

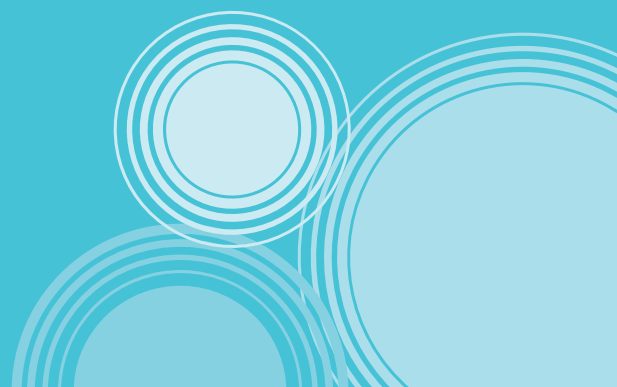
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Diversion Licence Application

Application form

Water Act 1989 Sections 51 and 67



PLEASE RETURN TO

Melbourne Water Corporation
GPO Box 4342
MELBOURNE VIC 3001

Or fax to Melbourne Water : (03) 9679 7099
Or email : enquiry@melbournewater.com.au

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

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	Applicants name:
<input type="checkbox"/>	<input type="checkbox"/>	The Application Form has been completed, signed, and is attached.
<input type="checkbox"/>	<input type="checkbox"/>	A copy of the current Certificate of Title/s (Registered Search Statement & plan) produced within the last three months. (A copy of title (Registered Search Statement) can be obtained from the titles office via the internet at www.land.vic.gov.au)
<input type="checkbox"/>	<input type="checkbox"/>	If the applicant is a Company, a copy of the current company extract (not more than three months old) ** A copy of your Company extract can be obtained from your solicitor or via the internet at www.asic.gov.au
<input type="checkbox"/>	<input type="checkbox"/>	If the applicant is not the owner of the property, evidence that shows that the applicant is the legal occupier of the land (lease agreement etc.)
<input type="checkbox"/>	<input type="checkbox"/>	If applicable, written permission from landowner where pumps/pipelines or other associated works are situated (ie crown land, council or neighbors)
<input type="checkbox"/>	<input type="checkbox"/>	Engineering Design Plans detailing the diversion offtake, pumps, pipelines and any storage works existing or proposed. Plans must include a locality plan, detail plans and suitable cross sections. For any new works plans must be prepared in accordance with the requirements outlined in Appendix B - Works Plans.
<input type="checkbox"/>	<input type="checkbox"/>	Irrigation and Drainage Plan detailing the irrigation requirements and scheduling of application as well as drainage and runoff controls to be put in place on the site.
<input type="checkbox"/>	<input type="checkbox"/>	Photos of the works area, extraction point/s and storages.
<input type="checkbox"/>	<input type="checkbox"/>	Payment of the relevant Application Fees
<input type="checkbox"/>	<input type="checkbox"/>	Payment Form detailing method of payment completed and attached

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 <https://www.vic.gov.au/aboriginalvictoria.html#>.

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 <https://www.vic.gov.au/aboriginalvictoria.html#>.

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, Land, Water and Planning. Contact:

Senior Land Use Planner,
Crown Land Management - Port Phillip Region,
P O Box 500,
East Melbourne VIC 8002

or

Telephone: 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 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 Settlement 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.*

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- 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;
 - 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 pump houses are as small as practicable;
 - v. Colouring and screening any pump houses 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 be 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.)*

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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.

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 or by [contacting us](#).

1. Applicant Details

1.1 Applicant(s), signatures & declaration

Please print name(s) in full and in capital letters. All applicants must sign. Illegible applications will be returned. If there are additional applicants please complete annexure 6 – multiple signatories, found on the website. All notices will be sent to the postal address of the first named party in the Victorian Water Register. The information is used for the purpose of maintaining the water register and for the provision of statistical water market information. Most of the information in the water register is available to the public either on-line or through formal Freedom of Information requests

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.

Individual applicants:		
Given name(s): _____	Surname: _____	Signature: _____
Given name(s): _____	Surname: _____	Signature: _____
Dated: ____ / ____ / ____		<i>All applicants must sign the declaration.</i>

OR

If applicant is a company:	
Name of company: _____	ABN: _____
Given name(s): _____	Signature: _____
Surname: _____	Dated: ____ / ____ / ____
_____ Position (ie Director or Secretary)	
<i>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.</i>	

1.2 Contact details

Applicant 1:			
Postal Address: _____			
Suburb: _____		Postcode: _____	
Telephone: _____	Mobile: _____	Fax: _____	E-mail: _____
Applicant 2:			
Postal Address: _____			
Suburb: _____		Postcode: _____	
Telephone: _____	Mobile: _____	Fax: _____	E-mail: _____

1.3 Secondary contact details (e.g. site manager or other contact person)

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

Name: _____ Relationship to applicant: _____

Address: _____

Suburb: _____ Postcode: _____

Telephone: _____ Mobile: _____ Fax: _____ E-mail: _____

2 Licence details

2.1 Proposed licence details

(i) Owner type (select one)

- Private (eg.sports club)
- Business
- Other: _____

(ii) Method of taking (select one)

- Direct extraction from waterway
- Extraction from a waterway to fill an off-waterway storage dam
- Extraction with full return to waterway
- Catchment harvesting to storage

(iii) River Basin (ie Yarra River):

(iv) Waterway (ie Woori Yallock Creek):

2.2 Proposed Licence Volume

Total requested volume: _____ Mega Litres (ML)

2.3 Proposed use of water

Tick all that apply:

Power generation Industrial or commercial. Use: _____ Other _____

Irrigation of: _____ Irrigated area: _____ Hectares (Ha)
(eg. Strawberries, vineyard, golf course)

Domestic / Residential - Number of Properties to be serviced: _____

2.4 Property where water is to be used

(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) : _____

Crown Allotment(s): _____ Section(s): _____

Parish: _____

a) Volume: _____ Folio: _____ b) Volume: _____ Folio: _____

c) Volume: _____ Folio: _____ d) Volume: _____ Folio: _____

3 Pump Details

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.

Engine Type: Electric / Diesel / Petrol	Engine Output: _____ KW / HP
Pump Manufacturer: _____	Suction size (mm): _____
Pump Model: _____	Delivery size (mm): _____
Serial No. (if available): _____	
Maximum flow rate: _____ litres / hour	
Location Description: (ie On Crown Reserve behind 123 Smith St, Yarra Junction)	

4 Storage Details

Provide below the general information for any dam or storage works. If the works are new or modified, you may need to complete a Works Licence Application form.

Is the dam or water storage: <input type="checkbox"/> Existing or <input type="checkbox"/> Proposed (tick one)	
Type of storage:	
<input type="checkbox"/> Dam / Lake <input type="checkbox"/> Natural or <input type="checkbox"/> Constructed Surface area: _____ m ² Max Wall height: _____ m Capacity: _____ ML	<input type="checkbox"/> Tank <input type="checkbox"/> Above Ground or <input type="checkbox"/> Below Ground <input type="checkbox"/> Concrete <input type="checkbox"/> Plastic <input type="checkbox"/> Fibreglass Other: _____ Dimensions (l x w x h): _____ Capacity: _____ ML
Total Storage Capacity Available: _____ ML	
Location Description: (ie NE corner of 123 Smith St, Yarra Junction)	

5 Additional Water Sources (if applicable)

Please provide details of any additional water sources proposed or existing that will be used in conjunction with the diversion licence:

<input type="checkbox"/> Roof run-off _____ ML	<input type="checkbox"/> Groundwater _____ ML. BEE No.: _____
<input type="checkbox"/> Potable / Town Water _____ ML	<input type="checkbox"/> Surface water _____ ML. BEE No.: _____

6 Plan of Site

Please provide a detailed site plan and attach it to the application.

Plan must include:

- (1)** Property.
- (2)** Area.
- (3)** Source of supply.
- (4)** Location of pump 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.

Payment Details

To pay please complete and return with your application to:

Melbourne Water Corporation
 P O Box 4342
 MELBOURNE VIC 3001

OR
 Fax to Melbourne Water on (03) 9679 7099 or
 Scan document and Email to enquiry@melbournewater.com.au

Applicant / Company name: _____ (please print in block letters)

Address: _____ (please print in block letters)

Take & Use Licence No.	BEE	0					
Works Licence No	WLE	0					

Melbourne Water File Reference (if applicable): _____ / _____ / _____

Payment method

Please indicate the method of payment

- Cheque - Made payable to **Melbourne Water Corporation** and marked '**Not Negotiable**'
- Online Payment - Please provide the online receipt number here:

Credit Card payments can be made online by visiting Melbourne Water's website at <http://www.melbournewater.com.au/aboutus/onlinepayments> and complete the online payments form.

Please quote either your:
 Victorian Water Register Take & Use Water Entitlement reference number - i.e BEE019201 or
 Melbourne Water Corporation File Reference - i.e. 465/700/0001 when making online payment.

If unsure of your reference number, please contact Melbourne Water for assistance.

Office Use Only

Non GST Applicable - Items 2	D20333 - 1280	NA
GST Applicable - Item 4	D20550 - 1280	C