

Form 72



Licence to Construct or Alter Works

Form suitable for either Domestic and Stock, Investigation or Observation Bores, including Decommissioning

What is this application form for?

Use this form to make application for a Licence to Construct or Alter works (bore) for the purpose of groundwater investigation or observation or domestic and stock. This form is not to be used for Licensable bores.

This application form incorporates provision for an application for:

- Licence to construct works for new, alter and decommission – section 67 *Water Act* 1989 (Vic)
- Renewal of a Licence to Construct or Licence to Alter Works section 72 *Water Act* 1989 (Vic)
- Amendment to a Licence to Construct or Licence to Alter Works section 73 *Water Act* 1989 (Vic)

Transfer of a Licence to Construct or Licence to Alter Works section 74 *Water Act* 1989 (Vic)

Please note:

This application can now be completed online through the Victorian Water Register for a lesser fee. Please visit www.waterregister.vic.gov.au or contact LMW on 03 5051 3400 for further details.

Application Check List

Complete the checklist. Incorrect information may result in your application being refused.
Your application will be returned if it is ineligible or incomplete.

What to do:

- This application type is available online by visiting the Victorian Water Register web site. LMW recommend you apply online.
- Complete the form in full ensuring all relevant information is provided.
- The application has been signed by ALL persons listed on the land title/s
- If a person other than the applicant has signed the declaration, written authorisation from the applicant is attached. Annexure 1 is provided for this purpose
- If the bore/s is to be constructed on land that is NOT in the applicant's ownership, written consent from the owner is attached. See Annexure 1
- If consultant has completed and signed application form on behalf of another party written authorisation is attached. See Annexure 2.
- If the land is on Crown Land (road reserve etc.), documented consent and/or permits from the relevant Authorities (e.g. Vic Roads, DSE, Shire etc) are attached to the application.
- Send or email the form, any required documentation and the application fee to: applications@lmw.vic.gov.au
- LMW accepts payment by cheque or credit card only

1. APPLICATION TYPE

Select type of application (tick which applies)

	Issue New	Transfer	Renew	Alter (change purpose or site location)	Amend existing bore (add or remove land)	Decommission (no cost)	Issue New Additional
Domestic and Stock	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Investigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Observation*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please refer to notes section before making an application for a licence to construct an observation bore

Complete the following relevant section:

For Transfer/Renew/Alter/Amend or Decommission applications (excluding Issue New)

List existing Licence to Construct Works Number: **WLE** _ _ _ _ _

For an Alter application

Detail reason for proposed alterations: _____

For an Issue New application

Number of bores to be constructed _____

Proposed depth in metres _____

Select proposed bore type

- Drilled
- Single bore system
- Other (specify) _____
- Improved spring
- Well or shaft

For a Decommission application

Number of bore/s to be decommissioned _____

Select bore type to be decommissioned.

- Drilled
- Well or shaft
- Multiple bore system (number of bores _____)
- Improved Spring
- Dragline Hole

Single bore system (specify) _____

Spearpoint system (number of spears) _____

Other (specify) _____

Detail of bores to be decommissioned

Depth of bore/s: _____

Bore Diameter: _____

Present use of bore: _____

Year of construction: _____

Bore numbers (if known) _____

Proposed decommissioning method: _____

2. APPLICANT 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: _____

Email: _____

3. CONSULTANT DETAILS

Company Name _____

Contact Person _____

Postal Address: _____

_____ Postcode: _____

Telephone number: _____ Mobile number: _____

Email: _____

Note: If a consultant is making this application on behalf of another party you must attach written authorisation. *Please use Annexure 2 - Agent authorisation (attached)*

4. DESCRIPTION OF LAND ON WHICH THE BORE/S WILL BE CONSTRUCTED, ALTERED OR DECOMMISSIONED

Property address: _____

Vol	Fol	Lot No.	Plan No.	Crown Allotments	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)*.

If the land listed above is Crown land (Road Reserve etc) documented consent and/or permits from the relevant authorities (e.g. VicRoads, DSE, Shire etc) must accompany this application.

5. LICENSED DRILLER TO UNDERTAKE CONSTRUCTION

Name: _____

Drillers Licence No: _____

6. 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 LMW may release information contained in this application, at the discretion of LMW to relevant parties and organisations in accordance with relevant legislation. I approve LMW to have discussions with relevant third parties such as the Irrigation Designer, Engineers and Contractors as necessary. I acknowledge that I have read and understand the accompanying explanatory notes and accept the terms and conditions contained therein.

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 signature

Director/Secretary signature

Name: _____

Name: _____

Position: _____

Position: _____

Address: _____

Address: _____

Date: _____

Date: _____

Protecting your privacy

Lower Murray Water (LMW) 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 LMW 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.lmw.vic.gov.au.

ONLY COMPLETE SECTIONS 7 IF THIS APPLICATION IS TO TRANSFER AN EXISTING WORKS LICENCE TO NEW LAND OWNER/S

7. TRANSFEREE/S DETAILS AND DECLARATION (Property buyer)

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 LMW may release information contained in this application, at the discretion of LMW to relevant parties and organisations in accordance with relevant legislation. I approve LMW to have discussions with relevant third parties such as the Irrigation Designer, Engineers and Contractors as necessary.

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

Applicant No 1: (Individual or company name) _____

Date of Birth: _____

Signature of applicant 1 _____ Date: _____.

Applicant No 2: (Individual or company name) _____

Date of Birth: _____

Signature of applicant 2 _____ Date: _____.

Applicant No 3: (Individual or company name) _____

Date of Birth: _____

Signature of applicant 3 _____ Date: _____.

Applicant No 4: (Individual or company name) _____

Date of Birth: _____

Signature of applicant 4 _____ Date: _____.

Postal Address: _____

_____. Postcode: _____.

Telephone number: _____

Mobile number: _____

Email: _____.

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 signature

Director/Secretary signature

Name: _____

Name: _____

Position: _____

Position: _____

Address: _____

Address: _____

Date:- _____

Date: _____

Protecting your privacy

Lower Murray Water (LMW) 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 LMW 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.lmw.vic.gov.au.

Assistance with completing the application form

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 8.30am and 4.30pm Monday to Friday

Telephone: 03 5051 3400

Email: applications@lmw.vic.gov.au

<p>Question 1 Type of Application</p>	<p>Please indicate whether you wish to apply for a licence to:</p> <ul style="list-style-type: none"> • Construct a new bore • Alter an existing bore • Decommission a bore or • Make application to renew, transfer or amend an existing licence (see further details below) <p>Renewal of existing Licence to Construct Works - A Licence to Construct Works is valid for 12 months. You may apply to renew a works licence once by lodging an application before the existing licence is due to expire. An existing licence may only be renewed for one further term, if works have not been carried out within the licence renewal period, an application for a new licence will be required.</p> <p>Amendment to existing Licence to Construct Works - A Licence to Construct Works can be amended providing it has not expired. You can apply to amend an existing Investigation licence to:</p> <ul style="list-style-type: none"> • Change proposed bore site/depth or add additional land/s <p>You can apply to amend an existing observation licence to:</p> <ul style="list-style-type: none"> • Add additional no of bores to be constructed or • Change proposed bore site or add additional land/s <p>Transfer of existing licence to construct works - A Licence to Construct Works may be transferred upon sale of land to the new owners of land provided it has not expired.</p>
<p>Question 2 Applicant/s details</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 3 Consultant details</p>	<p>If a consultant will be co-ordinating the works, please provide consultant name and details and they will receive the documentation. If a consultant is making application on behalf of a company, evidence of their authority to make application on behalf of the company must be provided.</p> <p><i>Annexure 2 - Proforma for authorisation of agent to sign application form on behalf of applicant is provided for this purpose.</i></p>

Question 4

Description of land on which the bore/s will be constructed, altered or decommissioned

Applicants must provide details of the land/s where the bore/s will be constructed, altered or decommissioned. The current ownership of this land must also be verified. To ensure this information is accurate LMW requires a current copy of the title/s for all land. If the bore/s are 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.

A Registered Title Search for each separate title must be provided. Rates notices will not be accepted. An example of an acceptable Registered Title Search is attached.

If the bore is to be constructed, altered or decommissioned on crown land, consent and/or permits issued by the relevant authorities (eg. Vic Roads, DSE, Shire etc) must accompany the application. If you need to

	<p>obtain copies of these documents please contact the local office of the Department of Sustainability and Environment or the Shire administering the permits for this crown land.</p> <p>How can I get a copy of my 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 • Contacting your solicitor or legal advisor to conduct the search on your behalf (fees may apply)
<p>Question 5 Licence driller to undertake construction</p>	<p>You must engage a licensed driller to drill and construct, alter or decommission the bore/s. Your nominated driller cannot commence drilling until you have obtained a Licence to Construct Works. The licence conditions must be clearly understood by yourself and your nominated driller before the works commence.</p> <p>Upon completion of the bore/s, the driller must lodge a Bore Completion report with LMW within 28 days.</p>
<p>Question 6 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 LMW complete the searches on your behalf. • Contacting your solicitor or legal advisor to conduct the search on your behalf (fees may apply).
<p>Question 7 Transferee/s details (details of person/s licence to be transferred to)</p>	<p>All person/s listed on the Notice of Acquisition or title/s provided with the application must be listed as transferee/s.</p>

General information and explanatory notes

What is a bore?

The most common type of bore is a hole which is drilled by a large drilling rig. The definition of a bore also includes a sump, well, drag line or any excavation used to intercept, collect and store groundwater for the purpose of taking and using it.

Why do I need a licence to construct a bore?

Under the provisions of the *Water Act 1989* (Vic), any person who constructs, alters or replaces a groundwater bore greater than three metres in depth must obtain a licence to construct works prior to commencing.

What is the difference between an investigation and observation bore (Consultants only should apply for these type of bore/s)?

Investigation bores are constructed for the purpose of investigating the potential to access underground water resources at a specified location. A works licence issued for investigation authorises the drilling of a number of test holes but does not authorise any bores to be developed or retained after the drilling rig has been removed from the site.

If a works licence is issued for investigation, groundwater may not be taken or used for any purpose apart from water quality testing.

Observation bores are constructed for the purpose of monitoring groundwater levels at a particular site. Bores may only be constructed to a maximum diameter of 130mm unless specifically approved by LMW. Water may only be extracted from these bore(s) for the purposes listed below:

- measurement of offsite impacts
- as part of a state or authority measurement network
- observation of environmental issues
- undertaking hydro geological assessments if directed by LMW

Domestic and/or stock purposes? If you are the owner or occupier of land on which a bore is located, you may have the right (sometimes called a private right) to take and use water solely for the purposes of: • household use • watering of stock and pets • watering of a kitchen garden (up to 0.4 hectares)

If I am constructing the bore for **Domestic and/or stock purposes** what are the steps to obtaining a licence.

Step 1 Complete this application and lodge with LMW along with the application fee. The application will be assessed and if approved, a licence to Construct Works will be issued and you can proceed to engage a driller to construct the bore.

Step 2 When the bore is completed, a bore completion report must be issued to LMW by your driller. When this report is received LMW will register your bore for domestic and stock use and you can commence using the water.

Can I take and use water from my bore when it is completed? When the bore is constructed and equipped you may commence using the water for domestic and/or stock purposes only. However, at any time if you wish to use the water for any licensable purpose (see next question for details about licensable purposes) you must make application for a licence to take and use water and operate the works.

What type of water use is considered a licensable purpose? A licence to take and use water 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.

My bore is in need of repair. Do I need to apply for a licence? If you intend to make any structural changes to the bore (including deepening the bore, adding additional spear points to an existing system, repairing or replacing casings or screens) a licensed driller must be engaged to carry out the works and you must apply for a licence to alter the works.

If the bore is beyond repair, you can make application for a licence to construct a new bore. The failed bore must be decommissioned.

How do I know if my bore needs to be decommissioned?

If you own a bore that is not part of a regular maintenance schedule, it may need to be decommissioned particularly if it is:

- More than 20 years old and not in current use
- Constructed from steel casing that is damaged or corroded
- Pumping sand
- Yielding saltier/poorer quality water than it has in the past
- Flowing uncontrollably
- Dewatering quickly
- Silted, collapsed or blocked
- No longer needed or has been replaced by a new bore

Why do I need a licence to decommission a bore? Under the provisions of the Water Act 1989 (Vic), any work conducted on a bore, including the decommissioning of a bore must not be carried out until a Licence to Decommission Works has been issued. Licensing this activity ensures that works are carried out correctly and will not pose any ongoing risks to the public safety or the environment. It also ensures that accurate records are kept in relation to the status of bore/s across LMW's region.

What if I can't get the bore/s drilled or constructed within the 12 month period of the licence?

If the work has not been completed by the expiry date, the licence may be renewed once only. If works have not been carried out within the licence renewal period, an application for a new licence will be required.

Who can drill the bore/s and when can they start work?

You must engage a licensed driller to drill and construct a new or replacement bore or if you are altering an existing bore. Your nominated driller cannot commence drilling until you have obtained a licence to construct works. The licence conditions must be clearly understood by yourself and your nominated driller before drilling is undertaken.

Do I need to notify LMW when the bore is completed?

Yes, you should forward the form provided with your licence called the *Notice of Outcome* to LMW as soon as works are complete. Your licensed driller is responsible for submitting a formal bore completion report to LMW within 28 days of completion of the works.

What does the application fee cover?

Application fees cover the full cost of undertaking a licence assessment in accordance with LMW's legal obligations under the *Water Act 1989* (Vic).

What happens after I lodge my application?

After you lodge your application LMW 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. When the decision has been made in relation 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.

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/ occupiers/ Crown Land Manager of the land known as:

Property address: _____

Vol	Fol	Lot No.	Plan No.	Crown Allotments	Section	Parish

Authorise: _____
please include names of all Licence Holder(s)

of (Postal Address): _____.

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

Indicate Licence No: (if known) _____

Signature(s) of owner/ occupier/ Crown Land Manager(s) _____.

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 signature

Director/Secretary signature

Name: _____

Name: _____

Position: _____

Position: _____

Address: _____

Address: _____

Date:- _____

Date: _____

Protecting your privacy

Lower Murray Water (LMW) 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 LMW 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.lmw.vic.gov.au.

ANNEXURE 2

AUTHORISATION FOR AGENT TO COMPLETE AND SIGN APPLICATION ONBEHALF OF APPLICANT/S

Please complete this form if a consultant or agent is making application for a licence on behalf of another party.

I / We (*print name*): _____

Of (*Postal Address*): _____

Authorise: _____

(name of authorised agent)

Of

_____ (consultancy company/ business name)

(*Postal Address*): _____

to make application for a Licence to Construct Works (investigation/observation) on my/our on behalf.

Signature(s): _____

Print Name(s) & position (if a company/organisation is the applicant):

Date: _____.

Please refer to the application notes for information about who should sign this application.

Protecting your privacy

Lower Murray Water (LMW) 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 LMW 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.lmw.vic.gov.au.