Application for a Water-Use Licence or Water-Use Registration

Form 23

Application Number:
WUA 0 6 2 9 1 9

1. Are you applying for:

☐ water-use licence (WUL) - for irrigation

☐ water-use registration (WUR) - not for irrigation.

2. What annual use limit (AUL) are you applying for? ☐ **ML** *(Note: this is subject to Water Corporation assessment)*

3. Do you have an existing allocation account (ABA) that you would like your WUL/WUR linked with?

☐ NO. I would like to open a new ABA. *(Go to question 4)*

☐ YES. *Please provide the account number:* **A B A** ☐☐☐☐☐☐

If you wish to link an additional existing allocation account, please download and complete Annexure 3.
Note: All holders of the nominated allocation account(s) must sign this form under either question 14 (if also a relevant land owner) or question 15.

Is the nominated ABA linked to a water share?

☐ NO. *(Go to question 4)*

☐ YES. If you wish to link the water share directly to the WUL/WUR , please provide the application number.

W E V ☐☐☐☐☐☐

4. Will new works or systems need to be installed to deliver water to the land?

☐ YES. A Works Licence application is required. *Please provide the application number below.*

W L I ☐☐☐☐☐☐

☐ NO, there are existing works to deliver water to the land. *Please provide your Works Licence number below.*

W L E ☐☐☐☐☐☐

☐ NO, water will be delivered directly to the land by a Water Corporation either through a delivery share or under casual-use provisions.
Please provide your delivery share / assessment number below.

☐☐☐☐☐☐☐☐☐

5. Please list the volume/folio reference number(s) of the land you wish to use the water on and attach copy(s) of the relevant land title(s).

	Volume	Folio		Volume	Folio
i.			vi.		
ii.			vii.		
iii.			viii.		
iv.			ix.		
v.			x.		

WATER-USE REGISTRATIONS ONLY

6. The purpose for which the water will be used is: *(tick one box in either section a OR section b)*
Refer to explanatory notes 14 to 17 for more details and contact your Water Corporation for more information if required.

Section a

☐ General (please specify)

☐ *[Southern Rural Water customers only]* Domestic and stock

☐ Intensive animal husbandry ☐ Industrial or commercial ☐ Aquaculture ☐ Dewatering

☐ Other (please specify)

Section b ☐ Environmental watering ☐ Delivery / transmission losses ☐ Rural / urban residential ☐ Construction

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WATER-USE LICENCES ONLY

7. Is there an existing WUL for the land described in question 5?

☐ **YES** *Please provide the application number to cancel the existing water use licence.*

B	S	M						

☐ **NO** *Please provide an Irrigation and Drainage Plan*

8. Total area to be irrigated: _____ ha

9. Please specify the proposed crop type: _____

10. Would you like to elect that your application must be referred for assessment under Irrigation and Development Guidelines?

☐ **YES** ☐ **NO**

GENERAL PLACE OF TAKE APPROVAL (GPT) AND EXTRACTION SHARE

Holders of the ABA(s) identified in question 3 are also applying for a *general place of take approval* by signing this form (as per question 14 and 15).

This is your approval to take water **from a specific place on a river or in a district (i.e. a service point)**. Refer to explanatory notes 21 to 24 for more details or contact your Water Corporation for more information if required.

- **If you are a district user** that has nominated a delivery share or assessment number in question 4, go to question 14.
- **If you are a river diverter** that has nominated a Works Licence number or application in question 4, go to question 11.

11. Are you applying for extraction share?

As a river diverter, the extraction share on your general place of take approval provides you the right to take a share of water during river restrictions. If your general place of take approval has zero extraction share, you cannot take water during river restrictions. Talk to your Water Corporation about your options to obtain extraction share.

☐ **YES** (go to question 12) ☐ **NO** (go to question 14)

12. What rate of extraction share are you applying for? _____ **ML/day** (Note – the issue of extraction share is subject to assessment in accordance with Ministerial Rules)

13. Would you like to specify how we distribute the extraction share between your service points?

☐ **YES** ☐ **NO**, I would like the standard distribution applied

If yes, please indicate how you would like to divide the extraction share among the available service points, and between the persons applying for GPTs. For convenience, you can identify a person by nominating their ABA:

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SIGNATURE(S) – to be completed by land owner

14. All registered owners of the land specified in question 5 must sign. For water-use registrations with a purpose listed in question 6b, the applicant must sign here to declare they are a *prescribed person* under s.64APAA of the Act. **Please print name(s) in full and in capital letters.** *If there is insufficient space, download and complete Form 23 Annexure 1 (refer to explanatory note 27).*

14.1 – Individual land owner

GIVEN NAME(S)	SURNAME	SIGNATURE
i.		
Postal Address:		
Phone Number:	e-Mail:	

GIVEN NAME(S)	SURNAME	SIGNATURE
ii.		
Postal Address:		
Phone Number:	e-Mail:	

Dated DD MM YY

GIVEN NAME(S)	SURNAME	SIGNATURE
iii.		
Postal Address:		
Phone Number:	e-Mail:	

GIVEN NAME(S)	SURNAME	SIGNATURE
iv.		
Postal Address:		
Phone Number:	e-Mail:	

GIVEN NAME(S)	SURNAME	SIGNATURE
v.		
Postal Address:		
Phone Number:	e-Mail:	

14.2 – Company land owner

You must attach an ASIC company extract or an incorporated association extract less than 12 months old to this application. Signature(s) must be in accordance with the extract.

Name of Company	ACN
1.	
Postal Address:	

Dated DD MM YY

GIVEN NAME(S)	SURNAME	SIGNATURE	POSITION

Name of Company	ACN
2.	
Postal Address:	

Dated DD MM YY

GIVEN NAME(S)	SURNAME	SIGNATURE	POSITION

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SIGNATURE(S) – ABA holders (as specified in question 3)

15. All holders of the ABA nominated in question 3, and who have NOT already signed in question 14, need to complete this question.

Please print name(s) in full and in capital letters. *If there is insufficient space, please download and complete Form 23 Annexure 2 (refer to explanatory note 27).*

15.1 – Individual ABA holder

GIVEN NAME(S)	SURNAME	SIGNATURE
i.		
Postal Address:		
Phone Number:	e-Mail:	

ii.		
Postal Address:		
Phone Number:	e-Mail:	

iii.		
Postal Address:		
Phone Number:	e-Mail:	

15.2 – Company ABA holder

You must attach an ASIC company extract or an incorporated association extract less than 12 months old to this application. Signature(s) must be in accordance with the extract.

Name of Company	ACN
1.	
Postal Address:	

Dated DD MM YY

GIVEN NAME(S)	SURNAME	SIGNATURE	POSITION

Name of Company	ACN
2.	
Postal Address:	

Dated DD MM YY

GIVEN NAME(S)	SURNAME	SIGNATURE	POSITION

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LODGING PARTY (if applicable)

The lodging party may be a water broker or solicitor coordinating the application. Complete this section for the lodging party to receive correspondence.

GIVEN NAME(S)	**SURNAME**
Postal Address:	

Party ID | | | | | | | | | |

Phone Number

e-Mail:

EXPLANATORY NOTES

General – water-use licences or water-use registrations

1. A water-use licence (WUL) is for irrigation. It also allows a range of other standard purposes including animal husbandry, industrial or commercial, aquaculture and dewatering. The total area to be irrigated may be the same as the total area of the parcel/s (as per the land titles) or it may be less than the total area of the parcels.
2. A water-use registration (WUR) is for purposes other than irrigation. These include intensive animal husbandry, industrial or commercial, aquaculture and dewatering.
3. It is an offence to fail to comply with WUL/WUR conditions.
4. In certain circumstances, for the purpose of environmental watering, delivery/transmission losses, rural/urban residential or construction, prescribed persons (under s.64APAA of the Water Act 1989) may also apply for a water-use registration.
5. If you have a water-use registration you may also apply to have a WUL on the same land parcel. However, each parcel can only have one WUL and one WUR.
6. If you are applying for a WUL or WUR and that parcel of land already has an existing licence or registration, you must apply to cancel the water-use licence/water-use registration (Form 25) before the application for a new licence or registration can be processed. (Alternatively, you can request a *Form 50 Restructure of Water Services* application from your Water Corporation.)
7. This application facilitates the granting of a WUL or WUR for one or more parcels of land where those parcels are contiguous. The land volume/folios provided must be for the land on which water is to be used. The volume/folios must be as per the land title.
8. If there is a transfer of ownership of part of the land specified in the WUL or WUR, the existing licence or registration will be deemed to be cancelled on the day the transfer of ownership of the land takes place. You can apply for a new WUL or WUR before the land transfer however, it will not be approved until the transfer of land is recorded by the Land Registrar. Please contact your Water Corporation for further information.
9. You may nominate an existing ABA to link to the WUL/WUR, however if the holders of that ABA are different to the land owners, they will also need to sign this application form.
10. If you wish to link the water share/s that are associated to the nominated ABA directly to the WUL/WUR, please complete an application to Vary a Water Share (Form 9) and provide the application number in question 3.
11. If you are applying for a WUL or WUR, and works are required, you must have a Works Licence or evidence that you have applied for a works licence (an application number) and the *Application for a Works Licence* (Form 29) must be submitted before the application for a new WUL or WUR can be processed. If works are not required, (as water will be delivered directly to the land by a Water Corporation under casual-use provisions – check with your Water Corporation for availability of additional delivery required) you will need to provide your delivery share/assessment number. Your delivery share/assessment number will be as per your invoice from the Water Corporation.
12. If you are applying for a WUL to irrigate land not previously covered by a WUL, an 'Irrigation and Drainage Plan' must accompany your application. The Irrigation and Drainage Plan must be developed in accordance with the Water Corporation's "New Irrigation Development Guidelines." These can be obtained from your Water Corporation.
13. A copy of the land title(s) must be provided with your application (for all land which the WUL/WUR is to cover). This can be obtained through the Land Registry www.land.vic.gov.au. If you do not have a land title, you may still submit this application however the land title will need to be provided before this application can be approved.

Water-use registrations only

General Purpose

14. Water used under a WUR is not fit for any use that may involve human consumption without first being properly treated.
15. For Goulburn-Murray Water general purpose allows domestic and stock use, dairy use, and general non-irrigation farm use.
16. For Lower Murray Water, general purpose allows watering a kitchen garden that is not more than 0.4 hectares, watering animals kept as pets, watering cattle or other stock (not including piggeries, feed lots, poultry farms or any other intensive or commercial use), dairy use, and general non-irrigation farm use.
17. For Southern Rural Water general purpose allows watering of a kitchen garden that is not more than 0.4 hectares, watering animals kept as pets, watering cattle or other stock (not including piggeries, feed lots, poultry farms or any other intensive or commercial use including dairy wash down), and general non-irrigation farm use.

Land owners Consent

18. With regard to Q6 (section b) of this form, the Water Corporation may require prescribed persons under s.64APAA of the Act who apply for a water-use registration to provide written consent from the land owner(s). Please contact the Water Corporation in the first instance.

Water-use licences only

19. If you have an existing WUL on your parcel of land you must apply to cancel the WUL (using Form 25) before the new WUL can be approved. Provide the Form 25 application number at question 7 on this form.
20. Your application will be reviewed to decide if a referral to an Irrigation Development Case Manager is required. However, you are able to elect to have your application referred to a Case Manager regardless of the outcome of the review.

Place of take approvals

Note: Notional rationing rate under section 3(1) of the *Water Act 1989* is referred to as 'extraction share' in this form.

21. As part of this application, the ABA holder(s) in question 3 is also applying for an approval to take their water at each service point (pump or outlet) linked to the water-use licence or registration if they do not already hold such an approval. This *general place of take approval* (GPT) authorises the ABA holder(s) to take water from the identified approved place (at the service point), subject to any terms and conditions on the GPT.
22. If you are a river diverter, your GPT will also include your extraction share (ML/Day):
    - The extraction share is the basis on which restrictions will be imposed when river restrictions are required, meaning that if restrictions are in effect for a river reach, the proportion of a holder's extraction share they are authorised to take during that period will be announced.
    - During periods of normal river flow, the extraction share does not constrain the holder's right to take water.
    - It's an offence to fail to comply with an announced river restriction.
    - In uncapped areas, you may apply for extraction share to be issued on your GPT via this form (or alternatively via a Form 14 (Vary Extraction Share)) in line with your annual use limit and subject to Ministerial Rules.
    - In capped areas, no new extraction share will be issued. This means that to obtain extraction share you will need to source and apply for a transfer of extraction share (Form 16), subject to assessment in line with Ministerial Rules.
23. If you are a district user, your GPT will not include an extraction share as your delivery share is used to manage restrictions if needed.
24. More information is available at: https://www.waterregister.vic.gov.au/water-entitlements/about-entitlements/place-of-take-approvals

Lodgement

25. This application must be submitted complete with payment, to the Water Corporation by mail, in person or emailing a scan of the original hand-signed application.
26. Once an application is lodged, it will be internally reviewed to determine if it needs to be referred to other authorities before approval can be granted. The application may need to be referred to an Irrigation Development Case Manager for an Irrigation Development Guidelines assessment if:
    - There was no previous WUL on that parcel of land;
    - The applicant requests the application be referred to an Irrigation Development Case Manager;
    - There is an overall increase in the annual-use limit across the parcels covered by the existing WUL;
    - There is an overall increase in the area irrigatable under the existing WUL.
27. Form 23 application forms, annexure pages (as required) and the schedule of application fees are available from http://waterregister.vic.gov.au/about/forms-and-fees or alternatively contact the Water Corporation.

Signatures

28. All land owner(s) must sign. Applications made by prescribed persons (refer to s.64APAA of the Act) may be exempt, and in this case the prescribed person(s) must sign. Please contact the Water Corporation in the first instance.
29. If any ABA holders are different to the land owners, they must also sign the application.
30. If there is insufficient space for all land owner(s) or ABA holders to sign this form, please ensure the relevant Form 23 Annexure is completed.
31. Signatories for a company (e.g. Director or Company Secretary) must sign in accordance with an ASIC company extract not more than 12 months old. Only persons listed on the ASIC company extract can sign. A copy of the ASIC company extract must be attached to the application.

Approval of the application

32. If the application is approved, a letter will be sent to the land owner/prescribed person. A WUL or WUR Copy of Record will be attached and will state the licence/registration conditions.
33. The ABA holder(s) will also be sent a letter stating they have been issued a general place of take approval (GPT) and particular place of take approvals, as applicable. A GPT Copy of Record will be attached and will state any terms and conditions that apply including extraction share.
34. A letter will also be sent to the lodging party if a lodging party coordinated the application.

More information required

35. If the Water Corporation requires more information a notification will be sent to the applicant(s) and to the lodging party if applicable. The notification will make clear the missing and/or incorrect information that requires correction.
36. Applicants must provide missing information or correct information within two calendar months, or the *Application for a Water-use Licence or Water-use Registration* will lapse, and a new application would need to be lodged with another application fee.

Refusal of the application

37. If the Water Corporation refuses the application, the Water Corporation will send the applicant(s) a letter stating the reasons for the refusal. A copy will be sent to the lodging party if they coordinated the application.

What is happening under the *Water Act 1989*

38. This form is an application, where applicable, for the Minister's approval to obtain:
    - a water-use licence that authorises the use of water on land for the purposes of irrigation (under section 64O);
    - a water-use registration that authorises the use of water on land for purposes other than irrigation (under section 64AR);
    - a general place of take approval which approves the place at which water can be taken, subject to any terms and conditions (under section 64FC); and
    - a particular place of take approval which approves which water a person can take at the approved place (under section 64FZJ).

    Note: A reference in these notes to actions to be undertaken by the Water Corporation may mean the Water Corporation is acting as delegate of the Minister under section 306.
39. If you require further information please contact your Water Corporation:

Goulburn-Murray Water 40 Casey Street PO Box 165, TATURA 3616 LandandLicensingApplications@gmwater.com.au Ph: 1800 013 357	Lower Murray Water 741–759 Fourteenth Street PO Box 1438, MILDURA 3502 applications@lmw.vic.gov.au Ph: 1800 808 830	Southern Rural Water Maffra Office 88 Johnson Street PO Box 153, MAFFRA 3860 srw@srw.com.au Ph:1300 139 510

Privacy and access to information

The Department of Energy, Environment, and Climate Action (DEECA), Goulburn-Murray Water, Lower Murray Water and Southern Rural Water (water corporation) are committed to protecting personal information provided by you in accordance with the privacy principles in the Privacy and Data Protection Act 2014 (Vic). The information you provide will be used by the water corporation to process your application and to manage your entitlements in the Victorian Water Register (VWR). Your information will be collected by your water corporation and submitted to the VWR which is managed jointly by DEECA and the water corporations. Failure to provide details as requested may mean that your application cannot be processed. All information may be made available to other authorised government departments, agencies, and contractors for use in the ongoing administration of any entitlements, and your contact details may be used to survey you about your experience with the VWR. This information is being collected in accordance with the *Water Act 1989.* You may access your information you have provided to the VWR by contacting us at waterregister.support@delwp.vic.gov.au or call 136 186.