

## Licence to Take and Use Surface Water and Operate Works (Unregulated - includes Permanent and Temporary trade for new licence)

### 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:

#### PART 1

- A Licence to Take and Use Water section 51 *Water Act* 1989 (Vic)
- 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)

#### PART 2

- A Licence to Transfer a Take and Use Licence section 62 *Water Act* 1989 (Vic)

*\*If works do not exist please complete a form 90.*

## 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](http://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 subject of the licence application is attached. Please see attached notes for an example.
- A copy of the current Company Extract produced within the last twelve months if the current or proposed licensee is a Company
- 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
- Payment by cheque or credit card is accepted. A credit card payment authority is attached to this application form.
- 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](mailto:licensingadmin@gmwater.com.au)

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

**1. APPLICATION TYPE (please tick relevant boxes)**

**Licence to Take and Use Water and Licence to Operate Works**

If you tick one of the below you **MUST** complete Part 2 of this form

Include a Permanent or  Temporary Trade (Part 2 complete)

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 .....

**\*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: .....

Email: .....

**3. DESCRIPTION OF LAND TO BE LICENSED INCLUDING  
Land on which the works are located AND property description**

- (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 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

Add land

Remove land

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

*\*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.*

### 7. PROPOSED LICENCE DETAILS

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.....		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 one of the following:

- Find attached a copy of the approved CHMP (GMW will then assess whether the application is consistent with the approved CHMP)

**OR**

- A CHMP is not required.

Please provide documented proof as to why a CHMP is not required. We note that it is the responsibility of the applicant to provide the appropriate documentation to justify why a CHMP is not required, if you fail to provide sufficient proof your application may be rejected.

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## 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. I acknowledge that I have read and understand the accompanying explanatory notes and accept the terms and conditions contained therein.

**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](http://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 (signature) .....	Director/Secretary (signature).....
Name: .....	Name: .....
Position: .....	Position: .....
Address: .....	Address: .....
.....	.....
.....	.....
Date: .....	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](http://www.gmwater.com.au) or call 1800 013 357 to obtain a copy of this policy.

# PART 2 – PERMANENT OR TEMPORARY TRADE

(This section must be completed if applying for a new Take and Use Licence where trading is required)

## 1. APPLICATION TYPE (please tick relevant box)

Permanent trade

Temporary trade

## MULTIPLE YEAR TEMPORARY TRANSFERS

Number of years the transfer will occur ..... (maximum 5 years)

Note: All multiple year transfers are subject to a Tier 2 assessment. Please refer to the explanatory notes for further information.

## Sellers Licence Information

## 2. LICENCE DETAILS

Surfacewater Licence No: ..... BEE number if Known: BEE .....

## 3. AGENTS DETAILS (Broker or Solicitor)

Contact person: .....

Postal Address: .....

.....Postcode: .....

Telephone number: ( ) .....Mobile number: .....

Fax Number: ..... Email: .....

## 4. APPLICANTS DETAILS – SELLER/S

*Please list full names, initials are not acceptable*

Applicant No 1: (Individual or company name)

Date of Birth: .....

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

Date of Birth: .....

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

Date of Birth: .....

Postal Address: .....

.....Postcode: .....

Telephone number: ( ) .....Mobile number: .....

Fax Number: ..... Email: .....



**5. VOLUME TO BE TRANSFERRED BY SELLER (mandatory)**

Sellers Licence volume.....ML Volume to be transferred: .....ML

Please indicate if you are transferring:

- Whole entitlement
- Part entitlement

**Note (applies only to permanent trade):** If you are transferring your whole entitlement to the buyer, your existing licence will be surrendered automatically without further notice to you. Please tick which is applicable:

Pump/s no longer required (An application to decommission will be set to you)

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

Do you have works in place? (Tick box)

- Yes
- No

Have you used water in the current irrigation season? (Tick box)

- Yes
- No

Service Point Number	Sellers Meter Reading	Time and date reading was taken
1		
2		
3		
4		

Note: If additional pumps are required, please attach a separate list to this application.

**6. DECLARATION OF APPLICANTS – SELLER/S**

I confirm that the information supplied in this application is complete and correct to the best of my knowledge. I am aware that it is an offence to supply false or misleading information.  
I acknowledge that GMW may release information contained in this application, at the discretion of GMW to relevant parties and organisations in accordance with relevant legislation.

**Signature of applicant 1** ..... Date: .....  
Printed name: .....

**Signature of applicant 2** ..... Date: .....  
Printed name: .....

**Signature of applicant 3** ..... Date: .....  
Printed name: .....

**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 signature .....

Director signature.....

Name (printed) .....

Name (printed) .....

Position: .....

Position: .....

Address: .....

Address: .....

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Date:.....

Date: .....

# Buyers Licence Information

## 7. APPLICANTS DETAILS – BUYER/S

Please list full names, initials are not acceptable

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

Date of Birth: .....

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

Date of Birth: .....

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

Date of Birth: .....

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

Date of Birth: .....

Postal Address: .....

..... Postcode: .....

Telephone number: (        ) ..... Mobile number: .....

Fax Number: ..... Email: .....

## 8. VOLUME TO BE TRANSFERRED TO BUYER

Volume to be transferred: .....ML

## 9. DECLARATION OF APPLICANT/S - BUYERS

I confirm that the information supplied in this application is complete and correct to the best of my knowledge. I am aware that it is an offence to supply false or misleading information.

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

**Signature of applicant 1** .....

Date: .....

Printed name: .....

**Signature of applicant 2** .....

Date: .....

Printed name: .....

**Signature of applicant 3** .....

Date: .....

Printed name: .....

**Signature of applicant 4** .....

Date: .....

Printed name: .....

**DECLARATION OF COMPANY**

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

**Signed by Company (name)** .....  
**ACN** .....

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

Director signature .....

Director signature .....

Name (printed) .....

Name (printed) .....

Position: .....

Position: .....

Address: .....

Address: .....

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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](http://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 a new licence with the inclusion of a permanent or temporary trade or to amend an existing licence.

It combines the requirements for:

- A Licence to Take and Use Water (Section 51, *Water Act 1989*) (Vic)
- A Licence to transfer a Take and use licence section 62 *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)
- 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](mailto:licensingadmin@gmwater.com.au)

<p><b>Question 1</b> <b>Type of Application</b></p>	<p>It is important to indicate whether you applying for;</p> <ul style="list-style-type: none"> <li>• new licence</li> <li>• new licence with the inclusion of a permanent or temporary trade</li> <li>• Amendment to an existing licence</li> </ul>
<p><b>Question 2</b> <b>Applicant/s details</b></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><b>Question 3</b> <b>Description of land on which the service point (works) is located and water to be taken and used</b></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><b><u>Applying for a New Take and Use Licence and Operate Works:</u></b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <p><b><u>Applying for a New Take and Use Licence and Operate Works and inclusion of Trade:</u></b></p> <ul style="list-style-type: none"> <li>• Complete the above requirements for a New Take and use Licence</li> <li>• Complete Part 2 – Permanent or Temporary Trade</li> </ul> <p><b><u>Existing Customer/s who are applying to amend their Take and Use Licence and Operate Works:</u></b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <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"> <li>• Accessing the Land Titles office via the internet or phone 1300 730 000.</li> <li>• Requesting that GMW complete the search/s on your behalf.</li> <li>• Contacting your solicitor or legal advisor to conduct the search/s on your behalf (fees may apply)</li> </ul>

	<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: <a href="http://www.depi.vic.gov.au/about-us/contact-us/office-locations">http://www.depi.vic.gov.au/about-us/contact-us/office-locations</a>. Complete annexure 1 (attached).</p>
<b>Question 4</b> <b>Proposed use of water</b>	Please indicate the intended use of the water being extracted.
<b>Question 5</b> <b>Source of Supply</b>	Please provide the name of the waterway or the tributary where the water will be extracted.
<b>Question 6</b> <b>Amendments requested to existing licence</b>	Applicants must provide details about the type of amendment.
<b>Question 7</b> <b>Proposed Licence Details</b>	The proposed volume of the new licence or the amended volume if decreasing.
<b>Question 8</b> <b>Irrigation Development Guidelines</b>	<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"> <li>• A proposal to irrigate land that has never been previously subject to irrigation;</li> <li>• An application to increase the annual use limit on the land in the current licence, or</li> <li>• An application to increase the area allowed to be irrigated in the current licence.</li> </ul> <p>You will be contacted if the Irrigation Development Guidelines apply.</p>
<b>Question 9</b> <b>Aboriginal Cultural Heritage Requirements</b>	<p>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>.</p> <p>Each application lodged with GMW is required to be assessed to determine if the application requires a Cultural Heritage Management Plan (<b>CHMP</b>) under the <i>Aboriginal Heritage Act 2007</i>. A CHMP is a written report prepared by a Heritage Advisor which contains the results of an assessment of the potential impact of a proposed activity or works on Aboriginal cultural heritage.</p> <p>A CHMP is required for an activity if:</p> <ul style="list-style-type: none"> <li>▪ all or part of the activity is in an area of cultural heritage sensitivity. A waterway or land within 200m of a waterway may be considered an area of cultural heritage sensitivity; and</li> <li>▪ all or part of the activity is a high impact activity.</li> </ul> <p>If the proposed activity is not an exempt activity then you must provide clear documented proof that it meets the exemptions from the requirement to prepare a CHMP, as specified in the Act and Regulations.</p> <p>A CHMP may be required prior to commencing any works.</p> <p>In circumstances where a CHMP is required, GMW cannot grant an application without an approved CHMP. Therefore, it is important that you are aware of your obligations under the Act and its Regulations.</p>
<b>Question 10</b> <b>Declaration of Applicant/s</b>	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.

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.

**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](http://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).

## Assistance with completing the application form for Permanent or Temporary Trade

### Seller:

<b>Question 1</b> <b>Application type</b>	It is important to indicate whether you applying for; <ul style="list-style-type: none"> <li>• Permanent Trade; or</li> <li>• Temporary Trade</li> <li>• Multiyear trade up to 5 years (only applies to temporary trade)</li> </ul>
<b>Question 2</b> <b>Licence Details</b>	Please provide the licence number for the licence to be transferred. If you do not have this number please contact the Licensing Unit to obtain the number for your licence. GMW may require you to verify your identity prior to providing this information
<b>Question 3</b> <b>Agent Details (eg Broker or Solicitor)</b>	If you have a solicitor or broker acting on your behalf, you must complete this section. GMW will send your nominated agent a copy of the licence.
<b>Question 4</b> <b>Applicant/s details (seller's)</b>	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.
<b>Question 5</b> <b>Volume to be transferred by seller</b>	Please provide the total volume of the existing licence and the volume that is being transferred to the buyer. Please note the whole volume of the transfer must be unused for the current season. This will authorise GMW to surrender your existing licence as indicated in question 1 (licence details).
<b>Question 6</b> <b>Declaration of Applicant/s</b>	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.

### Buyer:

<b>Question 7</b> <b>Applicant/s details (buyers)</b>	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.
<b>Question 8</b> <b>Provide licence details where the water is to be transferred to (buyer)</b>	Provide the buyers licence number and the existing volume of the licence in ML.
<b>Question 9</b> <b>Declaration of Applicant/s</b>	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.



## 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.

## General information and explanatory notes for Permanent or Temporary Trading

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

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

### What are the rules relating to the Permanent transfer of a licence?

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

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

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

### What are the rules relating to the Temporary transfer of a licence?

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

- The transfer of entitlement is limited to the term of the current financial year. The transferred volume reverts back to the sellers Licence on 1 July in the following year unless a multi year trade in is progress. Any volume transferred to a licence for one year cannot be transferred on to another licence.
- Temporary transfers are permitted downstream on the same stream, may be subject to a reduction in the transferred volume of 20%.
- Transfer of a licence is not permitted to or from farm dams unless there is a standard Licence to Take and Use Water has been issued. A registration licence can be converted to a standard Licence upon request to GMW. Please contact the Licensing Unit for further information.
- If a licence has been issued with a winter-fill condition, it cannot be transferred to a licence which has been issued as an all-year licence.
- All transfers into unregulated sub-catchments are subjected to an assessment against the sustainable diversion limit to determine whether they can be permitted. If your sub catchment is fully committed you will only be allowed to transfer from another licence within your sub catchment.
- Water cannot be used by the buyer until the transfer has been approved and GMW has notified all parties in writing.

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

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

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

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

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

### Why are there different application fees?

The fee structure reflects the cost of the work required by GMW to assess and determine applications for temporary licence transfers in accordance with its legal obligations.

**Tier 1:**

An application to transfer a volume to a downstream user on the same stream is generally considered to have a lower risk of impacting other users or the environment and only requires a Tier 1 assessment.

**Tier 2:**

Applications for transfers in which entitlement is to be transferred upstream or off the source stream require a Tier 2 assessment which includes a site inspection and technical assessment.

When assessing an application for the temporary transfer of a licence GMW must consider any impacts on existing authorised users of water and the environment. When the application is lodged it will be assessed initially to determine whether the transfer of water poses a risk of having any adverse impacts on existing users and the environment by determining a sustainable diversion limit and a minimum passing flow requirement.

If this assessment indicates that there is a potential risk of impacting other users or the environment additional information will be required from the applicant. GMW may require that technical investigations, hydrological assessments and/or ecological assessments are undertaken to demonstrate that the proposal will not adversely impact upon existing authorised water users and the environment. Completion of this work, if applicable, will be required before the transfer of groundwater entitlement is considered. Please note that the costs of any technical work are paid by the applicant. If you are required to undertake such work you will be notified by GMW. A fee may be applicable to review the additional information supplied by the applicant.

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

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

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

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

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

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

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

The temporary transfer of a licence involves the transfer of the requested licence volume from the sellers licence to the buyers for a period of up to one year, and takes into account any restrictions that may be in place.

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

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

## 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**

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](http://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: .....	Name: .....
Position: .....	Position: .....
Address: .....	Address: .....
.....	.....
.....	.....
Date: .....	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](http://www.gmwater.com.au) or call 1800 013 357 to obtain a copy of this policy.



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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 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

Application number:

\_\_\_\_\_

Property Owner:

\_\_\_\_\_

Property Address:

\_\_\_\_\_

\_\_\_\_\_

Phone number:

\_\_\_\_\_

**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](http://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.