and Use Surface water and Operate Works?

If you wish to access water you will be required to apply for a licence to take and use water and operate the works. Under very limited circumstances you may have what is called a *private right* to access water for domestic or stock purposes. You should contact the Licensing Unit prior to taking any water. A landowner can make application to the Authority for a private right determination.

How long is a licence valid?

A licence is generally issued for a term of up to 15 years.

What does a Licence to Take and Use Water and a Licence to Operate Works authorise?

A Licence to Take and Use surface water authorises the licensee to extract surface water and use it for domestic and stock, irrigation, commercial and other licensed purposes. A licence to operate works authorises the licensee to use the service point to extract water.

The licences are issued jointly and detail how much water can be extracted from the service point/s and conditions relating to the use of water.

Can I get access to an entitlement under my licence?

All river basins in the Murray Darling Basin Victoria are 'capped' under the Murray Darling Basin Agreement. This means that no new allocations can be issued.

In this case you will need to purchase existing licence entitlement and make application for a temporary or permanent transfer. Applications are subject to approval by GMW and specific rules apply to particular catchments and waterways. Should you require further information contact the Licensing Unit or GMW's website <http://www.g-mwater.com.au/>

What is a winter fill Licence?

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 annually. All flow occurring outside of this period must be passed downstream.

Can I include lands onto my existing licence which are non-contiguous?

No, all lands must be contiguous, except where the parcels of land are separated by a road or stream. Other exceptions may apply; however, you should contact the licencing team for further clarification.

Do I need to meter?

Works must be metered when requested by the Authority. GMW will provide 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 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* (Vic). This includes administering the application and undertaking a full site inspection. The inspector will review the proposed pump site, the volume of water to be extracted and whether there is any potential for interference with other water users or the environment. An assessment of the long term sustainability of the catchments will also be undertaken.

If your licence is approved it will be recorded in the Victorian Water Register and you will receive a copy of the licence document.

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 further information refer to GMW website <http://www.g-mwater.com.au/>.

Additional Application Requirements

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”). 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: <http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/heritage-tools/areas-of-cultural-heritage-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.dpc.vic.gov.au/index.php/aboriginal-affairs/heritage-tools/areas-of-cultural-heritage-sensitivity> 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.

ANNEXURE 1

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

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

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

Print Name(s)

Date:

Note: If a company you are required to sign and complete the declaration on the next page

ANNEXURE 1

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

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

Name:

Position:

Address:

.....

.....

Date:

.....

Director/Secretary

Name:

Position:

Address:

.....

.....

Date:



SAMPLE ONLY

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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 AC99999999A 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 TP99999999P 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)

Credit Card Payment Authority

Applicant/company name:

.....

Payment for: **Application for a Licence to Take and Use Surface Water and Operate Works**

CREDIT CARD DETAILS

Please tick (✓) appropriate card:

CREDIT CARD DETAILS:

MasterCard Visa

Card Number

--	--	--	--	--	--	--	--	--	--	--	--

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.gmwater.com.au or call 1800 013 357 to obtain a copy of this policy.