

Our Ref:
Your Ref: A4105397

Mr John Mawson
EB Mawson & Sons Pty Ltd
PO Box 66
COHUNA VIC 3568

30 August 2021

Dear John,

I refer to a recent inspection at the property known as CA 9 & 10, Sec 11 in the Parish of Bradford; CA 4A & 4B, Sec 6 in the Parish of Neerman; and CA's 1A, 1B, 2A, 2B & 3B, Sec 12 in the Parish of Neerman, by Goulburn-Murray Water Diversions Inspector Dylan Ferguson.

The purpose of the inspection was to carry out a "Waterway Determination" on the above described property at five (5) specific sites identified by co-ordinates:

Site 1 = Zone 55, E233510, N5910165

Site 2 = Zone 55, E233563, N5910644

Site 3 = Zone 55, E233556, N5910520

Site 4 = Zone 55, E231850, N5911066

Site 5 = Zone 55, E230276, N5910583

A "Waterway Determination" is made by matching criteria used by Goulburn-Murray Water to determine if there is a waterway/watercourse at the site, as defined under Section 3 of the Water Act 1989, and in accordance with the Waterway Determination Guidelines 2002.

Following the inspection it has been determined that waterway's do exist at sites **2 & 4** at the specific locations identified by the above coordinates. This means that before works are carried out on these waterways for any purposes relating to the harvesting or storage of water, a licence to carry out works on a waterway is required from Goulburn-Murray Water.

If works are planned on the above determined waterways other than for the harvesting and storing of water (i.e. construction of a bridge, culvert etc) you are advised to make the necessary applications with the North Central Catchment Management Authority and with the relevant Shire Council prior to commencement.

Waterways were not deemed to be present at specific sites **1, 3 & 5** identified above.

It is our understanding that the inspections performed to determine the presence of a waterway relates to the possible future development of a quarry at these sites and its subsequent relationship to the proximity of the asset to any determined waterways. As a result of the findings, you are encouraged to ensure your future development complies with any necessary planning requirements with regards to setback distances and other legislative requirements where appropriate.

This Waterway Determination outcome does not offset the need to obtain any other relevant approvals from other stakeholders or authorities for such works.

If in fact your application involves the construction of works that relates to the harvesting, storing or extraction of water, you are advised to discuss the requirements further with Diversions Inspector Dylan Ferguson prior to commencement.

The Murray Darling Basin Commission has imposed a cap on water use from within the Murray Darling Basin. This in effect means that Goulburn-Murray Water cannot issue any new licensed entitlement for the diversion of water for Irrigation or Commercial use. The volume of water to be stored in a dam to be used for Irrigation or Commercial purpose is only available in accordance with existing entitlement held or by purchase via the water market.

New Take and Use licenses can only be issued after the required volume (megalitres) of water entitlement has been purchased or transferred from an existing licence holder. Water entitlement purchased must be transferred in accordance with water trading rules for regulated and unregulated streams and approved by Goulburn-Murray Water.

Before a licence can be approved by Goulburn-Murray Water for the construction of a dam on these waterways you must first make application to Goulburn-Murray Water on the prescribed form giving details and a description of the proposed works.

Under section 67 of the Water Act application must be made for a Licence to Construct Works for any proposed works on a waterway.

A proposal to construct a dam on either of the identified waterways for any purpose will be considered if a completed Works Licence to Construct, Alter or Decommission a Dam or Other Structure On or Off a Waterway Application (Form 60 enclosed) is submitted with the corresponding fees, and 5 copies of design plans and specifications drawn up by a suitably qualified engineer are received by GMW.

If approval is granted, the works must be carried out under the supervision of a suitably qualified engineer who will be required to certify that such works have been completed to construction design.

A suitably qualified engineer is a civil engineer who is either a qualified Engineer of Water Supply in Victoria, a Corporate Member of the Institution of Engineers Australia, or who has qualifications which would entitle him to Corporate Membership of the Institution, and is well experienced in the field of small dam engineering.

In assessing an application Goulburn-Murray Water must take into account matters under Sections 40, 65, 67A, 67B, 68 & 83 of the Water Act 1989. A works licence application may not be approved if the construction of, or alterations to a dam, may have a detrimental impact on the waterway, or the volume of the water stored may impact on other stream users, or the environment.

Under section 67A of the Water Act, Goulburn-Murray Water is required to refer your completed works application to the Department of Environment, Land, Water and Planning, relevant Catchment Management Authority, and Local Council for consideration and comments prior to determining if your application should be approved.

When all information required is provided to Goulburn-Murray Water, Goulburn-Murray Water we will then refer the application to all referral Authorities within 10 working days. These Authorities have 30 days in which to respond. They may also request a time extension on these 30 days where additional time or information is required for their evaluation.

A minimum of 10 days will then be required by Goulburn-Murray Water to evaluate the requests made by the referral Authorities and to process the licence for issue.

Should any of the referral bodies request additional information, the updated plans and specifications would have to be re-submitted to the authorities for re-assessment and this may incur another fee for re-submission.

You are advised that you may require a Planning Permit from your Local Shire Council prior to commencing the works and any approvals given by Goulburn-Murray Water do not satisfy those requirements. It is the applicants' responsibility to obtain permits as necessary.

Should you require any further information please do not hesitate to contact Diversion Inspector Dylan Ferguson on 1800 013 357.

Yours sincerely

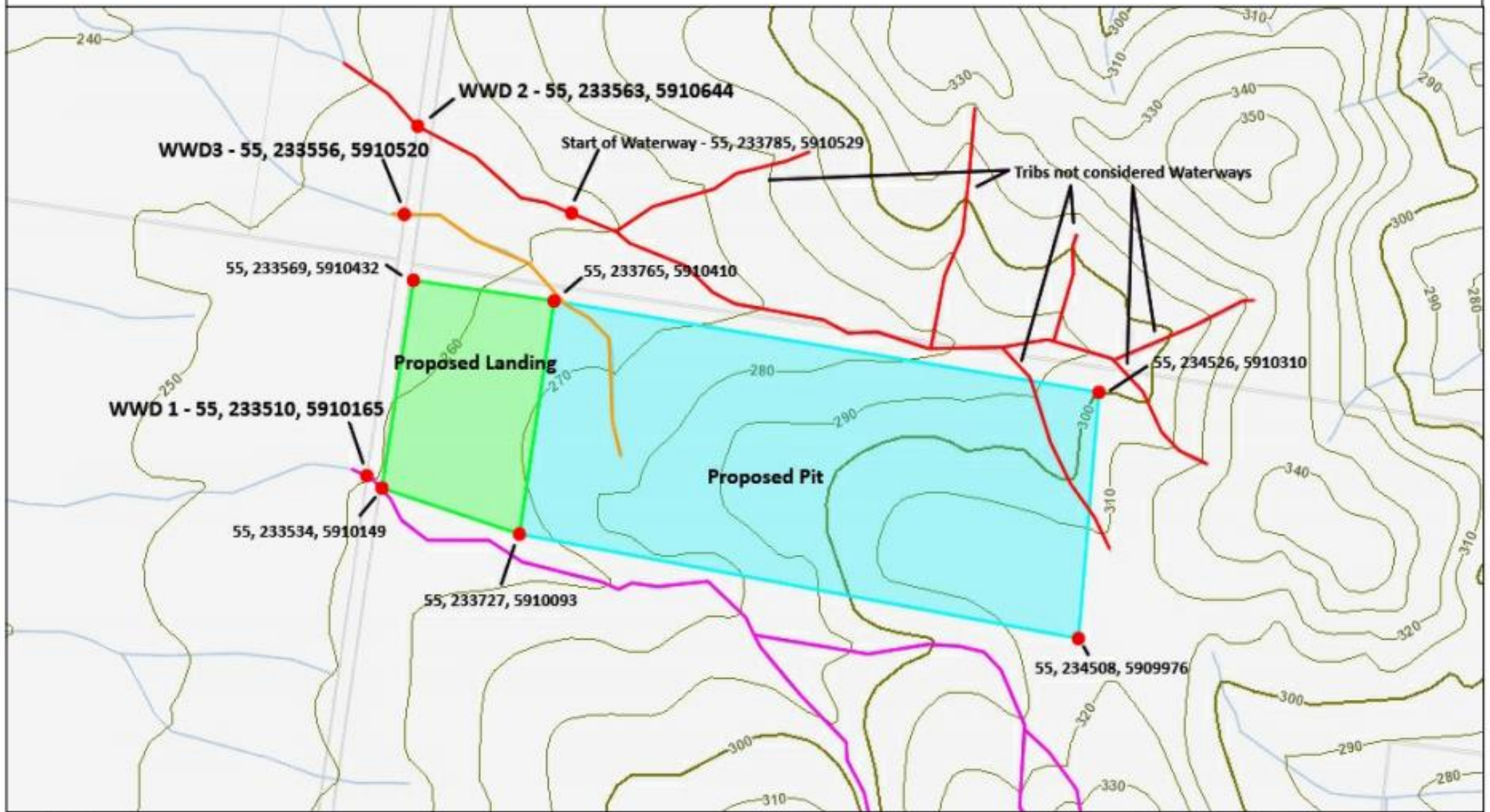


Dale McGraw
CUSTOMER SERVICE MANAGER
DIVERSION - WEST

Attached:

- Waterway Determination Maps

Mawson & Sons Site Layout



459

1: 9,028

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229

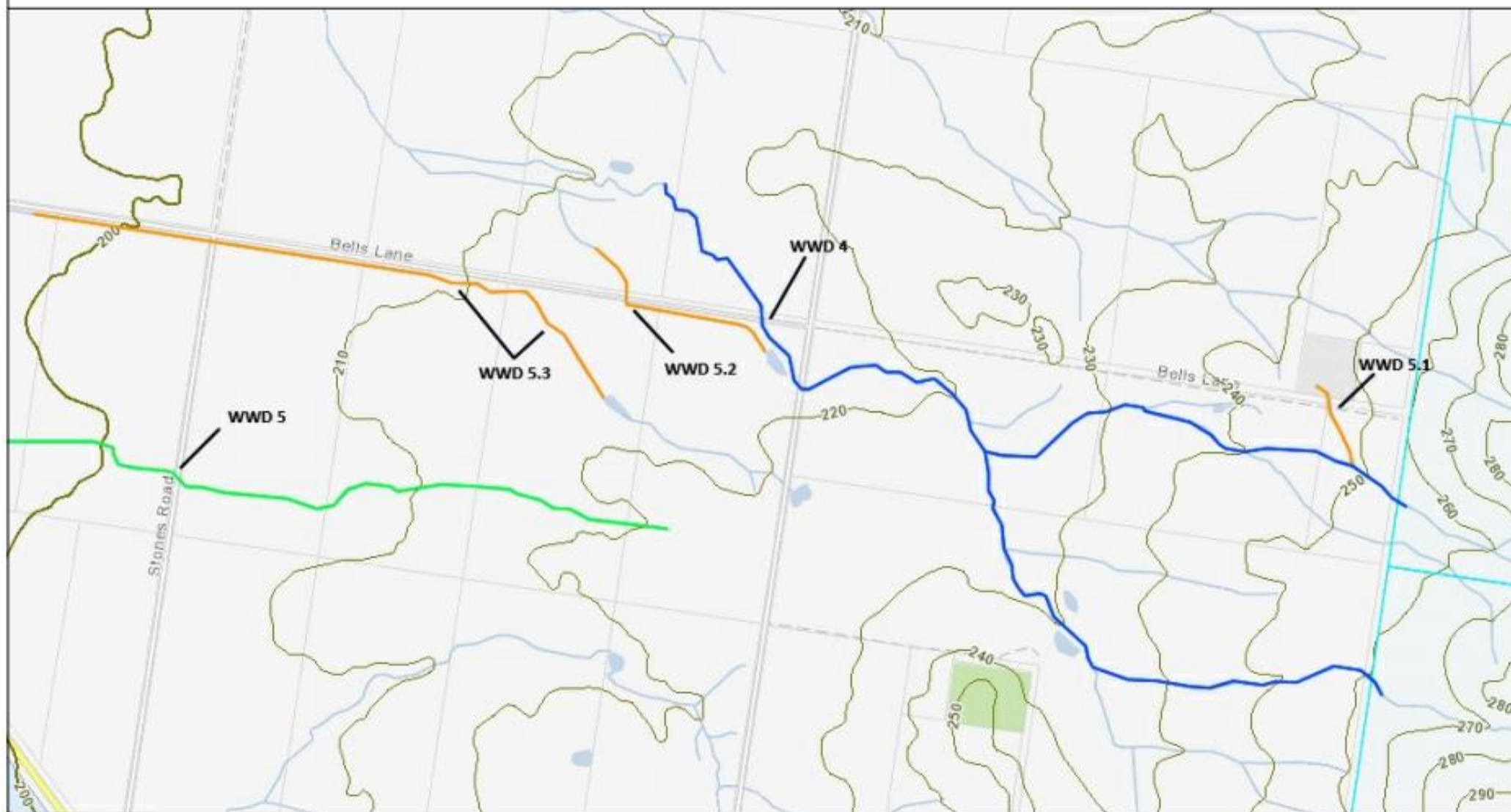
459 Meters

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Mawson & Sons WWD



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1: 18,056

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459

917 Meters

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