



Planning and Infrastructure Division

Capital Investment Branch

# **External Approvals Manual**

External Approvals for Engineering Infrastructure Projects

Revision Date: 23 January 2008

## FOREWORD

This document is the Water Corporation's Manual for external approvals for engineering infrastructure capital projects and developer funded works. This manual includes the Preliminaries to Works process and replaces the Preliminaries to Works Manual.

The manual assists Corporation staff, consulting engineers and authorised contractors to comply with relevant legislation eg the *Water Agencies (Powers) Act 1984*, the *Environmental Protection Act*, and other statutory requirements. The manual details Corporation policy for notification of works proposals and subsequent approvals from other authorities and decision making organisations.

The manual links to a set of Guidelines for the various approvals. Because of the varied nature of the Corporation's capital projects, there may be types of works and approvals not covered by this manual. This manual, which is comprehensive for most projects, does not remove the responsibility from project managers to identify and obtain all approvals necessary for a specific project.

External users of the Manual and Guidelines without access to the Water Corporation internal Waternet should contact the Water Corporation for hyperlinked references that are not accessible.

Capital Investment Branch will update the Manual and Guidelines on the Corporation's Business Management System with input from other Branches. All suggestions for improving the content of the Manual should be sent to the Capital Investment Branch Process Improvement consultant, at John Tonkin Water Centre, Leederville using the email address [CIBPA@watercorporation.com.au](mailto:CIBPA@watercorporation.com.au) or telephone 9420 3059

Printed or CD ROM copies of the External Approvals Manual will not be distributed as it is available on the Water Corporation Internet site to consulting engineers and authorised contractors. Significant updates will be advised by the Infrastructure Design Branch Engineering Design Process Coordinator.

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Manager, Capital Investment Branch

### Revision Record

Revision Number	Date	Description
1	20 Feb.2006	Revisions to Manual (20 Feb.2006) Guidelines 1.2 (20 Feb.2006) and 7 (25 Jan.2006)
2	12 May 2006	Revisions to Manual, Guideline 3 re construction water licence, Guideline 9 re <i>Planning and Development Act 2005</i> , Guideline 15 re Western Power reorganisation; all 12 May 2006
3	19 July 2006	Revisions to Manual 20 Feb 2006, hyperlinks in Manual and in most Guidelines, merger of CALM and DEP, revision of Guideline 9 (24 July 2006), Guideline 19 (19 July 2006)
4	22 January 2007	Revisions to Manual, adding Department of Water and spreadsheet for tracking approvals and Preliminaries to Works. Revisions to Guidelines 1, 1.1, 2, 3, 5, 9, all dated 29 December 2006
5	5 April 2007	Revisions to Guideline 1.2 Preliminaries to Works, including updated agency contacts in separate spreadsheet.
6	27 August 2007	Revisions to Guideline 19 23 August 2007. Revisions to Guideline 1.2 23 August 2007. Revisions to Manual 27 August 2007. Example Spreadsheets 27 August 2007
7	23 January 2008	Revisions to Guideline 1.1 4 December 2007 (Swan River Trust); Guideline 1.2 3 December 2007 Letter B amended; Guideline 10 23 January 2008 Freehills advice updated; Guideline 20 3 December 2007 (Swan River Trust); Preliminaries to Works Spreadsheet 3 December 2007

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## 1. Introduction and General Matters

### 1.1 Purpose

There are many mandatory external approvals for engineering infrastructure projects, at various stages of the project, depending on the project scope and location.

The purpose of this Manual is to explain the various external approvals that may be needed, and to provide some advice about timing of notification of works proposals in asset creation stages.

The external approvals shall include Preliminaries to Works in accordance with the *Water Agencies (Powers) Act 1984* and may also include land, native title, aboriginal heritage, health, environmental, CALM, planning, industrial, local government, service authority and other approvals.

The preferred timing ranges from during planning through to commissioning at the end of asset creation.

### 1.2 Intended Audience

This Manual is intended for use by authorised persons involved in the planning, design, project management and construction of works that are to be incorporated into the Corporation's infrastructure. These include:

- Water Corporation planners, program managers, project managers, designers and contract superintendents.
- Consulting Engineers who are nominated from the Corporation's list of Panel Consultants for Design Services or otherwise specifically appointed by the Corporation.
- Design/Construction Engineers and Contractors, who have been appointed by a Developer (as defined in the Corporation's Developer Manual), for carrying out works that are to be incorporated into the Corporation's infrastructure system.

### 1.3 Interpretation

In this Manual, unless the contrary appears:

- "Shall", indicates a mandatory requirement, whilst the uses of adverbs such as "Will", "Should", "May" etc, indicate recommended practice.
- "Minister" means the Minister having responsibility for the *Water Agencies (Power) Act 1984*.

### 1.4 Community Consultation

Community consultation is not a specific external approval category, but it is an essential element of some approvals such as environmental and development applications. See IPB Work Instruction [Social Issues](#)

## 2. External Approvals Checklist

Commence this checklist in Planning, and use throughout the project life. To assist in interpretation of the checklist, refer to the more detailed list at Section 3 and to the accompanying Guidelines for more information.

Use of the checklist in spreadsheet format [External Approvals Manual Spreadsheet](#) is recommended. It will permit tracking of required approvals through the life of the project, including during the Preliminaries to Works process

AGENCY	APPROVAL REQUIRED	YES/NO/UNSURE
1. Department of Water and Minister for Water Resources	<ul style="list-style-type: none"> <li>• <b>Contract approval &gt;\$15 million.</b></li> <li>• <b>Construction on land in which an interest has not been acquired.</b></li> <li>• <b>Declared Areas</b> (to permit the Water Corporation to provide services)</li> <li>• <b>Preliminaries to Works</b></li> <li>• <b>Water Allocation Licence.</b> Taking water from a watercourse, wetland or underground source for town water supply (Water Allocation).</li> <li>• <b>Bed and Bank Permit.</b> Modifications to a creek/river within proclaimed area.</li> <li>• <b>Swan River Trust</b> - development occurring within the Swan River Trust management area</li> </ul>	
2. Commonwealth Dept of Environment	<ul style="list-style-type: none"> <li>• Action or activities that are likely to have a significant impact on: <ul style="list-style-type: none"> <li>– <b>World Heritage</b> properties.</li> <li>– <b>Matters of international importance</b> (e.g. RAMSAR wetlands).</li> <li>– <b>Listed threatened ecological species</b> and communities.</li> <li>– <b>Listed migratory species.</b></li> <li>– <b>Commonwealth land</b></li> </ul> </li> </ul>	
3. WA Department of Environment and Conservation, incorporating CALM and DEP,	<ul style="list-style-type: none"> <li>• <b>Works Approval required for prescribed premises</b> e.g. sewage facility, sewage pumping station (where a discharge may enter the Swan or Canning Rivers), bulk storage of chemicals (&gt;1000m<sup>3</sup>), desalination plants</li> <li>• <b>A licence or registration is required following compliance with conditions in the Works Approval</b> and prior to commissioning of the prescribed premises.</li> <li>• <b>Land clearing. Clearing any area of native</b></li> </ul>	

	<p><b>vegetation</b> (no minimum area applies).</p> <ul style="list-style-type: none"> <li>• <b>Bush Forever sites</b> (approval via DPI)</li> <li>• <b>Storage of sewage sludge in an underground water pollution control area (UWPCA)</b> within 100m of a production well.</li> <li>• <b>Discharge into any well</b> or observation well of the following: chemicals, treated or untreated sewage, effluent or other matter which may pollute the underground water.</li> <li>• <b>Contaminated sites</b></li> </ul>	
4. Environment Protection Authority (EPA)	<ul style="list-style-type: none"> <li>• <b>Environmental Assessment of Proposals.</b> Applicable to ‘any proposal that is likely to have a significant effect on the environment’.</li> <li>• Proposed activities that will interfere with any of the following areas: <ul style="list-style-type: none"> <li><b>Gnangara Mound Crown Land.</b></li> <li><b>Swan and Canning Rivers.</b></li> <li><b>Swan Coastal Plain Lakes.</b></li> <li><b>Swan Coastal Plain Wetlands.</b></li> <li><b>Peel Inlet Harvey Estuary.</b></li> <li><b>South West Agricultural Zone Wetlands</b></li> </ul> </li> </ul>	
5. Department of Health	<ul style="list-style-type: none"> <li>• <b>Wastewater treatment plants</b> (including biosolids)</li> <li>• <b>Wastewater reuse.</b></li> <li>• <b>Wastewater pumping stations &gt;350l/s.</b></li> <li>• <b>Public water supplies, including desalination.</b></li> <li>• <b>Poisons Permits.</b></li> </ul>	
6. Department of Fisheries	<ul style="list-style-type: none"> <li>• <b>Construct, alter or modify a dam, weir or reservoir</b> on a waterway.</li> <li>• <b>Marine environment</b> (wastewater outfalls, etc.).</li> </ul>	
7. Indigenous Affairs	<ul style="list-style-type: none"> <li>• <b>Aboriginal heritage.</b></li> <li>• <b>Native Title issues.</b></li> </ul>	
8. Minister (DPI) Gas Pipelines	<ul style="list-style-type: none"> <li>• <b>Dampier-Bunbury natural gas pipeline</b> reserves access.</li> <li>• <b>Dongara-Rivervale-Pinjarra</b> (the ‘Parmelia Pipeline’).</li> </ul>	

AGENCY	APPROVAL REQUIRED	YES/NO/ UNSURE
9. WA Planning Commission (WAPC) / Local Government	<ul style="list-style-type: none"> <li>• <b>Development Approval.</b></li> <li>• <b>Building Licence.</b></li> <li>• <b>Land rezoning and buffers.</b></li> <li>• <b>Demolition Licence</b></li> </ul>	
10. Department of Planning and Infrastructure (DPI)	<ul style="list-style-type: none"> <li>• <b>Works on crown land</b> within the Metropolitan Region Scheme.</li> </ul>	
11. Conservation and Land Management (CALM) (Department of Environment and Conservation)	<ul style="list-style-type: none"> <li>• <b>Removal or destruction of any produce</b> (e.g. trees, rocks, stone, soil, etc) from: <ul style="list-style-type: none"> <li>– state forest; timber reserve, nature reserve, marine nature reserve;</li> <li>– national park, conservation park, marine park; and</li> <li>– land under the management of CALM; and crown land.</li> </ul> </li> <li>• <b>Taking of protected flora on crown land, protected fauna or declared rare flora.</b></li> <li>• <b>Taking of water from CALM managed land.</b></li> </ul>	
12. Department of Industry and Resources (DOIR)	<ul style="list-style-type: none"> <li>• <b>Access to a Mining Tenement.</b></li> <li>• <b>Extractive Industries Licence</b> for sand, gravel, stone, etc.</li> </ul>	
13. Public Transport Authority (PTA)	<ul style="list-style-type: none"> <li>• <b>Railway reserves</b> and corridors- access or construction</li> </ul>	
14. Main Roads WA (MRWA)	<ul style="list-style-type: none"> <li>• <b>Work affecting MRWA assets</b></li> <li>• <b>Traffic Management Plans.</b></li> </ul>	
15. Coordinator of Energy	<ul style="list-style-type: none"> <li>• <b>Generating station</b> construction.</li> <li>• Install any <b>additional main generating unit.</b></li> <li>• Extend any <b>transmission works.</b></li> <li>• <b>Connect generating works</b> to any distribution works of Western Power or Horizon Power.</li> </ul>	
16. Service Authorities	<ul style="list-style-type: none"> <li>• <b>Telstra, Alinta, Optus, Western Power or Horizon Power.</b> Works affecting Authority's assets or service corridor</li> </ul>	
17. Heritage Councils	<ul style="list-style-type: none"> <li>• <b>Heritage Places</b> (non aboriginal Register).</li> </ul>	
18. Fire and Emergency Services Authority (FESA)	<ul style="list-style-type: none"> <li>• <b>Unexploded ordnance</b></li> </ul>	

AGENCY	APPROVAL REQUIRED	YES/NO/ UNSURE
19. Department of Consumer and Employment Protection (DOCEP) (WorkSafe WA)	<ul style="list-style-type: none"> <li>• <b>Demolition.</b></li> <li>• <b>Storage of dangerous goods.</b></li> <li>• <b>Tilt-up concrete construction</b></li> <li>• <b>Plant Registration (design and/or item registration)</b></li> </ul>	
20 Economic Regulation Authority (ERA)	<ul style="list-style-type: none"> <li>• <b>Operating Area.</b> Operating licence area and level of service ( wastewater, water supply, irrigation)</li> <li>• <b>Controlled Area</b> (non-potable water, drainage)</li> </ul>	

### 3. External Approval Detail List

The list describes the main approvals that may be required for projects, and directs people to the relevant legislation and to other references that contain more detailed information. For some projects, there may be other approvals required.

Note also the List of Authorities and Organisations in the Preliminaries to Works Guideline 1.2. Many authorities need to be notified, even if formal approval is not required from them.

If anyone using this list is aware of an external approval or licence requirement that is not included in the list, or any out of date links or requirements, please contact the Capital Investment Branch Process Improvement consultant.

The Relationship Managers listed below are responsible for the legislative and regulatory obligations in alignment with the Accountability Framework Other [Stakeholder Managers](#) on the Communications Division list or other contact staff below may also assist.

The Acts and Regulations in the table below may be found on the Waternet at: [Legislation](#)

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
1. Department of Water and Minister for Water Resources	<b>Contract approval &gt;\$15M</b>	Manager Procurement, Colin Orr	<i>Water Corporation Act 1995 (Sec. 32)</i>	<a href="#">Guideline 1.1 PCY112</a>
	<b>Construction on land in which an interest has not been acquired.</b> Approval is required where Major Works are to be constructed on such land.	Manager Corporate Real Estate, Jos Mensink	<i>Water Agencies (Powers) Act 1984 (Sec 81.4a)</i> <i>Land Administration Act</i>	<a href="#">Guideline 1.1</a>
	<b>Declared Areas</b> for country water supply and wastewater rating, and for metropolitan drainage. (See Agency group 20 for Operating and Controlled Areas)	Manager Development Services, Stephen Hiller, (Peter McGuire – LDB)	<i>Metropolitan Water Supply, Sewerage and Drainage Act 1909</i> <i>Country Towns Sewerage Act 1948</i> <i>Country Areas Water Supply Act 1947</i>	<a href="#">Guideline 1.1</a>

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
	<b>Preliminaries to Works</b> - Authorisation of Works by Minister.	Manager Project Management, Neil La Roche Manager Development Services Branch, Stephen Hiller (John Bond – IDB)	<i>Water Agencies (Powers) Act 1984</i>	<a href="#">Guideline 1.2</a>
	<b>Water Allocation Licence</b> Taking of water from a watercourse, wetland or underground water source for the purpose of town water supply, wastewater reuse, or for earthworks construction..	Manager Infrastructure Planning, Kevin Bradley(Kelvin Barber)	<i>Water and Rivers Commission Act 1995</i> <i>Rights in Water and Irrigation Act 1914</i>	<a href="#">Guideline 3</a>
	<b>Bed and Bank Permits</b> - Modifications to a creek/river within proclaimed area	Manager Infrastructure Planning, Kevin Bradley(Kelvin Barber)	<i>Rights in Water and Irrigation Act 1914 (Section 11,17,21A of Part III)</i>	<a href="#">Guideline 3</a>
	<b>Swan River Trust</b> – development occurring within the Swan River Trust management area.	Manager Environment, David Luketina (Steve Wilke)	<i>Swan River Trust Act 1988 (Section 49)</i>	<a href="#">Guideline 3</a>
2. Commonwealth Department of Environment	Action or activities that are likely to have a significant impact on: <ul style="list-style-type: none"> <li>• <b>World Heritage</b> properties;</li> <li>• <b>matters of international importance</b> (e.g. RAMSAR wetlands);</li> <li>• <b>listed threatened ecological species</b> and communities; and</li> <li>• <b>listed migratory species.</b></li> <li>• <b>Commonwealth land</b></li> </ul>	Manager Environment, David Luketina (Steve Wilke)	<i>Minister for Environment and Heritage (Commonwealth)</i>  <i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth).</i> <i>Environment Protection and Biodiversity Conservation Regulations 2000 (Commonwealth).</i>	<a href="#">Guideline 2</a>

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
3. WA Dept of Environment and Conservation (incorporating CALM and DEP)	<b>Works Approval.</b> Required for <b>prescribed premises</b> as defined under the Environmental Protection Regulations 1987 e.g. <ul style="list-style-type: none"> <li>• Sewage facility(including biosolids);</li> <li>• Sewage Pumping Station (where a discharge may enter the Swan or Canning Rivers); and</li> <li>• Bulk storage of chemicals (&gt;1000m<sup>3</sup>);</li> <li>• Desalination plants)</li> </ul>	Manager Environment, David Luketina (Steve Wilke)	<i>Environmental Protection Act 1986 (Part V, Section 52&amp;53).</i>  <i>Environmental Protection Regulations 1987</i>	<a href="#">Guideline 3</a>
	<b>A licence or registration</b> is required following compliance with conditions in the Works Approval and prior to commissioning of the prescribed premises.	Manager Environment, David Luketina (Steve Wilke)	<i>Environmental Protection (Controlled Waste eg sewage, chemicals) Regulations 2004</i> <i>Environmental Protection (Unauthorised Discharge eg sewage, chemicals, visible smoke) Regulations 2004</i>	<a href="#">Guideline 3</a>
	<b>Land clearing</b> Clearing <b>any</b> area of native vegetation (no minimum area applies)	Manager Environment, David Luketina (Steve Wilke)	<i>Environmental Protection (Clearing of native Vegetation) Regulations 2004</i>	<a href="#">Guideline 3</a>
	<b>Bush Forever</b> (sites approved via DPI)	Manager Environment David Luketina (Steve Wilke – Environment, David Morgan – CRE.)	<i>Bush Forever Policy</i>	<a href="#">Guideline 3</a>
	<b>Storage of sewage sludge</b> in an underground water pollution control area (UWPCA) within 100m of a production well.	Manager Infrastructure Planning, Kevin Bradley (Peter Coghlan)	<i>Metropolitan Water Supply, Sewerage and Drainage By Laws 1981, Sec 5.4.2</i>	<a href="#">Guideline 3</a>
	<b>Discharge into any well</b> or observation well of the following: chemicals, treated or untreated sewage, effluent or other matter which may pollute the underground water.	Manager Infrastructure Planning, Kevin Bradley (Graeme Hughes – IPB, Nick Turner, Palenque Blair – recycle project)	<i>Metropolitan Water Supply, Sewerage and Drainage By Laws 1981, Sec 5.4.7</i>	<a href="#">Guideline 3</a>

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
	<b>Contaminated Sites</b>	Manager Environment, David Luketina (Steve Wilke)	<i>Contaminated Sites Bill 2003</i> (not yet gazetted)	<a href="#">Guideline 3</a>
4. Environment Protection Authority (EPA)	<b>Environmental Assessment of Proposals:</b> applicable to ‘any proposal that is likely to have a significant effect on the environment’	Manager Environment, David Luketina (Steve Wilke)	<i>Environmental Protection Act 1986 (Part IV Sect 38).</i>  <i>Environmental Protection (Emissions NEPM –NPI) Regulations 1998</i>  <i>Environmental Protection (Noise) Regulations 1997</i>	<a href="#">Guideline 4</a>
	Proposed activities that will interfere with any of the following areas: <ul style="list-style-type: none"> <li>• <b>Gnangara Mound Crown Land</b></li> <li>• <b>Swan and Canning Rivers</b></li> <li>• <b>Swan Coastal Plain Lakes</b></li> <li>• <b>Swan Coastal Plain Wetlands</b></li> <li>• <b>Peel Inlet Harvey Estuary</b></li> <li>• <b>South West Agricultural Zone Wetlands</b></li> </ul>	Manager Environment, David Luketina (Steve Wilke)  Graeme Hughes, Peter Coghlan IPB	<i>Environmental Protection (Swan and Canning Rivers) Policy</i>  <i>Environmental Protection (Swan Coastal Plains) Policy</i>  <i>Environmental Protection (South West Agricultural Zone Wetlands) Policy</i>	<a href="#">Guideline 4</a>
5. Dept of Health	<b>Wastewater treatment plants</b> (including biosolids disposal) <b>Wastewater reuse</b> <b>Wastewater pumping stations &gt;350l/s</b>	Manager Wastewater Treatment, Mark Herbert (Peter Spencer)	<i>Health Act 1911</i>	<a href="#">Guideline 5</a>
	<b>Public water supplies, including desalination plants</b>	Manager Drinking Water Quality, Richard Walker	<i>Health Act 1911</i> <i>Fluoridation of Public Water Supplies Act 1966</i> <i>Memorandum of Understanding DoH/WC</i>	<a href="#">Guideline 5</a>

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
	<b>Poisons Permits</b>	Manager Wastewater Treatment, Mark Herbert (Peter Spencer)	<i>Health Act 1911</i>	<a href="#">Guideline 5</a>
6. Department of Fisheries	Notification required for work that proposes to <b>construct, alter or modify a dam, weir or reservoir</b> on a waterway.	Manager Project Management, Neil La Roche	<i>Minister for Fisheries</i>	<a href="#">Guideline 6</a>
	Proposed works that may affect the <b>marine environment</b> (wastewater outfalls, etc.) Also relates to Marine Branch of Dept of Environment.	Manager Environment, David Luketina (Steve Wilke)	<i>Fish Resource Management Act 1994 (Section 254).</i>	<a href="#">Guideline 6</a>
7. Indigenous Affairs	Work that will excavate, destroy, damage, conceal, remove or in any way alter any <b>Aboriginal site</b> .	Manager Corporate Real Estate, Jos Mensink (Kathy Burns)	<i>Minister for Indigenous Affairs Aboriginal Heritage Act 1972 (Section 17 &amp; 18).</i>	<a href="#">Guideline 7</a>
Aboriginal Cultural Material Committee	Submission required to the Aboriginal Cultural Material Committee (ACMC – meets every 2 months).		<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)</i>	
Representative Aboriginal Body	<b>Native Title issues</b> Consultation process that must be undertaken to meet the requirements of the Preliminaries to Works approval.	Manager Corporate Real Estate, Jos Mensink (Lynette Lund)	<i>Native Title Act 1993</i>	<a href="#">Guideline 7</a>
8. Minister (DPI) Gas Pipelines	Access into the <b>Dampier-Bunbury natural gas pipeline</b> reserves for locating infrastructure or for carrying out works. <b>Dongara-Rivervale-Pinjarra</b> (the ‘Parmelia Pipeline’)	Manager, Infrastructure Planning, Paul Ferguson	<i>Dampier-Bunbury Land Access Minister (via DPI)  Dampier to Bunbury Pipeline Act 1997 (Section 41).</i>	<a href="#">Guideline 8</a>

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
9. WA Planning Commission (WAPC) / Local Government	<b>Development Approval</b> <ul style="list-style-type: none"> <li>• Works in the metropolitan region <b>may</b> require a Development Application for approval (via the local authority). Required prior to PTW process.</li> <li>• Works outside the metropolitan region may require a Development Application for approval (via the local authority).</li> <li>• All works – notification required.</li> </ul>	(Brian Robertson CIB)	<i>Local Government Act 1995</i>  <i>Planning and Development Act 2005</i>  <i>Water Agencies(Powers) Act 1984</i>	<a href="#">Guideline 9</a>
	<b>Building Licence</b> – current legal issue as to whether or not the Corporation is required to obtain a building licence. Proceed by consultation with the Manager, Legal Services.	Manager Legal and Risk Management, Craig Masarai (Brian Robertson CIB)		<a href="#">Guideline 9</a>
	<b>Land rezoning and buffers.</b>	Manager Corporate Real Estate, Jos Mensink, Manager, Development Services, Stephen Hiller (Kris Kennedy Water Technologies).	<i>Local Government Act 1995</i>	<a href="#">Guideline 9</a>
	<b>Demolition Licence</b> See also Reference 19 below	Manager OSH, Cieran MacCarron (Don Taylor)	<i>Local Government Act 1995</i>	<a href="#">Guideline 9</a>
10 .Department of Planning and Infrastructure (DPI)	<b>Works on crown land</b> within the Metropolitan Region Scheme.	Manager Development Services, Stephen Hiller (John Todd)	<i>Planning and Development Act 2005</i>  <i>DPI Bulletin 4 hyperlink</i>	<a href="#">Guideline 10</a>

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
11. Conservation and Land Management (CALM) (Department of Environment and Conservation)	<b>Removal or destruction of any produce</b> (eg trees, rocks, stone, soil, etc) from: <ul style="list-style-type: none"> <li>state forest;</li> <li>timber reserve, nature reserve, marine nature reserve;</li> <li>national park, conservation park, marine park;</li> <li>land reserved under the Land Act 1933 and vested in the Conservation Commission of WA or placed under the management of CALM; and</li> <li>Crown land.</li> </ul>	Manager Infrastructure Planning, Paul Ferguson.	<i>Conservation and Land Management Act (1984)</i>	<a href="#">Guideline 11</a>
	Licence required for taking of: <ul style="list-style-type: none"> <li><b>protected flora</b> on crown land</li> <li><b>protected fauna</b></li> </ul> Permission required for taking of any declared rare flora	Manager Environment Branch, David Luketina (Steve Wilke)	<i>Wildlife Conservation Act 1950 (Section 16 &amp; 23).</i>	<a href="#">Guideline 11</a>
	<b>Taking of water from CALM managed land</b>	Manager Infrastructure Planning, Kevin Bradley (Graeme Hughes)		<a href="#">Guideline 11</a>
12. Department of Industry and Resources (DOIR)	<b>Access to a Mining Tenement.</b>	Manager Project Management, Neil La Roche	<i>Mining Act 1978 (Sec. 24)</i>	<a href="#">Guideline 12</a>
	<b>Extractive Industries Licence</b> may be required for extraction of various materials (e.g. sand, gravel, stone, etc.) from a site.	Manager Project Management, Neil La Roche	<i>DOIR or DPI and Section 185 of Land Administration Act 1997</i>	<a href="#">Guideline 12</a>
13. Public Transport Authority (PTA)	Access or construction in <b>railway reserves</b> and corridors.	Manager Infrastructure Planning, Paul Ferguson	Railways (Access) Act 1998  Rail Freight System Act 2000 (Section 47)	<a href="#">Guideline 13</a>

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
14. Main Roads WA (MRWA)	<b>Works affecting MRWA assets</b> and within MRWA land.  <b>Traffic Management Plans</b>	Manager Infrastructure Planning, Paul Ferguson  Manager Project Management, Neil La Roche	Main Roads Act 1930 (Section 28B)  Traffic Code 2000 Main Roads Code of Practice 2004	<a href="#">Guideline 14</a>
15. Coordinator of Energy	Approval required for the following: <ul style="list-style-type: none"> <li>• construct or establish any <b>generating station</b>;</li> <li>• install or provide any <b>additional main generating unit</b>;</li> <li>• extend any <b>transmission works</b>;</li> <li>• connect or provide any facilities to <b>connect any generating works</b> not controlled by Verve or Horizon Power, to any distribution works of Western Power or Horizon Power.</li> </ul>	Manager Energy Management, Peter Huxtable	Electricity Act 1945 (Section 7)	<a href="#">Guideline 15</a>
16. Service Authorities	Works affecting Service Authorities assets or their service corridors. ( <b>Telstra, Alinta, Optus, Western Power or Horizon Power</b> , etc.)	Manager Project Management, Neil La Roche	Dial Before You Dig Utility Providers Code of Practice	<a href="#">Guideline 16</a>
17. Heritage Councils	Proposed work that may affect a place that is entered in the <b>Register of Heritage Places</b> .	Manager Corporate Real Estate, Jos Mensink	Heritage of Western Australia Act 1990 Australian Heritage Council Act (Commonwealth) 2003 National Heritage Trust of Australia Act 1997	<a href="#">Guideline 17</a>
18. Fire and Emergency Services Authority (FESA)	Works requiring searching of land for <b>unexploded ordnances</b> .	Manager Project Management, Neil La Roche		<a href="#">Guideline 18</a>

AGENCY	APPROVAL REQUIRED	RELATIONSHIP MANAGER & CONTACT STAFF	MINISTER /ACT/REGULATION	REFERENCE
19. Department of Consumer and Employment Protection (WorkSafe WA) (DOCEP)	<b>WorkSafe WA</b> Commissioner to be notified of <b>demolition</b> work. See also Reference 9 above	Manager OSH, Ciaran MacCarron (Don Taylor)	Occupational Safety and Health Act 1984 (Part 3, Subdivision 7).	<a href="#">Guideline 19</a>
	<b>Storage of dangerous goods</b>	Manager Infrastructure Development, Lindsay Lowes (Neil Herbert)	Explosive & Dangerous Goods Act 1961, Dangerous Goods Regulations 1992.	<a href="#">Guideline 19</a>
	<b>Tilt-up concrete construction</b>	Manager OSH, Ciaran MacCarron (Don Taylor)	Occupational safety and Health Act 1984	<a href="#">Guideline 19</a>
	<b>Plant Registration (design and/or item registration)</b>	Manager OSH, Ciaran MacCarron (Don Taylor)	OSH Regulations 4.1 to 4.21	<a href="#">Guideline 19</a>
20. Economic Regulation Authority (ERA)	<ul style="list-style-type: none"> <li>• <b>Services outside Operating Area?</b> Operating licence area and level of service ( wastewater, water supply, irrigation)</li> <li>• <b>Controlled Area</b> (non-potable water, drainage) (See Agency Group 1 for Declared Areas)</li> </ul>	Manager Risk Management, Mandy Damant, (Stephen Hiller)	Water Services Licensing Act 1995  Water Services Licensing Act 1995	<a href="#">Guideline 20</a> SG106, PCY254  SG106

## 4. Responsibilities

### 4.1 Overall

Accountabilities are as listed for the core processes of Plan, Acquire and Manage Infrastructure Assets in the Water Corporation Accountabilities Framework - See [Accountability Framework](#)

Responsibilities for the maintenance and distribution of this manual are in the Foreword.

The Planning Director in Infrastructure Planning Branch is responsible for external approvals during planning and for handover of unresolved approval issues to the Program Manager. When the project is activated, the Program Manager shall hand over unresolved issues to the Project Manager.

Final responsibility for ensuring that all External Approvals action is taken before works proceed (contractor given possession of the site) rests with the Project Director. If the project has no Project Director, then it rests with the Regional or Branch Manager responsible for the project.

### 4.2 Accountability Process Manager

An Accountability Process Manager is nominated for each type of approval in the table in Section 3. They are identified from the Water Corporation Accountabilities Framework. (See hyperlink above). Process Managers provide control and expertise in dealing with approvals by the external agency. Often, but not always, the Accountability Process Manager is also the external Regulation Relationship Manager on the Risk Management Branch website. [Legislation Register](#). If different, the Regulatory Relationship Manager may need to be consulted in some cases.

### 4.3 Project Manager

The Project Manager (whether employed by the Water Corporation or by an authorised consultant) shall be responsible for ensuring that the requirements of this Manual are complied with.

### 4.4 Subdivision Development

For subdivision development works or projects subject to the requirements in the Corporation's Developers Manual, the Developer's Design Engineer shall be responsible for meeting the requirements of this Manual and the Developers Manual, including initiating the Preliminaries to Works action.

## 5. Early Approvals

### 5.1 Recommended Strategy

Early approvals may be required from certain utilities, authorities and agencies to manage risk during all stages of project development – planning, selection, definition

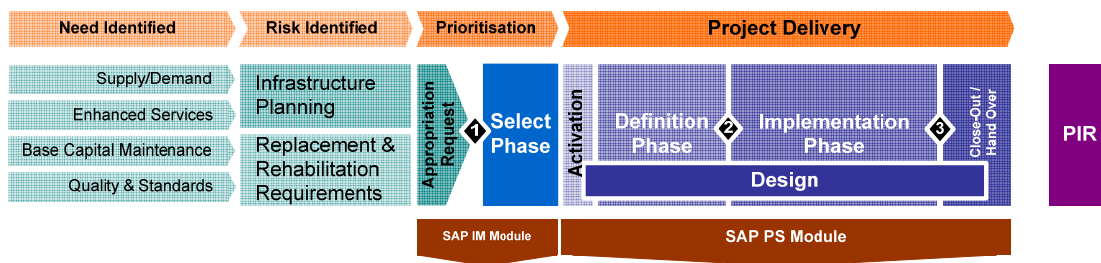
and implementation. These may be approval in principle or approval upon formal application (subject to the specific requirements of the utilities, authorities or agencies).

At the earliest stage of project development the Section 2 External Approvals list should be used as part of the planning and risk assessment. Any authority that could affect the project should be consulted until the project risk is managed. Results should be tracked during later stages.

Although prior contacts are made with these agencies in seeking approvals, during the later Preliminaries to Works process each agency shall be provided with a copy of the formal Notice of Proposal together with an appropriate covering letter.

### 5.2 The Asset Creation Process

The asset creation process can be illustrated as follows:



- Legend:**
- PIR: Post Implementation Review
  - Black Diamonds show key milestones:
    - 1: Planning Business Case
    - 2: Implementation Business Case (Approval to Implement/ATI); and
    - 3: Project Practical Completion (PPC)

### The Asset Creation Process Need identified, project prioritisation and successful project delivery.

### 5.3 Timing of Environmental Approvals

The following table indicates when in the asset creation process environmental approvals should be initiated.

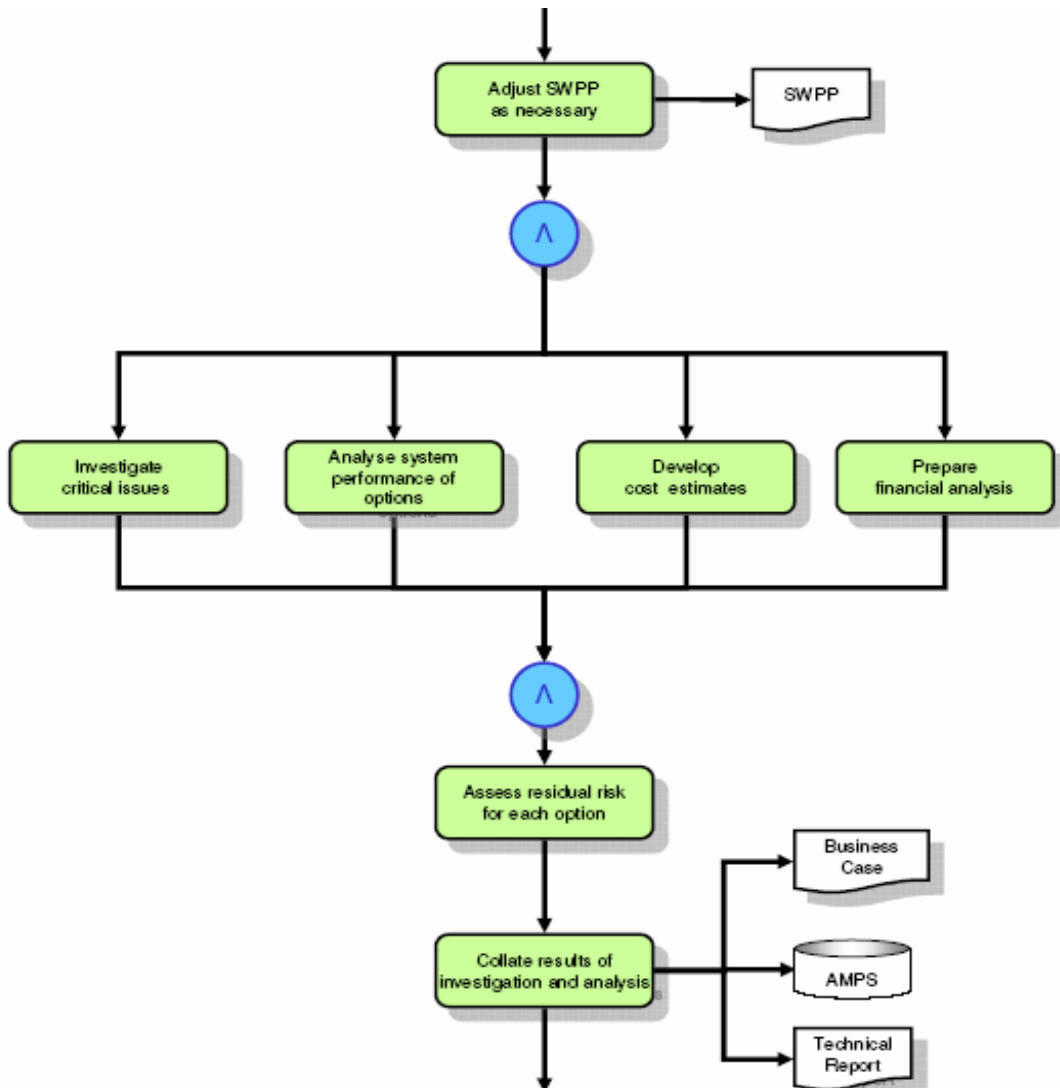
**Asset Creation Standards** (replaces EM003) For the Planning, Definition and Implementation Phases of Asset Creation

Corporate EMS requirement	Planning	Definition	Implementation
1. Environmental issues identified and risk management measures developed, implemented and reviewed.	Complete <a href="#">planner's environmental checklist</a> , develop management or mitigation (with input from EB and/or EPA), document in planning report and pre-activation review.	Appoint a representative from EB, review <a href="#">planner's environmental checklist</a> , ensure management/mitigation measures are adequate, complete <a href="#">environmental risk assessment package</a> , review <a href="#">planner's environmental checklist</a> for changes, develop new management/mitigation if appropriate, document in risk assessment, engineering design report and project management plan.	Appoint a representative from EB, review <a href="#">planner's environmental checklist</a> , ensure management/mitigation measures are adequate, complete <a href="#">environmental risk assessment package</a> , develop a <a href="#">project EMS</a> and an audit table of conditions and/or commitments made to EPA (formally and informally assessed), communicate management/mitigation measures through contracts and project plans.
2. Identify likely EPA level of assessment (include Part IV and V).	Discuss results of <a href="#">planner's environmental checklist</a> with EB, refer to EPA if appropriate, document in planning report and pre-activation review.	Discuss results of <a href="#">planner's environmental checklist</a> with EB, <a href="#">refer to EPA</a> if not already done, document in project management plan.	Discuss results of <a href="#">planner's environmental checklist</a> with EB, <a href="#">refer to EPA</a> if not already done.
3. Notify Manager, EB, of projects likely to require EPA approval.	Send Manager, EB, a copy of the <a href="#">planner's environmental checklist</a> with rationale for <a href="#">referring to EPA</a> .	If not already done, send Manager, EB, a copy of the <a href="#">planner's environmental checklist</a> with rationale for <a href="#">referring to EPA</a> ..	If not already done, send Manager, EB, a copy of the <a href="#">planner's environmental checklist</a> with rationale for <a href="#">referring to EPA</a> ..
4. For projects requiring EPA approval, include status of approval and plans/commitments for management of issues (with accountabilities, costs and timelines) in submissions to CIPC.	Include this information in infrastructure planning report and planning business case.	Include this information in definition report and the definition business case and project management plan.	Review the commitments made to EPA and ensure they are communicated throughout the implementation process.
5. All environmental documentation to be submitted to Manager EB for signing prior to release to EPA and/or public.	Send <a href="#">referral letter</a> to Manager, EB for signing prior to release to EPA/public.	Send <a href="#">referral letter</a> and any <a href="#">EPS/PER/ERMP</a> documents to Manager, EB for signing prior to release to EPA/public.	Send <a href="#">referral letter</a> and any <a href="#">EPS/PER/ERMP</a> documents to Manager, EB for signing prior to release to EPA/public.
6. Inform Manager, EB of changes to projects undergoing the	This could include design changes, route planning changes and/or	This could include design changes, route planning changes and/or	This could include design changes, route planning changes and/or

environmental approvals process.	deferring/bringing forward a project.	deferring/bringing forward a project.	deferring/bringing forward a project.
7. Communication of management commitments and conditions made during the approvals process.	Document in the planning report and the planning business case.	Document in the definition report and the definition business case report.	Document in the relevant project plans, tenders, contracts and other project documentation as appropriate.
8. During the implementation of the project, monitor commitments and conditions and inform Manager EB if a non-compliance is likely to result in sanction from the regulator(s).			Monitor conditions and commitments through review of audit table, inform Manager EB of significant non-compliances.
9. At the conclusion of the creation of the project, assess the compliance of conditions and commitments and inform Manager, EB of this assessment.			Audit conditions and commitments, document in project close-out report and inform Manager, EB of results.
10. At the conclusion of the creation of the project, document conditions, commitments and issues requiring ongoing management by the asset owner.			Close out conditions and commitments that are no longer relevant and communicate ongoing conditions and commitments to asset owner via the handover and close-out report.

## 5.4 Planning Phase

The following extract from the Infrastructure Planning Branch “Planning Process Manual” shows when critical issues are identified. This should lead immediately to major approvals (final or in principle) as required.



SWPP indicates State Wide Planning Program; AMPS indicates Asset Management Planning System.

Not all projects begin in Infrastructure Planning Branch. Wherever a project begins, the External Approvals Checklist in Section 2 should be used as part of risk assessment. The Planning Business Case should show how any critical external approval risks are being managed.

### 5.5 Select and Definition Phases

The Program or Project Manager responsible for these phases should also use the above External Approvals Checklist in Section 2 as part of the continuing planning and risk assessment. Any authority that could affect the project should be consulted until the project risk is managed. Results should be tracked during later stages. All critical external approvals should be obtained formally or at least in principle before the implementation business case at the end of definition.

The Project Management Definition Phase Procedures on the Project Management Waternet home page deals with environmental, community consultation, aboriginal, land, health and operating area licence as specific examples of approvals needed at this stage.

## 5.6 Implementation Phase

The Preliminaries to Works process is an early step in the implementation phase. By then, it should be a confirmation that all external approval risks were managed during planning and definition

Also in this phase, the Project Management Implementation Phase Procedures on the Project Management Waternet home page deals with environmental and health approvals including Prescribed Premises, and WAPC or local government development applications.

The Project Management checklists and handover arrangements in this phase also deal with Operating Licence prior to commissioning, and licences or approvals from DOME, DEP and DOCEP (Worksafe).

## 5.7 Allowance in Project Scheduling

It is important that adequate time is allowed for external approvals when projects are being scheduled.

For example, environmental approvals may take up to two years because of required studies and consultation. Even if critical approvals have been obtained during planning and definition, for Preliminaries to Works a minimum of two months should be allowed for General Works and a minimum of three months for Major Works projects.

Consideration should also be given to potential delays to the project schedule caused by subsidiary or additional requirements not made known by the affected authority/organisation at the time of the Preliminaries to Works action being carried out.

If any contentious aspects are known, a longer period should be allowed.

## 5.8 Appeals Against Decisions

In exceptional circumstances, the Corporation may wish to appeal against a decision by an external agency to reject an approval application where unacceptable conditions have been imposed.

This appeal may be through the agency's internal processes or to the State Administrative Tribunal.

Advice should be sought from the Manager Legal Services before proceeding with an appeal.

## 6. Preliminaries to Works

Historically, this was the major external approval process. Now many other Acts exist as in Section 2, requiring extensive approval work before the Preliminaries to Works

process. The Preliminaries to Works process early in the implementation phase of projects should now be a confirmation of earlier actions.

## 6.1 Categories of Works

The *Water Agencies (Powers) Act 1984 (WAPA)* divides all of the Corporation's works into one of the three categories of EXEMPT WORKS, GENERAL WORKS, and MAJOR WORKS. The requirements of the Preliminaries to Works procedures differ for each category of works and care must be taken in determining the category of works that are proposed. An Extract from the *WAPA* is included in Appendix A of the Manual for reference.

Section 86 of the *WAPA* defines the categories of work as in the following clauses.

### 6.1.1 Exempt Works

Exempt Works means:

- (a) the maintenance, repair, minor alteration, reinstatement or replacement of existing works.
- (b) the construction or provision of other works:
  - i. not being MAJOR or GENERAL WORKS;
  - ii. being works in, on, under or over private land, which are constructed or provided on, and at the request of the owner of the land served or to be served by the water services in respect of which the works are required; or
  - iii. being works in, on, under or over Crown land or road reserves and required to link other EXEMPT WORKS to existing works.
- (c) alterations to GENERAL WORKS and additions or extensions to GENERAL WORKS in, on, under or over land vested in the Commission or the Corporation:
- (d) alterations, extension or additions to MAJOR WORKS where Section 91 does not apply; and
- (e) such other works of the nature specified in the Order as the Governor may, from time to time by Order in Council, declare to be Exempt Works for the purposes of this Act or a relevant Act, notwithstanding that such works may form part of or be related to General Works or Major Works (see example at Clause 2.2.3).

*Note: Section 91 in (d) above is particularly important in deciding the requirements of the Preliminaries to Works procedure that applies. Many extension works are exempt.*

*Note: Investigation bores are considered to be EXEMPT WORKS. However when they are to be subsequently converted to production bores, they shall be treated as being MAJOR WORKS.*

### 6.1.2 General Works

General Works means:

- (a) trunk and distribution water mains, pumping stations, pumping (pressure) mains, control and metering stations, main and branch sewers, main drains, irrigation channels, compensating basins and water and sewerage reticulation mains, being reticulation mains not constructed at the request of the owner of land affected;
- (b) such other works of a kind similar to the works referred to in paragraph (a) of this definition as the Governor may, from time to time by Order in Council declare to be General Works for the purposes of this Act or a relevant Act; and
- (c) works, in, on, under or over private land, other than EXEMPT WORKS.

### 6.1.3 Major Works

Major Works means:

- (a) dams, service reservoirs, bulk water storage facilities, Groundwater schemes, irrigation schemes, Wastewater treatment plants or water treatment plants; and
- (b) such other works as the Minister:
  - i. considers by virtue of their location, size or nature, to be of sufficient public interest to require public advertisement and that an opportunity to object or comment thereon should be given; and
  - ii. directs the Commission or the Corporation, either generally or in a specific case, to treat as MAJOR WORKS.

*Note: Production bores are considered to be in the MAJOR WORKS category.*

### 6.1.4 Preliminaries to Works Requirements

#### 6.1.4.1. Exempt Works

Generally, Works that are categorised as EXEMPT WORKS are not required by the WAPA to have their provision or construction preceded by any formal preliminaries. However Exempt Works which is within group (b) of Clause 6.1.1 may be subject to development approval of the Western Australian Planning Commission via the appropriate Local Authority. (See also [Guideline 9](#) – Development Applications).

As a condition of the Operating License (and Corporation policy), and pursuant to the provisions of the *Native Title Act 1993 (Commonwealth)* the Corporation is required to inform occupiers in advance of planned work.

See [Guideline 1.2](#) Preliminaries to Works for further detail.

#### 6.1.4.2. General Works

See [Guideline 1.2](#) Preliminaries to Works for further detail.

#### 6.1.4.3. *Major Works*

See [Guideline 1.2](#) Preliminaries to Works for further detail.

### **6.2 Native Title Act Requirements for Exempt Works Preliminaries**

The requirements of the Native Title Act shall still be observed in the case of EXEMPT WORKS.

### **6.3 Environmental and Other Approvals**

Environmental and other approvals may still be required for EXEMPT WORKS.

## Appendices

### Appendix A: *Extract from Water Agencies (Powers) Act 1984*

For reference the relevant sections of the Act (S86 to S97) have been reproduced. The sections cover the responsibilities of the Water Corporation and the action and clearances that are required as a preliminary to constructing or providing any of its works.

The sections included are:

Section	Name
86	Interpretation
87	Power to carry out Major Works
88	Advertisements and notices
89	Objections and comments
90	Submission for authorisation
91	Alteration or extension of Major Works
92	Power to carry out General Works
93	Notices
94	Objections and comments
95	Authorisation for General Works
96	Commission or the Corporation to carry out Exempt Works
97	Deviation and modification
	Exempt Works (Aboriginal Communities) Order 1986

*Extract from Water Agencies (Powers) Act 1984*

*PART VIII – WORKS*

*Division 2 – Preliminaries to Works*

*Subdivision A – Interpretations*

#### 6.3.1 Clause 86 Interpretation

In this Part and in Part VII ‘‘Exempt Works’’ means:

- (a) the maintenance, repair, minor alteration, reinstatement or replacement of existing works;
- (b) the construction or provision of other works:
  - i. not being Major or General Works;
  - ii. being works in, on, under or over private land, which are constructed or provided on, and at the request of the owner of, the land served or to be served by the water services in respect of which the works are required; or
  - iii. being works in, on, under or over Crown land or road reserves and required to link other Exempt Works to existing works.
- (c) alterations to General Works and additions or extensions to General Works in, on, under or over land vested in the Commission or the Corporation;

- (d) alterations, extensions or additions to Major Works where section 91 does not apply; and
- (e) such other works of the nature specified in the Order as the Governor may, from time to time by Order in Council, declare to be Exempt Works for the purposes of this Act or a relevant Act, notwithstanding that such works may form part of or be related to General Works or Major Works.

“General Works” means the construction or provision of:

- (a) trunk and distribution water mains, pumping stations, pumping mains, control and metering stations, main and branch sewers, main drains, irrigation channels, compensating basins and water and sewerage reticulation mains, being reticulation mains not constructed at the request of the owner of the land affected;
- (b) such other works of a kind similar to the works referred to in paragraph (a) of this definition as the Governor may, from time to time by Order in Council declare to be General Works for the purposes of this Act or a relevant Act; and
- (c) works in, on, under or over private land, other than Exempt Works;

“Major Works” means the construction or provision of:

- (a) dams, service reservoirs, bulk water storage facilities, groundwater schemes, irrigation schemes, wastewater treatment plants or water treatment plants; and
- (b) such other works as the Minister:
  - i. considers, by virtue of their location, size or nature, to be of sufficient public interest to require public advertisement and that an opportunity to object or comment thereon should be given; and
  - ii. directs the Commission or the Corporation, either generally or in a specific case, to treat as Major Works.

### *Subdivision B — Major Works*

#### 6.3.2 Clause 87 Power to Carry Out Major Works

The Commission or the Corporation may carry out, or undertake the construction or provision of, Major Works, if the Commission or the Corporation has complied with sections 88 and 89 and the Minister has thereupon authorized the carrying out of such works and a notice of such authorization has been published in the Government Gazette, but not otherwise.

#### 6.3.3 Clause 88 Advertisements and Notices

1. The Commission or the Corporation shall, before submitting proposals to the Minister for the carrying out, construction or provision of Major Works:
  - (a) cause to be prepared plans of the area affected together with the current proposals for the works, and cause those plans and proposals, or certified copies to be deposited:
    - i. in the head office of the Commission or the Corporation; and
    - ii. where the proposed works are to be outside the Metropolitan Water, Sewerage, and Drainage Area, in the district office of the Commission

- or the Corporation nearest to the locality which will benefit from the proposed works;
- (b) cause an advertisement to be published in the Government Gazette, and in one or more newspapers generally circulating in the locality in which the proposed works are to be situate, specifying:
    - i. a description of the proposed works;
    - ii. the localities in which they will be situate;
    - iii. the purposes for which they are required; and
    - iv. the times when, and places at which, the plans and proposals may be inspected; and
  - (c) cause a notice specifying the details referred to in paragraph (b) to be served on:
    - i. the owner and occupier of any land which is to be entered for the purposes of the proposed works or which is, in the opinion of the Commission or the Corporation, likely to be affected; and
    - ii. any local government in the area of which the proposed works will be situate or which, in the opinion of the Commission or the Corporation, has a material interest in the proposal or the services to be provided by the works.
2. The plans and proposals referred to in subsection (1) shall be open to inspection by any person interested, at the times and places specified in the advertisement.

#### 6.3.4 Clause 89 Objections and Comments

1. Any local government or person interested may, in writing, object to or comment on the carrying out, construction or provision of proposed Major Works.
2. Every such objection or comment shall be lodged with the Commission or the Corporation within one month from the date of the publication of the advertisement referred to in subsection (1) of section 88.
3. Where the Commission or the Corporation so determines, and whether or not by reason of objections or comments received, the Commission or the Corporation may amend the proposal by making alterations to the plans or proposals so deposited and advise the persons who are, in the opinion of the Commission or the Corporation, likely to be affected by such alterations, but when submitting the proposal to the Minister for authorization shall indicate the nature and extent of the alterations effected.

#### 6.3.5 Clause 90 Submission for Authorisation

1. Where the Commission or the Corporation considers that the requirements of sections 88 and 89 have been complied with and that the objections or comments, if any, have been met by amendment of the proposals or are, in the general public interest, not such as to cause the proposals to be amended, the Commission or the Corporation shall submit the final proposal to the Minister and shall furnish to the Minister such plans, description, specifications, estimates or other information as the Minister may require relating thereto.

2. The Commission or the Corporation shall prepare a report to the Minister on:
  - (a) the original proposal;
  - (b) any amendment to that original proposal and the persons who have been advised of the amended proposal; and
  - (c) the final proposal, and any interest, objection or comment not met by the final proposal, and the Minister shall have regard to that report and any recommendations contained therein and after considering the matter the Minister may:
    - i. direct that any amended proposal shall be re-advertised;
    - ii. direct that further or other notices be served in respect of the proposal;
    - iii. authorize the carrying out, construction, or provision of the proposed Major Works; or
    - iv. decline to authorize the proposed Major Works.

#### 6.3.6 Clause 91 Alteration or Extension of Major Works

1. Where the Commission or the Corporation proposes substantially to alter or extend any Major Works it shall notify the Minister of the proposal and shall furnish to the Minister such plans, description, specifications, estimates or other information as the Minister may require relating thereto.
2. After considering the proposal the Minister may:
  - (a) direct that the procedures set forth in sections 88, 89 and 90, or such procedures as are specified by the Minister, be carried out in relation to the alteration or extension as if the proposed alteration or extension were a proposal for the initial provision of Major Works;
  - (b) authorize the proposed extension or alteration; or
  - (c) decline to authorize the proposed extension or alteration.
3. In considering a proposal notified to him under subsection (1) the Minister may have regard to any earlier proposal relating to the same or like works and any earlier objections or comments received by the Commission or the Corporation relating to that proposal.

#### *Subdivision C — General Works*

#### 6.3.7 Clause 92 Power to carry out General Works

The Commission or the Corporation may carry out, or undertake the construction or provision of, General Works, if the Commission or the Corporation has complied with sections 93, 94 and 95, but not otherwise.

#### 6.3.8 Clause 93 Notices

1. The Commission or the Corporation shall:
  - (a) cause to be prepared plans and a description of proposed General Works and cause those plans and that description, or certified copies, to be deposited:
    - i. in the head office of the Commission or the Corporation; and

- ii. where the proposed works are to be outside the Metropolitan Water, Sewerage, and Drainage Area, in the district office of the Commission or the Corporation nearest to the locality which will benefit from the proposed works; and
    - (b) cause a notice, and an extract or illustration of the plans and a copy of the description referred to in paragraph (a) sufficient to indicate the nature and extent of the proposed General Works, to be served on:
      - i. the owner and the occupier of any land which is to be entered for the purposes of the proposed works or is, or the use of which is, in the opinion of the Commission or the Corporation, likely to be adversely affected; and
      - ii. any local government in the area of which the proposed works will be situate or which, in the opinion of the Commission or the Corporation, has a material interest in the proposal or the services to be provided by the works, specifying the details set forth in subparagraphs (i), (ii), (iii) and (iv) of section 88 (1) (b) and nominating a date, which shall be a date not earlier than 7 days after service of the notice, by which all objections to, or comments upon, the proposal must be received by the Commission or the Corporation.
2. The plans and description referred to in subsection (1) shall be made available by the Commission or the Corporation for inspection by any person or local government upon whom or which a notice has been served pursuant to paragraph (b) of subsection (1), at the times and places specified in the notice.

#### 6.3.9 Clause 94 Objections and Comments

1. Any person or local government upon whom or which notice has been served pursuant to section 93 may, in writing, object to or comment upon the carrying out, construction or provision of the proposed works.
2. Every such objection or comment shall be lodged with the Commission or the Corporation by the date specified in the notice.
3. Where the Commission or the Corporation so determines, and whether or not by reason of objections or comments received, the Commission or the Corporation may amend the proposal by making alterations to the plans or description so deposited, whether to meet objections or comments or otherwise, but shall advise the persons who are, in the opinion of the Commission or the Corporation, likely to be adversely affected by such alterations.

#### 6.3.10 Clause 95 Authorisation for General Works

1. Where:
  - (a) the Commission or the Corporation has complied with the requirements of sections 93 and 94 and:
    - i. no objections or comments have been received by the time specified in the notices served pursuant to subsection (1) of section 93; or
    - ii. any objection or comment material to the proposal has been met; and
  - (b) the Commission or the Corporation does not require the authorization of the Minister to a deviation from the plan pursuant to subsection (4) of section 97,

the Commission or the Corporation is authorized to proceed to carry out, construct or provide the General Works.

2. Subject to subsection (1), where the Commission or the Corporation considers that the requirements of sections 93 and 94 have been complied with but that objections or comments material to the proposal have not been met by amendment of the proposal, the Commission or the Corporation shall submit the proposal to the Minister informing him of the original proposal and, if it has been altered, the manner in which it has been altered and shall furnish to the Minister such plans, description, specifications, estimates or other information as the Minister may require relating thereto.
3. Any question as to whether or not an interest, objection or comment is material to a proposal may be determined by the Commission or the Corporation.
4. After considering the proposal submitted to him pursuant to subsection 2. the Minister may:
  - (a) authorize the carrying out, construction or provision of the proposed General Works; or
  - (b) decline to authorize the proposed General Works.

#### *Subdivision D — Exempt Works*

##### 6.3.11 Clause 96 Commission or the Corporation to carry out Exempt Works

Exempt works may be carried out, undertaken, constructed or provided by or on behalf of the Commission or the Corporation without any requirement for notification or advertisement of those works.

#### *Subdivision E — Deviation and modification*

##### 6.3.12 Clause 97 Deviation and modification

1. Where the Commission or the Corporation is of the opinion that any deviation from the proposed line of works may be necessary, the Commission or the Corporation may, in preparing the plans of the proposed works pursuant to section 88 or section 93, show on those plans a limit within which the line of works as constructed may deviate to accommodate changes in location not inconsistent with the general proposal and any such deviation shall, if the works are authorized, be taken to be authorized.
2. Whether or not a limit within which the line of works may deviate during construction is shown on the plans of authorised works, the Commission or the Corporation in carrying out the works may deviate not more than 20 metres from the location shown on those plans if:
  - (a) the change is of a nature not inconsistent with the general proposal; and
  - (b) where the proposed works are to be constructed or provided on land other than
    - i. unoccupied Crown land; or
    - ii. a road reserve,

- iii. the deviation is agreed in writing by the owner and occupier of the affected land.
3. The Commission or the Corporation may, during the carrying out, construction or provision of works, depart from any description; proposal or plans authorized, and may make such modifications as are required by the circumstances, if the departure is agreed in writing by the owner and occupier of the affected land.
4. Where the Minister is satisfied that a deviation or modification of a kind to which subsection 1. subsection 2. or subsection 3. does not apply is not inconsistent with the general proposal, is necessary in the public interest, and does not adversely affect the interest of any person who is the owner or occupier of the land where the works are to be situate, he may authorize the carrying out of the proposal as so varied notwithstanding that the provisions of :
  - (a) sections 88, 89 and 90; or
  - (b) sections 93, 94 and 95;as the case requires, have not been complied with in relation thereto.

END OF DOCUMENT