

Application to Renew / Transfer or Vary an existing Licence (Seasonal Tour Operator)

(Commercial Use Only)

What is this application form used for?

This application should be used to apply to renew, transfer or vary an existing Seasonal Tour Operation Licence to operate a commercial business or activity on land or storage owned or managed by Goulburn-Murray Water (GMW). Commercial licences are issued pursuant to the *Water Act 1989*, Section 132 or under *Crown Land (Reserves) Act 1978*, Section 17B and Regulations.

You will need to **renew** a licence upon expiration

You will need to **transfer** a licence due to:

- change in ownership of the Licensees business.
- change in name/s (Company Directors/Shareholding).

You will need to **vary** a licence due to:

- amending licence particulars **without** additional works or structures. eg. varying the licence area, or approved vessels etc.
- requesting approval for additional works and structures (including the replacement of existing structures) on the licenced area.
- removing approved structures.

Please allow a minimum of 6-8 weeks from receipt of completed application and fees for processing.

Please note, if your application is approved, you will need to pay an Annual Licence Fee.

Completing this form:

- Complete this form in full ensuring all relevant information is provided.
- Complete the application checklist on the final page. The checklist will assist you with providing additional information required upon application. Incorrect or incomplete information may result in processing delays or your application being refused.
- **Fees:** Refer to a list of applicable application fees for **Property Services – Recreation and Land Management Miscellaneous Fees - [HERE](#)**
 - **PS004 – Application to Renew Licence, Transfer or Vary an existing Licence (Seasonal Tour Operator)**
 - Company search
 - Further **Additional Charges** may be incurred if GMW are required to review additional information or undertake further technical assessment.
 - Site assessment and supervision fee for construction of approved works
 - Works Refundable Security Deposit
 - Technical Advice for High Risk or Complex Applications
 - Copy of record
 - Title search
 - GMW accepts cheque or credit card. A credit card form for application payments is available [HERE](#) (Customer Services – Forms - My Bills and Details - Credit Card Payment Application Form)
 - Send the application form, all supporting information and fees to:
Goulburn-Murray Water, C/- Property Services, PO Box 165, TATURA, VIC 3616
or email to propertylanddealings@gmwater.com.au

PLEASE ALLOW A MINIMUM OF 6-8 WEEKS FROM RECEIPT OF APPLICATION & FEES FOR PROCESSING

For further assistance contact Property Services - Telephone: 1800 013 357

Email: propertylanddealings@gmwater.com.au

1. DETAILS OF CURRENT LICENCE

1.1 Licence holders details

Please list full names, initials are not acceptable.

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

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

Postal address:

..... Post Code:.....

Telephone number: () Mobile number:

Email:

1.2 Details of the licence

If you have more than one existing agreement associated with this application, please note all Lease/Licence details here.

Agreement #	Property #	Description

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

1.3 Description of licensee's property attached to the licenced area (if applicable)

Property address:

Town/Suburb.....

Certificate of Title Volume: Folio: Lot No.: Plan No.: PS/TP/LP/PC.....

Crown Allotment: Section: Parish:

1.4 Description of the licenced area (if applicable)

Property address:

Town/Suburb.....

Certificate of Title Volume: Folio: Lot No.: Plan No.: PS/TP/LP/PC.....

Crown Allotment: Section: Parish:

A site map showing the area of operation must be included with this application

1.5 Storage that the Licensee's property adjoins (if applicable)

- | | | |
|--|--|--|
| <input type="checkbox"/> Lake Eildon | <input type="checkbox"/> Goulburn Weir | <input type="checkbox"/> Lake Nillahcootie |
| <input type="checkbox"/> Waranga Basin | <input type="checkbox"/> Lake Hume | <input type="checkbox"/> Laanecoorie |
| <input type="checkbox"/> Lake Eppalock | <input type="checkbox"/> Lake Mulwala (Yarrawonga) | <input type="checkbox"/> Cairn Curran |
| <input type="checkbox"/> Other _____ | | |

1.6 Reason for application

- | | |
|---|------------------------|
| <input type="checkbox"/> Application to Renew an expired Seasonal Tour Operator Licence | Go To Section 2 |
| <input type="checkbox"/> Transfer Licence due to sale of Licensee's property or business | Go To Section 3 |
| <input type="checkbox"/> Transfer Licence due to change of name or shareholding | Go To Section 4 |
| <input type="checkbox"/> Vary Licence – request a change to the licence particulars (does not include any works/structures) | Go To Section 5 |
| <input type="checkbox"/> Vary Licence – additional Approved Structures to be included | Go To Section 6 |
| <input type="checkbox"/> Vary Licence – removal and/or replacement of some existing Approved Structures | Go To Section 7 |
| <input type="checkbox"/> Other – contact GMW Property Services to discuss your circumstances before completing this form | |

Once you have filled out the relevant section, you must complete the declaration in Section 8

2. RENEWAL

Upon application to renew an expired Occupation Licence, GMW will assess the application at its discretion and consider the future use of the land. The application may not be approved.

3. TRANSFER LICENCE DUE TO SALE OF LICENSEE'S PROPERTY OR BUSINESS

3.1 Licence transfer requirement

GMW may approve a Licence transfer provided:-

- All current licence fees are paid.
- All Licence conditions are complied with.
- Any Approved Structures are safe, sound and comply with GMW standards and specifications.
- If a structure requires work to make it safe or compliant with GMW standards and specifications, GMW will issue a works notice. The transfer will not be approved until this is satisfied.
- If GMW assess that a structure is not able to be made safe or compliant or the Licensee does not intend to make the structure safe or compliant, the Licensee will be required to remove it and reinstate the land before the Licence transfer will be approved. The removal will require GMW's approval.

3.2 Details of transferee (new Licensee)

Please list full names of all Transferees / Company Name

All new business operators are to be included as Transferees.

Transferee No 1: (Individual or company name)

Transferee No 2: (Individual or company name)

Additional transferees:

Postal Address:

Telephone number: () Mobile Number

Email:

Date you will take possession of the business:/...../.....

The following information must be attached to the application:-

- A current (not less than 3 months old) Company Search (if applicable).
- A Business Case or plan and 5 year Business Plan, including evidence of appropriate project management measures to be implemented, including Safe Work Method, Job Safety Analysis, OHS Policy and Procedure, environmental controls and evidence of appropriate training and certification of mobile plant operators, any relevant licences or permits etc.
- 3 Business references as evidence of capability to operate a business.
- 2 testimonials or evidence of financial solvency.

- Evidence of public liability insurance for no less than \$20 million. The policy must note Goulburn-Murray Water as an Interested Party and be extended to cover the licensed area.
- A risk assessment which is site specific to the proposed location to ensure the specified site is free of hazards, does not impact other users (i.e. clash with houseboats, tour operators, impact GMW access to its operational plant).
- Evidence that operating staff have appropriate training and hold the appropriate qualifications, licences, etc. (if applicable).
- A proposed emergency management plan.
- Approval from other statutory authorities, as applicable (Local Government, Transport Safety Victoria, NSW Roads & Maritime etc.).
- If you intend operating from within a leased area, (eg. Marina), you will be required to provide a letter of support from the Lessee.

3.3 Transferee's Declaration

Public Liability Insurance

Licensees are required to hold Public Liability insurance of at least \$20 million. The Transferee will need to comply with this requirement. Please check the box to confirm you can comply with GMW's insurance requirements.

- ☐ I/We understand and acknowledge that I/we will provide (upon approval of transfer) a Certificate of Currency for Public Liability not less than \$20million which will note GMW as an Interested party and be extended to include the licence area.

Aboriginal Cultural Heritage

Each **application for works** lodged with GMW is required to be assessed to determine if the application requires a Cultural Heritage Management Plan (**CHMP**) under the *Aboriginal Heritage Act 2007*. 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.

A CHMP is required for an activity if:

- 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
- all or part of the activity is a high impact activity.

If the proposed activity is not an exempt activity then an applicant must provide clear documented proof that they meet the exemptions from the requirement to prepare a CHMP, as specified in the Act and Regulations.

A CHMP may be required prior to commencing any works.

In circumstances where a CHMP is required, GMW cannot grant an application without an approved CHMP. Therefore, it is important an applicant is aware of their obligations under the Act and its Regulations.

A CHMP may NOT be required for an activity if:

- **The site is not in an area of Cultural Heritage Sensitivity:**
Check if the site of your works is subject to a CHMP - Cultural Heritage Sensitivity map - <https://achris.vic.gov.au/#/onlinemap>
- **Site has been subject to significant ground disturbance:**
Evidence must be provided why the site is already subject to significant ground disturbance. Significant ground disturbance means disturbance of:
 - (a) the topsoil or surface rock layer of the ground; or
 - (b) a waterway— by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping.

- **Works that are Minor Works:**
 - (a) fences or freestanding walls;
 - (b) temporary seating structures, stages or platforms.
- **Demolition or Removal of Works:**
The demolition or removal of a building is an exempt activity.

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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You may also wish to seek a cultural heritage due diligence assessment from a Heritage Adviser. You can find a list of Heritage Advisors at <https://www.aboriginalvictoria.vic.gov.au> (Heritage).

In Victoria, Aboriginal cultural heritage is protected and managed under the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2007*. A waterway or land within 200m of a waterway may be considered an area of cultural heritage sensitivity. You can find further information at <https://www.aboriginalvictoria.vic.gov.au> (Heritage) and <https://achris.vic.gov.au/#/onlinemap>

☐ I/ we are aware of my/our obligations and agree to fulfil the obligations under the *Aboriginal Cultural Heritage Act 2006* and *Aboriginal Heritage Regulations 2007* in relation to any works associated with this licence.

By signing this application, the Transferee/s agrees that, on transfer of the Licence, they accept all obligations and abide by the terms and conditions of the Licence.

Transferee 1: Date:/...../..... Signature: Printed name: ACN No: (If a Company) Position (eg director):	Transferee 2: Date:/...../..... Signature: Printed name: ACN No: (If a Company) Position (eg director):
Additional Transferee: Date:/...../..... Signature: Printed name: ACN No: (If a Company) Position (eg director):	Additional Transferee: Date:/...../..... Signature: Printed name: ACN No: (If a Company) Position (eg director):

4. TRANSFER LICENCE DUE TO CHANGE OF SHAREHOLDING

4.1 Details of Transferee

Provide the details of the change to name or shareholdings relevant to the Licence Transfer:

Transferee Name:

ACN No (if applicable): Position (eg Director):

Signature(s).....Date:...../...../.....

Printed name:

Signature(s).....Date:/...../.....

Printed name:

Provide evidence of change to names or shareholdings

5. VARY LICENCE - REQUEST A CHANGE TO THE LICENCE PARTICULARS

Describe any variation/s to the existing licence which does not include works/structures

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6. VARY LICENCE - DETAILS OF PROPOSED NEW STRUCTURES

If you are applying to undertake works or place new structures on the Licence Area, please complete this section.

A Works Approval must be issued prior to any works commencing. A Security Deposit and Supervision Fee apply. These are reviewed by GMW based on risk of the works impacting GMW assets and services. The fees are assessed prior to approval of the works and you will be advised.

The licence will be varied to include the additional Approved Structures and the annual Licence fees will be adjusted accordingly.

You must also complete the appropriate Aboriginal Cultural Heritage declaration – Transferees at Section 3.3 and existing Licensees/Transferors at Section 8.

Proposed structures:

List all proposed structures to be placed on GMW land or adjoining waterway (proposed licence area)

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Design plans for structures

Please attach a copy of the full colour design plans A3 size, including a locality/site plan of the area which you propose to construct the works.

If applicable, the plans must also indicate the property boundary, GMWs foreshore land and where the water line begins.

APPLICATIONS WILL NOT BE PROCESSED UNTIL WE RECEIVE DESIGN PLANS FOR APPROVAL

Management of works

Please provide evidence of appropriate project management measures to be implemented, including Safe Work Method Statements, Job Safety Analysis, environmental controls and evidence of appropriate training and certification of mobile plant operators etc.

Contractors who will be undertaking the works will need to provide a certificate of Public Liability Insurance for a minimum of \$20 million. Please attach.

7. VARY LICENCE – REMOVE OR REPLACE EXISTING APPROVED STRUCTURES

If you intend removing existing Approved Structures you should apply to vary the Licence so that you comply with the licence conditions. GMW may need to provide a Works Approval prior to work commencing and will inspect the Licence Area once works are finished to confirm that the site has been reinstated prior to varying the Licence.

Please complete the applicable below.

Existing Structures

Please note any existing structures or assets you would like to remove or replace from the Licence area, noting if they will be replaced.

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Please attach photos of structures to be removed

You must also complete the appropriate Aboriginal Cultural Heritage declaration – Transferees at Section 3.3 and existing Licensees/Transferors at Section 8.

8. DECLARATION OF APPLICANT/S (CURRENT LICENCE HOLDER)

Aboriginal Cultural Heritage

Each **application for works** lodged with GMW is required to be assessed to determine if the application requires a Cultural Heritage Management Plan (**CHMP**) under the *Aboriginal Heritage Act 2007*. 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.

A CHMP is required for an activity if:

- 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
- all or part of the activity is a high impact activity.

If the proposed activity is not an exempt activity then an applicant must provide clear documented proof that they meet the exemptions from the requirement to prepare a CHMP, as specified in the Act and Regulations.

A CHMP may be required prior to commencing any works.

In circumstances where a CHMP is required, GMW cannot grant an application without an approved CHMP. Therefore, it is important an applicant is aware of their obligations under the Act and its Regulations.

A CHMP may NOT be required for an activity if:

- **The site is not in an area of Cultural Heritage Sensitivity:**
Check if the site of your works is subject to a CHMP - Cultural Heritage Sensitivity map - <https://achris.vic.gov.au/#/onlinemap>
- **Site has been subject to significant ground disturbance:**
Evidence must be provided why the site is already subject to significant ground disturbance.
Significant ground disturbance means disturbance of:
 - (b) the topsoil or surface rock layer of the ground; or
 - (b) a waterway— by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping.
- **Works that are Minor Works:**
 - (a) fences or freestanding walls;
 - (b) temporary seating structures, stages or platforms.
- **Demolition or Removal of Works:**
The demolition or removal of a building is an exempt activity.
- **Construction of a Jetty:**
The construction of a jetty is an exempt activity if the jetty:
 - (a) is constructed on
 - (i) land used for only one dwelling; or
 - (ii) land abutting land used for only one dwelling; and
 - (c) is to be used only by the occupier of the dwelling.

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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You may also wish to seek a cultural heritage due diligence assessment from a Heritage Adviser. You can find a list of Heritage Advisors at <https://www.aboriginalvictoria.vic.gov.au> (Heritage).

☐ I/ we are aware of and have fulfilled my/our obligations under the *Aboriginal Cultural Heritage Act 2006* and *Aboriginal Heritage Regulations 2007*, in relation to the construction or alteration of any works associated with this licence.

Public Liability Insurance

Licensees are required to hold Public Liability insurance of at least \$20 million.

Provide a Certificate of Currency for Public Liability not less than \$20million which notes GMW as an Interested party and is extended to include the licence area.

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

I/we 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/we approve Goulburn-Murray Water to have discussions with relevant third parties such as local government agencies or other relevant authorities as necessary.

Applicant 1. Date:/...../..... Signature: Printed name: ACN No: (If a Company) Position (eg director):	Applicant 2: Date:/...../..... Signature: Printed name: ACN No: (If a Company) Position (eg director):
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Protecting your privacy

Goulburn-Murray Water (GMW) collects, holds and manages personal information under the Privacy and Data Protection Act 2014 (Vic). Your personal information collected on this form will be used for the purpose of processing and administering this application and updating GMW's records. Information collected is usually disclosed to staff involved in processing your application, contractors and other relevant GMW staff. At times, GMW may be legally required to disclose personal information, for instance to the police, courts or other authorized organization. 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 under the Freedom of Information Act 1989 (Vic). For further information please refer to GMW's Privacy Policy at www.gmwater.com.au or call 1800 013 357 to obtain a copy of this policy.

This Application to Renew, Transfer, Vary or Cancel the Licence is approved subject to the following terms and conditions.

1. TRANSFER

- a. The Licensee transfers the Licence to the Transferee with all Further Terms (if any). The Transferee will hold the Licence from the Transfer Date.
- b. If the Licensee is not the Licensee named in the Licence, the Licensee promises that it has become the Licensee by previous valid transfers of the Licence.

2. VALIDITY OF LICENCE

The Licensee promises that on the Transfer Date the Licence and the Options are valid and no changes have been made to them.

3. TRANSFEE ACCEPTS OBLIGATIONS

The Transferee must pay the Licence Fee and do everything else required by the Licence for the remainder of the Licence and during any period it stays in possession after it ends.

4. VARIATION OF LICENCE

The Licensee acknowledges the general and special conditions set out in the licence will apply to the approved variations outlined in this application.

5. THE LICENSOR PROMISES

The LICENSOR (GMW) —

- a. promises that, if it is not the Licensor named in the Licence, it is now the Corporation entitled to take possession of the Licensed Area if the Licence ends, and
- b. has the authority to consents to this transfer

6. INTERPRETATION

This transfer is binding on —

- a. individuals, executors and administrators
- b. corporations, liquidators and administrators
- c. anyone to whom the persons affected by this transfer of Licence transfer their rights under it.

In interpreting this transfer —

- a. singular words include plural and vice versa, and
- b. words expressed in one gender include all genders.

7. OBLIGATIONS JOINT AND INDIVIDUAL

If any person named is made up of more than one individual or corporation, they must all perform their obligations under this transfer jointly and each individual must also perform them.

Date of Approval: ____/____/____

SIGNED FOR AND ON BEHALF of GOULBURN-MURRAY RURAL WATER CORPORATION by an authorised officer

Signature:

Print Name:

In the presence of:

Witness Signature:

Print Name:

Application Checklist - submit with Application

Please complete to ensure all required information is included in your application. Incomplete applications will not be processed

SECTION 1: - Existing Occupation Licence Details

Checks	Current Licensee's Name/s:

<input type="checkbox"/>	Attach a copy of existing Licence(s)

Fees - Refer to the following link for a list of all applicable application fees - Recreation and Land Management Miscellaneous Fees - <https://www.g-mwater.com.au/customer-services/pricing/price-list>

<input type="checkbox"/>	PS004 – Application fee to Renew, Transfer or Vary is attached – <i>This is a non-refundable application processing fee.</i>	Payments attached \$.....
<input type="checkbox"/>	If works are required, payment is attached for: <ul style="list-style-type: none"> Site assessment & supervision fee for construction of approved works; & Works Refundable Security Deposit 	\$..... \$.....
<input type="checkbox"/> Or <input type="checkbox"/>	Title search fee Attach a copy of your property's Certificate of Title/s (Registered Search Statement & Plan) produced within the last three months I/we require GMW to obtain title searches and have attached payment <i>Note: For Transfer due to the sale of property, refer to Checklist - Section 3.</i>	\$.....
<input type="checkbox"/> Or <input type="checkbox"/> Or <input type="checkbox"/>	Company search fee (or attach a Company Extract not older than 3 months) Attach a copy of the current Company Extract produced within the last three months if applicant is a Company - I/we require GMW to obtain a Company Extract and have attached payment Not applicable (registered proprietor is not a company)	\$.....
<input type="checkbox"/>	TOTAL PAYMENT ENCLOSED: Payment by cheque or credit card is accepted. A credit card payment authority form can be found at www.g-mwater.com.au/customer-services/forms	\$.....

SECTION 2: – Renewal

<input type="checkbox"/>	Provide images of the licensed area
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SECTION 3: – Transfer of Licence due to sale of property or business

<input type="checkbox"/>	Current fees are up to date and paid? If not, please attach payment.
<input type="checkbox"/>	Attach evidence of the change of ownership to which the Licence applies.
<input type="checkbox"/>	A current (not less than 3 months old) Company Search.
<input type="checkbox"/>	Attach a Business Case or Plan and 5 year Business Plan.

<input type="checkbox"/>	Attach 3 Business references as evidence of capability to operate a business.
<input type="checkbox"/>	Attach 2 testimonials or evidence of financial solvency.
<input type="checkbox"/>	Attach evidence of public liability insurance for no less than \$20 million. The policy must note Goulburn-Murray Water as an Interested Party and be extended to cover the licensed area.
<input type="checkbox"/>	Attach a risk assessment which is site specific to the proposed location.
<input type="checkbox"/>	Attach evidence that operating staff have appropriate training/qualifications/licences, etc. (if applicable).
<input type="checkbox"/>	Attach the proposed emergency management plan.
<input type="checkbox"/>	Attach approvals from other statutory authorities, as applicable.
<input type="checkbox"/>	Attach letter of support from current Lessee if you intend to operate within a Leased area.
<input type="checkbox"/>	OR Not applicable.
<input type="checkbox"/>	The Transferee has arranged Public Liability Insurance for at least \$20 million and will have noted GMW as an interested party on the policy on approval of the transfer.
<input type="checkbox"/>	The Transferee has completed the Aboriginal Cultural Heritage checkboxes and components.
<input type="checkbox"/>	The Transferee(s) have signed the Transferee's Declaration.
SECTION 4: - Vary Licence – Change to shareholding	
<input type="checkbox"/>	Attach evidence of change to Names or Shareholdings
SECTION 6: - Vary Licence – New Structures	
<input type="checkbox"/>	Details of all proposed works/changes are included
<input type="checkbox"/>	Attach full colour design plans – A3 size
<input type="checkbox"/>	Attach evidence of project management measures
<input type="checkbox"/>	Attach a site map of the proposed licence area
<input type="checkbox"/>	Details of any existing unlicensed structures are included
<input type="checkbox"/>	Attach photos of existing structures if applicable
SECTION 7: - Vary Licence – removal of some existing Approved Structures	
<input type="checkbox"/>	Attach photos of structures to be removed
SECTION 8: - Declaration	
<input type="checkbox"/>	The declaration signed by ALL persons named on the current Licence and confirmed acknowledgements by checking boxes in this section