

Application to Transfer or Vary an Occupation Licence

(Recreational Purposes Only)



What is this application form for?

This application should be used to transfer or vary an Occupation Licence.

You will need to transfer or vary the licence due to:

- change in ownership of Licensees property attached to the existing licenced area
- change in name/s (Company Directors/Shareholding)
- requesting approval for additional works and structures (including the replacement of existing structures) on the licenced area
- removing approved structures
- cancelling a Licence

On approval GMW may issue a Deed of Variation, a Foreshore Works Approval and/ or a new Foreshore Occupation Licence if required. Licences are issued pursuant to the Water Act 1989, section 132.

Completing this form

- Please read the Foreshore Occupation Licence information which can be found online www.gmwater.com.au/foreshorelicensing before you fill out the form
- If you intend to undertake works, we recommend you contact your local Goulburn-Murray Water area office to discuss it prior to making an application
- Complete the relevant sections of the form ensuring all required information is provided
- Complete the checklist on the last page. Incorrect information may result in your application being refused. Illegible or incomplete applications will not be processed
- Attach payment for the application fee - \$288.00
- For additional works, a foreshore works approval will be required. Attach payment for:
 - Security Deposit - \$1,000 (min) - Maximum 25% of construction costs
 - Supervision Fee \$258 (min) - Maximum 5% of Job Value

The Security Deposit and Supervision Fee relate to approved works and are subject to review by GMW based on risk of the works impacting GMW assets and services. This is assessed prior to approval of the works and you will be advised.

GMW accepts Cheque or Credit Card.

A credit card form for application payments form is available at <http://www.g-mwater.com.au/customer-services/forms>

- Send this completed form, required supporting information and the fee payment to:
Goulburn-Murray Water, C/- Property Services, PO Box 165, TATURA, VIC 3616
or email to leasingandlicensing@gmwater.com.au

If you need further assistance contact Property Services

Telephone: (03) 5826 3606 or Email: leasingandlicensing@gmwater.com.au

PLEASE NOTE: THIS APPLICATION ONLY RELATES TO EXISTING OCCUPATION LICENCES (RECREATIONAL PURPOSES)

DO NOT USE THIS FORM WHEN MAKING APPLICATIONS FOR WATER USE AND ENTITLEMENTS

Section 1: Existing Occupation Licence Details

1.1 Licence holders details

Please list full names, initials are not acceptable.

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

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

Postal address:

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

Telephone number: () Mobile number:

Email:

1.2 Details of the licence

Please note: GMW is consolidating all licences (other than Diversion Licences) associated with one property into a single Foreshore Occupation Licence. If you have more than one existing licence associated with your property, please note all Licences details here.

Licence Number: Property No:

Licence Number: Property No:

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

1.3 Description of licensee's property attached to the licenced area

Property address:

Volume:Folio: Lot No: Plan No: Crown Allotment:

Section: Parish

Only the rightful owner of this property may make application to transfer or vary a Licence

1.4 Storage that the Licensee's property adjoins

- | | | |
|--|--|--|
| <input type="checkbox"/> Lake Eildon | <input type="checkbox"/> Goulburn Weir | <input type="checkbox"/> Lake Nillahcootie |
| <input type="checkbox"/> Lake Eppalock | <input type="checkbox"/> Lake Mulwala (Yarrowonga) | <input type="checkbox"/> Lake Boga |
| <input type="checkbox"/> Other _____ | | |

1.5 Reason for application

- | | |
|--|------------------------|
| <input type="checkbox"/> Transfer Licence due to sale of Licensee's property | Go To Section 2 |
| <input type="checkbox"/> Transfer Licence due to change of name or shareholding | Go To Section 3 |
| <input type="checkbox"/> Vary Licence – additional Approved Structures to be included | Go To Section 4 |
| <input type="checkbox"/> Vary Licence – removal of some existing Approved Structures | Go To Section 5 |
| <input type="checkbox"/> Cancellation of Licence and removing all Approved Structures | Go To Section 6 |
| <input type="checkbox"/> Other – contact GMW Property Services to discuss your circumstances before completing this form | |

Once you have filled out the relevant section, you must complete the declaration in Section 7

Section 2: Transfer Licence Due to Sale of Licensee's Property

2.1 Licence transfer requirement

GMW may approve a Licence transfer providing current licence fees are paid and Approved Structures are safe, sound and comply with GMW standards and specifications.

- If an Approved Structure requires work to make it safe or compliant with GMW standards and specifications, GMW will issue a works notice. The transfer will not be approved until this is satisfied.
- If GMW assess that an Approved Structure is not able to be made safe or compliant or the Licensee does not intend to make the Approved Structure safe or compliant, the Licensee will be required to remove it before the Licence will be transferred.
- If there are existing structures that are not included in the Licence, these structures need to be approved and added to the Schedule in the Licence. Licence fees are applied to each Approved Structure. **Please list existing structures in Section 4.2**
- If the Licensee does not want existing unapproved structures added to the Licence or GMW do not approve these structures to remain, the Licensee will need to remove the structures and reinstate the land before the transfer will be approved.

2.2 Details of transferee (new property owner/owners)

Please list full name/s of all Transferees (initials are not acceptable). The Transferee must be taking ownership of the Licensee's property adjoining the licence area to be eligible to hold the Licence. All new property owners are to be included as Transferees.

Transferee No 1: (Individual or company name)

Transferee No 2: (Individual or company name)

Additional transferees:

Postal Address:

Telephone number: () Mobile Number

Email:

Provide supporting evidence such as a Contract of Sale, Notice of Acquisition or current certificate of title with this application

2.3 Transferee's Declaration

Public Liability Insurance

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

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

Aboriginal Cultural Heritage

In Victoria, Aboriginal cultural heritage is protected and managed under the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2007*. A waterway or land within 200m of a waterway may be considered an area of cultural heritage sensitivity. You can find further information at www.dpc.vic.gov.au/index.php/aboriginal-affairs/heritage-tools

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

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

| | |
|---|---|
| Transferees 1: Date: Signature: Printed name: ACN No: (If a Company) Position (eg director): | Transferees 2: Date: Signature: Printed name: ACN No: (If a Company) Position (eg director): |
| Additional Transferee: Date: Signature: Printed name: | Additional Transferee: Date: Signature: Printed name: |

Section 3: Transfer Licence Due to Change of Shareholding

3.1 Details of Transferee

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

Transferee Name:

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

Signature(s).....**Date:**.....

Printed name:

Signature(s).....**Date:**.....

Printed name:

Provide evidence of change to names or shareholdings such as a company search or certificate of title

Section 4: Vary Licence to Include Additional Structures

4.1 Details of proposed new structures

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

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

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

Proposed structures:

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

Works Description: Please provide a description of each proposed structure:

For jetties:

Length (in meters) Width (in meters)

Buoyancy Devices: Type Number

Decking Material:

Mooring: Type: Number:

Proposed Construction Date:

Plan Designer:

Contractor:

For other structures, include the following for each: more information as needed for multiple structures

Types of structure:

Length (in meters) Width (in meters)

Construction Materials

Proposed Construction Date:

Plan Designer:

Contractor:

Do you authorise GMW staff to discuss the proposed works with the designers and/or contractors listed? Yes

No

Design plans for private structures

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

The plans must also indicate your property boundary, GMW's foreshore land and where the water line begins.

Please refer to GMW Design Standards at www.g-mwater.com.au/recreation-tourism

- *Floating, Fixed & Transportable Type Private Jetties on Waterway Banks.*
- *Standard Boat launching Ramp Specifications,*
- *Retaining Walls on Waterway Banks,*
- *Electrical Services Crossing GMW Water Storage Perimeter Land*

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

Management of works

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

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

4.2 Existing (unlicensed) structures to be added to the licence

If you already have existing (unlicensed) structures, GMW will assess the structures and must approve them to remain. You may need to provide evidence such as a structural engineer report to confirm they are safe and comply with GMW's standards. Once approved, it can be included in the Licence. You may be required to remove, repair or replace any unapproved structures you have on GMW's property.

- A Supervision fee may apply
- Annual Licence fees will be adjusted accordingly

Existing Unlicensed Structures:

Existing Structure

Please list any existing private structures or assets you have in the proposed licenced area.

Please attach photos of the existing structures

Section 5: Vary Licence to Remove Existing Approved Structures

If you have removed or are removing existing Approved Structures you should apply to vary the Licence so that you comply with the licence conditions and do not incur continued Licence fees for those structures. GMW may need to provide a Foreshore Works Approval prior to work commencing and will inspect the Licence Area once works are finished to confirm that the site has been reinstated prior to varying the Licence.

Please complete the applicable below.

Existing Structures

Please list any existing private structures or assets you would like to remove from your Licence area (including any structures that are to be replaced)

Please attach photos where structures are to be removed

Section 6: Cancellation of the Licence

The Foreshore Occupation Licence will only be cancelled once all Approved Structures have been removed from the Licence Area and the land reinstated to the satisfaction of GMW.

GMW may need to provide a Foreshore Works Approval prior to work commencing and will inspect the Licence Area once works are finished to confirm that the site has been reinstated prior to cancelling the Licence.

Once you have completed the works, GMW Officers will inspect the site to confirm if the land has been reinstated satisfactorily. If the Licensee does not reinstate the land satisfactorily, GMW may request additional works be completed by the Licensee at the cost of the Licensee or may undertake the works and recover the costs from the Licensee.

The Licensee will remain responsible for all outstanding Licence fees.

Please attach photos where structures are to be removed

Section 7: Declaration of Applicant/s (current licence holder)

Aboriginal Cultural Heritage

In Victoria, Aboriginal cultural heritage is protected and managed under the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2007*. A waterway or land within 200m of a waterway may be considered an area of cultural heritage sensitivity. You can find further information at www.dpc.vic.gov.au/index.php/aboriginal-affairs/heritage-tools

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

Public Liability Insurance

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

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

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

I/we acknowledge that GMW may release information contained in this application, at the discretion of GMW to relevant parties and organisations in accordance with relevant legislation. I/we approve Goulburn-Murray Water to have discussions with relevant third parties such as local government agencies or other relevant authorities as necessary.

| | |
|--|--|
| <p>Applicant 1. Date:</p> <p>Signature:</p> <p>Printed name:</p> <p>ACN No: (If a Company)</p> <p>Position (eg director):</p> | <p>Applicant 2: Date:</p> <p>Signature:</p> <p>Printed name:</p> <p>ACN No: (If a Company)</p> <p>Position (eg director):</p> |
| <p>Additional Applicant: Date:</p> <p>Signature:</p> <p>Printed name:</p> | <p>Additional Applicant: Date:</p> <p>Signature:</p> <p>Printed name:</p> |

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.

Approval of Transfer

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

1. TRANSFER

1.1 The Licensee transfers the Licence to the Transferee with all Further Terms (if any). The Transferee will hold the Licence from the Transfer Date.

1.2 If the Licensee is not the Licensee named in the Licence, the Licensee promises that it has become the Licensee by previous valid transfers of the Licence.

2. VALIDITY OF LICENCE

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

3. TRANSFEREE ACCEPTS OBLIGATIONS

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

4. THE LICENSOR PROMISES

The LICENSOR (GMW) —

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

5. INTERPRETATION

This transfer is binding on —

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

In interpreting this transfer —

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

6. OBLIGATIONS JOINT AND INDIVIDUAL

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

Date of Approval: _____ / _____ / _____

| |
|---|
| <p>SIGNED FOR AND ON BEHALF of GOULBURN-MURRAY RURAL WATER CORPORATION by an authorised officer</p> <p>Signature:</p> <p>Print Name:</p> <p>In the presence of:</p> <p>Witness Signature:</p> <p>Print Name:</p> |
|---|

Application Checklist - submit with Application

Checklist

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

SECTION 1: - Existing Occupation Licence Details

**PLEASE
TICK OR
N/A (Not
applicable)**

Current Licensee's Name/s:

Current Licence Number(s):

Attach a copy of existing licence(s)

SECTION 2: – Transfer Licence due to sale of property

Attach evidence of the change of ownership of property to which the Licence

The Transferee(s) have signed the Transferee's Declaration and confirmed acknowledgements by checking boxes in this section

The Transferee has arranged Public Liability Insurance for at least \$20 million and will have noted GMW as an interested party on the policy on approval of the transfer

Section 4.2 has been completed if applicable

SECTION 3: - Vary Licence – Change to shareholding

Attach evidence of change to Names or Shareholdings

SECTION 4: - Vary Licence to Include Additional Approved Structures

Details of all proposed works are included

Attach full colour design plans

Attach evidence of project management measures

Details of any existing unlicensed structures are included

Attach photos of existing structures if applicable

SECTION 5: - Vary Licence – removal of some existing Approved Structures

Attach photos of structures to be removed

SECTION 6: - Cancellation of Licence – all Approved Structures removed

Attach photos of structures to be removed

SECTION 7: - Declaration

The declaration signed by ALL persons named on the current Licence and confirmed acknowledgements by checking boxes in this section

Attach a certificate of currency for Public Liability not less than \$20million which notes GMW as an interested party and be extended to include the licence area.

Attach payment for fees