

## DEVELOPMENT &/OR CONSTRUCTION CERTIFICATE APPLICATION

Date received: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

DA No: \_\_\_\_\_

Use this form to apply for **consent to carry out development**. The **DA Supplement** that accompanies this form will help you complete the application. To complete this form, please place a cross in the boxes  and fill out the white sections as appropriate. To minimise delay in receiving a decision about your application, please ensure you submit all relevant information. You need to apply to the relevant consent authority (usually the council). Once the consent authority has assessed your application, you will receive a notice of determination.

### Applicant's Details

First name	<input type="text"/>	Family name	<input type="text"/>
Flat/street no.	<input type="text"/>	Street name	<input type="text"/>
Suburb or town	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Daytime telephone	<input type="text"/>	Fax	<input type="text"/>
		Mobile	<input type="text"/>
Email Address	<input type="text"/>		

Please  if you do not wish to be added to Councils Mailing List, to be sent information about Council & Community Activities from time to time.

### Identify the land you propose to develop

Flat/street no.	<input type="text"/>	Street name	<input type="text"/>
Suburb or town	<input type="text"/>	Postcode	<input type="text"/>
Lot no.	<input type="text"/>	DP/MPS no.	<input type="text"/>
		Parish:	<input type="text"/>

You can find the lot no., section, DP/MPS no. details on a map of the land or on the title documents for the land. If you need additional room, please attach a schedule and/or a map with these details.

### The Development will involve:

- erecting, altering or adding to a building or structure
  - Is it a temporary building or structure? Yes  No
- subdividing land
- subdividing a building into strata units
- demolition
- changing the use of land or a building or the classification of a building under the Building Code of Australia (without building, subdividing or demolishing)
- other work (without building, subdividing or demolishing)?

### Describe what you propose to do

## Construction (not required for subdivision work)

Estimated Cost of the Development \$

For building work, what is the class of the building under the Building Code of Australia?

**Building Details** Tick whether builder is? Licenced  (please complete details)  Owner

Builder's Name

Licence Number

Builder's Address

Phone

Fax

Mobile

## Staged development

You can apply for development consent for only part of your proposal now, and for the remaining part(s) at a later stage.

Are you applying for development consent in stages?

No

Yes  Please attach:

- information which describes the stages of your development
- a copy of any consents you already have for part of your development.

## Plans of the land and development

You need to provide a number of plans that show what you intend to do. [Section 2](#) of the **DA Supplement** sets out which plans to provide and the details to include.

Please attach:

- a site plan of the land, drawn to scale (3 copies)
- plans or drawings of the proposal, drawn to scale (3 copies)

and, where relevant:

- an A4 size plan of the proposed building and other structures on the site
- a plan of the existing building, drawn to scale.

## BASIX Certificate

You need to provide a Basix Certificate detailing your commitments to water, energy and thermal comfort as detailed in the BASIX Certificate relating to the proposed development must be incorporated into the plans and/or specifications to accompany the Development Application, Complying Development Certificate or Construction Certificate as required by the BASIX Certificate, and submitted to Council.

Note: The commitments required to be shown on the plans and specifications can be found detailed on your BASIX Certificate under the column "Show on CC/CDC Plans & Specs", and marked with a tick (✓). [Section 2](#) of the **DA Supplement** sets out which plans to provide and the details to include.

## Construction Certificate

Construction plans and specifications that show what you intend to do. [Section 2](#) of the **DA Supplement** sets out which plans to provide and the details to include.

## Environmental effects of your development

To assess your proposal, the consent authority needs to understand the impacts it will have. Depending upon the nature and scale of your proposal, you need to provide one or more of the statements listed below to explain the environmental effects of your proposal. See [section 3](#) of the **DA Supplement**.

Is your proposal **designated development**?

Yes  ➤ Please attach an environmental impact statement.

No  ➤ Please attach a statement of environmental effects.

Is your proposal likely to significantly impact on **threatened species**, populations, ecological communities or their habitats?

Yes  ➤ Please attach a species impact statement.

No

## Other approvals from council

To carry out your proposal, you may need other approvals from the council. See [section 4](#) of the **DA Supplement**.

Do you want council to approve any other activity at the same time as this application?

No

Yes  ➤ Please fill out **Attachment A** of the **DA Supplement** and submit it with your application, along with any of the supporting documents required.

Do you need the concurrence of a state agency to carry out the development? See [section 5](#) of the **DA Supplement**.

No

Yes  ➤ Please list any agencies whose concurrence you need.

Please attach sufficient information for the agency(s) to assess your application.

## Approvals from state agencies

If you need a development consent and one or more of the approvals listed in **Attachment B** of the **DA Supplement**, your development is known as integrated development. The relevant state agency will be involved in the assessment of your proposal. See [section 6](#) of the **DA Supplement**.

Is your application for integrated development?

No

Yes  ➤ Please submit **Attachment B** of the **DA Supplement** with your application and attach:

- sufficient information for the approval body(s) to assess your application
- additional copies of your application for each agency. *The consent authority can tell you the number that will be needed.*

## Supporting information

You can support your application with additional material, such as photographs, including aerial photographs, slides and models to illustrate your proposal. Please list what you have attached:

## Application fee

For development that involves a building or other work, the fee for your application is based upon the estimated cost of the development. If your application is for integrated development, you need to include \$250 for each agency that will look at your proposal. If your development needs to be advertised to the public you may also need to include an advertising fee. The consent authority will help you calculate the fee for your application. (Advertising fees attract GST, all other fees do not).

## Signatures

**The owner(s) of the land to be developed must sign the application.**

If you are not the owner of the land, you must have all the owners sign the application. If the land is Crown land, an authorised officer of the Department of Land and Water Conservation must sign the application.

As the owner(s) of the above property, I/we consent to this application:

Signature

Name

Date

Signature

Name

Date

**The applicant, or the applicant's agent, must sign the application.**

Signature

Name, if you are not the applicant

In what capacity are you signing if you are not the applicant

Date

## Privacy policy

The information you provide in this application will enable your application to be assessed by the consent authority and any relevant state agency. If the information is not provided, your application may not be accepted. Your application will be advertised to the public for comment if the development is designated development, advertised development or is required to be advertised by a development control plan. The application will also be kept in a register by the council that can be viewed by the public at any time. Please contact the council if the information you have provided in your application is incorrect or changes.

## Lodgement

Before submitting your application, please ensure you have attached all the information the consent authority needs to assess your proposal. You can use the following checklist. Please place a cross in the box  next to any items you have attached:

### Land details

- A map that sets out the lot, DP/MPS and volume/folio numbers
- A schedule that sets out the lot, DP/MPS and volume/folio numbers

### Staged development

- Information which describes the stages of the development
- A copy of any consents already granted for part of the development

### Plans

- A site plan of the land (3 copies) — **required for all applications**
- Plans or drawings of the proposal (3 copies) — **required for all applications**
- An A4 size plan of the proposed building and other structures on the site
- A plan, drawn to scale, of the existing building

### Environmental effects

- An environmental impact statement for a designated development proposal
- A statement of environmental effects — **required for all applications** that are not designated development
- A species impact statement
- SEPP 55 – Remediation of Land – **required for all applications**

### Other approvals from council

- Attachment A of the DA Supplement
- Supporting document(s) identified in Attachment A of the DA Supplement

### State agency concurrences and approvals

- Additional information required by the agencies from which you need concurrence
- Attachment B of the DA Supplement
- Additional information required by the agencies you have identified in Attachment B of the DA Supplement
- Additional copies of your application for each of those agencies

### Supporting information

- Other material to support your application, such as photos, slides and models.

### Application fee

- Your application fee — **required for all applications.**

**State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land**

**Preliminary Investigation of Site Contamination**

Under the provisions of the *Environmental Planning and Assessment (Amendment) Act 1979*  
(to be submitted with Development Application)

The purpose of this form is to determine whether the issue of land contamination is relevant to the subject site, and whether further investigations of land contamination are required.

**LAND IDENTIFICATION**

**Lot or Portion No.** \_\_\_\_\_ **Section:** \_\_\_\_\_ **DP/Strata Plan or Estate:** \_\_\_\_\_

**County:** \_\_\_\_\_ **Parish:** \_\_\_\_\_ **Street:** \_\_\_\_\_ **District, Town or Village:** \_\_\_\_\_

☞ Have any contamination investigations been carried out on the subject site? Yes  No   
NB: If yes, please attach results (including any previous initial evaluations).

☞ Have any of the following activities ever been carried out on the subject site? (please tick)

acid/alkali plant and formulation	<input type="checkbox"/>	metal treatment	<input type="checkbox"/>
agricultural/horticultural activities	<input type="checkbox"/>	mining and extractive industries	<input type="checkbox"/>
airport	<input type="checkbox"/>	oil production and storage	<input type="checkbox"/>
asbestos production and disposal	<input type="checkbox"/>	paint formulation and manufacturing	<input type="checkbox"/>
chemicals manufacture and formulation	<input type="checkbox"/>	pesticide manufacture and formulation	<input type="checkbox"/>
defence works	<input type="checkbox"/>	power station	<input type="checkbox"/>
drum re-conditioning works	<input type="checkbox"/>	railway yards	<input type="checkbox"/>
dry cleaning establishments	<input type="checkbox"/>	scrap yards	<input type="checkbox"/>
electrical manufacturing (transformers)	<input type="checkbox"/>	service stations	<input type="checkbox"/>
electroplating and heat treatment premises	<input type="checkbox"/>	sheep and cattle dips	<input type="checkbox"/>
engine works	<input type="checkbox"/>	smelting and refining	<input type="checkbox"/>
explosive industry	<input type="checkbox"/>	tanning and associated trades	<input type="checkbox"/>
gas works	<input type="checkbox"/>	waste storage and treatment	<input type="checkbox"/>
iron and steel works	<input type="checkbox"/>	wood preservation	<input type="checkbox"/>
landfill sites	<input type="checkbox"/>		

☞ Are there any contamination impacts on land immediately adjacent to the subject site which may affect the subject land? Yes  No   
NB: If yes, please attach details of contamination impacts

**DECLARATION**

<input type="checkbox"/> I declare that to the best of my knowledge, the issue of land contamination is not relevant to the subject site.	<input type="checkbox"/> I declare that the subject site may be affected by land contamination and that further contamination investigation is warranted.
Signed: _____	Signed: _____
Date: _____	Date: _____

# DA Supplement

**Guide to the information you need  
to include with your development  
application**

## 1. How to use this guide

This guide provides information to help you to complete your development application. Each section relates to a question in the form where you may need to attach additional information.

If you need further assistance to complete the application, please contact the consent authority (usually the council).

## 2. Plans of the land and development

**You need to include a site plan of the land and the plans or drawings of the proposal to show what you intend to do.**

The site plan is to be drawn to scale and show:

- the location of the land, the measurements of the boundaries of the land, the size of the land and which direction is north
- existing vegetation and trees on the land
- the location and uses of buildings that are already on the land
- the existing levels of the land in relation to buildings and roads
- the location and uses of buildings on sites adjoining properties.

The plans or drawings are to be drawn to scale and show, where relevant:

- the location of any buildings or structures on the land, any proposed extensions or additions, the boundaries of the land and any development on adjoining land
- the floor plans of the proposed buildings
- how high the proposed development will be in relation to the land
- each elevation of the proposed building(s)
- any changes that will be made to the level of the land by excavation, filling or otherwise
- the level of the lowest floor, the level of any yard or unbuilt area and the level of the ground
- the arrangements you have made for parking, where vehicles will enter and leave the site, and how vehicles will move about the site
- how the land will be landscaped or otherwise treated and what types of vegetation will be used (including their height and maturity)
- how you intend to drain the land.

**You need to attach other plans in the following circumstances:**

- an A4 size plan of the proposed building and other structures on the site if you propose to erect, alter or add to a building, and your development does not need to be advertised to the public. The consent authority can tell you if your development must be advertised.
- The plan is to indicate the height and external shape of the proposed building as it will be erected on the site and include details of other buildings or structures on the site.
- a plan of an existing building, drawn to scale, if your application involves building work to alter, expand or rebuild the building.

The plan will allow the consent authority to assess whether any existing buildings must be upgraded for safety reasons.

### Other attachments

- **BASIX Certificate**

The Building Sustainability Index (BASIX) is a web-based planning tool designed to assess the potential performance of residential buildings against a range of sustainability indices.

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves/awnings and wall/ceiling insulation.

You need a BASIX Certificate in Gwydir Shire when BASIX applies to the type of development for which you require approval. Commencement dates and details of types of development are at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

The applicant is required to submit the BASIX Certificate with the Development Application or Complying Development Certificate application. The plans and specifications must also identify the BASIX commitments which will be checked by a professional building certifier during construction. Where submitted plans or specifications are inconsistent with the relevant BASIX Certificate, Council should require applicants to submit consistent applications before progressing the assessment process, either by amending plans / specifications or by submitting a new BASIX Certificate with commitments that match the rest of the application.

## 2. continued



Applicants can generate the BASIX Certificate only on the NSW Department of Planning' BASIX website: [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au). For more information, phone the BASIX Help Line on 1300 650 908.

- **Specifications**

The specification (to supplement the plans) will describe the construction and materials to be used and where appropriate, the method of drainage, sewerage and water supply.

### **3. Assessing the environmental impacts of your proposal**

The consent authority needs to assess the impacts your proposal will have. You need to attach one or more environmental reports to your application so this assessment can be made. The types of reports will depend upon whether your proposal is designated development or will impact upon threatened species.

#### **Designated development**

If your proposal will have a high potential risk to the environment and is listed in Schedule 3 of the Environmental Planning and Assessment Regulation 2000 or in a planning instrument made under the *Environmental Planning and Assessment Act 1979*, it is known as designated development. The consent authority can help you determine if your proposal is designated development.

If your development is designated development, please attach an environmental impact statement (EIS) to your application.

The Director-General of the Department of Urban Affairs and Planning has a number of requirements for what must be included in an EIS. The requirements depend upon the nature of the proposed development. Contact the Department's Development and Infrastructure Assessment Branch on (02) 9391 2056 to find out what you need to include in your EIS.

#### **All other types of development**

If your development is not designated development, please attach a statement of environmental effects (SEE). Table 1 sets out the information you need to include in your SEE.

#### **Table 1 What to include in a statement of environmental effects**

##### **A statement of environmental effects of a proposal is to include information on the following:**

- what you consider to be the environmental impacts of the development
- how you have identified the environmental impacts of the development
- the steps you will take to protect the environment or to lessen the expected harm to the environment
- any matters that must be included by any guidelines issued by the Director-General of the Department of Urban Affairs and Planning
- how you have addressed any other matters identified by the relevant planning instruments

##### **Where relevant, your statement of environmental effects may also need to include additional information:**

###### **For shops, offices, commercial or industrial development:**

- the hours of operation
- the plant and machinery to be installed
- the type, size and quantity of goods to be made, stored or transported
- the loading and unloading facilities that will be available

###### **To change the use of a building (where you are not doing any building work):**

You do not need to include these lists if the building will now be used as a single dwelling or a non-habitable building or structure (such as a private garage, carport, shed, fence, antenna or swimming pool).

- a list of Category One Fire Safety Provisions relating to the proposed change
- a list of Category One Fire Safety Provisions used in the existing building or on the land
- a list of fire safety measures currently used in the building

Each list is to describe the extent, capability and the basis of design of each of the provisions/measures.

###### **For a subdivision:**

- the details of the existing and proposed subdivision pattern (including the number of lots and the location of roads)
- the consultation you have carried out with the public authorities who provide, or will increase, the services you will need (eg water, road, electricity, sewerage)
- preliminary engineering drawings which show proposed roads, water, sewer, and earthworks
- both the existing and the proposed ground levels when the subdivision is completed

### **3. continued**

**For demolition:**

- the age and condition of the building or structure you will demolish
- whether the building or structure has heritage value

**For advertisements:**

- the size, type, colour, materials and position of the sign board or structure on which the advertisement will be displayed

**For development relating to an existing use:**

- the details of the existing use
- a justification for the proposal having regard to the objectives of the zone

**For development in a wilderness area:**

- a copy of a consent from the Minister for the Environment if the area is subject to a wilderness protection agreement or a conservation agreement. (You can contact the National Parks and Wildlife Service on (02) 9251 4466 to determine if there is an agreement in place)

**For building or demolition:**

- the methods that will be used to protect the site during construction or demolition

**Threatened species**

Please use the test set out in Table 2 to work out whether your proposal is likely to significantly impact on threatened species, populations, ecological communities or their habitats. If you need help to do the test, please contact the consent authority, the National Parks and Wildlife Service (phone: (02) 9251 4466) or NSW Fisheries (phone: (02) 9566 7800).

If your development will impact on threatened species, populations, ecological communities or their habitats, please attach a species impact statement (SIS) to your application. If you are also required to attach an EIS to your application, you can address the requirements of the SIS in your EIS. Contact the National Parks and Wildlife Service and/or NSW Fisheries about what you need to include in your SIS.

**Table 2 Will your proposal impact on threatened species?**

The following factors are to be taken into account in deciding whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats:

- in the case of a threatened species, whether the life cycle of the species is likely to be disrupted such that a viable local population of the species is likely to be placed at risk of extinction
- in the case of an endangered population, whether the life cycle of the species that constitutes the endangered population is likely to be disrupted such that the viability of the population is likely to be significantly compromised
- in relation to the regional distribution of the habitat of a threatened species, population or ecological community, whether a significant area of known habitat is to be modified or removed
- whether an area of known habitat is likely to become isolated from currently interconnecting or proximate areas of habitat for a threatened species, population or ecological community
- whether critical habitat will be affected
- whether a threatened species, population or ecological community, or their habitats, are adequately represented in conservation reserves (or other similar protected areas) in the region
- whether the development or activity proposed is of a class of development or activity that is recognised as a threatening process
- whether any threatened species, population or ecological community is at the limit of its known distribution.

Source: section 5A *Environmental Planning and Assessment Act 1979*.

## 4. Other approvals from council

[Attachment A](#) of this Guide sets out a number of activities that can only be carried out if you have an approval from your council. If the consent authority is the council, you can also apply for an approval for one or more of these activities in your development application.

Please complete Attachment A to identify:

- the approvals you need
- the documents you have included with your application which are needed to obtain these approvals.

Please include Attachment A with your application if you have identified that you need one or more approvals.

## 5. Concurrences from state agencies

You may need the agreement of a state agency to carry out your development. The consent authority will refer a copy of your application to the relevant agencies to seek their agreement. The consent authority can tell you whether the application needs to be referred.

Please include sufficient information with your application for the agency(s) to assess your proposal.

## **6. Approvals from state agencies**

If you need a development consent and one or more of the approvals listed in [Attachment B](#) of this Guide, your development is known as integrated development. Please complete Attachment B to identify the approvals you need and the agency(s) from which you need the approvals. The consent authority can help you fill out the attachment. The contact details for each agency can also be found at the end of Attachment B.

If your proposal is integrated development, the assessment of your proposal will be integrated. The consent authority will refer your application to the agency(s) you identify. The agency(s) will tell the consent authority whether or not it will approve your application and, if so, what the general terms of the approval will be. If your application is approved, the conditions of the consent will include those general terms.

Please include Attachment B with your application if you have identified that you need one or more approvals.

## Attachment A Approvals under the Local Government Act 1993

If you wish to carry out one of the following activities, you need the approval of the council. Please identify the activities you propose to carry out, and the documents you have included in your application, by placing a cross in the appropriate boxes . If you have identified one or more of these activities, please include this attachment and the relevant documents with your application. ([Section 4](#))

### Structures or places of public entertainment

- Installing a manufactured home, dwelling or associated structure on land
- Installing a temporary structure on land
- Using a building or temporary structure as a place of public entertainment or permitting its use as a place of public entertainment

### Water supply, sewerage and stormwater drainage work

- Carrying out water supply work
- Drawing water from a council water supply or a standpipe or selling water so drawn
- Carrying out sewerage work
- Carrying out stormwater drainage work
- Connecting a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer.

### Management of waste

- For fee or reward, transporting waste over or under a public place
- Placing waste in a public place
- Placing a waste storage container in a public place
- Disposing of waste into a sewer of the council

If you want to dispose of trade waste into a sewer that the council controls or that connects to a sewer the council controls please attach the following information to your application:

- the plans and specifications of the work you will do
- the plans and specifications of the equipment you will use
- the nature, quantity and rate of disposal of the waste

If you want to dispose of sewage collected on your premises to a sewer that the council controls or that connects to a sewer that the council controls please attach the following information to your application:

- the type of waste to be disposed
- the amount of waste to be disposed
- the rate the waste will be disposed
- how often the waste will be disposed

- Installing, constructing or altering a waste treatment device or a human waste storage facility or a drain connected to any such storage device or facility.

If you want to install or build a sewage management facility that will be on the land for more than 12 months, please attach the following information to your application:

- a plan (to scale) that shows the location of:
  - the facility you will install or construct
  - any areas of land on which sewage will be applied, eg as fertiliser
  - any buildings or facilities already on the land that are within 100 metres of the proposed facility or the areas on which sewage will be applied
  - any environmentally sensitive areas of land that are within 100 metres of the proposed facility or the areas on which sewage will be applied
  - any related drains or pipes
- the full details of the facility

## Attachment A continued

If you want to install or build a sewage management facility (continued from previous page):

- details of the climate, geography, hydrogeology, topography, soil composition and vegetation of the areas of land on which sewage will be applied and an assessment of the site having regard to these details
- a statement of:
  - the number of people who live or may live at the premises
  - any other factors that are relevant to how much waste the facility can manage
- details of:
  - how the facility needs to be operated and maintained
  - how you propose to operate, maintain and service the facility
  - the action you will take if the facility breaks down or is interfered with drains or pipes

### Public roads

- Swinging or hoisting goods across or over any part of a public road by means of a lift, hoist, or tackle projecting over the footway

### Other activities

- Operating a public car park.

If you want to operate a public car park please attach the following information to your application:

- a plan (3 copies) that:
    - identifies the land and related streets
    - describes the building if the car park is in a building, its location on the site and any other purpose for which the building will be used
  - number of vehicles that can be parked in the car park and how this will be done
  - how the vehicles will enter, move around and leave the car park
  - off-street parking facilities available for vehicles waiting to use the car park
  - ventilation that you will provide if the car park is in a building
  - whether any petrol, oil or motor service facilities will be provided in the car park
  - the hours the car park will operate, how the fee or charge for using the car park will be collected, and where any facility for collecting the fee or charge will be located.
- Operating a caravan park or camping ground
  - Operating a manufactured home estate
  - Installing a domestic oil or solid fuel heating appliance, other than a portable appliance
  - Installing or operating amusement devices (within the meaning of the *Construction Safety Act 1912*)
  - Installing or operating amusement devices prescribed by the regulations under the *Local Government Act 1993* in premises
  - Operating an undertaker's business
  - Operating a mortuary
  - Operating a system of sewage management

## Attachment B Integrated development – approvals from state agencies

Some proposals, because of their nature, need other kinds of approvals (eg licences, permits). Your proposal is known as integrated development if you need development consent and one or more of the approvals that have been set out in this attachment. Follow through each group of questions to decide whether you need any of these approvals. If you have identified you need one or more approvals, please include this attachment with your application. ([Section 6](#))

### Aquaculture

Does your proposal involve the cultivation of fish, shellfish, crustaceans, seaweeds, or other aquatic organisms for commercial purposes (but not including a pet shop or aquarium)?

No

Yes  You need a permit under section 144 of the *Fisheries Management Act 1994* from NSW Department of Primary Industries.

### Dredging or reclamation

Do you want to carry out dredging or reclamation work in a waterway (a stream, river, lake, lagoon, estuary or marine waters)?

No

Yes  You need a permit under section 201 of the *Fisheries Management Act 1994* from NSW Department of Primary Industries.

### Excavation or filling of a waterway

Does your proposal involve any excavation or filling of the bed of a natural or semi-natural waterway whether permanently or intermittently inundated or flowing (including a bay, estuary, lake, river, creek, lagoon or wetland), with any earth, soil, rock, rubble, concrete, timber or bricks etc? This does not include works within farm dams, urban ponds, irrigation channels, stormwater ponds, sewerage treatment ponds etc.

No

Yes  You need a permit under section 201 of the *Fisheries Management Act 1994* from NSW Department of Primary Industries.

### Harm to marine vegetation

Does your proposal involve any disturbance, damage or harm to marine vegetation (including seagrasses, mangroves and seaweeds) on public water land or private land which is adjacent to public water land, including by shading them with an overhead structure (eg jetty or pontoon)?

No

Yes  You need a permit under section 205 of the *Fisheries Management Act 1994* from NSW Department of Primary Industries.

### Obstruct Fish Passage

Does your proposal involve the construction of any structure such as a weir, dam, floodgate, culvert or causeway across any natural or semi-natural waterway whether permanently or intermittently inundated or flowing (including a bay, estuary, lake, river, creek, lagoon or wetland)?

No

Yes  You need a permit under section 201 and 219 of the *Fisheries Management Act 1994* from NSW Department of Primary Industries.

### Heritage

Does your development involve a building, a place or land that has a permanent conservation order, an interim conservation order or an interim heritage order protecting it, or which is listed on the State Heritage Register?

No

Yes  You need an approval under section 57 of the Heritage Act 1977 from the NSW Heritage Office.  
If the council can give this consent, however, the development is not integrated development.

## Attachment B Continued

### Mine subsidence

Do you want to build, subdivide, make roads, paths or driveways, or put in any pipelines, water, sewage, telephones, gas or other service mains in a mine subsidence district, or alter any of these types of development in a mine subsidence district?

No

Yes  > You need an approval under section 15 of the *Mine Subsidence Compensation Act 1961* from the Mine Subsidence Board.

### Aboriginal relics and places

Do you want to destroy, damage or otherwise harm an Aboriginal relic that is known to exist on the land you want to develop?

No

Yes  > Are you going to do so in accordance with Aboriginal tradition?

Yes

No  > You need an approval under section 90 of the *National Parks and Wildlife Act 1974* from the National Parks and Wildlife Service

Do you want to destroy, damage or otherwise harm land that has been declared to be an Aboriginal place?

No

Yes  > You need an approval under section 90 of the *National Parks and Wildlife Act 1974* from the National Parks and Wildlife Service.

### Pollution

Is your development designated development?

No  > Will the development cause the pollution of water?

No

Yes  > You can apply for a licence under section 43(d) of the *Protection of the Environment Operations Act 1997* from the Environment Protection Authority so that you cannot be convicted of an offence of polluting water.

Yes  > You are likely to need a licence from the Environment Protection Authority. Is your land already designed to carry out the activity?

No  > You need a licence under section 47 of the *Protection of the Environment Operations Act 1997* from the Environment Protection Authority.

Yes  > You need a licence under section 48 of the *Protection of the Environment Operations Act 1997* from the Environment Protection Authority.

### Rivers and lakes

Is your development within 40 metres of a stream, river, lake or lagoon?

No

Yes  > Are you going to excavate the land, remove material from the land or do anything which will obstruct or detrimentally affect the water flowing in a stream, river, lake or lagoon?

No

Yes  > You need a permit under Part 3A of the *Rivers and Foreshores Improvement Act 1948* from the Waterways Authority if the development will affect Sydney Harbour or its tributaries, Botany Bay (east of Captain Cook Bridge) or the Ports of Newcastle, Kembla, Eden or Yamba, and from the Department of Land and Water Conservation in any other case.

## Attachment B continued

### Roads

Will your development affect a public road, a Crown road, a highway, a main road, a freeway or a tollway?

No

Yes  > You need a consent under section 138 of the *Roads Act 1993* from the Roads and Traffic Authority, the Department of Land and Water Conservation or the council.  
*If the council can give this consent, however, the development is not integrated development.*

### Using water

NB: The following approvals are taken from the 1912 Water Act. It is proposed that the review of the Water Act, which is currently taking place, will consolidate and reduce the number of these approvals.

#### > Licences and permits for occupiers of land

Is your development going to be used for conserving water, irrigation, water supply, drainage or changing the course of a river?

No

Yes  > Will your development affect the quantity or use of water in a river, lake or swamp, or water flowing into or from a river, lake or swamp?

No

Yes  > If you occupy the land on which you propose to build the development, you need a licence under section 10 of the *Water Act 1912* from the Department of Land and Water Conservation to build and use your development, and take, use and dispose of the water for any purpose.

> If you own or occupy the land on which you propose to build the development, and you will be irrigating less than 4 hectares of land, you can apply for a permit under section 18F of the *Water Act 1912* from the Department of Land and Water Conservation to build and use your development and take, use and dispose of the water for anything other than irrigation.

#### > Licence for non-occupiers of land

1. Do you propose to build pumps (or the like) to obtain water, or build pipes (or the like) to carry water?

No

Yes  > Is your development going to be used for conserving water, irrigation, water supply, drainage, changing the course of a river, or preventing the course of a river from changing?

No

Yes  > Go on to question 2

2. Will your development affect the quantity or use of water in a river, lake or swamp, or water flowing into or from a river, lake or swamp?

No

Yes  > Do you propose to use the water for household use, stock use or irrigation?

No

Yes  > Go on to question 3

3. Do you occupy the land on which you propose to build the pumps (or the like)?

Yes  > Go on to question 4

No  > Can you obtain occupation of the land?

No  > You need a licence under section 13A of the *Water Act 1912* from the Department of Land and Water Conservation to build the pumps and take and use the water.

Yes  > Go on to question 4



## Attachment B continued

4. Do you occupy all the land on which you propose to build pipes (or the like) to carry the water from the pumps to the land where you will use the water?

Yes

No  > Can you obtain occupation of the land?

Yes

No  > You need a licence under section 13A of the *Water Act 1912* from the Department of Land and Water Conservation to build the pumps and take and use the water.

### > Joint water supply scheme

1. Is your development going to be used for conserving water, irrigation, water supply, drainage, changing the course of a river or preventing the course of a river from changing?

No

Yes  > Will your development affect the quantity or use of water in a river, lake or swamp, or water flowing into or from a river, lake or swamp?

No

Yes  > Go on to question 2

2. Is the development going to be used by two or more occupiers of land to supply water to their lands?

No

Yes  > Go on to question 3

Is the development going to supply water to irrigate land(s) other than the land on which the development is built?

No

Yes  > Go on to question 3

Will the development involve pipes (or the like) to carry water to irrigate your land and the land of other occupiers?

No

Yes  > Go on to question 3

3. Will the development be built on land that is occupied by those who will use the water?

Yes  > Go on to question 4

No  > You need an authority under section 20B of the *Water Act 1912* from the Department of Land and Water Conservation to build and use the development and take and use the water.

4. Do the occupiers of land who will use the water want to build and use the development to supply water for household use, stock water use or irrigation?

No

Yes  > Do they occupy all of the land on which the development will be built, and the land on which the pipes ((or the like)) will be built?

Yes

No  > Can they obtain occupation of the land?

Yes

No  > You need an authority under section 20CA of the *Water Act 1912* from the Department of Land and Water Conservation to build the development and take and use the water.

### > Group licences

Are you a Board of Management elected under the *Private Irrigation Districts Act 1973*?

No

Yes  > Do you want to build and use the development to take water from a river or lake for occupiers of land in a private district to use?

No

Yes  > You need a group licence under section 20L of the *Water Act 1912* from the Department of Land and Water Conservation.

## Attachment B continued

### ➤ Bores

Do you want to sink a bore or enlarge, deepen or alter a bore?

No

Yes  ➤ Is the work to be carried out by the Crown?

Yes

No  ➤ You need a licence under section 116 of the *Water Act 1912* from the Department of Land and Water Conservation.

### ➤ River banks and floodplains

1. Do you want to build an earthwork, embankment or levee, or a road, railway or bridge?

No

Yes  ➤ Go on to question 2

2. Will the development be on land that is the bank of a river or lake, forms part of a bank of a river or lake or is within a floodplain?

No  ➤ Go on to question 3

Yes  ➤ Do you have a licence, authority, permit or consent under the *Water Act 1912*?

Yes

No  ➤ You need an authority under Part 8 of the *Water Act 1912* from the Department of Land and Water Conservation.

3. Will the development affect the flow of water to or from a river or lake and prevent land being flooded by water?

No

Yes  ➤ Do you have a licence, authority, permit or consent under the *Water Act 1912*?

Yes

No  ➤ You need an authority under Part 8 of the *Water Act 1912* from the Department of Land and Water Conservation.

## Contact details for state agencies

### NSW Fisheries

Internet: [www.fisheries.nsw.gov.au](http://www.fisheries.nsw.gov.au)

Phone: (02) 9566 7800

Email: [information-advisory@fisheries.nsw.gov.au](mailto:information-advisory@fisheries.nsw.gov.au)

### NSW Heritage Office

Internet: [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)

Phone: (02) 9635 6155

Email: [heritageoffice@heritage.nsw.gov.au](mailto:heritageoffice@heritage.nsw.gov.au)

### Mine Subsidence Board

Internet: [www.minesub.nsw.gov.au](http://www.minesub.nsw.gov.au)

Phone: (02) 4926 9750

Email: [mail@minesub.nsw.gov.au](mailto:mail@minesub.nsw.gov.au)

### National Parks and Wildlife Service

Internet: [www.npws.nsw.gov.au](http://www.npws.nsw.gov.au)

Phone: (02) 9251 4466

Email: [info@npws.nsw.gov.au](mailto:info@npws.nsw.gov.au)

### Environment Protection Authority

Internet: [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

Phone: (02) 9995 5000

Email: [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

### Department of Land and Water Conservation

Internet: [www.dlwc.nsw.gov.au](http://www.dlwc.nsw.gov.au)

Phone: (02) 9228 6111

Email: [infocentre@dlwc.nsw.gov.au](mailto:infocentre@dlwc.nsw.gov.au)

### Waterways Authority

Internet: [www.waterways.nsw.gov.au](http://www.waterways.nsw.gov.au)

Phone: (02) 9563 8555

Email: [enquiries@waterways.nsw.gov.au](mailto:enquiries@waterways.nsw.gov.au)

### Roads and Traffic Authority

Internet: [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au)

Phone: (02) 9218 6888

Email: [rta@rta.nsw.gov.au](mailto:rta@rta.nsw.gov.au)