

## Port Manager Works Authority Guidelines

Parks Victoria is the local port manager for the designated ports of Port Phillip and Western Port (excluding the areas managed by the commercial ports). The statutory functions of a local port manager are defined in Section 44 of the *Port Services Act 1995* and the *Port Service (Local Ports) Regulation 2004*. In particular, works within the local port can only be undertaken in accordance with an authority issued by Parks Victoria.

Works within the port are not permitted to commence until an authority has been issued under Regulation 212. Penalties are applicable under Regulation 500 for works carried out without an authority. The holder of an authority must comply with the conditions of the authority. In certain circumstances Parks Victoria may cancel or vary the conditions of an authority, for example, if the activity is deemed a risk to safety of people, environment, property, navigation or interfere with other activities authorised in the local port.

### What works require an authority ?

Regulation 500(1) defines the types of works requiring an authority. Specifically a wharf, building or structure proposed to be erected or altered or works require an authority. Works include, but are not limited to:

- Marina, boat ramp or jetty construction
- Dredging
- Installation of navigation aids, signs, markers
- Disturbance of the seabed (e.g. for research purposes)

### What information should an application contain?

An application must be made to Parks Victoria in writing and must contain:

- Name of proponent;
- Location of proposal;
- Scope of proposed works including evidence that the proposed works are suitable for the use and conditions of the site;
- Demonstration that consultation has been completed with other waterway users and consideration has been applied in the design to minimise the impact on safe navigation and/or legitimate activities in the area;

- Certification of the design to ensure that proposed works are in accordance with applicable Australian Standards. Certified drawings should include details in accordance with Australian Standard for Limited Mobility Access if the facility is to be advertised/signed as complying with such standards;
- Proposed methodology of the works and timing of construction;
- Copies of all statutory approvals obtained including planning permits and Coastal Management Act consent where applicable;
- Demonstration that all necessary steps will be taken to ensure that any vessel and / or equipment will be appropriately cleaned to prevent the spread of marine pests. Refer to the Department of Sustainability and Environment's (DSE) fact sheet *Aquatic Pests: Treat 'em mean – keep your boat clean*, located at [www.dse.vic.gov.au/marinepests](http://www.dse.vic.gov.au/marinepests); and
- Details of signs to be installed at strategic locations notifying members of the public of the following project elements:
  - scope of works
  - timing of works
  - possible delays to public
  - potential hazards to be aware of
  - contact details of project manager.

For applications involving dredging, Parks Victoria requests the following:

- A recent pre-dredge hydrographic survey, including the proposed area, proposed dredge depth & volume to be dredged;
- A post-dredge hydrographic survey;
- Proposed dredging program including contractor details, methodology, timing, type of plant & equipment, how and where the spoil will be disposed, placement & marking of pipeline (if applicable), public notification strategy and boating safety practices;
- Proposed ongoing dredging maintenance and monitoring program; and

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- A copy of the *Coastal Management Act* consent for dredging application as approved by Department of Sustainability and Environment.

## Conditions

In issuing a works authority, it is understood that:

- All works will be carried out in accordance with the certified specifications and drawings forwarded to Parks Victoria. Any variation to the works as detailed is required to be forwarded to Parks Victoria for reassessment.
- Certified 'As constructed' drawings will be submitted to Parks Victoria upon project completion to ensure that the works were constructed in accordance with the authorisation.
- The proponent shall indemnify Parks Victoria for the works.
- A Notice to Mariners may be required to be issued, prior to the commencement of the works. Park Victoria requires notification one week prior to the commencement of the works to enable sufficient time for processing of the Notice.
- All necessary steps shall be taken and relevant Occupational Health and Safety regulations and codes of practice shall be adhered to in order to ensure a safe environment for employees and public during construction.
- All plant, equipment or potential hazards to navigation will be appropriately marked during construction with flashing yellow lights from sunset to sunrise.

## Request for additional information

Parks Victoria may ask for additional information in respect of an application. Until that information is received, Parks Victoria is unable to proceed with the application.

## Deciding on an application for a works authority

Parks Victoria will notify the proponent in writing of the outcome of the application. The proponent should allow a minimum of three weeks for the application to be processed.

The proponent is recommended to consult with Parks Victoria during the scoping stage of the project to identify issues which may require resolution during the planning process.

## Other approvals may be required

Depending on the nature and location of the works, a planning permit may also be required. Seek further advice on this matter from the local council.

The proponent is to seek *Coastal Management Act* consent from the Department of Sustainability and Environment (DSE) where the proponent is proposing to use or develop Crown land within 200 metres of the high water mark of Victorian coastal waters. The contact at DSE is the local DSE Regional Coastal Planner on 136-186. Refer to the DSE fact sheet "*Consent to use and develop coastal Crown land, Series No 1*" located at [www.dse.vic.gov.au](http://www.dse.vic.gov.au).

For works involving dredging, the proponent is advised to refer to the following documents and seek appropriate statutory approvals where required:

- DSE *Dredging, Series No 2* Fact Sheet, located at [www.dse.vic.gov.au](http://www.dse.vic.gov.au)
- EPA "*Best Practice Environmental Management Guidelines for Dredging*", located at [www.epa.vic.gov.au](http://www.epa.vic.gov.au).

The proponent is advised to seek all other approvals prior to applying for a works authority. Should the proposal fail to receive other appropriate approvals, a works authority cannot be granted.

## Applying for a Works Authority

The Parks Victoria Works Authority application should be addressed to:

District Program Manager  
Port Phillip Western Port  
Parks Victoria  
P.O. Box 1485  
Geelong, VIC 3220  
Email: [schandler@parks.vic.gov.au](mailto:schandler@parks.vic.gov.au)

## Further information

For further information on the works authority application process, contact Parks Victoria on 13 1963 or visit our website at [www.parkweb.vic.gov.au](http://www.parkweb.vic.gov.au).

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