

SAMPLE

Levee Maintenance Permit Work Plan

Under Part 5AA of the *Water Act 1989*



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INTRODUCTION

This template for a Work Plan is intended to cover the typical items that an applicant will need to complete to demonstrate compliance with a levee maintenance permit. When complete it is to be consistent with a map of the proposed works and the conditions in the permit.

The Work Plan is likely to be iterative. In the first instance it should accompany a map and the application form. The CMA will be able to establish appropriate conditions of permit, in collaboration with Crown land managers. The CMA may require changes to the plan as a result of those conditions. When complete it will be attached to the permit.

It will be a condition of your levee maintenance permit that you conduct your maintenance in accordance with an approved Work Plan. Your Work Plan must describe what you intend to do and how you intend to do it, as well as setting out how you will protect public safety, aesthetic and archaeological values as well as the environmental and water resource values of the waterway, riparian and riverine environment during the maintenance of the levee.

Select one of the following):

- This Draft Work Plan accompanies an application form for the maintenance of levees and associated activities at (*state the general location*). It is to be read in conjunction with a map of proposed activities and significant local features that is described in Step 7 of the Application Kit.... OR
- This approved Work Plan accompanies a permit for the maintenance of levees and associated activities at (*state the general location*). The permit reference is (*CMA to provide a reference*). It is to be read in conjunction with a map of proposed activities and significant local features that is provided as an attachment to the Permit.

The Work Plan describes what the permit holder or his or her agent intends to do, how the work is to be performed and how public safety, aesthetic, archaeological, water resource, environmental and any other values are to be considered.

Please note that endorsement of the Works Plan does not transfer any risks or obligations associated for the management and operation of the activities from the permit holder to the CMA.

The works

This section is to describe exactly what is proposed, and should be drawn from information provided in the Application Form, consultation with the CMA and / or land manager and conditions of permit.

Generally the following should be described:

- the attributes of the section of levee that is to be maintained: what it is made of, its composition, any significant features
- what works are intended
- what the access arrangements are
- the nature of the Crown land (e.g. state park).

Notification

The relevant Crown land manager(s), leaseholder and CMA will be given 48 hours' notice of intention to commence activities that involve:

- the use of machinery
- earth moving
- the felling or removal of trees and/or vegetation, and or
- (list any other significant activity)

Hours of access

Access to the Crown land will only take place during daylight hours.

Permit holder conduct

During access to the Crown land, the permit holder and all agents of the permit holder will:

- re-close – immediately after passing through – all closed gates
- leave all open gates open (unless there is a safety reason for closing them)
- ensure that vehicles and equipment are free from any contaminants (weeds, debris, soil)
- ensure that all roads, tracks and reserves remain clear of any debris and or work related material or machinery
- rectify immediately any accidental damage to fences, gates, buildings, etc., resulting from the maintenance activities, immediately and to the satisfaction of the owner.

Earth works

Soil will be introduced to the Crown land levee within the first 12 months of the permit and will be (select one of the following):

- sourced from the location as marked either on the map accompanying the application form / permit, or attached to this Work Plan: – *note soil cannot be sourced from Crown land*), or
- sourced from the following specialist soil provider who can attest that the soil is free from weeds and pathogens and that the soil is suitable for the purpose intended

Note, any materials imported to a work site must be weed and soil pathogen free.

.....

(provide name and address of soil provider and category of soil)

Machinery

The following machinery will be used on the Crown land to maintain the levee within the first 12 months of the permit (please tick box):

- Chainsaws
- Bulldozer: size
- Tractor: size
- Backhoe loaders:
- Mulchers
- Dump trucks: size
- Other, please specify

Any refuelling and servicing will be conducted at least 30 metres from waterways in a manner that ensures that there is no contamination with the surroundings. Any empty containers will be removed from the site daily.

Storage of machinery

Overnight (and on days when it is not being used) machinery will be stored at the site as marked on the map accompanying the application form / permit.

Alternatively, if it is considered that less environmental damage will be caused if equipment is stored on site overnight, please provide details in the space below. This is to include what will be stored, where it will be stored and why it is considered that less environmental damage will result.

Access to and passing over Crown land

Access to the levee will be undertaken via the routes on the map accompanying the application form / permit (*please mark map*). Machinery will only pass over the Crown land via those routes marked on the map.

Note: where the adjoining property owner is undertaking the maintenance, access directly from the adjoining property to the levee is preferred. It also reduces the need for other permits.

Access to the levee will be done in a way that minimises the impact on the environmental values of the Crown land, including disturbance to the tree canopy and root systems.

Rubbish disposal

At the end of each day, rubbish will be removed from the Crown land (including rubbish uncovered during maintenance activities).

Public access

The safety of Crown land users during maintenance will be ensured, including the use of “spotters” when machinery is being used as well as appropriate temporary fencing and warning signs.

Crown land licence holders

The rights of the following licence holders will be respected (e.g. bee keepers, cattle grazing and firewood collection).

- *List them. The CMA will have identified them in the pre-application phase.*

In general:

- Licence holders will be informed before the work commences of what is planned and when it will occur.

- Any levee maintenance activities must not compromise the right of the licence holders to undertake their activities.
- Any interference to their assets must be avoided, or if this is impossible, made good.

Inclement/severe weather

Maintenance activities will not be undertaken when the weather makes it unsafe to do so. The passing over of unsealed roads will be avoided during temporarily boggy / wet conditions, unless appropriate low-impact vehicles / equipment for wet conditions are used (e.g. wide-wheel based vehicles to reduce the potential for bogging, long-reach cranes or excavators, use of geofabric, skid-steer machinery). If such equipment is not available, maintenance activities will re-commence after the soil has dried.

Fire prevention

Any activities undertaken will be in compliance with CFA fire prevention provisions. Note that fire restrictions are in force all year round for any activity within a State forest, National, State or Regional Parks or on protected public land.

see <http://www.cfa.vic.gov.au/warnings-restrictions>

and <http://www.depi.vic.gov.au/fire-and-emergencies/public-land-fire-restrictions>

(google “warning-restrictions” or “public land restrictions” if the URL links fail)

Insurance

Insurance has been taken out to covers risks arising from activities associated with maintaining levees under the permit. The minimum sum insured of \$10,000,000.

The permit holder also covenants that during the term the permit he/she will indemnify the Crown in respect of any claim or liability for property damage and/or injury or death of any person which arises directly or indirectly out of negligence, tort, contract, or breach of a statutory duty by the permit holder or any associated party consequential to the use or occupation of the licensed land, including, but without restricting the generality of the foregoing, the pollution or contamination of land or water, and any costs, charges and expenses incurred in connection therewith.

Utilities and other Hazards

All utilities intersecting the levee and in close proximity to the levee are to be identified and marked on the map accompanying the application / permit. They include assets of water corporations (for pipes and pumps), power companies (overhead and underground power lines), and telecommunications companies (for telephonic wires etc.). Maintenance will be undertaken in accordance with the requirement of those utilities ensuring that services provided by them are not disrupted.

- Ensure these are marked on the map.



Native vegetation removal

All trees proposed for removal, along with any native vegetation to be removed is marked on the map accompanying the application / permit (*please mark map*). Trees of cultural or environmental significance will not be removed. All felled vegetation will either be removed from the site or to a location specified by the Crown land manager. Vegetation not marked on the attached map for removal will not be disturbed.



Rehabilitation of impacted soils

Disturbance of flora outside the footprint of the levee will be kept to an absolute minimum through the observance of approved access routes and the storage of machinery in approved locations.

Where machinery impacts are unavoidable:

- the Crown land manager will be informed; and
- disturbed soil (excavated material and fill) will be compacted and returned to a profile that is consistent with surrounding ground surface levels and the general shape of the levee; and

- disturbed areas will be revegetated with local indigenous species to prevent erosion; and
- any tracks inadvertently made whilst passing over Crown land to access the levee will be rehabilitated with native seeds as directed by the Crown land manager.

Soil disturbance will be rehabilitated to prevent creating a fertile base for weeds to establish. On the levee the following will be planted (*please specify*):

- Indigenous Grass seeds:
- Indigenous plant seeds for:

(please note, the CMA can advise you of the appropriate plants to list here)

Suspension of activities

Maintenance activities will stop immediately on the direction of the CMA or Crown land manager if they reasonably believe that fuel, soil or any other materials arising from maintenance activities are at risk of being spilled into native vegetation, waterways, aquifers, the riparian environment, the riverine environment or adjoining property.

Fencing between Crown land and private land

Should any damage to fencing between any Crown land and private land occur during the maintenance of the levee, the permit holder (if not the adjoining owner) will immediately make good the damage to the satisfaction of the private land owner.

Completion of major maintenance activities

The CMA will be notified when major maintenance activities – i.e. the use of machinery and the introduction of soils – are completed.

Ongoing maintenance

The permit holder will maintain the levee for a total of years (*up to five years after the permit has been issued*). The maintenance activities will not involve the use of machinery or the bringing in of soils. It may include:

- the removal of saplings,
- the removal of rabbit burrows and other non-native species habitats,
- the cutting of grass and other care of grasses (such as watering), and
- the removal of invasive/weed plant species that have grown as a consequence of any maintenance activities (i.e. following the disturbance of soil)
- minor repairs to reinstate the levee, such as repairing cracks and wheel ruts, filling in rabbit burrows.

Any ongoing maintenance will be conducted in a manner that minimises disturbance to the surrounding vegetation. Any earthworks will require using material from the existing bank or immediate surrounds (in the case of wheel ruts). Any removed weeds and saplings are to be taken away.

Note, the use of machinery nor the introduction of soil is not permitted after the first 12 months of the permit.

Toilet facilities

The permit holder will ensure that toilet facilities are provided near the work site in accordance with work practice standards.

Copy of the permit

The permit will be in the possession of the permit holder or his or her agent at all times during the conduct of maintenance activities.

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COMPLIANCE WITH OTHER LEGISLATION

Safety

Maintenance activities will be undertaken in compliance with the *Occupational Health and Safety Act 1985 and 2004*. The permit holder will identify and manage safety risks in undertaking maintenance activities, including, but not limited to, low hanging trees, power lines, underground utilities (including but not limited to; telephone, cable, electricity and water pipes), illegally dumped waste and materials, and uneven surfaces.

When machinery is being used, there will be appropriate signage alerting other Crown land users to the machinery and a spotter will be in attendance to ensure the safety of, amongst others:

- CMA officers inspecting the maintenance activities
- Crown land managers undertaking land management activities
- visitors accessing the Crown land
- the holders of leases over the land
- the holders of licences over the land
- the machinery operators themselves, and
- any other person undertaking maintenance activities on behalf of the permit holder.



Note: low hanging trees including those that are difficult to see (as in the example above) will be identified and managed.

Cultural heritage

Known cultural heritage sites that have been identified will be managed in accordance with a Cultural Heritage Management plan. Known Cultural Heritage Sites are listed below and attached in the appropriate Cultural Heritage Management Plan (if applicable):

Location	Type of cultural heritage

Maintenance activities will cease where cultural heritage is uncovered and the CMA will be notified. Maintenance activities will re-commence once authorised by a cultural heritage officer.

Prevention of the introduction of weeds to the Crown land

All activities will be undertaken in a way that prevents the spread of weeds and soil pathogens through the employment of appropriate hygiene practices and in accordance with *Victoria's Public Land Phytophthora Cinnamomi Management Strategy* (DSE 2008). All vehicles, plant, earthmoving equipment, associated machinery and hand tools will be made free of soil, seeds and other plant material before being taken to the works site and again before being taken from the works site on completion of the project. This requirement includes moving equipment and material from one section of the work site to another or within work site sections, especially where weed problems are known to exist. Any materials imported to a work site shall also be weed and soil pathogen free.

Areas where maintenance activities have removed native vegetation shall be reinstated / revegetated with suitable indigenous species as appropriate and as agreed with land manager, so that the ground surface is stable, free draining and as near as practical to – or to a higher standard than - its pre-maintenance condition. The permit holder shall undertake monitoring of any revegetated sites as well as monitor the presence of weeds, pests and diseases at regular intervals and undertake control measures as necessary to restore the vegetation to pre-works – or better - condition.

Flora protection

Trees and branches shall be brought down in such a manner as to avoid damage to other trees, shrubs or ground vegetation outside the area being cleared or designated to be retained within the area being cleared. All pruning / tree trimming works must be undertaken in accordance with *AS 4373-2007: Pruning of Amenity Trees*. If tree roots are to be removed to maintain the integrity of the bank the bank will need to be carefully compacted.

Note that trees can affect the integrity of the bank if they fall over in a storm, are vulnerable to termite infestation or if their root systems are prone to rotting. Any trees that are to be retained will have been previously identified. Removal of other trees will need to be justified in terms of their obstruction to access or likelihood of damaging the levee in the future.

All cut material is to be removed in a manner so as to limit damage to native ground vegetation.

Fauna Protection

Prevention of injury to native animals will be ensured via vigilant observation of the work site, and appropriate stop work until native animals have had time to relocate. Wildlife will not be relocated or killed without an appropriate Wildlife Permit issued in accordance with the *Wildlife Act 1975*.

Waterway protection

All works undertaken within or adjacent to any watercourse (permanent or intermittent), will be designed and managed so as to prevent erosion, scouring or movement of sediment. Soils, vegetation, trees and other materials will not be introduced into any waterways.

Areas of biological significance or threatened communities

Areas of native vegetation that are not permitted to be cleared will be clearly marked as 'no go zones' where they adjoin the work site. This temporary marking will be maintained until the works and any rehabilitation of disturbed areas have been completed. Removal of all traces of the marking will be undertaken after the works are completed to the satisfaction of the land manager.

Roads

Roads that cross the levee – both used and unused - are marked on the on the map accompanying the application form / permit (*mark map to identify which roads cross the levee are used and which are unused*). Maintenance of the levee will not occur where the road is a used road. Where the road is an unused road the levee will be maintained at that point and the sides of the levee will be graded in a way that enables land manager to have vehicle access over the levee.

Machinery Operation

The Applicant will ensure that machinery operators are appropriately licenced.