



www.wgcma.vic.gov.au
☎: 1300 094 262

Works on Waterways Application Form

Application for a Permit is required by West and East Gippsland Catchment Management Authority pursuant to Sections 160, 219 and 287ZC of the *Water Act 1989* and Waterways Protection By-law

EAST GIPPSLAND
CATCHMENT
MANAGEMENT
AUTHORITY



www.egcma.com.au
☎: (03) 5152 0600

The applicant must complete all details on this form, attach all required details, and ensure that the indemnity clause is signed. Before completing this application, please ensure you read the **Guidelines for Applying for a Works on Waterways Permit** and the specific notes for the proposed work type that you wish to undertake. These documents are available from our website.

Have you had a pre-application meeting or contact with a CMA staff member? Yes No

If Yes, who with?

Locality Maps MUST be supplied with this application

1. NAME OF APPLICANT May be a person representing the owner

Name:.....
Company Name (if applicable):.....
Postal Address:.....Postcode:.....
Preferred Contact Phone No:.....
Email:.....

2. NAME OF LANDOWNER (if different from applicant) The permit will be issued to this party

Name:.....
Company Name (if applicable):.....
Postal Address:.....Postcode:.....
Preferred Contact Phone No:.....
Email:.....

3. INDEMNITY CLAUSE (If not signed, this form will be returned for completion)

This indemnity must be signed by the owner of the property, or if an organisation, someone authorised to do so. Where works are sited on Crown land, the owner of the works must sign the indemnity.

I acknowledge that the West or East Gippsland Catchment Management Authority may issue a permit for the construction of the works on a waterway, but that West or East Gippsland Catchment Management Authority shall not be responsible for any claims, suits or actions, arising from injury, loss, damage or death, to any person or property which may arise from the construction, maintenance, existence or use of the works.

I hereby indemnify the West or East Gippsland Catchment Management Authority and its officers against all claims, suits or actions arising from injury, loss, damage or death, to any person or property which may arise from the construction, maintenance, existence or use of the works described in this application or so varied by any conditions issued with the permit.

Signed:.....

Date:.....

Print name in CAPITALS:.....

4. WATERWAY DETAILS – Please provide a printout of a location map.

Name of Waterway:

Tributary of

5. PROPERTY DESCRIPTION WHERE THE WORKS ARE PROPOSED

Are the works on Crown land or Private land? Crown land Private land
(If you ticked Crown land, you must advise DELWP of your proposed works)

Address of Works/Site Location:.....

Lot No:..... Plan of Subdivision No: (PS/CP/LP/TP)

Or:

CA:..... Section:..... Parish:.....

Name of Nearest Town:.....

Co-ordinates (if available): Easting:..... Northing:

6. CULTURAL HERITAGE MANAGEMENT PLAN

It is the responsibility of the applicant, as the party legally and financially responsible for the proposed activity, to determine if a Cultural Heritage Management Plan (CHMP) is required under the *Aboriginal Heritage Act 2006*. The Authority is not able to issue a Works on Waterways permit if a CHMP is required but has not been prepared.

To determine if a CHMP is required, complete the Aboriginal Heritage Planning Tool at <https://heritage.achris.vic.gov.au/aavQuestion1.aspx>.

Regardless of the outcome, **please include a copy of the final Process List** with this application and tick the applicable outcome below:

- CHMP not required (you must include a copy of the plan as evidence)
- CHMP required and prepared (you must include a copy of the plan as evidence)
- CHMP required but not prepared
- Applicant is unable to complete the Aboriginal Heritage Planning Tool and requires assistance

Regardless of the requirement for a CHMP, earthworks within an area of cultural sensitivity or in/near a registered Aboriginal cultural heritage place carry a risk of damaging Aboriginal cultural heritage, which is protected under the *Aboriginal Heritage Act 2006*. You may wish to undertake a voluntary CHMP, obtain a Cultural Heritage Permit or seek advice from First Peoples – State Relations (<https://www.firstpeoplesrelations.vic.gov.au/cultural-heritage-management-plans-permits-agreements-and-tests>).

7. GENERAL DESCRIPTION OF THE PROPOSED WORKS (Tick box and Circle relevant works)

- | | | |
|--|---|---|
| <input type="checkbox"/> Access Crossing:
Bridge, Culvert, Ford, Other | <input type="checkbox"/> River Health Works:
Vegetation Removal, Stabilisation,
Wetlands, Other River Health Works | <input type="checkbox"/> Waterway Deviation |
| <input type="checkbox"/> Service Crossing:
Gas Pipeline, Power Cable | <input type="checkbox"/> Pipeline:
Sewerage, Water or Gas | <input type="checkbox"/> Service Structures:
Boat Ramp, Jetties, |
| <input type="checkbox"/> Extraction Activities:
Gravel, Sand, Other | <input type="checkbox"/> Stabilisation (erosion control) | <input type="checkbox"/> Stormwater Outlet |
| | <input type="checkbox"/> Other (<i>describe in your words</i>) | |

7A. PROPOSED USE AND DESCRIPTION OF WORKS

Describe the land use (e.g. grazing, cropping, residential, etc.) adjacent to the proposed works site:

.....

Proposed Use / Purpose of Works:.....

.....

Brief description of works:.....

7B. WATERWAY DIMENSIONS

How wide is the waterway?

Distance between top of waterway banks.....metres

Distance across waterway bed.....metres

Please attach a sketch of the waterway cross section

7C. EROSION AND VEGETATION DETAILS

Is there evidence of erosion in the bed and banks of the waterway? Yes No

Please Comment:.....

.....

Describe the type and extent of existing vegetation on the bed and banks of the waterway at the proposed site.

Bed:

Banks:

7D. SOIL TYPE OF THE BED AND BANKS

BED of the waterway: Please tick appropriate box

- Clay
 Loam
 Sand
 Gravel
 Rock
 Other:

BANKS of the waterway: Please tick appropriate box

- Clay
 Loam
 Sand
 Gravel
 Rock
 Other:

7E. ADDITIONAL DETAIL (Please fill out the relevant section below if applicable.)

Bridge Crossing

Proposed Bridge Dimensions:

Total Length:.....metres

Bridge Width:.....metres

Number of Spans: Single Span Two Spans Three Spans Four Spans Other:.....

Proposed Material:

Concrete Steel Timber Other (please specify):.....

Pipe and Box Culvert Crossing

Proposed Culvert Dimensions:

Culvert Type: Box Culvert Pipe Culvert

Size of box or pipe diameter:.....metres

Width of crossing (measured from upstream to downstream):.....metres

Length of crossing (measured from bank to bank):.....metres

Number of parallel culverts:

Height of crossing above waterway bed level:.....metres

Proposed Material:

Concrete Steel Other (please specify):.....

Ford Crossing

Total Width of ford crossing (measured from upstream to downstream):.....metres

Total Length of ford crossing (measured from bank to bank): metres

Height of crossing above waterway bed level:.....metres

Proposed Material:

Concrete Slab Rock Other:

8. ANCILLARY WORKS

Do the proposed works involve stream alignment? Yes No

Are there any proposed bed and/or bank protection works? Yes No

If you ticked **YES** to either of the above questions, please attach sketch with dimensions of the works

9. NATIVE VEGETATION REMOVAL ASSOCIATED WITH THE PROPOSAL

Will any native vegetation be removed? (includes trees, shrubs, grasses)

Yes No If **YES**, please specify the type and amount/area of vegetation to be removed. You should also contact your local Council to determine whether a planning permit is required.

.....

Have you considered other alternative work sites to minimise native vegetation removal? Yes No

If **NO**, please explain reason:.....

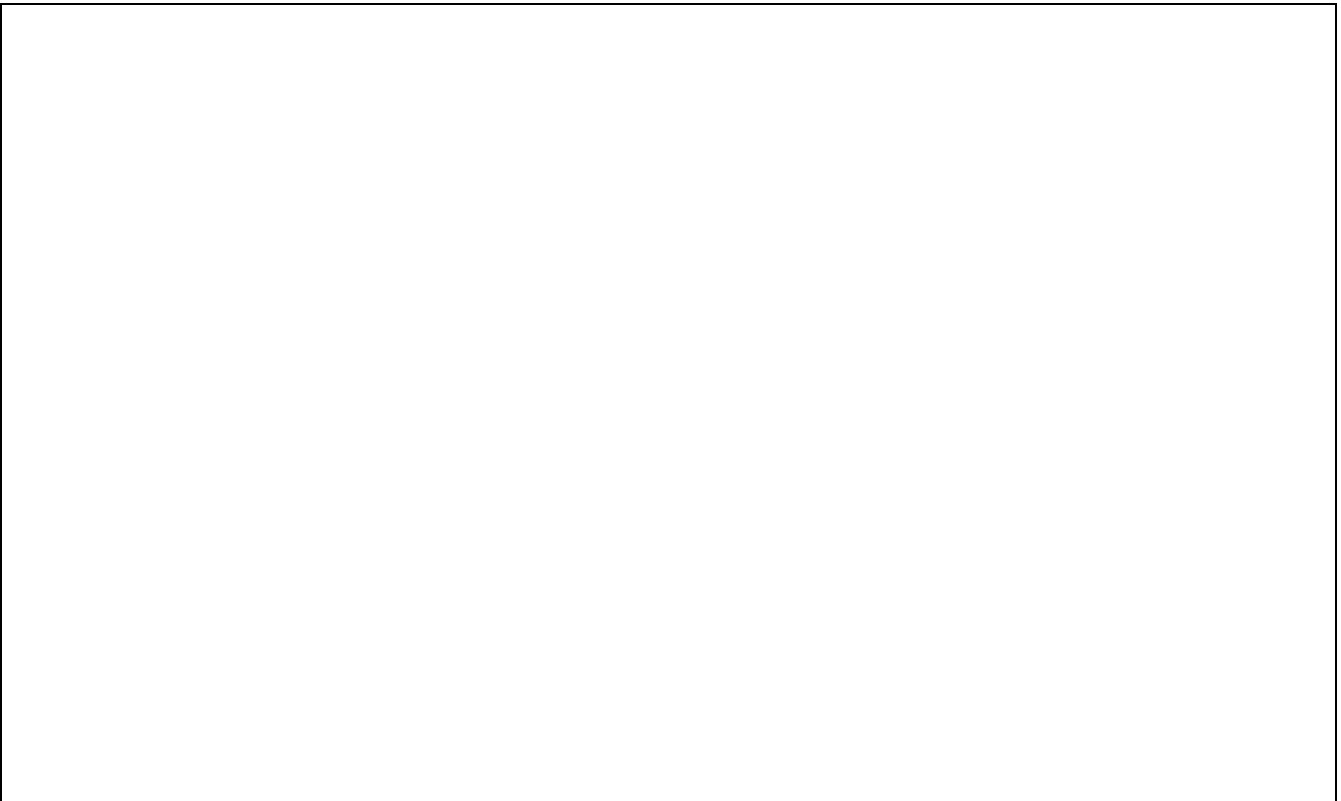
10. DETAILED PLANS OF PROPOSED WORKS

- Provide plans and drawings of the proposed works if available.
- If possible, please provide a photograph of the site.
- Please provide a printout of a location map.

LAND LOCALITY PLAN Where is the land? Show in relation to roads and nearest intersections.



WORKS LOCALITY PLAN Where on the land will the works be? Show the waterway and location of the works in relation to boundaries, roads, buildings etc. Give distances.



CROSS SECTION OF THE WATERWAY AND THE PROPOSED WORKS, INCLUDING DIMENSIONS.



Please indicate your preferred method of correspondence:

Email Mail Fax

11. CMA MAILING DETAILS:

All correspondence for both CMAs is administered by West Gippsland CMA

Postal Address:

West Gippsland Catchment Management Authority
PO Box 1374
Traralgon VIC 3844

Email: planning@wgcma.vic.gov.au

Telephone No: 1300 094 262

WORKS ON WATERWAYS PERMIT TERMS AND CONDITIONS

Please keep this page

The West Gippsland Catchment Management Authority (the Authority) regulates works and activities in, on or over designated waterways within the Authority's waterway management district.

1. A Works on Waterways Permit is a written statement from the Authority that certain works or activities may proceed at a certain location, subject to conditions.
2. Maps of the waterways the Authority has declared to be designated are available for inspection at its office at 16 Hotham Street, Traralgon free of charge during normal business hours.
3. A person who intends to construct or carry out any works in, on or over a designated waterway must first apply to the Authority for authorisation in accordance with the *Water Act 1989*. Works must not commence until the Works on Waterways permit is issued.
4. The applicant must lodge with the Authority a completed application form and a complete description of the works.
5. In determining whether or not to grant a Permit, the Authority will consider the effect or likely effect granting of the Permit may have on any designated waterway within the Authority's district.
6. Assessment of the structural adequacy of the works is not the responsibility of the Authority.
7. The Authority may ask the applicant for more information and may give notice of the application to persons the Authority considers may be affected by the application. The Authority may require the applicant to give this notice.
8. In making its decision, the Authority will take into account the views of persons who may be affected by the application.
9. The Authority is entitled to refuse the application, giving its reasons for doing so.
10. The Authority is entitled to impose conditions when granting a Permit in accordance with the Authority's powers and functions under the *Water Act 1989*.
11. The issue of a Works on Waterways Permit does not remove the applicant's responsibility to apply for any authorisation or permission necessary under any other Act with respect to anything authorised by the Permit. The Guidance Note below provides more details about the types of approvals which may be required.
12. A Permit shall be subject to time limits and will expire under certain circumstances. Any renewed Permit, if granted, may be subject to renewed conditions.

Contact the Authority between 8.30am and 5.00pm weekdays on telephone 1300 094 262 if you have any questions relating to the above.

GUIDANCE NOTE

There are several other approvals which may be necessary for the works. Below is a table outlining of some of the types of approvals which may be required. This table provides examples only and should not be relied upon in any way by permit holders as a current or comprehensive statement of approvals which may be required for the works authorised by their works or activities permit. The approvals that are required will depend upon the nature of the works or activities proposed and the area within which they are proposed to be carried out. Permit holders should obtain independent advice on the approvals which are required for the works or activities they propose to carry out.

Approval	Legislation	Comments
Planning permit	<i>Planning and Environment Act 1987 (Vic)</i>	A planning permit may be required for works on waterways depending upon the nature and purpose of the works and the provisions of the relevant planning scheme (including zoning and overlay provisions). Contact the relevant local council for further information.
Consent for works on Crown land	<i>Land Act 1958 (Vic); Crown Land Reserves Act 1978 (Vic); Forests Act 1958 (Vic); National Parks Act 1975 (Vic); Coastal Management Act 1995 (Vic)</i>	Consent may be required for the carrying out of works or activities on Crown land with the type of consent depending upon the status of the relevant Crown land, for example: - <i>Unreserved Crown Land</i> : a licence or lease under the Land Act (if appropriate) or a formal agreement with the land manager if the works are to be carried out on behalf of the land manager. - <i>Reserved Crown Land</i> : a licence or lease under the Crown Land (Reserves) Act (if appropriate) or a formal agreement with the land manager if the works are to be carried out on behalf of the land manager. - <i>State forest, national parks, state parks, nature reserves</i> : Forests Act (lease/licence/section 52 permit/agreement providing works are on behalf of land manager) and/or National Parks Act (licence/lease/section 23 approval/section 21 permit).
Prohibition on certain works and activities	<i>Heritage Rivers Act 1992 (Vic)</i>	Prohibition on certain activities near heritage rivers. Contact the Department of Energy, Environment and Climate Action for further information on details of activities that cannot be undertaken in the vicinity of heritage rivers and the obligations on land managers to manage heritage rivers to achieve particular outcomes.
Permits for harming wildlife, fish or flora and fauna	<i>Wildlife Act 1975 (Vic); Flora and Fauna Guarantee Act 1988 (Vic); Fisheries Act 1995 (Vic)</i>	A permit may be required for activities which could harm wildlife, fish or flora. Contact the Department of Energy, Environment and Climate Action for further information or to apply for a permit.
Approval for carrying out a controlled action	<i>Environment Protection Biodiversity and Conservation Act 1999 (Cth)</i>	Actions that may have significant impact on matters of National Environmental Significant must be referred to the Commonwealth Government for a determination as to whether the matter is a "controlled action", and any necessary approvals must be obtained. Contact the Department of Climate Change, Energy, the Environment and Water for further information including guidelines as to likely impacts on matters of national environmental significance and details of the approvals process.
Works approval	<i>Environment Protection Act 1970 (Vic)</i>	A works approval may be required for some works on waterways (for example, works which result in the discharge of wastewater into the waterway). Contact the Environment Protection Authority for further information and approvals processes.
Aboriginal heritage	<i>Aboriginal Heritage Act 2006 (Vic)</i>	For activities which are not already governed by a Cultural Heritage Management Plan, a permit is required for activities which may harm Aboriginal cultural heritage. If a Cultural Heritage Management Plan is required for an activity, the Plan must be approved prior to the issue of other permits and licences. Contact First Peoples – State Relations for further information or to apply for a permit.
Native title	<i>Native Title Act 1993 (Cth); Land Titles Validation Act 1994 (Vic); Traditional Owner Settlement Act 2010 (Vic)</i>	Native title rights will need to be considered and an agreement may need to be entered into with any person holding native title over the land upon which the works are proposed to be carried out. Contact the Department of Justice for further information on native title matters.