

APPLICATION FORM 90



Licence to Construct Surfacewater Works for a Licensable Purpose (new, alter, renewal, transfer and decommission)

This application is only to be used for unregulated surfacewater.

What is this application form for?

Use this form to make application for a Licence to Construct or Alter works for the purpose of extracting water for a licensable purpose such as irrigation/commercial/dairy etc. use.

This application form incorporates provision for an application for:

- Licence to construct works for new, alter and decommission section 67 *Water Act 1989* (Vic)
- Renewal of a Licence to Construct or Licence to Alter Works section 72 *Water Act 1989* (Vic)
- Amendment to a Licence to Construct or Licence to Alter Works section 73 *Water Act 1989* (Vic)
- Transfer of a Licence to Construct or Licence to Alter Works section 74 *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 and documentation is provided including copies of title and company extracts (if applicable).
- The Application has been completed, signed by **ALL** persons listed on the land title/s, and is attached.
- Send the form, any required documentation and the application fee to: Goulburn-Murray Water, PO Box 165, TATURA, VIC 3616 or email to licensingadmin@gmwater.com.au

Goulburn-Murray Water accepts payment by cheque or credit card.

1. APPLICATION TYPE

What type of work is the licence for?

- Pump Gravity diversion

Are you applying for a Works Licence to?

- Construct works Remove works
- Alter works Renewal of construct only
- Decommission works

Are you adding the new Works to an existing Licence?

- No
- Yes **Work Licence No. WLE.....**

If yes, forms will be sent by GMW to amend the Take & Use and Works Licence. Additional fees will apply.

2. APPLICANT DETAILS & DECLARATION

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.

Please list full names, initials are not acceptable

Applicant No 1: (print name)

Date of Birth:

Signature of applicant 1 **Date:**

Applicant No 2: (print name)

Date of Birth:

Signature of applicant 2 **Date:**

Applicant No 3: (print name)

Date of Birth:

Signature of applicant 3 Date:

Applicant No 4: (print name)

Date of Birth:

Signature of applicant 4 Date:

Postal Address:

..... Postcode:

Telephone number: () Mobile number:

Email:

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 processing your application. Your personal Information is collected on this form and will be used for the purpose of processing this application and updating our records. Information collected is usually disclosed to staff involved in processing your application, contractors, GMW staff and other agencies such as the Water Register, The Department of Environment, Land, Water and Planning and the relevant Catchment Management Authority and Local Council (where applicable) for the purposes of processing of your application. Failure to provide any of the information sought may result in processing delays or refusal of your application. At times GMW may be legally required to disclose personal information, for instance to the police, courts or other authorized organizations. You may gain access to and correct your personal information under the Freedom of Information Act 1982. 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.

3. CONSULTANT DETAILS

Company Name

Contact Person:

Postal Address:

Postcode:

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

Fax Number: Email:

4. DESCRIPTION OF LAND ON WHICH THE WORKS WILL BE CONSTRUCTED

Property address:

Property description

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

5. DESCRIPTION OF LAND ON WHICH THE WORKS WILL BE USED

Property address:

Property description

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).

If the land listed above is Crown land (Road Reserve etc) documented consent and/or permits from the relevant authorities (e.g. VicRoads, DSE, Shire etc) must accompany this application.

6. PURPOSE OF WATER

- Irrigation (area to be irrigated
(ha)
- Dairy
- Commercial or Industrial use*
- Domestic and Stock

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

7. PROPOSED FUTURE LICENCE VOLUME (As part of a future application for a Licence to Take and Use Water)

Proposed licence volume:..... Proposed extraction rate:

8. IRRIGATION DEVELOPMENT GUIDELINES

Please tick the most appropriate statement for your application:

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

9. ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Please tick the most appropriate statement for your application:

Please refer to the General information and explanatory notes prior to completing this section.

- 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 [Choose a heritage advisor | First Peoples - State Relations \(firstpeoplesrelations.vic.gov.au\)](http://firstpeoplesrelations.vic.gov.au)

DECLARATION OF COMPANY

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.

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/Secretary (Signature)

Name:

Name:

Position:.....

Position:

Address:

Address:

.....

.....

.....

.....

Date:

Date:

Protecting your privacy

Goulburn-Murray Water (GMW) protects your privacy by collecting and handling your personal information in accordance with the requirements of the *Privacy & Data Protection Act 2014*. Your personal information is collected on this form and will be used for the purpose of administering this application and updating our records. Information collected is usually disclosed to staff involved in processing your application, contractors, connection staff and other relevant GMW staff. Failure to provide the information sought may result in processing delays or non acceptance of your application. It may also limit our ability to be able to provide various programs or services. You may gain access to and correct your personal information. For further information please refer to our Privacy Policy at www.gmwater.com.au or call 1800 013 357 to obtain a copy of this policy.

ANNEXURE 1

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

If an application for a licence includes land owned or occupied by a party other than the proposed licensee/s applicants must provide consent from land owners, occupiers or the relevant Crown Land Manager

I / We (print names):

Of (Postal Address):

being the legal owners/ occupiers/ Crown Land Manager of the land known as:

Property address:

Property description

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 of constructing works.

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

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

Print Name(s)

Date:

*** If there is an agreement in place please provide a copy with this application**

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

ANNEXURE 1

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

Declaration of Company:

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

Signed by Company (name)

ACN

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

.....

Director (Signature)

Director/Secretary (Signature)

Name:

Name:

Position:.....

Position:

Address:

Address:

.....

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.....

.....

Date:

Date:

ANNEXURE 2

AUTHORISATION FOR AGENT TO COMPLETE AND SIGN APPLICATION ON BEHALF OF APPLICANT/S

Please complete this form if a consultant or agent is making application for a licence on behalf of another party.

I / We (*print name*):

Of (*Postal Address*):

Authorise:
(name of authorised agent)

Of
(consultancy company/ business name)

(*Postal Address*):
(Address of consultancy)

to make application for a Licence to Construct Works on my/our behalf.

Signature(s):

Print Name(s) & position (if a company/organisation is the applicant):

.....

Date:

Please refer to the application notes for information about who should sign this application.

Protecting your privacy

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Assistance with completing the application form

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 (free call from most fixed line phones)

Facsimile: (03) 5826 3334

Email: licensingadmin@gmwater.com.au

<p>Question 1 Work Details</p>	<p>Please indicate what type of works is the licence for.</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>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. • Contacting your solicitor or legal advisor to conduct the search on your behalf (fees may apply).
<p>Question 3 Consultant details</p>	<p>If a consultant will be co-ordinating the works, please provide consultant name and details and they will receive the documentation. You will need to complete Annexure 2 – Agent Authorisation.</p>
<p>Question 4 Description of land on which the work/s will be constructed</p>	<p>Applicants must provide details of the land/s where the work/s will to be constructed. The current ownership of this land must also be verified.</p> <p>To ensure this information is accurate GMW requires a current copy of the title/s for all land. If the work/s are located on land that is not in the applicant's ownership, written consent from the landowner also is required. Please complete Annexure 1 – please provide the consent of the occupier of the land or the Crown Land Manager (if an agreement has been undertaken between occupier and owner please provide a copy with your application)</p> <p>A Registered Title Search for each separate title must be provided. Rates notices will not be accepted.</p> <p>An example of an acceptable Registered Title Search is attached.</p> <p>How can I obtain a copy of my Registered Title Search? You can obtain a registered title search (see attached example of the correct search) by:</p> <ul style="list-style-type: none"> • Accessing the Land Titles office via the internet at www.land.vic.gov.au or phone (03) 8636 2456 • Contacting your solicitor or legal advisor to conduct the search/s on your behalf (fees may apply)
<p>Question 5 Description of land on which the work/s will be used</p>	<p>Please provide details of the land/s where the work/s will be used. The current ownership of this land must also be verified. To ensure this information is accurate GMW requires a current copy of the title/s for all land. If the work/s 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 for this purpose.</p>

<p>Question 6 Purpose of Water</p>	<p>While a Licence to Construct Works does not authorise the extraction of water for any licensable purpose applicants must provide details on the intended future use of the water.</p> <p>If the future use of the works is irrigation, commercial, Industrial, dairy and domestic & stock supply an application for a Licence to Take and Use & Operate Works must be lodged upon completion of the works. A Licence to Take and Use & Operate Works must be approved by GMW prior to water being extracted for any of these purposes.</p>
<p>Question 7 Proposed future licence volume</p>	<p>Please provide details of the volume of water which will be sought in a future application for a Licence to Take and Use Water. In determining a licence volume GMW will consider a number of factors. These may include the proposed use of water, area of land to be irrigated, method of irrigation, and crop type.</p> <p>GMW must also consider any potential impacts on other water users, the environment and water quality. Your proposed future volume will also be influenced by how much your work/s will yield. To calculate water use requirements for irrigation it is advisable that you contact the Department of Environment, Land, Water and Planning (DELWP) for assistance on 136186 or via the web at www.delwp.vic.gov.au</p>
<p>Question 8 Irrigation Development Guidelines</p>	<p>The application may be referred for an Irrigation Development Guidelines Assessment</p> <ol style="list-style-type: none"> I. Where the works are being constructed to deliver water to the land specified in a new licence application; and/or II. Where existing works are being modified, for water to be delivered to the land specified in a licence application that meet one of the following criteria: <ul style="list-style-type: none"> • A proposal to irrigate land that has never been irrigation before; • Application to increase the annual use limit on the land in the current licence, or; • Application to increase the area allowed to be irrigated in the current licence.
<p>Question 9 Aboriginal cultural heritage</p>	<p>Each application lodged with Goulburn-Murray Water is required to be assessed to determine if the application requires a Cultural Heritage Management Plan (CHMP) under the <i>Aboriginal Heritage Act 2006</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> <ol style="list-style-type: none"> 1. 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 2. All or part of the activity is a high impact activity. <p>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.</p> <p>A CHMP may be required prior to commencing works.</p> <p>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.</p>

General information and explanatory notes (retain for future reference)

Why do I need a licence to construct Work/s?

Under the provisions of the *Water Act 1989*, any person who constructs works must obtain a licence prior to commencing.

Can I take and use water from my Work/s when it is completed?

When the works are constructed and equipped you are not permitted to extract water until a Licence to Take and Use Water has been approved by GMW.

I am constructing the Work/s for future irrigation or commercial purposes what are the steps to obtaining a licence to take and use the water?

The process of licensing the construction of work/s and the extraction of water for any licensable purpose involves a number of steps:

- Step 1 Complete this application and lodge with GMW with the application fee. The application will be assessed and if approved, a licence to Construct Works will be issued and you can proceed with the construction of the work/s.
- Step 2 When the works are completed, a notice of outcome must be completed. When this report is received, GMW will forward to you an application for a Licence to Take and Use Water and Operate Works.
- Step 3 Complete the application form and lodge with GMW with the application fee. The application will be assessed and if approved a licence to Take and Use Water and Operate the Works will be issued authorising extraction and use of an annual volume of water from the work/s for the licensed purpose.

Prior to lodging an application for a Licence to Construct Works, GMW recommends that you fully investigate the potential for accessing entitlement and confirm trading rules in your area.

What is 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 2018* (the Regulations). When assessing an application, Goulburn-Murray Water (GMW) is responsible for ensuring that an application complies with the requirements of the Act.

The Regulations require a CHMP for an activity if all or part of the proposed activity is in an area of cultural heritage sensitivity and all or part of the activity is a high impact activity, and no exemptions apply. 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.

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

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

Areas of cultural heritage sensitivity include land within 50 metres of registered cultural heritage places, land within 200 metres of waterways and other locations defined in the Regulations. To determine if the site of your proposed works may be in an area of Cultural Heritage Sensitivity you can access an online mapping tool www.vic.gov.au/aboriginalvictoria/heritage/heritage-tools-and-publications/heritage-tools.html

High impact activities include, among other things:

- the installation of any works affecting an area exceeding 25 square metres;
- a linear project that includes the construction of a pipeline (of any diameter) with a length exceeding 500 metres;
- a linear project with a length exceeding 100 metres (with a pipe diameter not exceeding 150 millimetres).

You can check whether a CHMP is required by accessing the 'Aboriginal Heritage Planning Tool' developed by Aboriginal Victoria. The 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 Registered Aboriginal Party or a Heritage Advisor if you require further assistance.

You can access the Tool at www.vic.gov.au/aboriginalvictoria/heritage/heritage-tools-and-publications 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 assistance

When I apply for a Licence to Take and Use Water and Operate Works how do I calculate the volume I need?

To determine the proposed volume a number of factors may need to be considered. These include the area of land to be irrigated, method of irrigation and crop type. How much your work/s will yield and the type of pump installed should also be considered.

Do I need to amend my existing Licence to include the works?

Yes, once the notice of outcome has been received, GMW will send out an application to amend your existing Licence. Fees will apply.

Why do I need a licence to decommission a Work/s?

Under the provisions of the *Water Act 1989 (Vic)*, any work/s, including the decommissioning must not be carried out until a Licence to Decommission Works has been issued. Licensing this activity ensures that works are carried out correctly and will not pose any ongoing risks to the public safety or the environment. It also ensures that accurate records are kept in relation to the status of works across GMW's region.

What is the process for obtaining a decommissioning licence & what is the cost?

An application will need to be completed. No fee is applicable for a Licence to Decommission Works.

What if I can't get the work completed within the 12 month period of the licence?

If the work has not been completed by the expiry date, the licence may be renewed once only. If works have not been carried out within the licence renewal period, an application for a new licence will be required.

Do I have to advertise my application or notify my neighbor's?

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.

Do I need to notify GMW when the works are completed?

Yes, you should forward the 'Notice of Outcome' provided with your licence document to GMW as soon as works are complete.

What does the application fee cover?

Application fees cover the full cost of undertaking a licence assessment in accordance with GMW's legal obligations under the *Water Act 1989*. This includes administering the application, undertaking a full site inspection, reviewing any submissions made in relation to your application and if required, referring the application for an Irrigation Development Guidelines assessment.

In most cases a technical assessment will be conducted by a GMW to determine if extraction of water may have any potential impacts on other water users in your area or the environment. If your licence is approved your new licence will be recorded in the Victorian Water Register and you will receive a copy of the licence document.

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. If a technical assessment is required, this may delay the decision on our application. If delays are expected you will be notified by GMW. When the decision has been made in relation to your application you will be 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.

More information required

If GMW requires more information a letter will be sent advising of the missing information and/or incorrect information that requires correction. If the applicant(s) do not provide missing information or correct information within two calendar months (from the date of lodgment) the application for the Issue of a Works Licence will lapse and if applicants wish to re-apply a new application must be lodged with another application fee.

Approval of the Application

GMW will send a letter to the applicant advising that the Issue of a Works Licence has been approved. A copy of the Works Licence record will be provided (stating the Works Licence number and all conditions for the licence). If a licence is issued to construct or alter any works and the licence is subject to any condition relating to the future maintenance or operation of the works, a person who operates the works without complying with that condition is guilty of an offence.

Refusal of the Application

GMW will send a letter stating the reasons for the refusal. After refusal, if the applicant(s) wish to re-apply for the Issue of a Works Licence, a new application for the Issue of a Works Licence must be lodged with another application fee.

CREDIT CARD PAYMENT AUTHORITY



Applicant/company name:

.....

Payment for: **Application for Licence to Construct Works Licensable Purpose**

CREDIT CARD DETAILS

Please tick (✓) appropriate card:

MasterCard Visa

Card Number

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

Expiry date _____

Total \$ _____

Cardholder's name

Cardholder's signature

This page is destroyed by Goulburn-Murray Water after the Credit Card transaction has been processed.

Protecting your privacy

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