



APPLICATION FORM 60

Works Licence to Construct, Alter or Decommission a Dam or other structure on or off a waterway.

What is this application for?

Complete this form to make application for a Licence under section 67 of the *Water Act* 1989 (Vic) to:

- Construct, alter or decommission a dam, or other structure on a waterway which will be used to take, use, convey or store water;
- Construct, alter or decommission a private dam which is not on a waterway where the dam meets the criteria as a 'potentially hazardous dam' (refer to explanatory notes for a definition of a potentially hazardous dam).

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 to determine if you require a licence to undertake the proposed work. If you are still unsure if you require a licence, please contact the LMW on (03) 5051 3400.
- Complete the application form:
- The applicant must complete Section 1 – Applicant Details
- The Application has been completed, signed by ALL persons listed on the land title/s, and is attached.
- The consulting design and construction engineer/s must complete Section 2 – Design and Construction Details
- The following mandatory application requirement are attached:
 - Site and Locality Plan
 - Copy of the Engineer's design plan
- The following documents are attached (if required)
 - Consent of landowner if works are to be located on land not in the applicant's ownership – (see Annexure 1)
 - Environmental Impact Assessment completed by a suitably qualified consultant.
- Send the form, any required documentation and the application fee to: Lower Murray Water, PO Box 1438, MILDURA, VIC 3502 or email to applications@lmw.vic.gov.au.

Note the granting of a works licence does not grant any rights to take and use water and that any extraction or harvesting of water using the works must be in accordance with a separate licence or right to take and use water.

1. APPLICATION TYPE

I/we make application for a licence to:

Construct new works: <input type="checkbox"/>	Dam <input type="checkbox"/>	other structure type (e.g. weir)
Alter existing works: <input type="checkbox"/>	Dam <input type="checkbox"/>	other structure type (e.g. weir)
Decommission works: <input type="checkbox"/>	Dam <input type="checkbox"/>	other structure type (e.g. weir)
Renew an existing Licence to Construct Works No:.....	Renew an existing Licence to Construct Works No:..... Have the details of the previous application changed <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. APPLICANT/S DETAILS

Please list full names, initials are not acceptable

Applicant No 1: (Individual or company name)

.....

Date of Birth:

Applicant No 2: (Individual or company name)

.....

Date of Birth:

Postal Address:

Town : Postcode:

Telephone number:..... Mobile number:

Email:

3. DESCRIPTION OF LAND WHICH THE WORKS ARE TO BE CONSTRUCTED, OR EXSITING WORKS ARE LOCATED

Property address:

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

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

Note: If additional lands Parcels 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)*.

4. PROPOSED TAKE & USE OF WATER

The granting of a works licence does not grant any rights to take and use water. If you intend to take and use water from a proposed dam, under some circumstances a licence is required.

Do you have an existing Licence to Take and Use Water?

Yes - Licence/ Property No:..... Entitlement Volume: (ML)

No - Please contact us for further information about licensing requirements

OR

I have a water share

Water share reference:

5. WATER HARVESTING ARRANGEMENTS / ENVIRONMENTAL ASSESSMENT

Is the current/ proposed site of the works on a waterway with high ecological values or on a watercourse?
 (Please see explanatory notes for assistance with answering this question)

Yes

No

Note: A waterway with high ecological value is a waterway that is a wetland or marsh; or has native in-stream and riparian vegetation; or is known to support flora and fauna of conservation significance. A watercourse means a waterway with defined bed and banks where water flows regularly but does not need to flow continuously.

Note: If you have answered **yes** to the question above, an Environmental Impact Assessment must be completed by a suitably qualified consultant and submitted with this application form. Requirements for selection criteria for consultants to undertake environmental assessment report and requirements for environmental assessment reports can be found in attachments 1 and 2 at the back of this application form.

Name of the waterway/watercourse.....

Tributary of

Will the storage harvest catchment run-off?

Yes

No

Do you intend to pump water from a stream into the storage dam?

Yes

No

6. ABORIGINAL CULTURAL HERITAGE

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

section. Please tick one of the following:

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>

7. DECLARATION OF APPLICANTS

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 the Department of Environment, Land, Water & Planning, relevant Catchment Management Authority, relevant Local Council or any Authority holding a bulk entitlement that may be affected by the approval of the application or 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.

Signature of applicant 1

Date:

Printed name:

Signature of applicant 2

Date:

Printed name:

Protecting your privacy

Lower Murray Water (LMW) collects, holds and manages personal information under the *Privacy and Data Protection Act 2014* (Vic). The personal information collected on this form will be used for the purpose of processing your application. Your personal information is collected on this form and will be used for the purpose of processing this application and updating our records. Information collected is usually disclosed to staff involved in processing your application, contractors, LMW staff and other agencies such as the Water Register, The Department of Environment, Land, Water and Planning and the relevant Catchment Management Authority and Local Council (where applicable) for the purposes of processing of your application. Failure to provide any of the information sought may result in processing delays or refusal of your application. At times LMW may be legally required to disclose personal information, for instance to the police, courts or other authorized organizations. You may gain access to and correct your personal information under the *Freedom of Information Act 1982*. For further information please refer to our Privacy Policy.

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

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 the Department of Environment, Land, Water & Planning, relevant Catchment Management Authority, Council, or any Authority holding a bulk entitlement that may be affected by the approval of the application or 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.

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)

.....
Name: (print)

Position:
.....

Address:
.....
.....

Date:
.....

.....
Director/Secretary (signature)

.....
Name: (print)

Position:
.....

Address:
.....
.....

Date:
.....

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PART 2 - CONSULTING ENGINEER/S INFORMATION

ENGINEER/S TO COMPLETE

1. DETAILS OF ENGINEER RESPONSIBLE FOR INVESTIGATION, DESIGN AND SURVEILLANCE

Company name:

Contact person:

Postal Address:

..... Postcode:

Telephone number:.....

Mobile number:

Email:

Australian Institute of Engineers Membership Number (If applicable):

Qualifications/experience in Dam Design and Construction:
.....
.....

2. DETAILS OF ENGINEER RESPONSIBLE FOR CONSTRUCTION SUPERVISION

As per details listed above

Company name:

Contact person:

Postal Address:

..... Postcode:

Telephone number:.....

Mobile number:

Email:

Australian Institute of Engineers Membership Number (If applicable):

Qualifications/experience in Dam Design and Construction:
.....
.....

3. IDENTIFICATION OF POTENTIAL FOR UPSTREAM OR DOWNSTREAM IMPACTS

Will the proposed dam / works inundate a neighbouring property at full supply level?

Yes

No

Please identify the nearest upstream developments and the approximate distance to the works:

Township km Occupied dwelling/skm Road crossingskm

Dam: km Railway crossingkm

Identify the closest downstream development and its approximate distance:.....

.....

Please identify the nearest downstream developments and the approximate distance to the works:

Township:km Occupied dwelling/skm Road crossingskm

Dam:km Railway crossingkm

Identify the closest downstream development and its approximate distance:.....

.....

Please indicate on the plan the location of, and distance to the closest high voltage power lines:

Distance upstream.....m Distance downstream..... m

Will the proposed storage be sited on or near any easements:

Yes

No

Please list all environment/ catchments features located at, above or below the Work Site:

.....
.....

4. PRIVATE DAMS – HAZARD CATEGORY ASSESSMENT (tick the appropriate box)

Please indicate the hazard category (according to ANCOLD Guidelines on the Assessment of the Consequences of Dam Failures, 2000) of the proposed dam. For further information, visit the ANCOLD website: www.ancold.org.au

Very low

Low

Significant

High - A

High - B

High - C

Extreme

5. BY-PASS DESIGN DETAILS (FOR CONSTRUCTION/ ALTERATION OF DAMS)

A bypass mechanism must be installed for all dams to enable passing of minimum flows. Please refer to explanatory notes for further details.

Type of bypass:

Size of bypass:

Max flow:ML

Min flow: ML

6. PROPOSED WORKS SITE – LOCALITY AND SITE PLANS

LOCALITY PLAN

Please provide a site plan for the proposed or existing works. Provide photographs if possible. A

siting map of the proposed works is to be prepared which clearly identifies -

- (a) property boundaries and land ownership of the land on which the works and associated works are sited;
- (b) existing native vegetation;
- (c) the location of the proposed works and associated works.
- (d) details of the actual works including, but not limited to -
 - (i) fully dimensioned design plans including cross sections and any relevant technical features; and
 - (ii) survey of the waterway channel at the works location for any works on waterways.
- (e) the location of existing features including waterways, works, buildings, power lines, easements, roads, access tracks, fences, channels, drains, pipelines, water storages.
- (f) Waterway/drainage line/gully/depression etc.: downstream of proposed site at several locations and up to 500m downstream or to the next major tributary.

Note that any works on a waterway must be located to avoid unstable sections of the waterway including banks that are susceptible to slumping, (such as the outside of tight river bends or vertical banks); and areas where siltation is likely to affect inlets, (such as the inside of a river bend where sand accumulates).

7. DESIGN SPECIFICATION AND CONSTRUCTION PLANS

Your application must be accompanied by the following:

- Copies or data file of the Engineer's computations and site plan. These must include the date they were prepared and the plan number/version number must be clearly identified on the plan.
- Dam computations designed for annual exceedable probability (AEP) of 1 in 100 years flood specification.

A construction plan must be prepared by the applicant and must clearly identify 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) prevent fuel or lubricant or any other matter used in connection with works and appliances from entering into and polluting the waterway, the riparian or riverine environment;
- (g) return soil disturbed during construction to its original profile and compact and revegetate it to protect it from erosion;
- (h) restore ground surface levels disturbed by excavation and installation and revegetate with local indigenous species;
- (i) make provision for the installation of meters to the licensing authorities requirements;
- (j) ensure that no filters, filtrate, irrigation controls and fertigation are placed on the waterway; and
- (k) 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 power lines 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.

(i) where practical, fix power authority-approved electrical fittings above the Nominal Flood Protection Level (300 mm above the 100 year ARI flood level).

- (m) where practical, raise and secure suction pipes above bank slopes to minimise the collection of flood debris; and
- (n) where practical, ensure the inlet, strainer and foot valves can accommodate fluctuation in water levels (including fluctuations below any existing weir pool minimum operating levels).

Please ensure the following is clearly labelled on the plans and provide details below where indicated.

- a) Height of dam/weir or other structure from downstream toe to top of wall.
- b) Capacity of dam/weir or other structures at full supply level and proposed storage capacity:
- c) All dams must be designed to include 1.0 meter Freeboard; this height must be clearly identified in the plan.
- d) The spillway must be a minimum of 3 metres in width, cut in solid ground. The spillway return must be constructed clear of the toe of the embankment. The dam spillway must be designed to mitigate erosion; installation of rock beaching of varying sizes no less than 300 millimetres. Spillway capacity in ML/day must be labelled
- e) The crest width must be increased as the height of the dam increases. The crest width and height must be clearly identified in the plan.
- f) Side batter slopes, (horizontal to vertical) are to be a minimum of 3 to 1, and clearly indicated in the side elevation plan.
- g) Compensation pipe must be installed and fitted with a gate valve that allows the dam to be fully drained within 72 hours.
- h) Considerations for inflows must be included in design, pipe class and diameters must be indicated on the plan.
- i) Diversion points must be independent and not connected to the compensation pipe unless a fully operational bypass mechanism is installed. Designs must mitigate erosion control of discharge. Anti-seepage cut-off collars at least 1 metre square in area. Outlet pipe diameter and Pipe Class must be labelled
- j) To prevent prolonged saturation resulting from continuous flows over the spillway, a trickle flow pipe with a drop pit located so that it discharges back into the waterway away from the embankment and designed to control erosion. Pipe class and diameters must be indicated on the plan.
- k) Measuring gauge boards and their location must be indicated on the plan
- l) High Voltage Transmission Lines. Note the distance between the proposed dam location and any high voltage transmission lines.

For any potentially hazardous dam, a plan for constructing the proposed works or altering the existing works must also include:

- (a) details of the suitably qualified engineer(s) and any contractor(s) responsible for the:
 - (i) investigation and design,
 - (ii) construction supervision; and
 - (iii) preparation of the dam safety surveillance plan and dam safety emergency plan.
- (b) technical features of the dam including:
 - (i) type of dam (i.e. earthfill, rockfill or concrete)
 - (ii) other details including height of wall, full supply level, surface area, spillway capacity, designed flood (AEP), outlet pipe and upstream and downstream valve.
- (c) hazard category (very low to extreme) according to the ANCOLD guidelines.
- (d) locality plan at an appropriate scale showing orientation, location of roads, bridges, buildings and fences in the vicinity of the embankment, and the area to be inundated by the stored water.

Decommissioning a potentially hazardous dam

- a) When removing or decommissioning a potentially hazardous dam, a detailed plan must be developed by a suitably qualified engineer.
- b) A plan for removing or decommissioning 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. 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;
- e. restore any native vegetation that is disturbed during decommissioning with local indigenous species in accordance with an approved native vegetation offset plan;
- f. 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;
- g. note that for works on a waterway, the banks may require beaching to protect against erosion from river flow);
- h. where practical, make use of existing power lines, works and access tracks;
- i. shut down and revegetate any tracks that will not be required for future access.

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 avoid 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.

Note: When constructing, enlarging or replacing a private dam on a waterway with high ecological values or on 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 the Department may issue guidelines relating to the requirements of an Environmental Assessment Report)

8. DECLARATION OF ENGINEER/S

I confirm that I am the engineer responsible for design and construction of the dam and hold professional indemnity insurance for an amount of \$5 million or greater, with an undertaking to maintain the cover for at least seven years following the construction of the dam

I confirm that I have read the general information and explanatory notes.

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 Lower Murray Water may release information contained in this application, at the discretion of LMW to relevant parties and organisations in accordance with relevant legislation.

Signature of Engineer Date:

Printed name:

Business/ Company name:

(Please complete if more than 1 engineer)

Signature of Engineer

Date:

Printed name:

Business/ Company name:

Is the engineer a member of the Institution of Engineers Australia?

Yes

No

Membership No. (If applicable):

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Information collected is usually disclosed to staff involved in processing your application, contractors, LMW staff and other agencies such as the Water Register, The Department of Environment, Land, Water and Planning and the relevant Catchment Management Authority and Local Council (where applicable) for the purposes of processing of your application. Failure to provide any of the information sought may result in processing delays or refusal of your application. At times LMW may be legally required to disclose personal information, for instance to the police, courts or other authorized organizations. You may gain access to and correct your personal information under the Freedom of Information Act 1982. For further information please refer to our Privacy 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 us between 8.30am and 4.30pm Monday to Friday.

Telephone: 03 5051 3400

Email: applications@lmw.vic.gov.au

This application form is in two parts:

- Part 1 should be completed and signed by the licence applicant/s.
- Part 2 should be completed and signed by the design and construction engineer/s.

Part 1- Applicant details

<p>Question 1 Type of Application</p>	<p>Please indicate whether you are applying for a licence to construct new works, alter existing works or to decommission or remove works. You can also use this form to renew an existing licence. If this is an application to renew an existing licence, please indicate by ticking the box in this section. 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.</p>
<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 Description of land on which the works are to be constructed or existing works are located</p>	<p>Applicants must provide details of the land where the works are to be undertaken or the dam is being constructed. The current ownership of this land must also be verified. To ensure this information is up to date</p> <p>LMW requires a current copy of the title/s for all land. If the works are to be constructed on land that is not in the applicant's ownership, written consent from the landowner 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 (3) 8636 2456 • Contacting your solicitor or legal advisor to conduct the search/s on your behalf <p>(fees may apply)</p>
<p>Question 4 Proposed use of water</p>	<p>Please indicate if you have an existing licence to take and use water, and if so list the licensed volume. If you do not have an entitlement and you intend to take water from the proposed dam, you will be required to apply for a licence to take and use water and purchase the required volume of water from an existing water entitlement owner prior to lodging your application for a works licence. A licence to take and use water is generally issued for a term between 1 to 15 years. A licence to take and use water authorises the licensee to extract surface water and use it for irrigation, commercial, domestic and stock or use the dam for aesthetic or other licensed purposes.</p> <p>Under very limited circumstances you may have what is called a private right to access water for domestic or stock purposes. You should contact the Licensing Unit to determine if this applies to you as you may be required to make application for a private right determination.</p>

<p>Question 5 Water harvesting arrangements and environmental assessment</p>	<p>You will need to provide details about whether the proposed dam is on a waterway with high ecological values or a water course. Generally, this can only be determined by applying to LMW to undertake a waterway determination for the proposed site.</p> <p>To make application for a waterway determination please contacts the Licensing Unit. If you have already undertaken a waterway determination previously for this site, please attach a copy of the determination or list the named waterway or water course. You should indicate if the proposed dam will collect run-off from the catchment. Generally, this information will be provided to you in the letter issued to you by LMW when the Waterway Determination has been completed.</p> <p>Please indicate if you intend to pump water from a stream into the proposed dam. If so please list the details of the proposed pump including the pump type, manufacturer, make and output of the pump you intend to install.</p>
<p>Question 6 Aboriginal Cultural Heritage Requirements</p>	<p>If new works will be installed (pumps/pipes etc.) as part of this application, you must ensure that you comply with any obligations under the <i>Aboriginal Heritage Act 2006</i> - Please refer to the explanatory notes for further information before answering this question.</p>
<p>Question 7 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.

Part 2- This section should be completed by the engineer/s

<p>Question 1 Engineer responsible for investigation, design and surveillance</p>	<p>The engineer co-ordinating the investigation, design and surveillance of the works should provide details. Please include membership details for the Australian Institute of Engineers and list recent experience in this field.</p>
<p>Question 2 Engineer responsible for construction</p>	<p>The engineer co-ordinating the construction of the works should provide details (if different to the engineer referred to in question 1). Please include membership details for the Australian Institute of Engineers if applicable and list recent experience in this field.</p>
<p>Question 3 Identification of potential for upstream or downstream impacts</p>	<p>Indicate in the plan and note distance between the proposed dam location and any high voltage transmission lines. Confirm the proposed storage will not inundate a neighbouring property. List all environment/ catchments features located at, above or below the proposed Site.</p>
<p>Question 4 Hazard Category</p>	<p>Please indicate the hazard category of the dam according to ANCOLD Guidelines on the Assessment of the Consequences of Dam Failures, 2000: (For further information refer to the ANCOLD website, www.ancold.org.au)</p>
<p>Question 5 By-Pass design details</p>	<p>A bypass mechanism must be installed in all new dams to pass minimum flows. Please contact the Licensing Unit for specific requirements. To calculate these requirements please contact Goulburn Murray Water on (03) 5826 3702. There are a number of Bypass mechanism methods available for harvesting water in the catchments whilst maintaining flows in the waterway.</p>
<p>Question 6 Proposed works site and locality plans</p>	<p>Locality Plan Provide copies of the site and locality plans for the proposed works showing the location of the works and any existing dams or structures. Roads and access points must be included along with approximate distances to property boundaries and other features.</p> <p>Please attach photographs of the locality if possible.</p> <p>Site Plan Provide a plan which clearly shows details of the proposed site and any other relevant works sites. You should include waterway/drainage line/gully/depressions etc. downstream of the proposed site at several locations and up to 500m downstream or to the next major tributary.</p> <p>Please attach photographs of the proposed site and other relevant features.</p>
<p>Question 7 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.

General information and explanatory notes (retain for future reference)

Why do I need a licence to construct, alter, remove or decommission a dam or other structure on a waterway?

By law (section 67 of the *Water Act 1989* (Vic)), anyone who proposes to construct, alter, remove or decommission a dam or other works located on a waterway, where the works are associated with the authorised take, use, conveyance or storage of water, must obtain a licence before any works may commence.

What is a Private Dam?

Private dams are dams on private property. They are usually built from earth, and vary in their size and shape. Section 3 of the *Water Act 1989* defines a **private dam** as anything in which by means of an excavation, a bank, a barrier or other works water is collected, stored or concentrated but does not include anything owned or operated by a public statutory body, any works of an Authority, a channel, drain or pipe or a bore.

If the proposed works are not associated with the take and use of water (such as realignment or erosion control works) there is no requirement for a licence to be issued by Goulburn-Murray Water under section 67 of the *Water Act 1989* (Vic). However, you may still require a licence from the relevant Catchment Management Authority.

Do I need a licence to construct a dam or other structure which is not on a waterway?

A licence is only required if you intend to construct, alter or decommission a dam which is considered potentially hazardous regardless of whether or not it is located on a waterway.

A large or potentially hazardous dam is a dam which meets one of the following categories:

- The dam 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
- The dam 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
- The dam has a wall that is 15 metres or more high above ground level at the downstream end of the dam, regardless of the capacity; or
- The dam belongs to a prescribed class of dams.

How do I determine if the proposed works are on a waterway?

It is important that the proposed site is assessed to determine if it is on a waterway, and to obtain details about the catchment yield. If you are uncertain whether the proposed site is on a waterway, in most cases you will be required to make application for a Waterway Determination. Please contact the Licensing Unit for further details.

Do I require a licence if I am only making remedial repairs or carrying out maintenance on a dam, weir or other structure on a waterway?

If you are conducting routine maintenance works to a dam or other structure which will include excavation up to a 1,000mm in the dam wall (other than vertical in the spillway crest) providing the back fill is compacted appropriately, a licence is not required. If the works being undertaken are remedial rehabilitation works you must submit engineering design plans prepared by a suitably qualified and experienced engineer to LMW prior to commencing any work. LMW will assess the plans and advise in writing if proposed works require an application for a works licence to be submitted and approved. If you are notified that a licence is not required, the works must still be supervised by a suitably qualified and experienced engineer. An engineer's report must be completed by the engineer and provided to LMW within 30 days of the completion of the maintenance and rehabilitation works.

If the remedial or maintenance works will put at risk the integrity of the dam or structure they are not considered to be routine maintenance and you will be required to make application for a licence. This would include works to:

- Alter an existing dam or weir which will increase the storage capacity;
- Alter or repair a dam, weir or other structure that an engineer's report has identified as having failed (any breach to a dam wall or weir is considered failed);

• Decommission or remove a dam, weir or other structure. Further information can be located at:

https://www.water.vic.gov.au/_data/assets/pdf_file/0017/54251/Your-dam-Your-Responsibility-2018-05-19-digital-version-.pdf

Advertising and notifications

Do I have to advertise my application in the newspaper or notify my neighbours?

LMW will contact you if you are required to advertise or notify your neighbours.

Are there any other legal obligations I should be aware of?

Yes, other statutory obligations may apply, some of these are outlined below but you should check with your consulting engineer to obtain information relating to all of your legal obligations.

Planning Applications

In addition to licensing requirements under the *Water Act 1989* (Vic), most local Shire Councils require a planning permit application to be lodged prior to any works commencing. You should contact your local Shire Council for information.

The *Environment Protection and Biodiversity Conservation Act 1999* (the *EPBC Act*)

The *Environment Protection and Biodiversity Conservation Act 1999* include a number of relevant provisions which ensure that matters of national environmental significance are **protected** including:

- World heritage properties;
- Ramsar listed wetlands;
- Nationally threatened flora and fauna and ecological communities;
- Internationally protected migratory birds; and
- Commonwealth marine areas.

You should contact Environment Australia at: www.environment.gov.au or telephone 1800 803 772 for further information and to determine your obligations prior to completing your application.

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). When assessing an application, Goulburn-Murray Water (LMW) is responsible for ensuring that an application complies with the requirements of the Act.

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.

In circumstances where a CHMP is required, LMW cannot grant an application without an approved CHMP. Therefore, 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 Licensing Unit for assistance.

Electricity Safety (Network Assets) Regulations

You must comply with the provisions of the *Electricity Safety (Network Assets) Regulations* for safe clearance from any works to power line infrastructure. Please contact SP-AusNet prior to commencing any works using the details below:

Contact: Property Officer, Networks, Phone: 1300 360 795 or 03 9695 6000, email csc@sp-ausnet.com.au
fax: 03 9695 6666, postal Address: Locked Bag 14051 Melbourne City Mail Centre Victoria 8001

How can I find out more about the minimum standards for dam construction?

A range of information is available from the Australian National Committee on Large Dams Incorporated (ANCOLD Inc.), which is an incorporated voluntary association of organisations and professionals with an interest in dams in Australia. ANCOLD has developed guidelines relating to minimum standards for dam construction which can be viewed at: www.ancold.org.au.

Published by the Victorian Government - Your Dam Your Responsibility
https://www.water.vic.gov.au/_data/assets/pdf_file/0017/54251/Your-dam-Your-Responsibility-2018-05-19-digital-version-.pdf

What does the application fee cover?

Application fees cover the full cost of undertaking a licence assessment in accordance with LMW's obligations under the *Water Act 1989*. This includes administering the application, undertaking a site inspection and reviewing any submissions and referrals to other agencies made in relation to your application. 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.

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:

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 accessing and/ or operating works

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: (print)

Name: (print)

Position:

.....

Position:

.....

Address:

.....

Address:

.....

.....

.....

.....

.....

Date:

.....

Date:

.....



SAMPLE

ONLY

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 88888 FOLIO 999

 Security no : 88888888888E
 Produced 17/03/2010 09:30 am
LAND DESCRIPTION

Lot x on Plan of Subdivision 999999. PARENT

TITLE Volume 888888 Folio 999

Created by instrument 888888 24/04/1919

REGISTERED PROPRIETOR

Estate Fee Simple

Joint Proprietors

JOHN DOE

MARY DOE both of 9999 SMITH ST MELBOURNE 3051

[S999999F](#) 09/11/1992**ENCUMBRANCES, CAVEATS AND NOTICES**MORTGAGE [AC9999999A](#) 25/09/2003

BENDIGO BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio
 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATIONSEE [TP9999999P](#) FOR FURTHER DETAILS AND BOUNDARIES**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ANNEXURE 2

SELECTION CRITERIA FOR CONSULTANTS TO UNDERTAKE ENVIRONMENTAL ASSESSMENT REPORT

A list of suitably qualified consultants will be derived from these selection criteria.

- The consultant should have experience in conducting environmental impact assessments, including details and limitations of methods employed (e.g. timing of assessment and effects of seasonality).
- The consultant should have a good understanding of the cumulative impacts of diversions and potential changes to flows.
- Consultant team should have demonstrated expertise in:
 - Fish biology, including distribution, habitat and flow requirements
 - Terrestrial flora, including riparian and other areas likely to be impacted by dam Construction (egg. native grasses and orchids)
 - Riparian ecosystem requirements (eg. riparian fauna)
 - Amphibians, other aquatic vertebrates, reptiles, water birds and macro invertebrates
 - Aquatic ecological processes and threats to the ecosystem (eg. barriers to fish movement, sedimentation, changes to flow, water quality, temperature, loss of habitat heterogeneity).
 - Hydrology (e.g. assessment of potential changes to flow downstream)

If the consultant does not have expertise in one or two areas, then they should demonstrate how they would bring in those skills (e.g. form a partnership or consortium).

- a) The consultant must state the name and qualification of the person(s) who provided the expertise.
- Proven track record of producing clear, concise and well-documented reports in appropriate time frames. There should be evidence of high quality and defensible work.
- Familiarity with sources of biological data, including the DELWP and EPA databases, and other appropriate lists/publications. The consultant must be able to extrapolate the information from the databases to the region where the dam is to be placed.
- Good knowledge and understanding of Victorian and Commonwealth legislative requirements, including (but not limited to):
 - Water Act 1989
 - Flora and Fauna Guarantee Act 1988
 - Victoria's Biodiversity Strategy (1999)
 - Native Title Act 1993
 - Environment Protection and Biodiversity Conservation Act 1999
 - Planning and Environment Act 1987
 - Catchment Management Authority regional management plans
 - local Council planning schemes and other strategies

The consultant should demonstrate how the assessment report addresses issues relevant to any legislative and policy obligations. Under clause 66 of the Conservation Forest and Lands Act (1987), water authorities are required to submit plans of works to the Secretary of the Department of Environment, Land, Water and Planning for comment, where such works will involve the “construction of dams, weirs or other structures in or across watercourses which potentially interfere with the movement of fish, or the quality of aquatic habitat”.

ANNEXURE 3

REQUIREMENTS FOR ENVIRONMENTAL ASSESSMENT REPORTS

AIM OF REQUIREMENTS

To guide consultants to prepare adequate Environmental Assessment Reports that enable the evaluation of the environmental impacts of proposed new, enlarged or replacement dams.

APPLICATION

Consultants who have been engaged to prepare an Environmental Assessment Report must ensure that the Report conforms to the requirements listed in this Schedule.

The Licensing Authority is required to refer an application for a licence to take and use water and a licence to construct a dam to the following referral bodies:

- (a) the Department of Environment, Land, Water and Planning (DELWP); and
- (b) the relevant Catchment Management Authority; and
- (c) the relevant Council (construction licence only); and
- (d) Melbourne Water, in Melbourne Water's area; and
- (e) any Authority holding a bulk entitlement

If a referral body considers that an Environmental Assessment Report does not comply with the requirements listed in this Schedule, the consultant may be required to provide further information.

ROLE OF ENVIRONMENTAL ASSESSMENT REPORT

Consultants are required to collect information and provide advice on any potential impacts to the environment. They are not required to provide fish-way designs, undertake fish surveys or provide recommendations on specific environmental flows.

Consultants are also not required to provide a final recommendation on the proposal; this is the responsibility of the Referral bodies and Licensing Authority.

DATA COLLECTION

Consultants are expected to undertake site inspections as part of preparing the Environmental Assessment Report. However, extensive field studies, such as detailed flora and fauna surveys or environmental flow studies are not part of the process.

Consultants will need to utilise databases and other publications as sources of existing information on sites of conservation significance for wetlands, indigenous flora, fauna (including fish) and fauna habitat in the attachment in order to complete the Environmental Assessment Report.

In reporting on existing information consultants should also include a description of habitats, populations or assemblages of significance at a local, regional, state or national level.

REPORT STRUCTURE

All sections of the report must be completed. The guidelines are aimed at highlighting the type of information that will be required for assessment. The level of detail required will depend on the environmental issues associated with the proposal. Where sections are not applicable; information is not available; or there is insufficient data, it must be noted down in the report with justifications. Some of the information required in this report will be available from the applicant.

Part 1: Background Information

1.1 Accurate Location of dam Site

The Environmental Assessment Report must include a map or photocopy with the following features:

- North point
- Melways/ VicRoads / Australian Map Grid Zone and Northing and Easting of the proposed site;
- indication of the topography;
- an appropriate scale (1:25,000, 1:10,000 or similar) to show:
 - the proposed dam and diversion;
 - the position of surrounding waterways, streams and tributaries, wetlands or other natural features and their names where possible;
 - boundaries of the applicant's land and approximate measurements;
 - location of adjacent roads and distance from nearest intersecting roads;
 - existing dams on waterway or run-off channel, and on surrounding properties;
 - existing indigenous vegetation (both instream and riparian);
 - field inspection sites; and
 - sites of all photos included in report.

1.2 General Information

The Environmental Assessment Report must include the following general information to convey an understanding of the nature of the proposal in relation to the surrounding land and water use in the catchment. The report must also include the field inspection date(s).

Dam Site and Catchment Condition

- estimated catchment area above proposed dam;
- land use on property and adjacent areas (e.g. forested, irrigation, dairy, horticulture etc.);
- general comments on flows in the system, including seasonal variation (e.g. permanent, ephemeral, months of flow). Gauged flow data should be used if available, otherwise some indication from local landholders can be useful;
- purpose of dam (e.g. pasture, commercial, vines, aquaculture etc.);
- description of dam characteristics (volume of water at full supply level, position relative to stream and other dams); and
- Ecological Vegetation Class description of any existing riparian vegetation - extent and type.

Stream Condition

- stream condition from the Index of Stream Condition (ISC) web site via the Water Management Information System <http://data.water.vic.gov.au/monitoring.htm>

If no information is available from the web site, then the following information must be included:

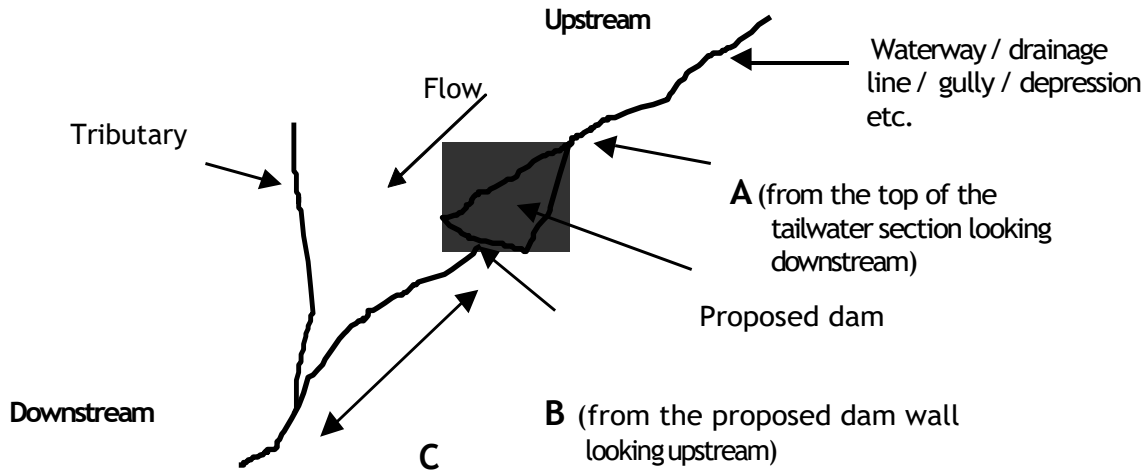
- presence and location of any pools and riffles;
- substrate type (e.g. silt, gravel, rocky etc);
- instream debris (e.g. snags, leaf packs etc);
- bank stability; and
- riparian vegetation (e.g. extent, width, composition, location etc.)

1.3 Photographs

Photographs should be provided of the proposed dam site:

- Taken from (A) downstream (refer to diagram below), and
- (B) upstream; and
- waterway / drainage line / gully / depression etc. downstream of proposed site at several locations (C: up to 500m downstream or to the next major tributary, whichever is the lesser)

The photographs must be labelled with site details and distance. They must also be clear, focused and show sufficient details of the proposed site and other relevant sites. Please indicate on the locality map from where the photographs were taken as per the following example.



1.4 Legislation, Policy and Programs

The Environmental Assessment Report must include comments on whether the proposal is consistent with the following legislation, policies, plans and strategies. The Licensing Authorities will have information regarding some of the following legislation, policies, plans and strategies.

The report must include names and details of officers contacted within each of the following organisations.

Contact organisation - regional offices of DELWP:

- Aboriginal and Torres Strait Islander Heritage Protection Act 1984;
- Archaeological and Aboriginal Relics Preservation Act 1972;
- Directory of Important Wetlands in Australia (including Ramsar, JAMBA and CAMBA listings);
- Fisheries Act 1995;
- Flora and Fauna Guarantee Act 1988 and associated action statements;
- Heritage Rivers Act 1992;
- Matters of national significance (Environment Protection and Biodiversity Conservation Act 1999);
- Victoria's Biodiversity Strategy (Victoria's Biodiversity - Our Living Wealth, Victoria's Biodiversity - Sustaining Our Living Wealth, Victoria's Biodiversity - Directions in Management).

Contact organisation - regional Catchment Management Authority or Catchment and Land Protection Board:

- Catchment and Land Protection Act 1994;
- Regional Catchment Strategy;
- Regional Vegetation Plans;
- Regional River Health Plans;
- Regional Waterway Management Plans;
- Salinity Management Plans;
- Nutrient Management Plans;
- Flood plain Management Strategy and Plans

Contact organisation - Local Government:

- Matters to be covered by the Planning Permit where required;
- Planning and Environment Act (1987); and
- Victorian Planning Provisions (1996)

Contact organisation - regional office of the Victorian Environment Protection Authority:

- State Environment Protection Policy (Waters of Victoria) 1999

Contact organisation - regional Rural Water Corporation or Non-Metropolitan Urban Water Corporation:

- relevant Bulk Entitlement Orders;
- relevant Streamflow Management Plans; and
- special water supply catchment areas

Part 2: Specific Environmental Issues

The Environmental Assessment Report must include comment on the specific environmental issues listed below. In addressing each issue, consultants must take into account any relevant legislation, policies and programs outlined in section 1.4, and discuss the potential impacts of the construction and operation of the dam itself.

2.1 Existing Information

The Environmental Assessment Report must include a summary of relevant existing information; in particular, the following DELWP databases (contact the Arthur Rylah Institute, Heidelberg):

- Flora Information System;
- Atlas of Victorian Wildlife;
- Aquatic Fauna Database;
- Wetlands Database; and
- other relevant publications, including Sites of Significance Reports

Information from the databases may need to be extrapolated to the appropriate reach of the catchment. It is likely that many streams will not have been surveyed. In these cases, consultants should list species that have been recorded in or in the vicinity of nearby streams (from DELWP databases or other appropriate reports) and comment on the likelihood of those species occurring in the area under review, though there may be no formal records of their occurrence. For example, if no fish species data exists for the local area of the dam proposal, but the species is recorded further downstream, the consultant needs to provide a justifiable assessment of whether the species is likely to be found at the proposed dam site, based on the fish database and their own knowledge. If there is a lack of data, or data is unavailable, then any knowledge gaps should be highlighted.

Sources of information must be referenced and all methods used as part of site inspections or desktop calculations must be clearly outlined.

2.2 Stream Flows

Although the Interim Diversion Limit Methodology and Sustainable Diversion Limits project will provide an indication on catchment and sub-catchment yields, the Environmental Assessment Report must:

- discuss the potential impacts to the existing flow regime at a local level as a result of the proposal;
- state whether any designated environmental flows exist downstream of the proposed site and discuss the potential impacts on this flow as a result of the proposal (e.g. changes to the frequency, duration, timing and magnitude of flows). These may be derived from any relevant Bulk Entitlement Orders, Streamflow Management Plans or other sources.

2.3 Fish

Fish species in the system need to be considered since changes to natural flow patterns will affect fish species and dams on waterways have a potential to impede flows and act as physical barriers to fish passage

- preventing migratory species from reaching important spawning grounds and habitat, and isolating populations.

The Environmental Assessment Report must include:

- a list of fish species found, or likely to be found, in the system (both native and introduced);
- conservation status of native fish at a state and national level;
- general comment on fish habitat in the catchment and at the local site; and
- discussion of the potential impacts of the proposal on fish life histories and habitat (including localised movement and migration)

2.4 Other Fauna

The Environmental Assessment Report must:

- List fauna dependent on the aquatic environment including their conservation status (at state and national level) Major groups of fauna may include:
 - platypus;
 - water rats;
 - crustaceans (e.g. freshwater crayfish);
 - reptiles;
 - frogs;
 - mussels; and
 - aquatic macro-invertebrates
- discuss potential impacts of the proposal on these species and their habitat (including hollows in trees).

2.5 Riparian and Instream Vegetation

The Environmental Assessment Report must:

- describe (and provide photos of) any remnant instream and riparian vegetation downstream of the dam site to the next major tributary and discuss likely impacts on this vegetation due to changes in flow;
- highlight whether any native vegetation is to be cleared or inundated by the proposed dam, and the importance of this vegetation including its role as wildlife corridors;
- describe species and their current condition that will be inundated cleared or disturbed by irrigation run-off as a consequence of the proposed dam. The consultant must report on the species and/or communities (including Ecological Vegetation Class) affected and the nature and extent of the disturbance; and
- state whether there is woody debris such as logs and branches at the proposed site and how this will be affected by the proposal.

2.6 Wetlands, springs and soaks

The Environmental Assessment Report must:

- identify any wetlands, marshes or soaks on, or adjacent to the proposed site (including ephemeral wetlands and dry lakebeds) - and describe or mark on the map their size and position;
- assess whether the dam will alter any existing wetland or soak either directly (e.g. inundation by the dam or its tailwaters) or indirectly (eg. wetlands downstream of the proposed dam site that may be affected by changes to flows); and
- potential impacts on wetlands high conservation value (e.g. Ramsar, CAMBA and JAMBA listed wetlands) must be specifically addressed.

2.7 Water Quality

The Environmental Assessment Report must:

- outline any known or suspected water quality issues that exist in the catchment; and
- discuss the potential effects on water quality of changes to flow likely to result from the proposed development (e.g. sedimentation, salinity, dissolved oxygen concentrations, temperature etc.).

The Environment Protection Authority or the Catchment Management Authority should be able to provide information on water quality issues.

2.8 Land Tenure

The Environmental Assessment Report must describe land tenure adjacent to and downstream of the proposed dam site (e.g. special conservation areas and National Parks, Heritage Rivers and Natural Catchment Areas as described by the Heritage Rivers Act and associated management plans, special water supply catchment areas etc.).

Part 3: Industries Dependent on Natural Environment

The Environmental Assessment Report must state whether any of the following industries exist immediately downstream of the dam and how they are likely to be affected by the diversion of water, and the construction and operation of the dam itself:

- recognised recreational fishery;
- aquaculture;
- commercial fishery; and
- recognised tourism and recreation values

Part 4: Conditions on Construction and Operation of Dam

4.1 Timing of Construction

The direct impact of dam construction will vary depending on the water level of a stream and any rainfall that may occur during the construction process. Any earthworks etc., on or near a waterway should be conducted in a manner that reduces impact on the environment including:

- minimising the restriction of fish movement;
- limitation of vegetation removal; and
- limitation of sediment input.

The Environmental Assessment Report must provide a clear indication of the month(s) in which it is proposed to construct the dam in order to minimise potential environmental impacts (e.g. water quality, erosion, sedimentation, interference with base flows required to maintain aquatic and riparian biota).

4.2 Dam Specifications and Management

In some circumstances there may be specific conditions that need to be placed on the operation of the dam to minimize the impacts of the dam to environmental values.

The Environmental Assessment Report must discuss the need for, but not necessarily specify:

- passing flows;
- fish passage;
- site rehabilitation;
- bank stabilisation; and
- restriction of stock access to the dam or waterway.