

Permanent Transfer (all or part) 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 and to Operate Works.

This application combines the requirements for;

- A Licence to Take & Use Water permanently section 62 *Water Act* 1989 (Vic) and
- A Surrender of a Licence to Take and Use Water and Licence to Operate Works section 61 *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) before you complete the form.
- Visit www.gmwater.com.au or contact GMW to access information about the permanent transfer rules in your area.
- Complete the form in full ensuring all relevant information is provided.
- Complete the checklist. 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
- Goulburn-Murray Water accepts payment by cheque or credit card.

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. APPLICANTS DETAILS – SELLER/S

Please list full names, initials are not acceptable

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

Date of Birth:/...../.....

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

Date of Birth:/...../.....

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

Date of Birth:/...../.....

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

Please indicate if you are transferring:

Whole entitlement

Part entitlement

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

Retaining bore for Domestic/Stock use only - (no annual fees will apply)

Bore/s no longer required - (an application form to decommission will be sent to you)

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

Do you have works in place? (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 APPLICANTS – SELLER/S

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

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

Signature of applicant 1

Date:

Printed name:

Signature of applicant 2

Date:

Printed name:

Signature of applicant 3

Date:

Printed name:

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.

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

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. PROPOSED USE OF GROUNDWATER

- Irrigation (area to be irrigated(ha) Dairy Wash/Cooling
- Commercial or Industrial De-Watering (salinity, excavation etc)
- Communal Domestic and/or Stock (number of residences....) Urban Supply

10. 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:.....

Parish

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

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.

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

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@gmwater.com.au

Sellers Licence Information – Part 1

<p>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 number for your licence. GMW may require you to verify your identity prior to providing this information</p>
<p>Question 2 Agent Details (eg Broker or Solicitor)</p>	<p>If you have a solicitor or broker acting on your behalf, you must complete this section. GMW will send your nominated agent a copy of the licence.</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 the total volume of the existing licence and the volume that is being transferred to the buyer. Please note the whole volume of the transfer must be unused for the current season. This will authorise GMW to surrender your existing licence as indicated in question 1 (licence details).</p>
<p>Question 5 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).

Buyer's Licence Information – Part 2

<p>Question 6 Applicant/s details (buyers)</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.</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 Proposed use of groundwater</p>	<p>Applicants must provide details about the purpose for which the water is to be used.</p>
<p>Question 10 Description of land on which the groundwater will be used</p>	<p><u>New Customers applying for a New Take and Use Licence for Permanent trade</u></p> <ul style="list-style-type: none"> If you do not currently hold a licence to Take and Use and Operate Works, an application for a new licence will be required prior to the approval of the transfer. The current ownership of land will be verified under the new licence application requirements therefore current copies of titles will not be required for the Permanent Trade. <p><u>Existing Customer/s who are applying for a Permanent Trade</u></p> <ul style="list-style-type: none"> If you are currently a GMW customer and have an existing Take and Use and Operate Works Licence (groundwater) that you are transferring to, current copies of titles will not be required for the Permanent Trade. If the works are located on land that is not in the applicant's ownership, written consent from the landowner is also required. Please complete Annexure 1 – Consent of Landowner. <p>A registered title search for each separate title must be provided. Rates notices are not acceptable.</p> <p>How can I get a copy of my land titles? You can obtain a registered search statement for land titles 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 Requesting that GMW complete the searches on your behalf. Contacting your solicitor or legal advisor.
<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 and Operate Works?

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 additional entitlement in areas where new entitlement is not available.

What are the rules relating to the permanent transfer of a licence?

Rules have been established to allow the permanent transfer of groundwater entitlement while also ensuring groundwater resources are managed in a sustainable manner.

Groundwater management plans or local management rules apply in areas where Water Supply Protection Areas and Groundwater Management Areas have been established because groundwater has been, or has the potential to be, intensively developed. 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 permanent 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.

Applies to Upper Owen Water Management Plan (Management Zone 2 only):

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

- Transfers can occur from groundwater and surface water licence holders located within the Upper Owens 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 seller's 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 permanent 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

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 permanent 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.

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

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). Information relating to trading rules applicable to your licence is available from the GMW website. If you cannot access the internet please contact the Licensing Unit to request a copy of the relevant Fact Sheets by mail or email.

Applies to Upper Owen Water Management Plan (Management Zone 2 only):

Trading rules have been established under Upper Owens 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 permanent 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 permanent 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 please contact the Licensing Unit to request a copy of the relevant Fact Sheets by mail or email.

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

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

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

How does GMW assess an application?

When assessing an application for the permanent transfer of a licence GMW must consider any impacts on existing authorised users of groundwater and the environment. If this assessment indicates that there is a significant 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.

What happens when I lodge my application?

After you lodge your application GMW will notify you in writing that it has been received. The timeframe to complete an assessment may vary depending on the nature of your application. There may be delays if you are required to engage a consultant to conduct a technical assessment in support of your application. If delays are expected you will be notified by GMW. When the decision has been made 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.

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

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

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

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

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

The permanent transfer of a licence to take and use water includes:

- (a) transfer of the licence entitlement for the requested volume from the sellers to the buyer's existing or new licence; and
- (b) transfer of the licence entitlement volume adjusted to reflect any restrictions on the available percentage of licence volume at the time of the approval of the transfer.

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

For example if a seller permanently transfers 50ML of their licence where the allocation volume is limited to 50%, the purchaser will receive a 50ML licence with 25ML available for use in the first year.

Do I have to advertise my application in the newspaper or notify my neighbours (buyer only)?

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 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.

When can the buyer Take and Use Water and Operate Works under the licence?

The buyer can Take and Use Water and Operate Works upon written confirmation from GMW that the transfer has been approved. Use may be restricted from time to time in accordance with the conditions of the licence.

Are there ongoing costs associated with having a Licence?

Yes, a Licence to Take and Use Water and Operate Works is subject to annual fixed charges, issued by GMW in July each year. For specific details about which charges will apply to your licence, please contact the Licensing Unit.

ANNEXURE 1

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

Applicants must provide consent from land owners if an application for a licence includes land owned by a party other than the proposed licensee/s.

I / We (print names):

Of (Postal Address):

being the legal owners of the land known as:

Property address:

Vol:Fol:Lot No:Plan No:Crown 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:

Authorise:

please include names of all Licence Holder(s)

of (Postal Address):.....

to access this land for the purpose of operating works (bore/s) and extracting/using groundwater.

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

Signature(s) of all land owners.....

Print Name(s)

Date :.....

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

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 Director/Secretary

Name: Name:

Position: Position:

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

Date: Date:

Credit Card Payment Authority

Applicant/company name:

.....

Payment for: **Application for a Permanent Transfer of a Licence to Take & Use and Operate Works**

CREDIT CARD DETAILS

Please tick (✓) appropriate card:

CREDIT CARD DETAILS:

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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