

Northern Victoria Irrigation Development Guidelines

AGRICULTURE VICTORIA

FACT SHEET 6 - Applying for a Works Licence

This fact sheet covers the general requirements for approvals to construct and operate water diversion works (Works Licence) as part of the Northern Victorian Irrigation Development Guidelines 2020. This includes the construction of pumps, pipelines and associated infrastructure (including power) on and across Crown Land and to private property.

WHERE TO START

All developers of new irrigation developments (and significant re-developments) within the Goulburn Murray Water region of Northern Victoria must follow the Northern Victorian Irrigation Development Guidelines 2020 (the Guidelines).

Contact an Irrigation Development Coordinator

Agriculture Victoria employs Irrigation Development Coordinators (IDCs) in Northern Victoria to provide information about the Guidelines and to guide applicants through the approvals process.

The IDC service is provided at no charge and can save developers considerable time and resources.

Complete an Irrigation Development Application Form

To commence the approval process, developers must obtain an Irrigation Development Application Form from the relevant IDC and return the completed form to the IDC.

The completed Irrigation Development Application Form provides the basis for preliminary assessments. The IDC will undertake a desktop analysis to examine readily known issues which may prevent the development from going ahead and/or have a large impact upon the viability of the development. A site visit may be required to clarify development issues that may require further investigation.

IDC contacts:

Echuca (west of the Goulburn River to Nyah)

- Kathy Long, Agriculture Victoria, PO Box 441, Echuca, Vic. 3564
kathy.long@agriculture.vic.gov.au

Rutherglen (east of the Goulburn River and the North East).

- Dennis Watson, Agriculture Victoria, 124 Chiltern Valley Road, Rutherglen, Vic 3685
dennis.watson@agriculture.vic.gov.au

WHAT TO SORT OUT

Developers are urged to contact an IDC as early as possible to discuss their proposed irrigation development activity. A preliminary discussion with an IDC will provide the developer with a thorough understanding of the potential complexity of the assessment process, the information needed to be collected, the costs involved and any issues which may impact on the time required to gain approvals and/or impact on the project cost structure.

To satisfy the Guidelines, a new irrigation development (or significant expansion) must seek approvals from a range of Victorian agencies such as Goulburn Murray Water (GMW), the relevant Aboriginal cultural heritage authority, Department of Environment, Land, Water and Planning (DELWP), Parks Victoria and local government.

The specific details that will be required as part of the approvals process will vary. They depend on the complexity of the various issues that will need to be addressed; this may include native vegetation and biodiversity, cultural heritage, water availability, water access routes and existing planning overlays.

It is important to note that the approvals to construct and operate water diversion works, on or across Crown Land, need to be progressed in parallel with the approvals process for the associated water use licence or a take and use licence. A water use licence is required for developments sourcing water from declared surface water systems and a take and use licence is required for water sourced from undeclared water systems such as groundwater, unregulated surface systems or the Coliban Rural system.



GOLBURN
BROKEN
CATCHMENT
MANAGEMENT
AUTHORITY



Environment,
Land, Water
and Planning



North
Central
CMA



AGRICULTURE VICTORIA

Assessment process

To construct and operate private water delivery infrastructure works to service properties, the developer requires the following permits/licences/approvals:

- Cultural Heritage Management Plan
- Public Land Managers consent
- Planning permit/s
- Works licence

Cultural Heritage Management Plan (CHMP)

A CHMP can be triggered by new utilities such as pipelines, which are high impact activities on sites of cultural sensitivity. Many new irrigation developments will be in areas of cultural sensitivity. For example, sand dunes, ancient lakes, sand sheets, lunettes and/or within 200m of a named waterway or across Parks Victoria land.

Triggers for a CHMP include activities within 50 metres of known or registered Aboriginal places, such as scarred trees, shell middens and artefact scatters and part or all of an activity that falls within a park (as defined in the National Parks Act 1975). A CHMP is prepared by a heritage advisor who is engaged by the developer. A voluntary CHMP is a worthwhile measure to proactively put a risk management process in place. Initial advice may also be available from cultural heritage officers in some Catchment Management Authorities (CMA), such as the Goulburn Broken CMA.

A Registered Aboriginal Party (RAP) may elect to approve a CHMP. Where the RAP declines to do so, or where there is no appointed RAP then Aboriginal Victoria will assess an application for approval of a CHMP.

Public Land Managers Consent

The construction and installation of water delivery infrastructure on or across public land requires public land managers consent for the issue of a planning permit and landowners' consent from Parks Victoria. This process can be coordinated through DELWP.

In accordance with the relevant planning scheme, Public Land Managers consent is required to apply for a planning permit to undertake or carry out works, including water delivery infrastructure in the Public Conservation and Resource Zone. DELWP and Parks Victoria co-ordinate the process of obtaining consent. An application form can be found attached to the fact sheet - Siting and Design Guidelines. This application form should be submitted to DELWP.

Parks Victoria's policy is that Crown Land access should only occur if there are no other existing water supply options. Sometimes there are existing water supply channels that Parks Victoria would prefer to be used first. Parks Victoria also may suggest alternative supply routes to minimise impacts to Park values.

All permanent pipelines must be underground, and Parks Victoria must be advised whether the proposal is for the pipeline to be buried in a trench or under-bored.

No overhead powerlines are allowed.

Developers must advise Parks Victoria how they plan to meet the pump shed, and access track, requirements and how they plan to minimise any impacts on natural values.

Developers must also outline their basic rehabilitation plan once construction is complete.

A Works Plan (WP) must clearly describe the type and location of irrigation infrastructure required to be constructed to extract water from the river and the intended pathway to deliver it to the farm. A WP must include:

- Siting map of proposed works
- Construction plan
- Decommissioning Plan
- Operation Plan.

Where the proposal involves potentially large impacts, a Site Environmental Management Plan (SEMP) may be required.

Information about standards for environmental management plans can be found in the [Environmental Management Plans Guidelines](#).

Native vegetation protection issues are considered by DELWP in granting consent. If native vegetation removal is requested, the application requirements in accordance with [Clause 52.17-3](#) of the relevant planning scheme need to be provided to DELWP.

Planning Permit

Land use and development including the removal of native vegetation is controlled by local government under planning schemes. Public land managers consent is a prerequisite for an application for a planning permit for infrastructure on or across public land.

Cultural heritage, earthworks, and other issues will be considered in the planning application stage. The planning permit may be referred to DELWP.

Works Licence

Extraction shares are expressed as a condition on a works licence. Extraction share conditions are a share of the total amount of water that can be drawn from regulated rivers at a certain point over a given period of time. Extraction shares are used to restrict water extraction in times of high demand, when rationing water is required. The issuing of additional extraction share may erode the existing shares available to Victorian entitlement holders and pose a risk to the deliverability of water.

The Minister for Water is assessing and determining applications for new or amended works licences to extract water from the lower Murray to ensure that delivery risks in the Murray system do not increase because of new or increased extractions.

This means that applications that seek to increase extractions or extraction share in the Murray downstream of the Barmah Choke must be referred to the Minister for Water before they can be recorded in the water register.

More information on how the works licence application process in Victoria has changed can be found on the Victorian [Water Register](#) website.

Consideration must be given to what mechanisms will be undertaken to meet the standards necessary and to minimise the impacts on other persons and the environment during construction as well as ongoing operation of the water delivery infrastructure into the future.

The works licence is issued by the relevant Water Corporation (e.g. GMW) and is staged over two phases. The first is a licence to construct water diversion works. At the completion of the works an inspection by the Water Corporation will occur and metering requirements will be addressed and communicated to the customer. Once metering installation requirements have been met, the Water Corporation will convert the works licence from a 'Construct' to an 'Operate' status. The new operate licence will be issued with a five-year tenure. Developers can apply for a works licence (WL) by completing Form 29 and submitting it to the appropriate Water Corporation (see below for a link to the Water Register: Form 29).

In considering the works licence (WL) application, the Water Corporation must have regard for issues relevant to the associated water use licence (WUL) application. A WL will not be issued in isolation from a WUL

Developers should note that the Public Land Manager's Consent must be issued prior to applying for a WL and is recorded on **Form 29**.

A Works Plan is required as part of the WL application and 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 pump and associated infrastructure. The requirements of Works Plans are detailed in Schedule 2 of the Ministerial Determination on Policies for Managing Works Licences. These policies are available from DELWP.

Dams

Apart from pumps and pipelines the developer may require an on-farm dam to store water to adequately service the watering requirements of the property. All dam constructions require authorisation and must be incorporated into the Works Plan. Dam construction guidelines are available from your local Water Corporation. For further details on the requirements refer to [Managing Dams and Water Emergencies](#).

FURTHER INFORMATION

The IDC can provide an information kit containing related fact sheets:

- Irrigation and drainage plan
- Protecting Aboriginal cultural heritage
- Native vegetation protection
- Buffer standards
- Applying for a works licence
- Public land managers consent application
- Siting and design guidelines
- Roles and responsibilities

Access electronic copies of:

- [Standards for Site Environmental Management Plans](#)
- [Dam construction standards](#)
- [Works Licence Application Form 29](#) (These forms are issued with a discrete number).
- [Ministerial Determinations](#)

ACCESSIBILITY

If you would like to receive this publication in an accessible format, please telephone Kathy Long on 03 54821922 or email irrigation@agriculture.vic.gov.au

If you are deaf, or have a hearing or speech impairment contact the **National Relay Service on 133 677** or www.relayservice.gov.au
