

Licence to Construct Works (Bore) for a Licensable Purpose

What is this application form for?

Use this form to make application for a Licence to Construct or Alter works (bore/s) for the purpose of extracting water for a licensable purpose such as irrigation/commercial/dairy etc use.

This application form incorporates provision for an application for:

- Licence to construct works - new bore section 67 *Water Act 1989* (Vic)
- Licence to construct works - replacement bore (incorporating licence to decommission works) section 67 *Water Act 1989* (Vic)
- Licence to alter works section 67 *Water Act 1989* (Vic)
- Renewal of a Licence to Construct or Licence to Alter Works section 72 *Water Act 1989* (Vic)
- Transfer of a Licence to Construct or Licence to Alter Works section 74 *Water Act 1989* (Vic)
- Amendment to a Licence to Construct or Licence to Alter Works section 73 *Water Act 1989* (Vic)

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.

- Read the accompanying explanatory notes and refer to the current fee schedule (which can be obtained by calling (03) 5051 3400 or downloaded from www.lmw.vic.gov.au) before you fill out the form.
- Complete the form in full ensuring all relevant information is provided.
- The Application has been completed, signed by **ALL** persons listed on the land title/s, and is attached.
- Send the form, any required documentation and the application fee to: Lower Murray Water, PO Box 165, TATURA, VIC 3616 or email to licensingadmin@gmwater.com.au
- Lower Murray Water accepts payment by cheque or credit card.

1. APPLICATION TYPE

New Licence to Construct Works (new bore/s)

Are you adding the new bore to an existing Groundwater Licence?

Yes Licence No.

No

Licence to Alter Works (existing bore/s)

New Licence to Construct Works (replacement bore/s)

Refer to explanatory notes for details on the following:

- This form will be used to amend your existing Groundwater Licence, no fee will apply. Refer Question 7
- Definition of a replacement bore
- A Licence to decommission the existing works will also be issued.

Amendment to an existing licence to construct: (please tick one or more boxes)

Amendment to existing Licence to Construct Works No: to:

Alter the number of bores to be constructed Alter the proposed depth of the bore

Change authorised purpose of the bore to: Change proposed bore site

Renew existing Licence to Construct Works No:

Transfer existing Licence to Construct Works No:

2. APPLICANT DETAILS & DECLARATION

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.

Please list full names, initials are not acceptable

Applicant No 1: (print name)

Date of Birth:

Signature of applicant 1 Date:

Applicant No 2: (print name)

Date of Birth:

Signature of applicant 2 Date:

Applicant No 3: (print name)

Date of Birth:

Signature of applicant 3

Date:

Applicant No 4: (print name)

Date of Birth:

Signature of applicant 4

Date:

Postal Address:

..... Postcode:

Telephone number: () Mobile number:

Email:

3. CONSULTANT DETAILS

Company Name.....

Contact Person:.....

Postal Address:

..... Postcode:

Telephone number: () Mobile number:

Fax Number: Email:

4. DESCRIPTION OF LAND ON WHICH THE BORE/S WILL BE CONSTRUCTED

Property address:

Property description

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

5. DESCRIPTION OF LAND ON WHICH THE BORE/S WILL BE USED

Property address:

Property description

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, DELWP, Shire etc) must accompany this application.

6 NUMBER AND DETAILS OF NEW BORE/S

- Number of bores to be constructed..... Proposed depth (m).....
- Drilled bore Well or Shaft
- Spear Point Multiple bore system
- Improved Spring Other Specify).....

7 DETAILS OF BORE/S TO BE ALTERED OR REPLACED (see explanatory notes for further details)

Depth of bore: Bore No:

Current use of bore: Year of construction:

Reason for replacement/alteration: Works Licence No (if known):

8 FOR REPLACEMENT BORES - DETAILS OF EXISTING TAKE AND USE LICENCE TO BE AMENDED

Please amend my Licence to include any replacement bores.

Take and Use Licence Number

9 DETAILS OF BORE/S TO BE DECOMMISSIONED (only complete this section if the application is for a replacement bore)

Number of bore/s to be decommissioned:

- Drilled bore
- Spear Point
- Improved Spring
- Single Bore system
- Other (please specify):
.....

Depth of bore/s: Bore diameter :

Present use of bore: Year of construction.....

Works Licence No:

Bores to be decommissioned (if known):

Proposed decommissioning method:

10. PROPOSED USE OF WATER

- Irrigation (area to be irrigated(ha)
- Dairy washdown /cooling
- Commercial or Industrial use*
- De-Watering (salinity, excavation)
- Communal Domestic and Stock (number of residences.....)
- Urban Supply*

* Please refer to the attached notes for more information about commercial and urban supply applications.

11. PROPOSED FUTURE LICENCE VOLUME (As part of a future application for a Licence to Take and Use Water)

Proposed licence volume:..... Proposed extraction rate:

12. ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Please tick the most appropriate statement for your application:

Please refer to the General information and explanatory notes prior to completing this section.

Find attached a copy of the approved Cultural Heritage Management Plan (CHMP). LMW will then assess whether the application is consistent with the approved CHMP

OR

A CHMP is not required.

Please provide documented proof as to why a CHMP is not required. We note that it is the responsibility of the applicant to provide the appropriate documentation to justify why a CHMP is not required, if you fail to provide sufficient proof your application may be rejected.

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You may also wish to seek a cultural heritage due diligence assessment from a Heritage Adviser. You can find a list of Heritage Advisors at <https://www.vic.gov.au/aboriginalvictoria/heritage/heritage-tools-and-publications/find-a-heritage-adviser.html>

13. IRRIGATION DEVELOPMENT GUIDELINES

Please tick the most appropriate statement for your application:

- The water will be used on land where there has been never been an irrigation licence in the past.
- This application proposes to increase the current licence volume on the land that is being irrigated.
- This application proposes to increase the area allowed to be irrigated in my current licence.
- None of the above statements are relevant to my application.

14. LICENSED DRILLER TO UNDERTAKE CONSTRUCTION

Name:..... Drillers Licence No:

DECLARATION OF COMPANY

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.

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 or call (03) 5051 3400 to obtain a copy of this policy.

PLEASE COMPLETE THE FOLLOWING SECTIONS 16 & 17 ONLY IF THE APPLICATION IS TO TRANSFER A WORKS LICENCE TO A NEW LAND OWNER

16. TRANSFEREE/S DETAILS & DECLARATION (details of person/s the licence is to be transferred to)

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

Please list full names, initials are not acceptable

Applicant No 1: (print name)

Date of Birth:

Signature of applicant 1 Date:

Applicant No 2: (print name)

Date of Birth:

Signature of applicant 2 Date:

Applicant No 3: (print name)

Date of Birth:

Signature of applicant 3 Date:

Applicant No 4: (print name)

Date of Birth:

Signature of applicant 4 Date:

Postal Address:

..... Postcode:

Telephone number: () Mobile number:

Email:

Postal Address:

..... Postcode:

Telephone number: ()Mobile number:

Fax Number:Email:

DECLARATION OF COMPANY

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

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:

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ANNEXURE 1

PROFORMA FOR CONSENT OF LAND OWNER/ OCCUPIER/ CROWN LAND MANAGER

If an application for a licence includes land owned or occupied by a party other than the proposed licensee/s applicants must provide consent from land owners, occupiers or the relevant Crown Land Manager

I / We (print names):

Of (Postal Address):

being the legal owners/ occupiers/ Crown Land Manager of the land known as:

Property address:

Property description

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:

ANNEXURE 2

AUTHORISATION FOR AGENT TO COMPLETE AND SIGN APPLICATION ON BEHALF 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*):

(Address of consultancy)

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 or call (03) 5051 3400 to obtain a copy of this policy.

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 Rural Customer Team on:

Telephone: (03) 5051 3400

Email: applications@lmw.vic.gov.au

<p>Question 1 Type of Application</p>	<p>Please indicate whether you intend to apply for a licence to:</p> <ul style="list-style-type: none"> • Construct a new bore/s • Construct a replacement bore (within 20 metres of the existing bore to the same depth and diameter) • Alter an existing 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.</p> <p>An existing works 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 works licence will be required.</p> <p>Transfer of existing Licence to Construct Works - A Licence to Construct Works may be transferred to the new owners of land provided it has not expired.</p> <p>Amendment to existing Licence to Construct Works - A Licence to Construct Works can be amended providing it has not expired. Amendments may include:</p> <ul style="list-style-type: none"> • Alter number of bore/s to be constructed • Alter proposed depth of bore/s • Change proposed bore site • Change purpose between irrigation / commercial / urban supply
<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. You will need to complete Annexure 2 - Agent Authorisation.</p>
<p>Question 4 Description of land on which the bore/s will be constructed</p>	<p>Applicants must provide details of the land/s where the bore/s will to be constructed. 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.</p> <p>A Registered Title Search for each separate title must be provided. Rates notices will not be accepted.</p> <p>An example of an acceptable Registered Title Search is attached.</p> <p>How can I obtain a copy of my Registered Title Search? You can obtain a registered title search (see attached example of the correct search) 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 • Requesting that LMW complete the search/s on your behalf. • Contacting your solicitor or legal advisor to conduct the search/s on your behalf (fees may apply)
<p>Question 5</p>	<p>Please provide details of the land/s where the bore will be used. The current ownership of this land must also be verified. To ensure this information is accurate LMW requires a</p>

<p>Description of land on which the bore/s will be used</p>	<p>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.</p>
<p>Question 6 Number and details of new bore/s</p>	<p>Please provide details about the proposed bore/s. Ensure you include the number of bore/s being constructed and the maximum proposed depth of the bore/s.</p> <p>For a multiple bore system indicate the number of bores which will be constructed in the system. A multiple bore system has a number of bores, each fitted separately with a submersible pump installed. A multiple bore system (bore field) may be screened at various depths (usually less than 25m). These bores may be connected by a common header line that directs water to a single outlet. Your licensed driller should be able to provide you with more details.</p>
<p>Question 7 Detail of bore/s to be altered or replaced</p>	<p>Provide details of the current bore (if known) which is being altered or replaced, if you do not have all of this information, please complete any known details.</p> <p>An application for a replacement bore can only be issued if the new bore will be constructed within 20 metres from the existing bore and will be constructed to the same depth and diameter as the existing bore. Please contact the LMW's Rural Customer Team if you are unsure of the proposed construction site.</p>
<p>Question 8 For replacement bores - details of existing Take & Use licence (Groundwater) to be amended</p>	<p>Provide details of your current Take and Use Licence. This number can be found on your Licence Document or on your Annual Fixed Charges Account. This will authorise LMW to amend your licence to include the replacement bore, no application fee will apply.</p>
<p>Question 9 For replacement bores - details of bore/s to be decommissioned</p>	<p>Please provide details about the bore/s to be decommissioned and replaced Ensure you include the number of bore/s, maximum depth and proposed diameter, any reference number/s for the licence used to construct the works and bore identification number/s (if this is available).</p>
<p>Question 10 Proposed use of bore/s</p>	<p>While a Licence to Construct Works does not authorise the extraction of water for any licensable purpose applicants must provide details on the intended future use of the water. Licence applications for urban supply are subject to additional application requirements. In some cases commercial licence applications may require a Planning Permit from local government - please contact the Rural Customer Team prior to making application for further information.</p> <p>If the future use of the bore is irrigation, commercial, dairy, de-watering, communal domestic supply or urban supply an application for a Licence to Take and Use & Operate Works must be lodged upon completion of the bore. A Licence to Take and Use & Operate Works must be approved by LMW prior to water being extracted for any of these purposes.</p>
<p>Question 11 Proposed future licence volume</p>	<p>Please provide details of the volume of water which will be sought in a future application for a Licence to Take and Use Water. In determining a licence volume LMW will consider a number of factors. These may include the proposed use of water, area of land to be irrigated, method of irrigation, and crop type.</p> <p>LMW must also consider any potential impacts on other water users, the environment and water quality. Your proposed future volume will also be influenced by how much your bore will yield and the type of pump installed.</p>
<p>Question 12 Aboriginal Cultural Heritage</p>	<p>Each application lodged with Lower Murray Water is required to be assessed to determine if the application requires a Cultural Heritage Management Plan (CHMP) under the <i>Aboriginal Heritage Act 2006</i>. A CHMP is a written report prepared by a Heritage Advisor which contains the results of an assessment of the potential impact of a proposed activity or works on Aboriginal cultural heritage.</p> <p>A CHMP is required for an activity if:</p>

	<ol style="list-style-type: none"> 1. All or part of the activity is in an area of cultural heritage sensitivity. A waterway or land within 200m of a waterway may be considered an area of cultural heritage sensitivity; and 2. All or part of the activity is a high impact activity. <p>If the proposed activity is not an exempt activity then an applicant must provide clear documented proof that they meet the exemptions from the requirement to prepare a CHMP, as specified in the Act and Regulations.</p> <p>A CHMP may be required prior to commencing works.</p>
<p>Question 13 Irrigation Development Guidelines (applicable only for bores constructed for irrigation)</p>	<p>An Irrigation Development Guideline assessment may be required as part of the licence application for irrigation developments that meet one of the following criteria:</p> <ul style="list-style-type: none"> • A proposal to irrigate land that has never been irrigated before; • Application to increase the annual use limit on the land in the current licence, or; • Application to increase the area allowed to be irrigated in the current licence. <p>You will be contacted if the Irrigation Development Guidelines apply.</p>
<p>Question 14 Licensed driller to undertake construction</p>	<p>You must engage a licensed driller to drill and construct the 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 the works commence.</p> <p>Upon completion of the bore, the driller must lodge a Bore Completion Report with LMW within 28 days.</p>
<p>Question 15 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 16 Transferee/s details & declaration (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> <p>All transferees 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>

General information and explanatory notes (retain for future reference)

What is a bore?

Bores are usually thought of as drilled holes constructed by drilling rigs. However the definition of a bore also includes sumps, wells and drag lines as well as 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*, 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.

How far away does my bore need to be from other bores, features and assets?

Your bore needs to be located at least 30m from the Authorities channel, reserve or easement unless authorised by the Authority; at least 200m from the nearest waterway, unless authorised by the Authority; and 300m from any bore not in the licence holders ownership (including observation bores). LMW will evaluate the impact to surrounding features as part of their assessment, however applicants may be requested to provide additional information to support their applications.

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 until a Licence to Take and Use Water has been approved by LMW.

What are 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)

I am constructing the bore for future irrigation or commercial purposes what are the steps to obtaining a licence to take and use the water?

The process of licensing the construction of a bore and the extraction of water for any licensable purpose involves a number of steps:

- Step 1 Complete this application and lodge with LMW 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/s.
- 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 forward an application for a Licence to Take and Use Water and Operate Works to you.
- Step 3 Complete the application form and lodge with LMW with the application fee. The application will be assessed and if approved a licence to Take and Use Water and Operate the Works will be issued authorising extraction and use of an annual volume of water from the bore/s for the licensed purpose.

Prior to lodging an Application for a Licence to Construct Works, LMW recommends that you fully investigate the potential for accessing groundwater entitlement in your area. In some areas, such as Water Supply Protection Areas and Groundwater Management areas, licence entitlement will be limited by a cap called a Permissible Consumptive Volume (PCV). A PCV may restrict or prevent the issuing of new licence entitlements. This may mean that trading is the only way to source groundwater licence entitlement.

You are urged to consult with LMW prior to making an application to determine whether restrictions or conditions apply to groundwater entitlement in your area. For information and maps of Groundwater Management Units, visit www.delwp.vic.gov.au.

When I apply for a Licence to Take and Use Water and Operate Works how do I calculate the volume I need?

To determine the proposed volume a number of factors may need to be considered. These include the area of land to be irrigation, method of irrigation and crop type. How much your bore will yield and the type of pump installed should also be considered. Water quality information will also be important depending of how you intend to use the water. Please contact the Rural Customer Team for assistance.

The Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2007

In Victoria, Aboriginal cultural heritage is protected and managed under the Aboriginal Heritage Act 2006 (the Act) and the Aboriginal Heritage Regulations 2018 (the Regulations).

The Regulations require a Cultural Heritage Management Plan (CHMP) for an activity if all or part of the proposed activity is in an area of cultural heritage sensitivity and all or part of the activity is a high impact activity, and no exemptions apply. A CHMP is a written report prepared by a Heritage Advisor which contains the results of an assessment of the potential impact of a proposed activity or works on Aboriginal cultural heritage.

If the proposed activity is not an exempt activity then you must provide clear documented proof that they meet the exemptions from the requirement to prepare a CHMP, as specified in the Act and Regulations.

It is important you are aware of your obligations under the Act and its Regulations.

Areas of cultural heritage sensitivity include land within 50 metres of registered cultural heritage places, land within 200 metres of waterways and other locations defined in the Regulations. To determine if the site of your proposed works may be in an area of Cultural Heritage Sensitivity you can access an online mapping tool <https://achris.vic.gov.au/#/onlinemap>.

High impact activities include, among other things:

- the installation of any works affected an area exceeding 25 square metres;
- a linear project that includes is the construction of a pipeline (of any diameter) with a length exceeding 500 metres;
- a linear project with a length exceeding 100 metres (with a pipe diameter not exceeding 150 millimetres).

You can check whether a CHMP is required by accessing the 'Aboriginal Heritage Planning Tool' developed by Aboriginal Victoria. The online Tool will guide you through a series of questions to help you determine your obligations. The website also has information to assist you with contacting the Registered Aboriginal Party or a Heritage Advisor if you require further assistance.

You can access the Tool at <https://www.vic.gov.au/aboriginalvictoria/heritage/planning-and-heritage-management-processes/planning-and-development-of-land.html> and print a receipt of your results for inclusion in your application. If you do not have access to the internet, please contact the Rural Customer Team for assistance.

Replacement bores:

My bore is in need of repair or replacement. 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 a Licence to Alter Works must be obtained.

If the bore is beyond repair or is not functioning you may decide to construct a replacement bore. In this case you can make application for a licence to construct a replacement providing that the site of the replacement bore is not more than 20 metres from the existing bore and will be constructed to the same depth and diameter as the existing bore. A licence to decommission the bore to be replaced will also be issued.

If the bore site, depth or diameter is to be different, an application for a new licence to construct works must be submitted.

Do I need to amend my existing Groundwater Licence to include the replacement bore?

Yes, once the bore completion report has been submitted to LMW within 28 days of completion of the works LMW will amend your existing Groundwater Licence to include the replacement bore. No application fee will apply to amend the Groundwater Licence for replacement bores only.

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 bores across LMW's region.

What is the process for obtaining a decommissioning licence & what is the cost?

There is no application fee for a Licence to Decommission Works; the licence will be issued with the licence to construct the replacement bore.

Who can decommission a bore?

In most cases where the bore is shallow and has intersected only a single aquifer system, it is acceptable for the bore owner to carry out the work. .

The decommissioning of bores that are deep, flowing or have intersected more than one aquifer system, can be more complex and it is a requirement that the work be undertaken by a suitably licensed driller.

You should contact LMW's Rural Customer Team to determine if you need to engage a licensed driller prior to commencing any works.

What if I can't get the work completed 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.

Do I have to advertise my application or notify my neighbour's?

After you lodge your application, LMW will notify you in writing if you are required to advertise and/or notify your neighbours. LMW will send out the proforma for advertising and notification to neighbours, this will include a reference number which relates to your application.

Note: If a replacement bore and drilled with 20 metres of the existing bore you will NOT be required to advertise or notify neighbours.

When can I drill and construct a bore?

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 read and 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 'Notice of Outcome' provided with your licence document to LMW as soon as works are complete. Your licensed driller is responsible for submitting a bore completion report to LMW or online 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*. This includes administering the application, undertaking a full site inspection, reviewing any submissions made in relation to your application and if required, referring the application for an Irrigation Development Guidelines assessment.

In most cases a technical assessment will be conducted by a hydrogeologist to determine if extraction of groundwater may have any potential impacts on other groundwater users in your area or the environment. If your licence is approved your new licence will be recorded in the Victorian Water Register and you will receive a copy of the licence document.

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. If a technical assessment is required this may delay the decision on your application. If delays are expected you will be notified by LMW. 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.

