

Licence to Take and Use Groundwater and Operate Works

What is this application form for?

Use this form to make application for a licence to take and use groundwater and to 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 sections 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.

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.

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

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 subject of the licence application is attached. Please see attached notes for an example.

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

Yes

No

If the bore/s are on land that is NOT in the applicant's ownership, written consent from the owner is attached. See Annexure 1.

A copy of the Bore Completion Report issued by the driller for the bore is attached (or has been previously provided). The report must be received from the nominated driller prior to submitting this application.

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

Send or email 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

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

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 No

Please provide the Take & Use No. BEE

Please provide the Operating Licence No WLE

2. APPLICANTS 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:

(1) Land of which the bore/s are located AND (2) Land where water is to be taken and used

(1)Property address

(2) Land where the water is used.

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/S OF WATER

Irrigation (area to be irrigated(ha)

Domestic and/or Stock

Commercial or Industrial

Dairy Wash

Urban Supply

Aquaculture

* Please refer to the attached notes for more information about commercial and urban supply applications.

5. 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
- Increase licence volume (applies to Shepparton WSPA or Unincorporated Groundwater area)
- Decrease licence entitlement volume

** Before decreasing your entitlement you may have the potential to trade any entitlement associated with this licence. Contact GMW's Customer Support Team on (03) 5826 3247 for further information.*

6. REQUESTED LICENCE VOLUME

Please indicate whether this application is for a new volume **Total Volume**..... (ML/Year)

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

7. IRRIGATION DEVELOPMENT GUIDELINES (please tick the most appropriate option)

- 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.

8. 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

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 signature..... Director signature.....
Name (printed) Name (printed)
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.</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 bore/s are 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>Applying for a New Take and Use Licence and Operate Works:</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>Existing Customer/s who are applying to amend their Take and Use Licence and Operate Works:</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>

Question 5 Amendments requested to existing licence	<p>Applicants must provide details about the type of amendment.</p>
Question 6 Requested licensed volume	<p>The proposed volume of the new licence or the amended volume if decreasing.</p>
Question 7 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 8 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 Groundwater and Operate Works?

Under the provisions of the *Water Act 1989* (Vic), any person who wishes to take and use groundwater other than solely for domestic and/or stock purposes must first obtain a licence to take and use water and operate the groundwater works. A Licence to Take and Use groundwater and Operate works authorises the licensee to extract groundwater and use it for irrigation, commercial or other licensable purposes. A licence to operate works authorises the licensee to operate the specified groundwater bore/s for the purpose of extracting water.

What types of water use are licensable?

A licence is required if you intend to use the water for irrigation or for supplying a dairy shed, feedlot, piggeries or poultry farm. A licence is also required if the water is to be used on recreational or sporting fields or in conjunction with the operation of a commercial business or premises. This includes mining, aquaculture, water bottling, the provision of guest accommodation and watering commercial grounds or gardens.

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.

Is a licence issued for a fixed term?

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.

Does a bore need to be constructed before I apply for a Licence to Take and Use Water and Operate Works?

If you wish to access groundwater for any licensable purpose you will need to have access to an existing bore prior to making application for a Licence to take and use water. If you do not have access to a bore and would like to construct a bore it is important to be aware that the process of constructing a bore can be costly and time consuming. GMW recommends that you fully investigate the potential for groundwater in your area prior to making application. If you decide to construct a bore you must make application for a Licence to Construct Works prior to engaging a driller to carry out the work. Application forms can be downloaded from the GMW website or are available by contacting the Licensing Unit on 1800 013 357. For information about groundwater availability in your area you can visit <http://www.depi.vic.gov.au/water/water-in-your-region> or contact GMW.

Are their limits or restrictions on accessing groundwater?

Water Supply Protection Areas (WSPAs) and Groundwater Management Areas (GMAs) have been established in areas where groundwater has been, or has the potential to be, intensively developed. Groundwater management plans apply in these areas to ensure that use of groundwater is sustainable. In WSPAs and GMAs licence entitlements are limited by a cap called a Permissible Consumptive Volume (PCV). A PCV may restrict or prevent the issuing of new licence entitlements and may mean that you can only access groundwater for irrigation or commercial use by trading licence entitlement from another licensee in that area.

You are urged to contact GMW prior to making an application to determine whether restrictions or conditions apply to groundwater entitlement in your area. For information and maps of WSPAs and GMAs, please refer to the GMW website at www.gmwater.com.au/water-resources/ground-water

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.

Note: If you have notified your neighbours of your intention to construct works and extract groundwater as part of an application for a Licence to Construct Works within the last 12 months, further notification will not be required for this application providing the previously advertised entitlement volume and land description has not changed and is associated with this licence.

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).

In many cases a technical assessment may be required to determine if extraction of groundwater may have any adverse impacts on other groundwater users in your area or the environment. The costs of technical investigations are borne by the applicant.

Are there ongoing costs associated with having a Take and Use Licence and Operate Works?

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 pay for the entitlement issued under the Take and use Licence and Operate Works?

Yes, if entitlement is available under the groundwater caps a one-off capital charge applies to new licence entitlements issued by GMW or where approval is given to increase an existing licence entitlement.

Note: Applications for new or increased licence volumes in the Shepparton Irrigation Region Water Supply Protection Area are not subject to payment of the capital charge.

How is the Capital Charge calculated?

The current capital charge for a new (or increased) licence entitlement is calculated at the rate of \$165.00 per megalitre for 2017/2018. Charges are reviewed annually.

If new licence entitlement is not being issued in my area can I get access to an entitlement?

In most groundwater management units the total entitlement has been capped. In order to access entitlement, you may be able to temporary or permanent transfer existing entitlement from another licensee who does not wish to utilise their full entitlement volume.

For more information about groundwater trading in your area you can contact your local water broker or visit: <http://www.gmwater.com.au/water-resources/ground-water/groundwatertrading>

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.

EXAMPLE OF A REGISTERED TITLE SEARCH



SAMPLE ONLY

Copyright State of Victoria. This publication is copyright.
No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement.

The information is only valid at the time and in the form obtained 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)
Street Address: 999999 SMITH ST MELBOURNE VIC 3186

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

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.

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 (signature)

Director/Secretary (signature).....

Name (print):

Name (print):

Position:

Position:

Address:

Address:

.....

.....

.....

.....

Date:

Date:

Protecting your privacy

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Credit Card Form

Application Payments



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

- - -

Expiry Date

/

Amount \$

.

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.