Works Licence

Construct, Alter, Operate, Remove or Decommission a Dam, Pump or Works

Application form

Water Act 1989 Sections 67

PLEASE RETURN TO MELBOURNE WATER CORPORATION

Melbourne Water Corporation
PO Box 4342
MELBOURNE VIC 3001

If you require assistance with completing this application please contact Melbourne Water on 13 17 22

State Government Victoria

Melbourne Water
Enhancing Life and Liveability

Checklist

This checklist is provided for customers to self-assess that they have provided all required information to enable the application to be processed. It is recommended that you check off each of the items listed. If the application is incomplete it will be returned and will not be considered lodged with Melbourne Water.

Office Use Only	Provided / Complete	**Applicant's name: .....**
❑	❑	The Application Form (pages 3 -9) has been completed in full, signed, and is attached.
❑	❑	A copy of the current Certificate of Title(s) (Registered Search Statement & plan) produced within the last 3 months. (If not shown as owner on title then additional information should be supplied to demonstrate proof of ownership.) (A copy of title (Registered Search Statement) can be obtained from the titles office via the internet at www.land.vic.gov.au)
❑	❑	If the applicant is a Company, a copy of the current company extract (not more than 3 months old) providing full company details. ** A copy of your Company extract can be obtained from your solicitor or via the internet at www.asic.gov.au.
❑	❑	If applicable, written permission from landowner(s) where pumps/pipelines or other associated works are or will be situated (i.e. crown land, council or neighbours).
❑	❑	General Site Plan as per section 2.2 detailing: (**1**) Property;.(**2**) Area; (**3**) Source of supply;.(**4**) Location of works site/s; (**5**) Allotments between source of supply and the property; (**6**) Allotment numbers of the property; (**7**) Existing Native Vegetation/Tree Cover; (**8**) Any dams; (**9**) Other general features.
❑	❑	For any new works, full engineering Works Plans as per sections 3.1 and 4.1, prepared in accordance with the requirements outlined in Appendix B - Works Plans
❑	❑	For all existing works a Works Plan prepared in accordance with the requirements outlined in Appendix B – Works Plans.
❑	❑	For hazardous sized dams a dam surveillance program and dam safety emergency management plan as specified in section 5.
❑	❑	Photos of the works area, extraction point(s) and storage(s).

Privacy Notice

Melbourne Water respects the privacy of your personal information and we collect and handle it in accordance with the Privacy and Data Protection Act 2014 (Vic).

When you apply for a diversion licence, we require you to provide your name and contact details, the address of the specified land and other particulars of the licence, in accordance with Part 4B of the Water Act 1989 and for the purpose of processing your application. We may be unable to process your application if your information is incomplete.

If your licence is approved, this information will be available to Melbourne Water staff, and its agents and contractors and the Victorian Department of Energy, Environment, and Climate Action to the extent necessary to administer and communicate with you about your licence. Subject to other laws, your information will be included in, and publicly available through, the Victorian Water Register (www.waterregister.vic.gov.au), in accordance with Part 4B of the Water Act 1989. The register is administered by the Victorian Department of Energy, Environment, and Climate Action.

We may also share your name and contact details with contractors for the purpose of customer experience research. De-identified information about your licence will be used for statistical water information.

By applying for a diversion licence, you are consenting to the use and disclosure outlined above.

Our Privacy Policy is available on our website.

Referrals & other approvals

The following information is provided to advise applicants of additional requirements they may need to undertake as part of their proposal.

Environment protection & biodiversity conservation

The Environment Protection & Biodiversity Conservation (EPBC) Act was introduced in 1999.

The EPBC Act provides a legal framework to protect and manage nationally and internationally important flora and fauna, ecological communities and heritage places. The Applicant is responsible for ensuring their actions will not adversely affect environmental values. Certain actions and activities with a significant impact on the environment may need approval under the EPBC Act. If you are proposing to take action that could have a significant impact on our environment, you will need to refer your proposed action to the Australian Government Minister for the Environment, Heritage and the Arts.

For more information about this Act and to download Environment Australia referral forms, visit **www.environment.gov.au/epbc,** email: **ciu@ea.gov.au** or phone **1800 803 772**.

Aboriginal cultural heritage

Aboriginal places and objects can be found all over Victoria and are often near rivers, lakes, swamps and the coast. Aboriginal places and objects can also be found on private property. Aboriginal Affairs Victoria (AAV) works in partnership with landowners, land managers and Aboriginal communities to record, protect and manage these places and objects. The Aboriginal Heritage Act 2006 requires that the discovery of Aboriginal cultural heritage places or objects on any public or private land in Victoria be **reported** to Aboriginal Affairs Victoria. Landowners who suspect a discovery of cultural heritage on their land can find out what to do by visiting the webpage www.dpcd.vic.gov.au/indigenous/aboriginal-cultural-heritage/information-for-landowners.

The relevant Registered Aboriginal Parties must be contacted prior to the commencement of works on crown land to determine the existence of any aboriginal place objects and archaeological sites. For more information on the relevant contact please visit www.dpcd.vic.gov.au/indigenous/aboriginal-cultural-heritage/registered-aboriginal-parties.

Crown land and other parties land

In many places throughout Victoria, waterways and drains are located within crown reserves. These pieces of land are normally managed by the Department of Environment and Primary Industries but may be occupied or leased by other parties. In cases where the Applicant proposes to occupy or cross crown land with their works or pipelines then the Applicant must provide demonstrated evidence that they have, or will obtain, the relevant permission from the land manager. In the case of crown land a Water Frontage or Crown Land Occupation Licence may be required from the Department of Environment and Primary Industries. Contact: Senior Land Use Planner, Crown Land Management - Port Phillip Region, P O Box 500,East Melbourne VIC 8002 or call 9637 8000.

Similarly applicants must be able to demonstrate the relevant consent of any third party or agency on whose land the pump or associated works are, or will be, located.

Public advertising

Applicants acknowledge that they will be required to undertake public advertising of all licensing proposals to enable public consultation and for potentially affected parties to have input into the assessment process. Further advice regarding these requirements will be provided following submission of the application.

WORKS LICENCE APPLICATION CONSTRUCT, ALTER, OPERATE, REMOVE OR DECOMMISSION A DAM, PUMP OR WORKS

Water Act 1989 Section 67

Existing Works Licence No. WLE | 0 | | | | | |

(Where applicable.)

APPLICATION TYPE:

(Please tick one box from each of the categories below.)

Application to:

- ☐ Construct New Works
- ☐ Alter Works
- ☐ Operate Works
- ☐ Remove Works
- ☐ Decommission Works

Works Type:

- ☐ Dam
- ☐ Pump
- ☐ Gravity channel / Water race
- ☐ Other _____

(Please describe)

1.1 Name of Applicant(s)

Please print name(s) in full and in block letters. All applicants must sign the application in section 3. If there are more than two individual applicants please attach a separate page listing additional applicant names and signatures.

Individual applicant(s)

1. Title: (please circle) Mr / Mrs / Ms / Miss

Surname: _____ Given Names: _____

2. Title: (please circle) Mr / Mrs / Ms / Miss

Surname: _____ Given Names: _____

If applicant is a company:

Company / Business/ Trading Name: _____

ABN Number: _____

Company Contact Person: _____

Position held within Company: _____
(e.g. Director / Secretary)

1.2 Contact Details of Applicant(s)

All Correspondence and Billing will be directed to the address nominated as Applicant 1 in this section.

Applicant 1 / Company

Postal Address :_____

Suburb: _____ Postcode: _____

Telephone: _____ Mobile: _____

Facsimile: Email:

Applicant 2

Postal Address :_____

Suburb: _____ Postcode: _____

Telephone: _____ Mobile: _____

Facsimile: Email:

1.3 Secondary Contact Details

(Eg. Site Manager or other Contacts person)

Complete this section only if applicable and you wish to nominate a secondary contact person.

Name: _____ Relationship to applicant: _____

Postal Address :_____

Suburb: _____ Postcode: _____

Telephone: _____ Mobile: _____

Facsimile: _____ Email: _____

2 PROPERTY DETAILS

2.1 Property Where Works Are Proposed

(i) Attach a copy of the Land Title for each property issued by the Titles Office and not more than 3 months old
(ii) All Volume and Folio Numbers must be provided for each title where works will be situated or water will be used:

Property Address: _____

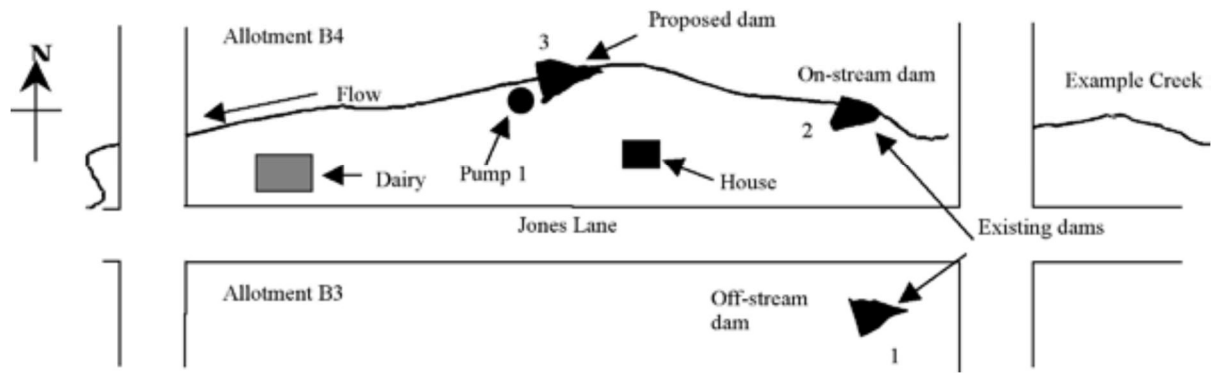
Lot number(s)	Plan number(s) (LP / PS / TP)		Volume	Folio
a)			a) Volume:	Folio:
b)			b) Volume:	Folio:
c)			c) Volume:	Folio:
d)			d) Volume:	Folio:
Crown Allotment(s)	**Section(s)**	**Parish**		
a)			a) Volume:	Folio:
b)			b) Volume:	Folio:

2.2 General Site Plan

Application must be accompanied with a general site plan / map showing the location of ALL existing and proposed works on the property. Details should include: (1) Property boundaries. (2) Area being irrigated. (3) Source of supply (ie. Creeks, waterways, bores) (4) Location of existing and proposed pump site/s (5) Any allotments between source of supply and the property (6) Allotment numbers of each property. (7) Existing Native Vegetation/Tree Cover. (8) Any existing or proposed dams (9) Other general features such as houses, sheds, drains, roads and access tracks.

Note: Much of what is required can be obtained online free of charge by using internet based mapping services and adding additional features as required by hand. Where available recent satellite or aerial images should be used.

Sample locality map.



2.3 Consent Of Owner Or Crown Land Manager

If you are not the legal owner or occupier of the land where the works are located, or the land is crown land, print the occupier or crown land manager's name in block letters below. You will need to obtain their written consent for the works to proceed and must supply a copy of their consent to Melbourne Water. Refer to further information on referrals and other approvals under Appendix A.

Name of owner / occupier or Crown Land Manager:

_____

2.4 Existing Take and Use Licences and / or Application

Do you hold an existing licence that is / will be used in association with the works? If so provide details below.

Does this application accompany a Take and Use Licence application? Y / N

Existing Take & Use Licence No. BEE	**0**					

3 WORKS DETAILS
3.1 Works Particulars

As well as the general information to be provided below, pump and offtake works for the proposal must be detailed on an appropriate engineering plan and submitted to Melbourne Water with your application. Refer works plan requirements in Appendix B and Melbourne Water Guidelines for Waterway Offtakes.

Engine Type: Electric / Diesel / Petrol	Engine Output: _____ KW / HP
Manufacturer: _____ Model: _____ Serial No. (if available):	Suction size (mm): _____ Delivery size (mm): _____ Maximum flow rate: litres / hour
Location Description:	
Easting: **E**	Northing: **N**

*If more than one pump, take photocopy and attach additional information as necessary.

3.2 Contractor / Installer Details

(Contractor responsible for design and installation of pump and offtake equipment)

Name: _____

Company Name: _____

Postal Address :_____

Suburb: _____ Postcode: _____

Telephone: _____ Mobile: _____

Email:

4 STORAGE DETAILS

4.1 Plan Requirements

As well as the general information to be provided below, dam / storage works for the proposal must be detailed on appropriate engineering plans and submitted to Melbourne Water with your application. Engineering plans must comprise of detailed plan, cross-section and longitudinal views of the proposed works and be fully dimensioned. Information to be provided on the plans should include:

Downstream height to crest	Downstream batter slope and length	Spillway bottom width
Crest Width	Upstream batter slope and length	Spillway top width
Embankment base width	Wall length	Spillway depth
Core Trench Width	Outlet pipe diameter	Spillway Length and discharge point
Core Trench Depth	Outlet pipe height	Spillway capacity
Flow Bypass mechanisms details	Full supply level	Spillway design flood flow

Additional Works plan requirements are described in Appendix B

4.2 Harvesting Arrangements

Is the dam or storage located on a waterway?:	❑ Yes ❑ No
Does the works area have high ecological values or provide habitat for aquatic life?:	❑ Yes ❑ No
How will the storage be filled?:	❑ Pumping from a waterway / drain ❑ Catchment Run-off ❑ Groundwater ❑ Other : _____

4.3 Catchment of Existing or Proposed Dam / Storage

Catchment Area: _____ (ha) How has area been determined?: ❑ Measured **or** ❑ Observed estimate

Soil Type:	**Topography:**	**Vegetation:**
❑ Clay	❑ Flat	❑ Cleared Pasture
❑ Loam	❑ Gentle	❑ Lightly treed / Mixed vegetation
❑ Sand	❑ Steep	❑ Bushland / Forest
❑ Other : _____	❑ Hilly	

4.4 Potential Downstream / Upstream Impacts

Will the storage inundate a neighbouring property when full or in the event of a failure?: ❑ Yes ❑ No

Please identify the distance to the nearest downstream developments / infrastructure potentially affected in the event of a failure:

Township: _____ km

Occupied Dwelling: _____ km

Roadway: _____ km

Dam: _____ km

Railway Crossing: _____ km

Other Significant Infrastructure: _____km

Please identify the distance upstream to the nearest dam: _____km

Please list any environmental features upstream or downstream of the dam / storage:

_____

_____

_____

4.5 Dam Specifications

Is the dam or water storage:

❑ Existing or ❑ Proposed *(tick one)*

Type of storage:

❑ Dam / Lake

❑ Natural **or** ❑ Constructed

❑ Earthfill **or** ❑ Concrete **or** ❑ Other: _____

Surface area: _____ m^2

Max Wall height: _____m

Capacity: _____ Megalitres (ML)

Spillway Capacity: _____ ML/Day

Design Flood (AEP): 1 in _____years

Outlet Pipe Diameter: _____ mm

Upstream Valve: ❑ Downstream Valve: ❑

Location Description:

Easting: **E** Northing:**N**

❑ Tank

❑ Above Ground **or** ❑ Below Ground

❑ Concrete ❑ Plastic ❑ Fibreglass

Other: _____

Dimensions (l x w x h): _____

Capacity: _____ Megalitres (ML)

Easting: **E** Northing:**N**

4.6 Dam Hazard Category

Hazard category assessments should be undertaken by an engineer and are required only in the case of hazardous sized dams. (Refer section 5.)

Hazard category according to ANCOLD Guidelines on the Assessment of the Consequences of Dam Failure 2000:

❑ Very Low ❑ Low ❑ Significant

❑ High A ❑ High B ❑ High C ❑ Extreme

5 ON-STREAM OR HAZARDOUS SIZED DAMS

Dams located on a waterway and dams considered hazardous in size will require the input of an engineer to oversee the design and construction of the works. Hazardous sized dams will require the preparation and submission of a dam surveillance program and dam safety emergency management plan. A dam is considered of Hazardous size if it meets any of the following criteria:

- It has a wall that is 5 metres or more high above ground level at the downstream end of the dam and a capacity of 50 megalitres or more; or
- It has a wall that is 10 metres or more high above ground level at the downstream end of the dam and a capacity of 20 megalitres or more; or
- It has a wall that is 15 metres or more high above ground level at the downstream end of the dam regardless of capacity.

5.1 Engineer Responsible for Investigation, Design & Surveillance

Name: _____

Company Name: _____

Postal Address :_____

Suburb: _____ Postcode: _____

Telephone: _____ Mobile: _____

Facsimile: _____ Email: _____

Eligibility for Institute of Engineers Australia membership: ❑ Yes ❑ No Membership No: _____

Qualifications / experience: _____

_____

5.2 Engineer Responsible for Supervising Dam Construction

Name: _____

Company Name: _____

Postal Address :_____

Suburb: _____ Postcode: _____

Telephone: _____ Mobile: _____

Facsimile: _____ Email: _____

Eligibility for Institute of Engineers Australia membership: ❑ Yes ❑ No Membership No: _____

Qualifications / experience: _____

_____

5.3 Contractor Details for Dam Construction

Name: _____

Company Name: _____

Postal Address :_____

Suburb: _____ Postcode: _____

Telephone: _____ Mobile: _____

Facsimile: Email:

6 Signature(s) and Declaration of Applicant(s)

I/we the undersigned certify that the information provided in this application is true and correct.
I/we understand that this information may be referred to other organisations and/or advertised as part of the application and assessment process or released if reasonably required by government business, requested by lawful orders, or in the public interest; particularly in regard to open disclosure of generally collected water entitlements.

Applicant 1
signature:_____ Date: / /

Please Print name:_____

PLEASE NOTE POSITION WITHIN COMPANY IF APPLICABLE (E.G. DIRECTOR / SECRETARY)

Applicant 2
signature:_____ Date: / /

Please Print name:_____

PLEASE NOTE POSITION WITHIN COMPANY IF APPLICABLE (E.G. DIRECTOR / SECRETARY)

If the applicant(s) is a company, a copy of the current company extract (not more than 3 months old) must be supplied with this application. The company must sign the application in accordance with the Corporations Act 2001. Under that Act, a company may execute a document without a common seal if the document is signed by two directors of the company, or a director and a company secretary of the company. Melbourne Water will not accept liability if this form is signed by a person who is not authorised to do so.

Appendix B – Works Plans

Background

A works plan enables the applicant to demonstrate that the public safety, aesthetic, archaeological, environmental and water resource values of the waterway, aquifer, or the riparian or riverine environment will be protected during construction, alteration, operation and/or decommissioning of the works (and associated works).

In setting conditions on a works licence, Melbourne Water may refer to the provisions of a relevant works plan endorsed by Melbourne Water. Endorsement of the works plan by no means transfers any risks or obligations associated with the management and operation of the works from the licence holder to Melbourne Water.

The applicant is responsible for ensuring that the works plan complies with the Aboriginal Heritage Act (2006) and is consistent with any agreement made under the Native Title Settle Framework (2009) such as an Indigenous Management Agreement or Land Use Activity Agreement.

The applicant is responsible for ensuring that the works plan complies with matters listed under section 40 (b) to (n) of the Act, including matters listed under any relevant act and or strategy such as the relevant regional strategy for healthy rivers and wetlands.

Requirements

1. Requirements within this schedule may be modified or waived by Melbourne Water after consultation with and written agreement from the relevant Catchment Management Authority.
2. If the relevant Catchment Management Authority seeks further information on any of the matters listed below because it considers this necessary to determine whether the site is suitable for sustainable development and the potential off-site impacts are, then Melbourne Water may require further information.
3. A works plan must include
    (a) A site map in accordance with requirements of section 2.2 of the application form
    (b) If the application is for a licence to construct or alter works on a waterway, construction plans in accordance with clause 4 of this Appendix;
    (c) If the application relates to a potentially hazardous dam, the requirements specified in clause 5 of this Appendix;
    (d) If the application is for a licence to construct or alter an on-waterway dam, an Environmental Assessment Report in accordance with clause 6 of this Appendix;
    (e) If the application is for a licence to decommission or remove works, a decommissioning plan in accordance with clause 7 of this Appendix;
    (f) If the application is to construct, alter or operate works, an operation plan in accordance with clause 8 of this Appendix.

Note that any works on a waterway must be located to avoid –

- *unstable sections of the waterway including banks that are susceptible to slumping, e.g. the outside of tight river bends or vertical banks; and*
- *areas where siltation is likely to affect inlets, e.g. the inside or a river bend where sand accumulates.*

4. Plans for constructing the proposed works or altering the existing works are to be prepared including fully dimensioned detail plans, cross sections and longitudinal views showing all technical features and including survey of the waterway channel at the works location for any works on waterways. Additional supporting information and detail must be included on the plans which clearly identifies how the applicant will –
    (a) Liaise with relevant Aboriginal and cultural heritage authorities to avoid or minimise the impacts on any relevant sites or objects;
    (b) Avoid or minimise disturbance to native vegetation;
    (c) Avoid or minimise impact on threatened species and communities;
    (d) Restore any native vegetation that is disturbed with local indigenous species in accordance with an approved native vegetation offset plan;

Appendix B – Works Plans

Requirements

4. (cont.)

(e) Decommission any disused works, which are assessed as having no aesthetic or historic value, and remove the material from the site within 30 days of the works becoming redundant;

(f) Return soil disturbed during construction to its original profile and compact and revegetate it to protect it from erosion;

(Note that for works on a waterway, the banks may require beaching to protect against erosion from river flow);

(g) Restore ground surface levels disturbed by excavation and installation and revegetate with local indigenous species;

(h) Make provision for the installation of meters to Melbourne Water requirements;

(i) Ensure that no filters, filtrate, irrigation controls and fertigation are placed on the waterway.

(j) Minimise disturbance to the floodplain and waterway by, where practical, -

(i) Consolidating the works sites and access tracks;

(ii) Making use of existing works, access tracks and power lines;

(iii) Placing new powerlines and delivery pipes underground;

(iv) Ensuring any pumphouses are as small as practicable;

(v) Colouring and screening any pumphouses to be compatible with the surrounding environment;

(k) Where practical, fix power authority-approved electrical fittings above the Nominal Flood Protection Level (the 100 year Average Recurrence Interval flood level plus a free margin of 300 mm).

(l) Raise suction pipes above bank slopes and secure them with steel or concrete supporting posts designated to minimise the collection of flood debris; and

(m) Ensure the inlet, strainer and foot valves can accommodate fluctuation in water levels (including fluctuations below any existing weir pool minimum operating levels).

5. For any potentially hazardous dam, the relevant plan requirements detailed in section 4 of this Appendix apply. In addition the plans for constructing the proposed works or altering the existing works must also include:

(a) details of the qualified engineers and any contractor responsible for the

(i) investigation and design;
(ii) construction supervision; and
(iii) preparation of the surveillance program and emergency management plan.

(b) technical features of the dam including:
(i) type of dam (for example, earthfill, rockfill or concrete/masonry)
(ii) other details including height of wall, full supply level, surface area, area inundated, spillway capacity, designed flood (AEP), outlet pipe and upstream and downstream valve.

(c) Hazardous category (very low to extreme) according the ANCOLD Guidelines.

6. When constructing, enlarging or replacing a private dam on a waterway with high ecological values or a watercourse, an Environmental Assessment Report must by completed by a suitably qualified consultant and be developed in consultation with relevant catchment management authority or any departmental directions.
(Note that DSE may issue guidelines relating to the requirements of an Environmental Assessment Report.)

Appendix B – Works Plans

Requirements

7. A plan for decommissioning or removing existing works is to be prepared which clearly identifies how the applicant will where practical–

(a) Liaise with relevant Aboriginal and cultural heritage authorities to avoid or minimise the impacts of decommissioning on any relevant sites or objects;

(b) Avoid or minimise disturbance to native vegetation;

(c) Avoid or minimise impact on threatened species and communities;

(d) Restore any native vegetation that is disturbed during decommissioning with local indigenous species in accordance with an approved native vegetation offset plan;

(e) Restore ground surface levels and waterway embankments to reflect the topography prior to the works' construction and compact and revegetate the site with local indigenous species to protect it from erosion;

(Note that for works on a waterway, the banks may require beaching to protect against erosion from river flow);

(f) Where practical, make use of existing powerlines, works and access tracks;

(g) Close and revegetate existing tracks that will not be required for future access.

8. A plan for operating and maintaining the proposed works is to be prepared which clearly identifies how the applicant will –

(a) Keep the site clear of rubbish and debris at all times;

(b) Monitor and overcome any damage, erosion or degradation to the nearby waterway, aquifer or riparian environment resulting from the works;

(c) Prevent fuel or lubricant or any other matter used in connection with works and appliances from entering into and polluting the waterway, or aquifer, or the riparian or riverine environment; and

(d) Not interfere with or restrict the access rights of the public or other water users.

End of Application Form