

Temporary Transfer of a Licence to Take and Use Groundwater

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.

This application combines the requirement for:

- A Licence to transfer a Take and Use licence section 62 *Water Act* 1989 (Vic)
- A Licence to Take and Use Water section 51 *Water Act* 1989 (Vic)
- A licence to Operate Works section 67 *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.g-mwater.com.au) before you complete the application form.
 - Visit www.g-mwater.com.au or contact GMW to access information about temporary transfer rules in your 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 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.
 - Application fee for Tier 1 is \$210.00
 - Application fee for Tier 2 is \$600.00
 - Application fee for a new Take & Use Licence and temporary trade \$1,550.00
- Please note: this fee is only applicable if you do not have a current Take & Use Licence

Part 1 – Sellers Licence Information

1. LICENCE DETAILS

Groundwater Licence No: BEE number if Known: BEE

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

Bore No:..... Sellers Meter Reading: (time of transfer)

Bore No:..... Sellers Meter Reading: (time of transfer)

Bore No:..... Sellers Meter Reading: (time of transfer)

Meter Reading Date:

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

5. DECLARATION OF APPLICANT/S – 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:
.....
.....

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.

Part 2 – Buyers Licence Information

6. APPLICANT/S 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)

Do you currently hold a Take and Use Licence for Groundwater?

Yes - Buyers Licence No: BEE number: Existing licence volume:ML

No - Buyers Account No: WLE number:.....

I authorise GMW to issue a Take & Use Section 51 Licence on my behalf – refer to Section 7 of the explanatory notes

Note: Applications in the Loddon Highlands WSPA, Lower Campaspe Valley WSPA and Mid-Loddon GMA are subject to consideration of intensity of surrounding licence entitlement under the respective management rules. Applicants are encouraged to contact GMW prior to submitting application to determine the potential impact of these rules.

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 BUYERS BORE/S ARE LOCATED AND WATER IS TO BE USED

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:

Protecting your privacy

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

Assistance with completing the application form

This application form is required to make application for a Temporary Transfer of a Take & Use Licence Groundwater.

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)

Facsimile: (03) 5826 3334

Email: licensingadmin@gmwater.com.au

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| <p>Seller: Question 1 Licence Details</p> | <p>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.</p> |
| <p>Question 2 Agents details (eg. Solicitor or Brokers)</p> | <p>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.</p> |
| <p>Question 3 Applicant/s details (seller/s)</p> | <p>All applicants must complete and sign the application form. If any of the applicants is a company, the directors must sign the form where appropriate.</p> |
| <p>Question 4 Volume to be transferred to buyer</p> | <p>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.</p> |
| <p>Question 5 Declaration of Applicant/s (seller/s)</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. • 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).. |
| <p>Question 6 Applicant/s details (buyer/s)</p> | <p>All applicants must complete and sign the application form. If any of the applicants is a company, the directors must sign the form where appropriate.</p> |
| <p>Question 7 Provide licence details where the water is to be transferred to (buyer)</p> | <p>Provide the buyers licence number and the existing volume of the licence in ML. Note: If the buyer does not hold a current Take & Use Licence, Goulburn-Murray Water will issue one on their behalf. Please be aware that this licence is valid for the term of the trade. If you would like to keep the Take & Use Licence current, you will need to submit another trade before the expiration date of the trade applied for.</p> |
| <p>Question 8 Volume to be transferred from seller</p> | <p>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.</p> |
| <p>Question 9 Details of land on which the water will be taken and used</p> | <p>Provide details of the land on which the buyer's bore/s are located and where the water is to be taken and used.</p> |

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| <p>Question 10 Multiple Year Temporary Transfers</p> | <p>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.</p> |
| <p>Question 11 Declaration of Applicant/s</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. • Requesting that GMW complete the searches on your behalf. • Contacting your solicitor or legal advisor to conduct the search on your behalf (fees may apply). |

General information and explanatory notes (retain for future reference)

What are the benefits of transferring a Licence to Take and Use Groundwater?

Transferring groundwater entitlement provides existing licensed groundwater users with the opportunity to maximise the value of their licence by selling their unused entitlement, and provides other groundwater users 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 groundwater entitlement while also ensuring groundwater resources are managed in a sustainable manner. The following general rules apply to temporary transfer of groundwater. Please note that areas governed by Groundwater Management Plans or Local Management Rules may be subject to rules that differ from those described below.

- In most cases 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.
- Multiple year temporary transfers may be approved for a period up to five years subject to a Tier 2 assessment.
- Transfers can generally occur only between licensed bores located within the same trading zone. In some areas limited trading is available between zones.
- In some cases transfers may be approved between adjacent zones if the buyer and sellers bores are located within a short distance from the boundary of those zones.
- Transferred entitlement may be restricted or prohibited from being used if there are adverse impacts on other users or the environment.
- If the sellers bore is operational, 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.
- Water cannot be used by the buyer until the transfer has been approved. GMW will notify all parties of the outcome of an application in writing.
- For specific details about trading in your area please refer to the relevant management plan or rule available from www.gmwater.com.au/water-resources/ground-water_management prior to lodging your application.

Applies to Management Zone 2 (Upper Ovens Water Management Plan only)

Rules have been established to allow the temporary transfer of groundwater entitlement while also ensuring groundwater resources are managed in a sustainable manner. The following general rules apply to temporary transfer to Management Zone 2 (groundwater).

- 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.
- Transfers can occur from groundwater and surface water licence holders located within the Upper Ovens Water Supply Protection Area. Please refer to the information on the GMW website.
- 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 and Operate Works before an application for a temporary transfer can be approved.
- Water cannot be used by the buyer until the transfer has been approved. GMW will notify all parties of the outcome of an application in writing.
- For specific details about trading in your area refer to the fact sheets available from www.gmwater.com.au/water-resources/ground-water/gwtempfactsheets

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

Trading rules have been established under Groundwater Management Plans and Local Management Rules. Your licence document lists the trading 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 groundwater has been, or has the potential to be, intensively developed. Applications in the Loddon Highlands WSPA, Lower Campaspe Valley WSPA and Mid-Loddon GMA are subject to consideration of the intensity of surrounding licence entitlement under the respective management rules. Applicants are encouraged to contact GMW prior to submitting application to determine the potential impact of these rules. For information on management plans and rules, please refer to the GMW website at www.gmwater.com.au/water-resources/ground-water. If you cannot access the internet please contact the Licensing Unit.

Applies to Management Zone 2 (Upper Ovens Water Management Plan only)

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 groundwater 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.gmwater.com.au/water-resources/ground-water. Information relating to trading rules applicable to your licence is available to download from the GMW website at www.gmwater.com.au/water-resources/ground-water/gwtempfactsheets. If you cannot access the internet please contact the Licensing Unit to request a copy of the relevant fact sheets by mail or fax.

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 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.

Temporary transfer in the Katunga Water Supply Protection Area are also considered low risk on application and only require a Tier 1 assessment as groundwater licence holders may only transfer in up to 100% of their licence volume.

Tier 2:

Applications for transfers greater and 2ML or 10% of the licence volume 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 assessments and/or pumping tests are undertaken to demonstrate that the proposal will not adversely impact upon existing authorised groundwater 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.

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

The temporary transfer of a licence involves the transfer licence entitlement from the sellers licence to the buyers licence. Entitlement that has been temporarily transferred, takes into account any restrictions that may be in place on the buyers licence.

Where restrictions have been set (eg. where less than 100% of licence volume is made available in a given season)

the transferred volume which will be available for the purchaser to use upon approval of the transfer will be adjusted to reflect the available percentage of licence volume at the time of the approval of the transfer.

For example if a seller temporarily transfers a 100ML Licence (unused) in an area where the allocation volume is limited to 70%, the purchaser will be the recipient of a 100ML Licence entitlement with only 70ML available to use for the term of the transfer.

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. 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. 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.

Credit Card Payment Authority

Applicant/company name:

.....

Payment for: **Temporary Transfer of a Licence to Take & Use Groundwater**

CREDIT CARD DETAILS

Please tick (✓) appropriate card:

MasterCard Visa

Card Number

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Expiry date _____

Total \$ _____

Cardholder's name

Cardholder's signature

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Protecting your privacy

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