

# Application for Temporary Transfer (all or part) of a Licence to Take and Use Unregulated Surface Water / Groundwater within the Upper Ovens River Water Supply Protection Area



## What is this application form for?

Use this form to make application to transfer all or part of a Licence to Take and Use Water and Operate Works for the current year under Section 62 *Water Act* 1989 (Vic).

## What to do:

- 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 complete the application form.
- Visit [www.gmwater.com.au](http://www.gmwater.com.au) or contact GMW to access information about temporary transfer rules in the Upper Ovens River Water Supply Protection Area
- Complete the form in full ensuring all relevant information is provided.
- Incorrect information may result in your application being refused.  
**Your application will be returned if it is Ineligible or incomplete.**
- Send or email the form, any required documentation and the application fee to: Goulburn-Murray Water, PO Box 165, TATURA, VIC 3616 or email to [licensingadmin@gmwater.com.au](mailto:licensingadmin@gmwater.com.au)
- Goulburn-Murray Water accepts payment by cheque or credit card.
- Application fee for Tier 1 is \$210.00
- Application fee for Tier 2 is \$600.00

**Note: Refer to explanatory notes which fee will apply to your application**

**Please Note:** If the seller or buyer is a company you will be required to submit a copy of the current Company Extract produced within the last twelve months. GMW can obtain a Company Extract on your behalf at a cost of \$30.00 per search

# Part 1 – Sellers Licence Information

## 1. LICENCE DETAILS

Licence No: ..... BEE number if Known: BEE .....  
Management Zone: ..... Surface Water  OR Groundwater  (please tick)

## 2. AGENTS DETAILS ( Broker or Solicitor)

Contact person: .....  
Postal Address: .....  
..... Postcode: .....  
Telephone number: ( ) ..... Mobile number: .....  
Fax Number: ..... Email: .....

## 3. APPLICANT/S 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: ...../...../.....

Applicant No 4: (Individual or company name).....  
Date of Birth: ...../...../.....

Postal Address: .....  
..... Postcode: .....

Telephone number: ( ) ..... Mobile number: .....  
Fax Number: ..... Email: .....

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

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

Total monetary Consideration (\$) .....

*(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? (please circle) Yes No

Have you used water in the current irrigation season? (please circle) Yes No

Service Point Number:..... Sellers Meter Reading: ..... (time of transfer)

Service Point Number:..... Sellers Meter Reading: ..... (time of transfer)

Service Point Number:..... Sellers Meter Reading: ..... (time of transfer)

Meter Reading Date: ..... Note: If additional service points are required please attach a separate list to this application.

**5. 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. I approve GMW to have discussions with relevant third parties such as the Irrigation Designer, Engineers and Contractors as necessary.

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

Printed name: .....

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

Printed name: .....

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

Printed name: .....

**Signature of applicant 4** ..... Date: .....

Printed name: .....

**DECLARATION OF COMPANY**

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

## Part 2 – Buyers Licence Information

### 6. 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: .....

### 7. LICENCE DETAILS WHERE THE WATER IS BEING TRANSFERRED TO (Buyer)

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

Buyers existing licence volume: .....ML

### 8. VOLUME TO BE TRANSFERRED TO BUYER

Volume to be transferred: .....ML Proposed new adjusted licence volume: .....ML  
(=current volume + purchased volume)

### 9. DESCRIPTION OF LAND ON WHICH THE WATER IS TO BE TAKEN AND USED BY THE BUYER

Property address: .....

Vol.: .....Fol: .....Lot No: .....Plan No: .....Crown Allotment: .....Section:.....

Vol.: .....Fol: .....Lot No: .....Plan No: .....Crown Allotment: .....Section:.....

Vol.: .....Fol: .....Lot No: .....Plan No: .....Crown Allotment: .....Section:.....

Vol.: .....Fol: .....Lot No: .....Plan No: .....Crown Allotment: .....Section:.....

Parish .....

**Note: If additional lands are required please attach a separate list to this application.**

**10. MULTIPLE YEAR TEMPORARY TRANSFERS**

Copy of Multiple year temporary transfer agreement between Seller and Buyer (mandatory requirement)

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.

**11. 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. I approve GMW to have discussions with relevant third parties such as the Irrigation Designer, Engineers and Contractors as necessary.

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

Printed name: .....

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

Printed name: .....

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

Printed name: .....

**Signature of applicant 4** ..... Date: .....

Printed name: .....

**DECLARATION OF COMPANY**

**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 Director/Secretary

Name: ..... Name: .....

Position: ..... Position: .....

Address: .....  
.....  
..... Address: .....  
.....  
.....

Date: ..... Date: .....

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## General information and explanatory notes (retain for future reference)

### What are the benefits of transferring a Licence to Take and Use Surface water / Groundwater

Transferring surface water or groundwater 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 temporary transfer of a licence?

Rules have been established to allow the temporary transfer of entitlement. These rules for transfer are part of the Upper Ovens Water Management Plan which was approved by the Victorian Minister for Water in January 2012. The following general rules apply to temporary transfer of a licence to take and use surface water and groundwater:

- 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. 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, subject to a reduction in the transferred volume of 20%.
- Temporary transfers are permitted upstream or out of catchment, subject to wintertake conditions.
- 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 G-MW has notified all parties in writing.
- Transferred entitlement may be restricted or prohibited from being used if there are adverse impacts on other users or the environment.
- If the sellers licence is in operational use, the pumping system must be metered according to GMW's requirements before a transfer can be approved.
- The buyer must have a Licence to Take and Use Groundwater before an application for a temporary transfer can be approved.
- For specific details about trading in the Upper Ovens Water Supply Protection Area refer to the Water Management Plan which is available from [www.g-mwater.com.au](http://www.g-mwater.com.au)

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

Trading rules have been established under Upper Ovens Water Management Plan. Your licence document lists the management zone applicable to your licence. A copy of your licence can be obtained by contacting the Licensing Unit (fees apply).

Plans and Rules have been established where water resources has been, or has the potential to be, intensively developed. If you intend to apply for a temporary licence transfer you are urged to contact GMW prior to making an application to ensure you have a full understanding of the conditions which apply to the temporary transfer of licence entitlement in your area. For information and maps, please refer to the GMW website at [www.g-mwater.com.au/water-resources/ground-water](http://www.g-mwater.com.au/water-resources/ground-water).

### 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:**

##### **Groundwater**

An application to transfer a volume which is less than 2ML, or up to 10% of the buyers licence volume, is generally considered to have a lower risk of impacting other users or the environment and only requires a Tier 1 assessment. Note up to 10% of the licence volume is cumulative so an applicant cannot undertake multiple temporary transfers for 10% of their licence volume in the same season under a Tier 1 assessment.



### **Surface water**

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:**

#### **Groundwater**

Applications for transfers greater than 2ML or 10% of the licence volume require a Tier 2 assessment which includes a site inspection and technical assessment.

#### **Surface water**

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 groundwater 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 at the proposed site where the water will be taken and used.

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, hydrogeological/hydrological assessments and/or pumping tests are undertaken to demonstrate that the proposal will not adversely impact upon existing authorised users and the environment. Completion of this work, if applicable, will be required before the transfer of 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.

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

You should contact the Licensing Unit at GMW to confirm the trading rules applicable to your licence prior to proceeding to locate a buyer or seller.

GMW cannot provide you with information on the current market value of water. If you decide to proceed with an application, 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.

### **What is a Winter-take Licence?**

A Winter-take Licence has specific conditions relating to when water can be taken. For an on-stream storage, during the period 1 November to 31 May the entire stream flow must be passed downstream of the licensee's storage. For an off-stream storage, water may only be taken from the waterway to the off-stream storage during the period 1 July to 31 October.

### **How does G-MW assess the application?**

When the application is lodged, GMW will make an assessment to determine if the transfer can be approved under the Upper Ovens Water Management Plan. When the application has been assessed, the buyer and seller will be notified of the decision by GMW in writing.

### **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.

## Assistance with completing the application form

### How can 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@g-mwater.com.au](mailto:licensingadmin@g-mwater.com.au)

### **Part 1 – Sellers Licence Information**

#### **Question 1 –Licence Details**

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 reference number for your licence. GMW may require you to verify your identity prior to providing this information.

#### **Question 2 - Agents details (eg Solicitors or Brokers)**

If you have a solicitor or broker acting on your behalf, please complete this section so that GMW can send your nominated agent a copy of the licence.

#### **Question 3 – Applicant/s details (seller/s)**

All person/s listed on the current licence must complete and 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.

#### **Question 4 – Volume to be transferred to buyer**

Please provide details of the total volume of the existing licence and the volume that is being transferred to the buyer. You will also need to provide the meter reading at time of transfer and other details as requested in the form.

#### **Question 5 – Declaration of Applicant/s (Seller/s)**

All person/s listed on the current licence must complete and 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, evidence must be provided that the person/s signing the application has authority to sign on behalf of the Company. This must be in the form of a current copy of an ASIC Company Search not more than three months old.

### **How can I get a copy of my Company Search?**

You can obtain a company search statement by:

- Accessing the Titles office via the internet at [www.asic.gov.au](http://www.asic.gov.au) or phone (03) 5177 3988
- Requesting that G-MW complete the searches on your behalf for a fee of \$30.00.
- This service may be available from your solicitor or legal advisor.

## **Part 2 – Buyers Licence Information**

### **Question 6 – Applicant/s details (buyer/s)**

All person/s listed on licence must complete and sign the application.

### **Question 7 – Provide licence details where the water is to be transferred to (buyer)**

Provide the buyers licence number and the existing volume of the licence in ML. If the licence is for zero ML please write 0.

### **Question 8 – Volume to be transferred from seller**

Please indicate the volume to be transferred (must match question 4 in part 1). Also provide the new adjusted volume after the transfer. This value will be the current volume plus the purchased volume. Please refer to explanatory notes in relation to the applicable fee for this volume.

### **Question 9 - Details of land on which the water will be taken and used**

Provide details of the land on which the buyer's bore/s are located and where the water is to be taken and used.

### **Question 10 – Multiple Year Temporary Transfer**

Applicant/s must provide copy of agreement between the seller and buyer in relation to the multiple year transfer. Multiple year temporary transfers can be approved for up to a maximum of 5 years, subject to a Tier 2 technical assessment which may determine further information is required from the applicant to approve an application. Buyers will still be required to pay the annual service fee at the commencement of each season to maintain the multiple year temporary transfer.

### **Question 11 – Declaration of Applicant/s (Buyer/s)**

All person/s listed on the buyer's licence must complete and 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.



## Credit Card Payment Authority

Applicant/company name:

.....

Payment for: **Temporary Transfer of Groundwater /Surfacewater – Upper Ovens WSPA**

### CREDIT CARD DETAILS

Please tick (✓) appropriate card:

MasterCard

Visa

Card Number

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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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