

## Licence to Take and Use Groundwater and Operate Works

### What is this application form for?

Use this form to make application for a licence to take and use groundwater and to operate works.

This application combines the requirements for:

- A Licence to Take and Use Water section 51 *Water Act* 1989 (Vic) and
- A Licence to Operate Works section 67 *Water Act* 1989 (Vic)
- An amendment to an existing Licence to Take and Use Water and Licence to Operate Works sections 59A *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 fill out the form.
- 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](mailto:licensingadmin@gmwater.com.au)
- Goulburn-Murray Water accepts payment by cheque or credit card.



**1. APPLICATION TYPE**

Refer to: Assistance with completing application form (attached) to determine the correct type

**Licence to Take and Use Water and Licence to Operate Works**

Please provide the Licence to Construct Works (Bore) number (if known) .....

**Amend existing Licence to Take and Use Water and Licence to Operate Works No** .....

**Amendment Type** (please tick one or more boxes)

- Increase licence entitlement volume
- Amend the authorised purpose of the licence
- Add additional land to licence **(titles for additional land/s only)**
- Remove land or bore/s from licence
- Add replacement bore/s to licence
- Add new bore/s to licence
- Amend extraction rate
- Decrease licence entitlement volume\*

\* Before decreasing your entitlement you may have the potential to trade any entitlement associated with this licence. Contact GMW's Customer Support Team on (03) 5826 3247 for further information.

**2. APPLICANTS DETAILS**

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: .....

**3. DESCRIPTION OF LAND TO BE LICENSED INCLUDING:**

**(1) Land of which the bore/s are located AND (2) Land where water is to be taken and 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. If any land is not in the ownership of the licensee/s please complete *Annexure 1 – Consent of Landowners (attached)*.**

**4. PROPOSED USE/S OF WATER**

- Irrigation (area to be irrigated .....(ha)
- Dairy washdown/cooling
- Commercial or Industrial use\*
- Communal Domestic and Stock (number of residences.....)
- Urban Supply\*

\* Please refer to the attached notes for more information about commercial and urban supply applications.

**5. BORE DETAILS ( Bore numbers can be found on the licence to Construct Works)**

Bore No (s) to be licensed: .....

Bore No (s) to be removed from current licence: .....

Licence number for Licence to Construct Works (if known) .....

Year Constructed .....

Note: This information will be listed on the bore completion report issued by the driller when the bore was constructed. A copy of this report can be obtained from your nominated driller.

**6. REQUESTED LICENCE VOLUME**

Please indicate whether this application is for a new volume or is to increase/decrease your existing volume

Bore	Bore No	Proposed extraction Rate (ML/day)	ML/Year Volume Requested	Use Type
1			New: ..... Increase: ..... Decrease: .....	
2			New: ..... Increase: ..... Decrease: .....	

3			New: ..... Increase: ..... Decrease: .....	
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New Total Volume: ..... (ML/Year)

**7. IRRIGATION DEVELOPMENT GUIDELINES**

**Please tick the most appropriate statement for your application:**

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

**8. DECLARATION OF APPLICANTS**

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

Name: .....

Position: .....

Address: .....

.....

.....

Date: .....

.....

Director/Secretary

Name: .....

Position: .....

Address: .....

.....

.....

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.

## Assistance with completing the application form

This application form is required to be completed when applying for a new licence or to amend an existing licence. It combines the requirements for:

- Licence to Take and Use Water (Section 51, *Water Act 1989*) (Vic) and
- Licence to Operate Works (Section 67, *Water Act 1989*) (Vic)

### 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

Facsimile: (03) 5826 3334

Email: [licensingadmin@gmwater.com.au](mailto:licensingadmin@gmwater.com.au)

<p><b>Question 1</b> <b>Type of Application</b></p>	<p>It is important to indicate whether you applying for a new licence or to amend an existing licence. If the application is for an amendment to an existing licence the reason for the amendment should be nominated by ticking the appropriate box.</p>
<p><b>Question 2</b> <b>Applicant/s details</b></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><b>Question 3</b> <b>Description of land on which the bore/s are located and water to be taken and used</b></p>	<p><u>Applying for a New Take and Use Licence and Operate Works:</u></p> <ul style="list-style-type: none"> <li>• New applications for a Take and Use licence and Operate Works will require current title searches to verify current ownership. If the bore/s are located on land that is not in the applicant’s ownership, written consent from the landowner where the bore is located also is required. Please complete Annexure 1 – Consent of Landowner for this purpose.</li> </ul> <p>Existing Customer/s who are applying to amend their Take and Use Licence and Operate</p>

	<p><u>Works:</u></p> <ul style="list-style-type: none"> <li>If you are a current GMW customer, copies of titles will only be required if you are applying to add additional land/s onto your licence. If the additional land is located on land that is not in the applicant's ownership, written consent from the landowner also is required. Please complete Annexure 1 – Consent of Landowner for this purpose.</li> </ul> <p>A Registered Title Search for each separate title must be provided. Rates notices will not be accepted.</p> <p>An example of an acceptable Registered Title Search is attached.</p> <p><b>How can I obtain a copy of my Registered Title Search?</b> You can obtain a registered title search (see attached example of the correct search) by:</p> <ul style="list-style-type: none"> <li>Accessing the Land Titles office via the internet at <a href="http://www.land.vic.gov.au">www.land.vic.gov.au</a> or phone (03) 8636 2456</li> <li>Requesting that GMW complete the search/s on your behalf.</li> <li>Contacting your solicitor or legal advisor to conduct the search/s on your behalf (fees may apply)</li> </ul>
<p><b>Question 4</b> <b>Proposed use of water</b></p>	<p>Applicants must provide details on the intended use of the water being extracted. This information will be used as part of the licence application assessment process. In some cases commercial licence applications require a planning permit from local government. Licence applications for urban supply are subject to additional application requirements – please contact the Licensing Unit prior to making application for further information.</p>
<p><b>Question 5</b> <b>Bore details</b></p>	<p>Applicants must provide details (such as the bore number/s, works licence number) about the new or replacement bore/s to be licensed. The number of bore/s to be included, added or removed from the licence must be listed. If the licence number for the licence issued to construct the works is known it should be noted on the form. If not, applicants should provide any known details about the year of construction.</p> <p>A Bore Completion Report will have been issued upon completion of the construction of your bore. This report must be submitted to GMW before an application to licence the bore can be considered. Please contact your driller if you do not have a copy of the Bore Completion Report.</p>
<p><b>Question 6</b> <b>Requested licensed volume</b></p>	<p>Applicants must provide details of the volume of water sought. In determining licence volume GMW, will consider a number of factors. These may include the proposed use of water, area of land to be irrigated, method of irrigation, and crop type. GMW must also consider any potential impacts on other water users, the environment and water quality in accordance with the <i>Water Act 1989 (Vic)</i>. Your proposed future volume will also be influenced by how much your bore will yield and the type of pump installed. To calculate water use requirements for irrigation it is advisable that you contact the Department of Primary Industries for assistance on 136186 or via the web at <a href="http://www.dpi.vic.gov.au">www.dpi.vic.gov.au</a>.</p>
<p><b>Question 7</b> <b>Irrigation Development Guidelines</b></p>	<p>An Irrigation Development Guideline assessment report may be required as part of the licence application for irrigation developments that meet one of the following criteria:</p> <ul style="list-style-type: none"> <li>A proposal to irrigate land that has never been previously subject to irrigation;</li> <li>An application to increase the annual use limit on the land in the current licence, or</li> <li>An application to increase the area allowed to be irrigated in the current licence.</li> </ul> <p>You will be contacted if the Irrigation Development Guidelines apply.</p>
<p><b>Question 8</b> <b>Declaration of Applicant/s</b></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>

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.

**How can I obtain a copy of my Company Search?**

You can obtain a company search statement by:

- Accessing the internet service at [www.asic.gov.au](http://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)

### Why do I need a Licence to Take and Use Groundwater and Operate Works?

Under the provisions of the *Water Act* 1989 (Vic), any person who wishes to take and use groundwater other than solely for domestic and/or stock purposes must first obtain a licence to take and use water and operate the groundwater works.

### What does a Licence to Take and Use Water and a Licence to Operate Works authorise?

A Licence to Take and Use groundwater and Operate works authorises the licensee to extract groundwater and use it for irrigation, commercial or other licensable purposes. A licence to operate works authorises the licensee to operate the specified groundwater bore/s for the purpose of extracting water.

### What types of water use are licensable?

A licence is required if you intend to use the water for irrigation or for supplying a dairy shed, feedlot, piggeries or poultry farm. A licence is also required if the water is to be used on recreational or sporting fields or in conjunction with the operation of a commercial business or premises. This includes mining, aquaculture, water bottling, the provision of guest accommodation and watering commercial grounds or gardens.

### Can I include lands onto my existing licence which are non-contiguous?

No, all lands must be contiguous, except where the parcels of land are separated by a road or stream. Other exceptions may apply; however, you should contact the licencing team for further clarification.

### Is a licence issued for a fixed term?

Licences are generally issued for a fixed term of up to 15 years. Licensees may apply to renew a licence by submitting an application prior to the expiry date. GMW will notify licensees six months prior to the licence expiring that the licence is due to expire and will request the submission of an application to renew the licence. Approval of an application to renew a licence is not automatic and is subject to an assessment by GMW. If during the term of a licence an application to amend the licence is approved, the amended licence will only be issued for the remainder of the original term.

### Does a bore need to be constructed before I apply for a Licence to Take and Use Water and Operate Works?

If you wish to access groundwater for any licensable purpose you will need to have access to an existing bore prior to making application for a Licence to take and use water. If you do not have access to a bore and would like to construct a bore it is important to be aware that the process of constructing a bore can be costly and time consuming. GMW recommends that you fully investigate the potential for groundwater in your area prior to making application. If you decide to construct a bore you must make application for a Licence to Construct Works prior to engaging a driller to carry out the work. Application forms can be downloaded from the GMW website or are available by contacting the Licensing Unit on 1800 013 357. For information about groundwater availability in your area you can visit <http://www.depi.vic.gov.au/water/water-in-your-region> or contact GMW.

### Are their limits or restrictions on accessing groundwater?

Water Supply Protection Areas (WSPAs) and Groundwater Management Areas (GMAs) have been established in areas where groundwater has been, or has the potential to be, intensively developed. Groundwater management plans apply in these areas to ensure that use of groundwater is sustainable. In WSPAs and GMAs licence entitlements are limited by a cap called a Permissible Consumptive Volume (PCV). A PCV may restrict or prevent the issuing of new licence entitlements and may mean that you can only access groundwater for irrigation or commercial use by trading licence entitlement from another licensee in that area.

You are urged to contact GMW prior to making an application to determine whether restrictions or conditions apply to groundwater entitlement in your area. For information and maps of WSPAs and GMAs, please refer to the GMW website at [www.gmwater.com.au/water-resources/ground-water](http://www.gmwater.com.au/water-resources/ground-water)

### **Do I have to advertise my application in the newspaper or notify my neighbours?**

After you lodge your application, GMW will notify you in writing if you are required to advertise and/or notify your neighbours. GMW will send out the proforma for advertising and notification to neighbours, this will include a reference number which relates to your application. If the volume sought in the application is 20ML or greater you will be required to advertise and notify neighbours, if the volume is 19ML or less, only notification of neighbours will apply.

**Note:** If you have notified your neighbours of your intention to construct works and extract groundwater as part of an application for a Licence to Construct Works within the last 12 months, further notification will not be required for this application providing the previously advertised entitlement volume and land description has not changed and is associated with this licence.

### **What does the application fee cover?**

Application fees fund the full cost of undertaking a licence assessment in accordance with GMW's obligations under the *Water Act 1989 (Vic)*. This includes administering the application, undertaking a site inspection and reviewing any submissions made in relation to your application. In many cases a technical assessment may be required to determine if extraction of groundwater may have any adverse impacts on other groundwater users in your area or the environment. The costs of technical investigations are borne by the applicant.

The application fee structure varies depending upon the volume requested. This is because the assessment procedures for higher volume applications require additional work to be undertaken. If your licence is approved it will be recorded in the Victorian Water Register and you will receive a copy of the licence document.

### **Are there ongoing costs associated with having a Take and Use Licence and Operate Works?**

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 details about which charges will apply to your licence, please contact the Licensing Unit.

### **Do I have to pay for the entitlement issued under the Take and use Licence and Operate Works?**

Yes, if entitlement is available under the groundwater caps a one-off capital charge applies to new licence entitlements issued by GMW or where approval is given to increase an existing licence entitlement.

**Note:** Applications for new or increased licence volumes in the Shepparton Irrigation Region Water Supply Protection Area are not subject to payment of the capital charge. This is because extraction of groundwater under these licences is encouraged as a salinity control measure.

### **What is Capital Charge used for?**

Revenue generated by the capital charge is used by GMW to fund groundwater resource planning activities. This includes the development of Groundwater Management Plans, groundwater resource planning and assessment and the establishment of groundwater monitoring networks to ensure the groundwater resources are managed in a sustainable manner.

### **How is the Capital Charge calculated?**

The current capital charge for a new (or increased) licence entitlement is calculated at the rate of \$160.00 per megalitre for 2016/2017. Charges are reviewed annually.

### **If new licence entitlement is not being issued in my area can I get access to an entitlement?**

In most groundwater management units the total entitlement has been capped. In order to access entitlement, you may be able to purchase existing entitlement from another licensee who does not wish to utilise their full entitlement volume.

In this case you will need to purchase entitlement from an existing licence holder and make application for a temporary or permanent transfer of the licence volume.

For more information about groundwater trading in your area you can contact your local water broker or visit: <http://www.gmwater.com.au/water-resources/ground-water/groundwatertrading>

### **What happens after I lodge my application?**

After you lodge your application GMW will notify you in writing that it has been received. The timeframe to complete an assessment may vary depending on the nature of your application. There may be delays if you are required to engage a consultant to conduct a technical assessment in support of your application. GMW cannot make a decision in relation to an application until all relevant information is received (this includes notification to neighbours and

advertising). If delays are expected you will be notified by GMW. When the decision has been made to your application you will 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.

**EXAMPLE OF A REGISTERED TITLE SEARCH**



**SAMPLE ONLY**

Copyright State of Victoria. This publication is copyright.  
No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement.

The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

**REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958**

VOLUME 88888 FOLIO 999

Security no : 8888888888888E

Produced 17/03/2010 09:30 am

**LAND DESCRIPTION**

Lot x on Plan of Subdivision 999999.  
PARENT TITLE Volume 88888 Folio 999  
Created by instrument 888888 24/04/1919

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Joint Proprietors  
JOHN DOE  
MARY DOE both of 9999 SMITH ST MELBOURNE 3051  
S999999F 09/11/1992

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AC9999999A 25/09/2003  
BENDIGO BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP9999999P FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 999999 SMITH ST MELBOURNE VIC 3186

## 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 Licence to Take & Use Groundwater 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

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.