

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

Application Check List

Complete the checklist. Incorrect information may result in your application being refused.

Your application will be returned if it is ineligible or incomplete.

The Application has been completed, signed by **ALL** persons listed on the land title/s, and is attached.

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.

A copy of the current Certificate of Title/s (Registered Search Statement & Plan) produced within the last three months or Notice of Acquisition/Disposition for all land/s.

GMW can obtain a Registered Search Statement (copy of title) on your behalf, please tick the box which is applicable:

Yes

No

If yes, please complete the number of title searches required:

I require (title search/es) at a cost of \$30.00 per title search

If the diversion point is on land that is NOT the applicant's ownership, written consent from the owner is attached - See Annexure 1

AND/OR

Proof of occupancy – Where occupation of land is under terms of a lease or partnership agreement or subject to approval from the relevant Crown Land Manager a copy of the agreement must accompany this application

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

Payment by cheque or credit card is accepted. A credit card payment authority is attached to this application form.

Note: You may be required to advertise and GMW will contact you after lodgement of the application.

Payment of application fees is attached including:

Mandatory Fees

Application Fee (please contact GMW) \$.....

Optional Fees

Title Search (No of titles.....) @\$30.00 per search \$.....

Company Search (No of searches.....) @\$30.00 per search \$.....

TOTAL PAYMENT ENCLOSED: \$.....

1. APPLICATION TYPE

(please tick relevant boxes)

Licence to Take and Use Water and Licence to Operate Works

Amend existing Licence to Take and Use Water and Licence to Operate Works

Please provide the Take & Use No. BEE

Please provide the Operating Licence No WLE

***Completed section 6 for amendment**

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 works are located AND (ii) Land where water is to be used

(i) Property address:

(ii) Vol	Fol	Lot No.	Plan No.	Crown Allotments	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 (please tick one or more boxes)

Irrigation (area to be irrigated(ha)

Domestic and/or Stock

Commercial or Industrial

Dairy Wash

Urban Supply

Aquaculture

5. SOURCE OF SUPPLY

Tributary of : Waterway:

6. AMENDMENTS REQUESTED TO EXISTING LICENCE DETAILS (please tick one or more boxes)

Add service point (works number if Known WRK).....

Remove service point (works number WRK).....

Change extraction rate

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

Remove land

Amend the authorised use of water

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*

7. PROPOSED LICENCE DETAILS

Please indicate whether this application is for a new volume **Total Volume**..... (ML/Year)
or is to decrease your existing volume.

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

8. IRRIGATION DEVELOPMENT GUIDELINES (please tick the most appropriate statement for your application)

Please tick the most appropriate statement for your application:

The water will be used on land that has not been irrigated previously.

The water will be used on land that has not been irrigated in the past 10 years.

This application proposes to increase the current licence volume on the land that is being irrigated.

This application proposes to increase the annual use limit on the land in the 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 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.

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:

Protecting your privacy

Goulburn-Murray Water (GMW) collects, holds and manages personal information under the *Privacy and Data Protection Act 2014 (Vic)*. The personal information collected on this form will be used for the purpose of considering the renewal/amendment/surrender of your licence and updating our records. If you do not provide us with your personal information, GMW may not be able to renew/amend/surrender your licence. Disclosure of such information is usually limited to GMW employees, agents and contractors involved in processing your application as well as external departments such as the Water Register, The Department of Environment, Land, Water and Planning and the relevant Catchment Management Authority and Local Council. At times, GMW may be legally required to disclose your personal information, for instance to the police, courts or other authorised organisations. You may gain access to and correct your personal information under the Freedom of Information Act 1982 (Vic). 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.

Declaration of Company:

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:

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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.</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>The current ownership of this land must also be verified. To ensure this information is accurate GMW requires you to list the most current land parcel description. If the bore/s or irrigated land are 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.</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>An example of an acceptable Registered Title Search is attached.</p> <p>To obtain a copy of your registered title search you can.</p> <ul style="list-style-type: none"> • Accessing the Land Titles office via the internet or phone 1300 730 000. • 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>If any works are not located on land in the ownership of the licensee/s consent is required from the relevant owner or land manager.</p> <p>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. Complete annexure 1 (attached).</p>
<p>Question 4 Proposed use of water</p>	<p>Please indicate the intended use of the water being extracted.</p>
<p>Question 5</p>	<p>Please provide the name of the waterway or the tributary where the water will be extracted.</p>

Source of Supply	
Question 6 Amendments requested to existing licence	Applicants must provide details about the type of amendment.
Question 7 Proposed Licence Details	The proposed volume of the new licence or the amended volume if decreasing.
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. 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

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. If during the term of a licence an application to amend the licence is approved, the amended licence will only be issued for the remainder of the original term.

Can I get access to an entitlement under my licence?

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.gmwater.com.au> or contact your local water broker.

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 adjoining, 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. Once a meter is installed it becomes the property of GMW to maintain.

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).

If your application is approved, the new licence 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 specific details about which charges will apply to your licence, please contact the Licensing Unit on 1800 013 357.

Do I have to advertise my application in the newspaper or notify my neighbours?

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 20ML or greater you will be required to advertise and notify neighbours, if the volume is 19ML or less, only notification of neighbours will apply

What happens after 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. There may be delays if you are required to engage a consultant to conduct a technical assessment in support of your application. GMW cannot make a decision in relation to an application until all relevant information is received (this includes notification to neighbours and advertising). 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.

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

Applicants must provide consent from land owners if an application for a licence includes land owned by a party other than the proposed licensee/s.

I / We (print names):

Of (Postal Address):

being the legal owners of the land known as:

Property address:

Vol	Fol	Lot No.	Plan No.	Crown Allotments	Section	Parish

Authorise:

please include names of all Licence Holder(s)

of (Postal Address):

to access this land for the purpose specified in this licence.

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

Signature(s) of all land owners.....

Print Name(s)

Date:

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

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ANNEXURE 1

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

Declaration of Company:

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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the provisions of the Copyright Act and for the purposes of Section
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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)

Credit Card Form

Application Payments

GOULBURN-MURRAY
WATER



To pay your application fee by credit card, please complete this form and return with the application to;



Goulburn-Murray Water
Po Box 165
TATURA VIC 3616



reception@gmwater.com.au



(03) 5826 3334

Credit Card Details

Mastercard Visa

Card Number

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Expiry Date

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Amount \$

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Card Holders Name

Card Holders Signature

Application Details

Property Address:

Type of Application:

Property Owner:

This page will be destroyed by Goulburn-Murray Water once your credit card transaction has been processed.

Note: Please put the correct payment fee amounts for the relevant application. Fees are available on the Goulburn-Murray Water website www.gmwater.com.au or at your local Customer Service Centre.

Protecting your privacy

Goulburn-Murray Water protects your privacy by collecting and handling your personal information in accordance with the requirements of the Privacy and Data Protection Act 2014 (Vic). Personal information collected on this form will be used for the purpose of processing your credit card payment and will be destroyed once your payment has been processed. It will be disclosed to relevant staff in regard to the purpose for which it was provided. Failure to provide accurate or complete information may result in processing delays. You are able to request access to your personal information by applying under the Freedom of Information Act 1982. For further information regarding Goulburn-Murray Water's privacy policy please refer to our website.