

Dulitha Sameera  
Department of Transport  
29 Jamieson Street  
Warrnambool 3280

Dear Dulitha,

**Works on Waterway Licence Application Number (CMA Ref):** GHCMA-W-2022-00444

**Works description:** Bridge replacement

**Waterway:** Wattle Hill Creek

**Waterway no:** 37/3

**Location:** Wattle Hill Creek  
Parish of Portland

Thank you for your application which we received on 03 August 2022.

Pursuant to Section 67 of the Water Act 1989, the Glenelg Hopkins Catchment Management Authority (CMA) hereby grants a licence (enclosed) for the proposed works, with specific conditions.

Please note and comply with the conditions which are enforceable under the Water Act 1989. If you have questions regarding the conditions, please contact us.

A guidance note is attached which provides information on other approvals that may be necessary prior to the commencement of works. **Note: it is your responsibility to ensure that all other necessary approvals (additional to a Works on Waterways Licence) are obtained from relevant authorities and property owners prior to commencement of works. Glenelg Hopkins CMA notes that the proposed works are on Crown Land. As such, the Department of Environment, Land, Water and Planning (DELWP) has been notified of the application for a Works on Waterways licence. This does not constitute landowner consent for the works. It is the responsibility of the applicant to obtain landowner consent.**

Upon completion of works, please provide a short summary of the works and digital photos for the CMA's records. These must be forwarded to [planning@ghcma.vic.gov.au](mailto:planning@ghcma.vic.gov.au).

Should you have any queries, please contact statutory services at [planning@ghcma.vic.gov.au](mailto:planning@ghcma.vic.gov.au) or call (03) 5571 2526. To assist the CMA in handling any enquiries please quote **GHCMA-W-2022-00444**.

Yours sincerely,



**Peter Robertson**  
Manager Waterway Planning

**WATER ACT - 1989**  
(Section 67)

**Works on Waterway Licence No: GHCMA-W-2022-00444**

This licence authorises:

**Dulitha Sameera**  
**Department of Transport**  
**29 Jamieson Street**  
**Warrnambool 3280**

to undertake the following works:

**Bridge replacement**

at the site in, on, or adjacent to the waterway and land described below and depicted on the attached map.

**Waterway:** Wattle Hill Creek

**Waterway No:** 37/3

**Land Parcel(s):** Parish Of Portland


**Parish:**

**Address:** Wattle Hill Creek

**NOTE**

1. The works identified above must be completed within 12 months of the date of issue of this licence. If these works are not completed within that period, this licence shall expire 12 months from the date of issue of this licence. Any renewed licence, if granted, may be subject to renewed conditions.
2. It is the responsibility of the licence holder to ensure that the construction site and construction methods comply, with relevant OHS legislation and Work Safe Victoria industry standards.
3. It is the responsibility of the licence holder to ensure that all other necessary statutory authorisations, permits or licences are obtained prior to commencement of works.
4. The Glenelg Hopkins Catchment Management Authority (CMA) accepts no responsibility for any claims, suits or actions, arising from injury, loss, damage or death to any person or property which may arise from the construction, maintenance, existence or use of the works.
5. The extent of the review by the CMA of the works identified above, has been confined to a limited evaluation of the effect of the works on waterway health and flooding of adjacent lands and has not included an evaluation of the structural soundness of the works. It is the responsibility of the design engineer (where applicable) to ensure that works are structurally sound.
6. It is the responsibility of the licence holder to ensure that any person(s) conducting works be made aware of and comply with the requirements and conditions of this licence. A copy of any licences and conditions shall be kept on site and be easily accessible for the duration of works.

**Authorising  
Officer:**



**Peter Robertson**  
**Manager Waterway Planning**

**Date of Issue:** 12 August 2022

**Licence Expiry Date:** 12 August 2023



### Works Conditions

1. The works shall be constructed in accordance with the application submitted to the Glenelg Hopkins CMA including any plans and associated documents.
2. Any proposed amendments to the works including (but not limited to) changes to the design, method of works, or materials used must be submitted in writing to, and approved by Glenelg Hopkins CMA.
3. The waterway shall not be deviated in any manner for construction purposes without the approval of the Glenelg Hopkins CMA.
4. Works should be undertaken when water flow is minimal. All operations should cease if flooding conditions prevail.
5. Construction machinery must:
  - a) be in good working order and free of defects (i.e. oil or coolant leakage, or loose parts); and
  - b) be washed down prior to arriving on site and following the completion of works to mitigate the risk of spreading pest species and pathogens.

'Wash downs' and refuelling should not occur within 30 metres of any waterway or within 10 metres of any drainage system that discharges into a waterway.
6. Disturbance of the bed and banks of the waterway and the use of construction plant and equipment is to be kept to a minimum.
7. Mitigation measures shall be implemented to prevent vegetation, silt, sediment, chemicals, and spillage from construction activities either entering the waterway or moving downstream during or after the works. Sediment control measures to minimise any increase in water turbidity are of particular importance and may include provision of silt traps/fences and detention basins.
8. Discharge of water polluting substances (eg wastewater, concrete equipment wash water, rubbish, etc) into the waterway is not permitted. No waste building materials are to enter the waterway.
9. The works shall not at any stage impede flow within the waterway. If necessary, flow shall be pumped around the construction site or construction undertaken in stages with flow confined to one portion of the waterway.
10. Bridge piers shall not be in the channel invert (low flow channel) or centreline or near centreline (whichever is lower) portion of the waterway cross section.
11. As a minimum, rock armouring be applied to the waterway banks beneath the bridge at the bridge abutments and around all bridge piers, unless piers are founded in hard rock. Bridge rock work should be completed in a manner consistent with the Melbourne Water conceptual diagram shown at Figure 1. below with particular emphasis on attention being paid to the use of large toe rocks at the base of embankments and effective rock placement keying in to ensure it is locked in place.

Rock armouring applied beneath the bridge shall be:

- a) free of fines and well graded.
  - b) graded such that 50% (D50) of the mass used is in the size range 300mm to 600mm (or another size range as specified by the CMA).
  - c) placed in a manner so the larger rocks are locked together with voids backfilled by smaller rock.
  - d) keyed into the creek bed and or banks in a manner generally consistent with the Melbourne Water conceptual diagram provided at Figure 1 below.
  - e) layered to a thickness of 2 x D<sub>50</sub>.
  - f) finished flush with any culvert openings to ensure that water does not undermine the culvert structure or obstruct culvert openings.
  - g) hard, durable, angular in shape and free from defined cleavage planes, cracks, overburden, shale and organic matter. Rounded or thin stones and flaking rock shall not be used
12. The upper surface of rock armouring beneath the bridge shall be finished flush with the channel bed on the upstream and downstream sides of the bridge.
  13. Rock keyed into the invert of the waterway channel shall be finished flush with the natural invert of the waterway channel to ensure the passing of low flows (see the example provided at Figure 2 below).
  14. Fish passage guidelines for Culvert constructions
    - a) Culvert design features
      - i. Generally, box or arched culverts provide greater fish passage opportunities than pipes.
      - ii. Culverts that enable good light penetration and have water 'freeboard' are preferred.



- iii. Often larger culverts (e.g., minimum culvert size of 1.5 m<sup>2</sup>) provide a greater cross-sectional area than smaller culverts, and thus reduced flow velocity for improved fish passage.
  - iv. Culverts should be installed with no slope (ie. match natural geology).
  - v. Maintain natural stream depth, width, and cross-sectional area.
  - vi. Avoid water constrictions at the culvert and high-water velocities.
  - vii. The invert of the culvert entrance and exit should be counter-sunk (c. 30 cm) into the streambed.
  - viii. Generally, culvert length should not exceed 6 m.
  - ix. Scouring and perching at the entrance or exit of the culvert should be avoided.
  - x. A 0.5-m-high downstream-sloped (30°) water retention end-sill (usually concrete) can be considered - which raises tailwater, thereby reducing turbulence and providing a refuge/plunge pool.
15. Any spoil and debris from the works shall be removed at completion of works.
  16. Stockpiles shall be located on a flat even surface and be no located no less than 30 metres from the top of the waterway bank.
  17. Concrete and debris from existing bridge deck must be disposed of at least 30m from the banks of the waterway.
  18. Concrete must not be mixed or poured on site until formwork has been completed to ensure no concrete enters the waterway.
  19. Except for any strip footings, no damage or excavation shall occur to the bed of the waterway.
  20. Any excavated material from the rock face that is larger than 150mm in width or diameter must be removed from the waterway bed. Smaller planes of the rock face can be left in the bed provided it is graded with the bed to ensure fish passage.
  21. The licence holder shall maintain the works in good order. Regular monitoring and maintenance of the site should be undertaken for the life of the licence. Any concerns shall be reported to the Glenelg Hopkins CMA.
  22. Upon completion of the works, a short completion report shall be submitted via email to [planning@ghcma.vic.gov.au](mailto:planning@ghcma.vic.gov.au). The completion report shall:
    - quote licence no. GHCMA-W-2022-00444
    - include a short description of the outcome of the works with a statement of compliance with the above conditions
    - include digital photographs of the completed works.

***Note: The conditions of this Licence are enforceable under the Water Act 1989. Failure to submit a Works Completion Report to the CMA is likely to trigger a compliance audit of your works.***

## End of Conditions

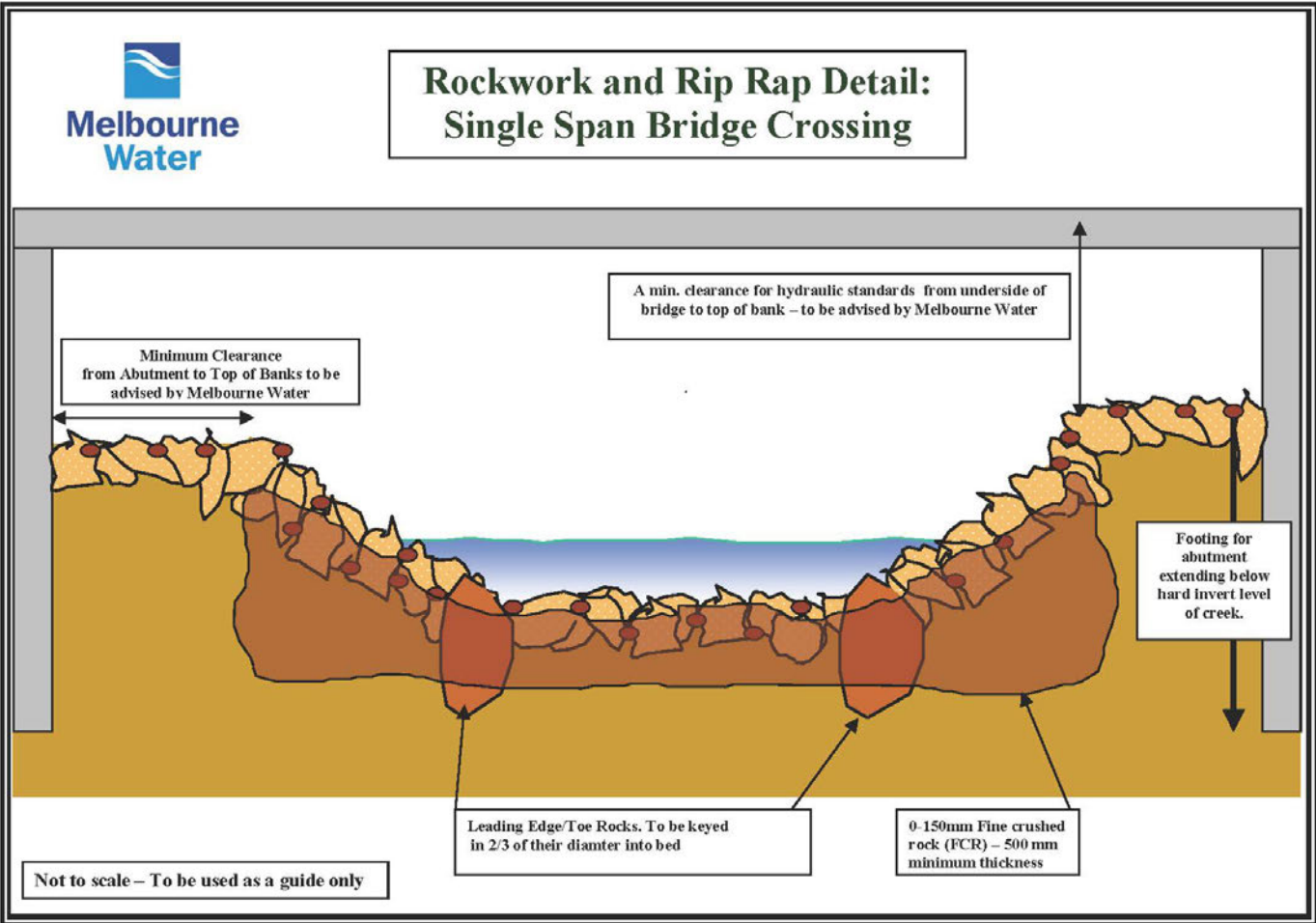


Figure 1. Rock work concept - bridge (Melbourne Water)



**Figure 2 - exemplary rock work beneath a bridge with piers including provision for low flow maintenance**

### **Aboriginal Cultural Heritage**

1. Earthworks not governed by a Cultural Heritage Management Plan (CHMP) but are within a culturally sensitive area or in/near a registered cultural heritage place, have a risk of damaging Aboriginal cultural heritage. You should consider if you need to apply for a Cultural Heritage Permit (CHP) or undertake a voluntary CHMP. It is the responsibility of the applicant to seek further advice about this from Aboriginal Victoria on either 1800 762 003 or <https://w.www.vic.gov.au/aboriginalvictoria/heritage/aboriginal-cultural-heritage-of-victoria.html>.
2. All aboriginal cultural heritage places and objects in Victoria are protected by law under the Aboriginal Heritage Act 2006. It is against the law to disturb or destroy an Aboriginal cultural heritage place or object.
3. If you believe you have discovered an Aboriginal cultural heritage place or object you must stop work immediately and notify Aboriginal Victoria via phone on 1800 762 003 or by submitting a Report of a Possible Aboriginal Heritage Place Preliminary Report Form which can be downloaded here: <https://www.aboriginalvictoria.vic.gov.au/report-and-protect-possible-aboriginal-place-or-object>. Do not disturb the site or remove any material.
4. If suspected human remains are discovered, you must stop work immediately and contact the Victoria Police (131 444) and the State Coroner's Office (1300 309 519) immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the Coronial Admissions and Enquiries hotline must be contacted on 1300 888 544. Do not disturb the site or remove any material.

# STATUTORY AUTHORISATIONS WORKS ON A WATERWAY

## GUIDANCE NOTE

The Glenelg Hopkins CMA is responsible for authorising Works on Waterways under the *Water Act 1989*.

A Works on Waterways Licence is one approval that may be required to legally perform works on or near a waterway.

Other authority approvals (licences, permits, permissions) are often required. The granting of a Works on Waterways Licence does not exempt you from the need to comply with other legislation.

**IT IS YOUR RESPONSIBILITY TO ENSURE ALL OTHER NECESSARY APPROVALS ARE OBTAINED PRIOR TO COMMENCEMENT OF WORKS.**

The table below outlines approvals which may be required prior to commencement of works. This table is a guide only. This is not necessarily a current and comprehensive statement of approvals which may be required for proposed works or activities.

The approvals required will depend upon the nature of the works or activities proposed and the area within which they are to be carried out.

We recommend that applicants obtain independent advice on the approvals required for the works or activities they propose to carry out.

| APPROVAL                        | LEGISLATION  | COMMENTS   |
|---------------------------------|--|--|
| Works on Waterways              | <ul style="list-style-type: none"><li><i>Water Act 1989 (Vic)</i></li></ul>                    | This is the licence the Glenelg Hopkins CMA issues for works on a waterway. Typically these are for constructing a crossing or connecting a drain to a waterway. We assess the impact of the works on the bed and banks (stability), and the health of the waterway. We also consider aspects such as fish passage. Licences are not always required and for low risk situations, guidelines are provided to help the owner deliver the works using best practice. Where a licence is required, an administration fee applies. |
| Planning permit –<br>Works type | <ul style="list-style-type: none"><li><i>Planning and Environment Act 1987 (Vic)</i></li></ul> | A planning permit may be required for works on waterways depending upon the nature and purpose of the works and the provisions of the relevant planning scheme (including zoning and overlay provisions). In some cases a planning permit is required for the removal of native vegetation.<br><br>Contact the relevant local council for further information.   |

| APPROVAL  | LEGISLATION  | COMMENTS   |
|---|--|--|
| Planning permit –<br>Changing flow across a<br>boundary | <ul style="list-style-type: none"> <li><i>Planning and Environment Act 1987 (Vic)</i></li> </ul>   | <p>A planning permit may be required for earthworks associated with waterways or drains that alter the way water flows. Works that have the potential to change the flow of water across a property boundary require a planning permit under many zones within the provisions of the relevant planning scheme (including zoning and overlay provisions). This commonly applies under the Farming Zone.</p> <p>Contact the relevant local council for further information.</p>  |
| Aboriginal heritage                                     | <ul style="list-style-type: none"> <li><i>Aboriginal Heritage Amended Act 2006 (Vic)</i></li> <li><i>Aboriginal Heritage Act Regulations 2007 (Vic)</i></li> </ul> | <p>All Aboriginal cultural heritage places and objects in Victoria are protected by law under the Aboriginal Heritage Act 2006. It is against the law to disturb or destroy an Aboriginal cultural heritage place or object.</p> <p>It is the responsibility of the applicant, as the party legally and financially responsible for the proposed activity, to determine if a Cultural Heritage Management Plan (CHMP) is required under the <i>Aboriginal Heritage Amended Act 2006</i>. <b>If a Cultural Heritage Management Plan (CHMP) is required, then the CHMP must be approved prior to the issue of other permits and licences.</b> Use the Aboriginal Heritage Planning tools on the Aboriginal Victoria website to determine if your works are likely to require a CHMP <a href="http://www.aav.nrms.net.au/aavQuestion1.aspx">http://www.aav.nrms.net.au/aavQuestion1.aspx</a>. A final copy of the process list must be attached to your Works on Waterways Licence application.</p> <p>If a CHMP is required then the approved CHMP <b><u>must also be attached</u></b> to your Works on Waterways Licence application. Licence applications for works requiring a CHMP <b><u>will not</u></b> be processed by the CMA until an approved CHMP is received. Contact Aboriginal Victoria on 1800 762 003 or <a href="mailto:Aboriginal.Heritage@dpc.vic.gov.au">Aboriginal.Heritage@dpc.vic.gov.au</a> if you require assistance.</p> <p>Earthworks not governed by a CHMP, but are within a culturally sensitive area or in/near a registered cultural heritage place, have a risk of damaging Aboriginal cultural heritage. You should consider if you need to apply for a Cultural Heritage Permit (CHP) or undertake a voluntary CHMP. It is the responsibility of the applicant to seek further advice from about this from Aboriginal Victoria on either 1800 732 003 or <a href="http://www.vic.gov.au/aboriginalvictoria/heritage/aboriginal-cultural-heritage-of-victoria.html">http://www.vic.gov.au/aboriginalvictoria/heritage/aboriginal-cultural-heritage-of-victoria.html</a>.</p> <p>Please Note: In applying for a Works on Waterways Licence, the landholder has consented to Glenelg Hopkins CMA undertaking an Aboriginal cultural heritage due diligence search on their behalf. Please contact Glenelg Hopkins CMA on 03 5571 2526 if you have any questions regarding this search.</p> |

| APPROVAL                                       | LEGISLATION  | COMMENTS  |
|--|--|---|
| Works approval                                 | <ul style="list-style-type: none"> <li><i>Environment Protection Act 1970 (Vic)</i></li> </ul>   | <p>A works approval may be required for some works on waterways (for example works which result in the discharge of wastewater into the waterway).</p> <p>Contact the Environment Protection Authority (EPA) for further information and approvals processes.</p>   |
| Licence for a Dam or Bore                      | <ul style="list-style-type: none"> <li><i>Water Act 1989 (Vic)</i></li> </ul>  | <p>A permit or licence to construct a dam or bore is required under the <i>Water Act 1989</i> for certain proposals.</p> <p>Contact Southern Rural Water for further information.</p>   |
| Permits for wildlife, fish or flora and fauna  | <ul style="list-style-type: none"> <li><i>Wildlife Act 1975 (Vic);</i></li> <li><i>Flora and Fauna Guarantee Act 1988 (Vic)</i></li> <li><i>Fisheries Act 1995 (Vic)</i></li> </ul>                    | <p>A permit may be required for activities which could harm wildlife, fish or flora.</p> <p>Contact the Department of Environment, Land, Water and Planning (DELWP) for further information or to apply for a permit.</p>   |
| Prohibition of certain works and activities    | <ul style="list-style-type: none"> <li><i>Heritage Rivers Act 1992 (Vic)</i></li> </ul>  | <p>Certain activities may be prohibited near heritage rivers.</p> <p>Contact the Department of Environment, Land, Water and Planning (DELWP) for further information on details of activities that cannot be undertaken in the vicinity of heritage rivers and the obligations on land managers to manage heritage rivers to achieve particular outcomes.</p>   |
| Approval for carrying out a controlled action. | <ul style="list-style-type: none"> <li><i>Environment Protection Biodiversity and Conservation Act 1999 (Cth)</i></li> </ul>   | <p>Actions that may have significant impact on matters of National Environmental Significant must be referred to the Commonwealth Government for a determination as to whether the matter is a “controlled action” and any necessary approvals must be obtained.</p> <p>Contact the Federal Department of the Environment for further information including guidelines for matters of national environmental significance and details of the approvals process.</p> |
| Native title                                   | <ul style="list-style-type: none"> <li><i>Native Title Act 1993 (Cth)</i></li> <li><i>Land Titles Validation Act 1994 (Vic)</i></li> <li><i>Traditional Owner Settlement Act 2010 (Vic)</i></li> </ul> | <p>Native title rights will need to be considered and an agreement may need to be entered into with any person holding native title over the land upon which the works are proposed to be carried out.</p> <p>Contact the Department of Justice for further information on native title matters.</p>  |
| Works Authority – Extractive activities        | <ul style="list-style-type: none"> <li><i>Mineral Resources (Sustainable Development) Act 1990 (Vic)</i></li> </ul>  | <p>A Works Authority is required for extractive (e.g. mining) industries.</p> <p>Contact the Department of Economic Development, Jobs Transport and Resources (DEDJTR) - Energy &amp; Earth Resources division - for further information or to apply for a works authority.</p>   |

| APPROVAL                        | LEGISLATION   | COMMENTS  |
|---------------------------------|---|---|
| Consent for works on Crown land | <ul style="list-style-type: none"> <li>Land Act 1958 (Vic)</li> <li>Crown Land Reserves Act 1978 (Vic)</li> <li>Forests Act 1958 (Vic)</li> <li>National Parks Act 1975 (Vic)</li> <li>Coastal Management Act 1995 (Vic)</li> </ul> | <p>Consent may be required for the carrying out of works or activities on Crown land, with the type of consent depending upon the status of the relevant Crown land, for example:</p> <ul style="list-style-type: none"> <li>Unreserved Crown Land: a licence or lease under the Land Act (if appropriate) or a formal agreement with the land manager if the works are to be carried out on behalf of the land manager.</li> <li>Reserved Crown Land: a licence or lease under the Crown Land (Reserves) Act (if appropriate) or a formal agreement with the land manager if the works are to be carried out on behalf of the land manager.</li> <li>State forest, national parks, state parks, nature reserves: Forests Act (lease/licence/section 52 permit/agreement providing works are on behalf of land manager)/ National Parks Act (licence/lease/section 23 approval/ section 21 permit/agreement providing works are on behalf of land manager, as appropriate)/ Wildlife Act (agreement providing works are on behalf of land manager)</li> <li>Coastal crown land: consent under the Coastal Management Act 1995</li> </ul> <p>Contact the Department of Environment, Land, Water and Planning (DELWP) for further information on how to obtain Crown Land Consent for your works on 136 186 or via email at:</p> <ul style="list-style-type: none"> <li>Barwon South West region: <a href="mailto:BSW.Planning@delwp.vic.gov.au">BSW.Planning@delwp.vic.gov.au</a>; or</li> <li>Grampians region: <a href="mailto:Grampians.Planning@delwp.vic.gov.au">Grampians.Planning@delwp.vic.gov.au</a></li> </ul> |
| Dial Before You Dig             | <ul style="list-style-type: none"> <li>Various</li> </ul>   | <p>Dial Before You Dig is a free national referral service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with essential services.</p> <p>Dial Before You Dig creates a unique partnership with Australia's underground asset owners. It acts as a single point of contact for you to receive information about underground networks at your excavation site so you don't have to contact the utility organisations individually. You tell Dial Before You Dig the location of your works and they pass on this referral to the affected asset owners. They then send the information directly to you.</p> <p>The Dial Before You Dig service is also designed to protect Australia's excavators. Whether you are a back yard renovator, an individual tradesman or a commercial excavator the potential for injury, personal liability and even death exists every day. Obtaining accurate information about your work site significantly minimises these risks.</p> <p>Go to <a href="http://www.1100.com.au/">http://www.1100.com.au/</a> for more information.</p>  |