

Fact Sheet

Overview of Works Licence

Introduction

A Works Licence is required to construct and operate water diversion works on a waterway. This includes the construction of pumps, pipelines and associated infrastructure (including power) on and across Public Land and to private property.

The details required as part of the approvals process vary depending upon the complexity of the application requirements, which may include native vegetation and biodiversity, cultural heritage, water availability, water access routes and Public Land Manager (Department of Energy, Environment and Climate Action (DEECA) or Parks Victoria) and planning permit requirements.

The Works Licence application needs to be progressed in parallel with the approvals process for the associated Water Use Licence. Water Corporations will not issue a Works Licence to construct and operate works without a Water Use Licence being in place, or an application for a Water Use Licence submitted for approval. A permit will not be issued in isolation from the other, as the two licences are linked.

Assessment Process

Agriculture Victoria employs an Irrigation Development Coordinator and is available to provide detailed information on the assessment process.

Prior to being issued a Works Licence to construct and operate private water delivery infrastructure works to service properties, the proponent may require the following approvals, outlined in more detail in companion fact sheets:

- Cultural heritage requirements under the *Aboriginal Heritage Act 2006*, which may include a Cultural Heritage Management Plan.

- Siting and Design requirements for Public Land Manager consent for works on Public Land, including any requirements specified by Parks Victoria where they are the relevant Public Land Manager.
- Planning Permit from the relevant local council for land use and development within the Public Conservation and Resource Zone (PCRZ), and some overlays, or proposals to remove, lop or destroy native vegetation. The public land managers consent is a prerequisite for an application for a planning permit for works within PCRZ.

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It is recommended that proponents meet with the Irrigation Development Coordinator as early as possible and discuss the proposed development activity. Site meetings can be extremely helpful in identifying issues likely to have large impacts on the development, especially cost/benefit impacts and other issues that make the development unviable. This information is provided at no charge to irrigators and can save considerable time and resources.

Any new works licences issued will be issued a General Place of Take (GPT) approval with zero extraction share. A GPT approval authorises the ABA holder to take water from a service point and provides the right to take a share of river water during announced river restrictions.

You cannot take river water during restrictions if the extraction share has a zero rate. Non-compliance with your extraction share during a rationing event is an offence under the Water Act and significant penalties will apply.

Applicants should consider their extraction requirements and take appropriate steps to manage their shortfall risks.

Applicants enter the Irrigation Development Process by submitting the completed Irrigation Development Application Form to the Irrigation Development Coordinator at the following address:

Mallee Irrigation Development Coordinator
Agriculture Victoria
 PO Box 905, Mildura, Victoria 3502
 M: 0427 102 285
 E: jeremy.giddings@agriculture.vic.gov.au

Works Licence applications

Once the preliminary investigation phase is complete, proponents will be required to formally apply for a Works Licence by submitting Form 29 to the appropriate Water Corporation. The Irrigation Development Coordinator will assist the developer navigate the Irrigation Development Process.

The approval by the Water Corporation for the Works Licence application, must include all information relevant to the associated Water Use Licence application. A Works Licence cannot be issued in isolation from a Water Use Licence.

The Public Land Manager's Consent (via DEECA or Parks Victoria) must be issued prior to applying for a Works Licence or the relevant agencies endorsement of Form 29 as the Landowner.

A Works Plan is required as part of the Works Licence application. This demonstrates public safety, aesthetic, cultural heritage, environmental and water resource values of the waterway, aquifer, or the riparian or riverine environment are

protected during construction, alteration, operation and/or decommissioning of the pump and associated infrastructure. The requirements of Works Plans are detailed in Schedule 2 of the Ministerial Determination on Policies for Managing Works Licences. These policies are available from DEECA.

A Works Plan must clearly describe the type and location of the proposed irrigation infrastructure to be constructed to extract water from the waterway and intended pathway of the delivery to the farm.

A Works Plan must include:

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

Dams

In addition, to pumps and pipelines the proponent may require an on-farm dam to store water to adequately service the watering requirements of the property. All dam constructions require authorisation and must be incorporated into the Works Plan. Dam construction guidelines are available from your local Water Corporation.

Further information

Access to electronic copies of:

- **Standards for Site Environmental Management Plans**
- Contact Mallee CMA for more information
- **Dam construction standards**
<https://www.water.vic.gov.au/water-sources/victorias-dams/dam-safety-guidance>
- **Works Licence Application Form 29**
<https://www.waterregister.vic.gov.au/about/forms-and-fees/forms-for-licences-registrations>
(These forms are issued with a discrete number).
- **Ministerial Determinations**
<https://www.waterregister.vic.gov.au/water-entitlements/about-entitlements/water-use-licences>
- **Ministers Policies for Managing Works Licences**
<https://www.waterregister.vic.gov.au/water-entitlements/about-entitlements/works-licences>