

## Development Application - Gosford City Centre

You can use this form to apply for approval to carry out development with a greater value than \$10m in the Gosford City Centre.

Before lodging this form, you must ensure that you have either obtained Pre-DA advice from the Department of Planning and Environment or completed the checklist most relevant to your application:

- [DA Lodgement Checklist - Commercial Building](#);
- [DA Lodgement Checklist - Residential Building](#); or
- [DA Lodgement Checklist - Mixed Use Building](#).

The **DA Supplement: a guide to filling in your application** will help you complete your application.

### Disclosure statement

Persons lodging applications are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years and ending when the application is determined. For more details, including a disclosure form, go to [www.planning.nsw.gov.au/planning](http://www.planning.nsw.gov.au/planning)

### Lodgement

To minimise delay in receiving a decision about your application, please ensure you submit all relevant information to the Department. When your application has been assessed, you will receive a notice of determination. You can lodge your completed form, together with attachments at the Department's Gosford office:

Level 3, 107 Mann Street, Gosford  
PO Box 1148 - Gosford NSW 2250  
Phone: (02) 4345 4400  
Email: [centralcoast@planning.nsw.gov.au](mailto:centralcoast@planning.nsw.gov.au).

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### Applicant Details:

Title

First Name

Last Name

Telephone or Mobile

Email

Company/Organisation

ABN

Address

City

State

Post Code

**Mailing Address Details:**

Same as above      Yes      No

Address

City

State

Post Code

**Identify the land you propose to develop:**

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Lot/DP or Lot/Section/DP or Lot/Strata number. Please ensure that you put a slash (/) between lot, section, DP and strata numbers. If you have more than one piece of land, you will need to separate them with a comma eg 123/579, 162/2.

Please note:

You can find the lot, section, DP or strata number on a map of the land or on the title documents for the land, if title was provided after 30 October 1983. If you have documents older than this, you will need to contact NSW Land Registry Services for updated details

If the subject land is located within the Kosciuszko ski resorts area, DP and strata numbers may not always apply. Please contact the Office of Environment and Heritage - you will need to attach a copy of the registered lease boundary plan with your application.

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**Description of proposed development:**

Briefly describe your proposal

Refer to **Sections 2 and 4 of the DA Supplement.**

Will this involve: *(please tick where relevant)*

erecting, altering or adding to a building or structure

a temporary building, structure, or use

subdividing land. Please specify the no. of lots & attach preliminary engineering drawings of the work to be carried out.

subdividing a building into strata lots. Please specify the no. of lots

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)

advertising and signage

other work (without building, subdividing or demolishing)?

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**Number of jobs to be created:**

Please indicate the number of jobs the proposed development will create. This should be expressed as a proportion of full time jobs over a full year, (e.g. a person employed full-time for 6 months would equal 0.5 of a full-time equivalent job, a person working for 20 hours per week for 6 months would approximate to 0.25 of a FTE job, six contractors working on and off over 2 weeks equate to 2 people working full-time for 2 weeks, which equals approximately 0.08 of an FTE job).

Construction jobs (full-time equivalent)

Operational jobs ( full-time equivalent)

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**Crown development:**

Specific provisions apply to development by the Crown under Division 4.6 of the *Environmental Planning and Assessment Act 1979*.

Is this proposal Crown development in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*?

No

Yes

If Yes Identify Crown agency

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**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

If Yes, please describe the stages of your development

Please also attach a copy of any consents you already have for part of your development.

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**Plans of the land and development:**

You need to provide a number of different plans that show what you intend to do. **Section 3** of the **DA Supplement** sets out which plans to provide and the details to include. Contact the Department to find out the number of copies of plans required.

Please attach:

- a site plan of the land, drawn to scale
- plans or drawings of the proposal, drawn to scale

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.
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**Environmental effects of your development:**

In order to assess your proposal, you will need to inform the Department of the potential impacts it will have. Depending upon the nature and scale of your proposal, you may need to provide one or more of the documents listed below to explain the environmental effects of your proposal. See **Section 4** of the **DA Supplement**.

Is your proposal **designated development**?

No, Please attach a statement of environmental effects (SEE).

Yes, Please attach an environmental impact statement (EIS).

The following questions are relevant if your application is subject to the transitional arrangements relating to the *Biodiversity Conservation Act 2016* so that your application will be considered under the *Threatened Species Conservation Act 1995* (now repealed). For information on the transitional arrangements refer to the *Biodiversity Conservation (Savings and Transitional) Regulation 2017* and the website of the Office of Environment & Heritage.

Is your proposal on land that is, or is part of, **critical habitat**, or is your proposal likely to have a significant effect on **threatened species**, populations, ecological communities or their habitats?

No, the proposal is not likely to have a significant effect on threatened species.

No, The proposal is not likely to have a significant effect, because of the issue of a biobanking statement under Part 7A of the Threatened Species Conservation Act 1995

Yes, please attach a species impact statement (SIS).

Has a biobanking statement been issued?

No

Yes

Is your proposal biodiversity compliant development?

No

Yes, please attach an explanation of the reason why the development is biodiversity compliant development

The following questions are relevant if your application is not subject to the above mentioned transitional arrangement and the *Biodiversity Conservation Act 2016* applies.

Is your proposal likely to significantly affect threatened species? See **Section 4** of the **DA Supplement**.

No, the proposal is not likely to have a significant effect on threatened species

Yes, please attach a BDAR and an explanation of the reasonable steps taken to obtain the like-for-like biodiversity credits required to be retired under the report to offset the residual impacts on biodiversity values if different biodiversity credits are proposed to be used as offsets in accordance with the variation rules under the Biodiversity Conservation Act 2016.

Has a biodiversity certification assessment report been issued?

No

Yes

Is the land subject to a private land conservation agreement under the *Biodiversity Conservation Act 2016*?

No

Yes, please attach a description of the kind of agreement and the area to which it applies.

Is the land you are proposing to develop within a wilderness area and the subject of a wilderness agreement or conservation agreement within the meaning of the Wilderness Act 1987?

No

Yes, please attach a copy of the consent of the Minister for the Environment to the carrying out of the development

Does your proposal require works to a heritage item or works adjoining a heritage item?

No

Yes, please attach a heritage impact statement.

If your proposal involves works to a heritage item or works adjoining a heritage item you must obtain one of the following. Please tick which applies to your proposal.

Exemption notification form under section 57(2) of the Heritage Act 1977

Application under section 60 of the Heritage Act 1997

Excavation permit under section 140 of the Heritage Act 1977

#### **BASIX compliance:**

A development application for any BASIX affected development must also be accompanied by a BASIX certificate (or certificates), being a BASIX certificate that has been issued no earlier than 3 months from the date of application.

Does your development require a BASIX certificate?

No

Yes, Please attach a BASIX certificate and any other documents that are required by the BASIX certificate.

Note: To find out if your development requires a BASIX certificate please contact the BASIX Help Line on 1300 650 908.

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**Approvals from State agencies (integrated development):**

If you need development consent and one or more of the approvals listed in **Attachment A** 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.

If Yes, please complete Attachment A of the DA Supplement and submit with your application. Please also provide:

- sufficient information for the approval body(ies) to assess your application
  - additional copies of your application for each agency. Contact the Department for the number of copies required.
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**Concurrences from State agencies:**

An environmental planning instrument may require the agreement of a State agency to carry out your development. Contact the Department to determine whether the application needs to be referred. A copy of your application will be sent to the relevant agencies for consultation.

This is because if the Minister is the consent authority he only needs to consult.

Do you need the concurrence of a State agency to carry out the development?

No

Yes, please list any agencies whose concurrence you need.

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

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**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 any material that has been attached:

**Application fee:**

Part 15 Division 1 of the Environmental Planning and Assessment Regulation 2000 sets out how to calculate the fees for development applications. For development that involves a building or other works, the fee for your application is based on the estimated cost of the development. If your application is for integrated development or requires concurrence from another State agency, you will need to include additional processing fees. If your development needs to be advertised to the public you may also need to include an advertising fee.

Note: Advertising fees attract GST, all other fees do not. Contact the Department if you need help to calculate the fee for your application.

Estimated cost of the development

Total fees lodged

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**Political donation disclosure statement:**

Persons lodging a development application are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years and ending when the application is determined. Disclosure statements are to be submitted with your application.

Have you attached a disclosure statement	No
to this application?	Yes

Note: For more details about disclosure requirements, including a disclosure form, go to [www.planning.nsw.gov.au/donations](http://www.planning.nsw.gov.au/donations).

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**Owner's consent:**

**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 NSW Department of Industry must sign the application. **An original signature must be provided.**

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

Signature

Name

Date

Capacity in which you are signing

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Signature

Name

Date

Capacity in which you are signing

**Applicant's signature:**

**The applicant, or the applicant's agent, must sign the application. Only an original signature will be accepted** (photocopies or faxed copies will not be accepted).

Signature

Date

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

Name, if you are not the applicant

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**Privacy policy**

The information you provide in this application will enable the Department, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable state legislation. If the information is not provided, your application may not be accepted. If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected any information provided in your application. Please ensure that the information is accurate and advise the Department of any changes.



# DA supplement: a guide to filling in your application

## 1. How to use this guide

This guide provides information to help you fill in your development application. The sections of the guide relate to the parts of the development application (DA) form where you may need to attach additional information. If you need additional help in completing your application, please contact the Department of Planning and Environment.

## 2. Describe what you propose to do

You need to include a brief description of the proposed development, detailing the major components of the development.

e.g. 'Construct and operate a solid waste landfill at the former [name] quarry. The proposal includes a private access road and administrative and support infrastructure. The proposed capacity of the site is 5 million tonnes of waste, and ABC Pty Ltd seeks approval to accept 100,000 tonnes per annum of inert putrescible and industrial waste from the [name] area.'

## 3. Plans of the land and development (Part 8 of the DA form)

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 the land.

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

- the location of any buildings or works (including extensions, additions to existing buildings or works) in relation to the land's boundaries and adjoining development
- the floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building
- 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
- proposed landscaping and treatment of the land (indicating plant types and their height and maturity)
- proposed methods of draining the land
- in the case of development to which clause 2A of Schedule 1 the Environmental Planning and Assessment Regulation 2000 applies or if the development application is accompanied by a BASIX certificate (despite there being no obligation under clause 2A of Schedule 1 for it to be so accompanied), such other matters as any BASIX certificate for the development requires to be included on the sketch.

You will need to attach these additional plans, if applicable:

- 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 Department 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 Department to assess whether any existing buildings must be upgraded for safety reasons.

## 4. Assessing the environmental impacts of the proposal (Part 9 of DA form)

To assist the Department in assessing the impacts of your proposal, you may need to attach one or more environmental reports to your application. The type of report/s required depends on whether your proposal is designated development or not, and the possible effects on threatened species.

### For designated development

Section 4.10 of the *Environmental Planning and Assessment Act 1979* states that designated development is development that is declared to be designated development by an environmental planning instrument or the regulations (the Environmental Planning and Assessment Regulation 2000).

If your development is designated development, please attach an environmental impact statement (EIS) to your application. The Planning Secretary will issue you with environmental assessment requirements which must be included in an EIS. The requirements depend upon the nature of the proposed development.

Contact the Department if you need help in determining whether your proposal is designated development and to find out what you will need to include in your EIS.

You will also need to submit an electronic copy of the EIS, including executive summary. This will be published on the Department's website. The document must be saved as a PDF and can be emailed to the Department or saved on CD and attached to the hard copy.

### For 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 Secretary of the Department
- 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 that currently apply to the existing building, and
- a list of Category One fire safety provisions that are to apply to the building following its change of use
- 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 (e.g. 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.

**For demolition:**

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

**For building or demolition:**

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

**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 a temporary structure:**

- documentation that specifies the live and dead loads the temporary structure is designed to meet
- a list of proposed fire safety measures to be provided in connection with the use of the temporary structure
- a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia are to be complied with
- documentation describing any accredited building product or system sought to be relied on for the purposes of section 4.15 of the *Environmental Planning and Assessment Act 1979*
- copies of any compliance certificates to be relied on.

**For entertainment venues:**

- a statement that specifies the maximum number of persons proposed to occupy, at any one time.

**For advertisements:**

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

**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 Office of Environment & Heritage on 02 9995 5000 to determine if there is an agreement in place).

**For DAs for residential flat development to which State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development applies:**

- an explanation of the design in terms of the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- drawings of the proposed development in the context of surrounding development, including the streetscape
- development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts
- photomontages of the proposed development in the context of surrounding development,
- a sample board of the proposed materials and colours of the façade
- detailed sections of proposed facades
- if appropriate, a model that includes the context.

## 5. For proposals that may affect 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 Department of Planning or Office of Environment & Heritage.

The following information relevant if your application is subject to the transitional arrangements relating to the *Biodiversity Conservation Act 2016* so that your application will be considered under the *Threatened Species Conservation Act 1995* (now repealed). For information on the transitional arrangements refer to the Biodiversity Conservation (Savings and Transitional) Regulation 2017 and the website of the Office of Environment & Heritage.

If your development is likely to have a significant effect 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 environmental impact statement (EIS) to your application, you can address the requirements of the SIS in your EIS. Contact the NSW Office of Environment & Heritage about what you need to include in your SIS.

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

The following factors must 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, along with any relevant assessment guidelines:

- (1) in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction
- (2) in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction
- (3) in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:
  - (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction
  - (ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction
- (4) in relation to the habitat of a threatened species, population or ecological community:
  - (i) the extent to which habitat is likely to be removed or modified as a result of the action proposed
  - (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action
  - (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality
- (5) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly)
- (6) whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan
- (7) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

Source: section 5A, *Environmental Planning and Assessment Act 1979* (now repealed).

The following information is relevant if your application is not subject to the above mentioned transitional arrangement and the *Biodiversity Conservation Act 2016* applies.

If your development is not State significant development your application is to be accompanied by a biodiversity development assessment report if the proposed development is likely to significantly affect threatened species.

**Table 3 Is your proposed development likely to significantly affect threatened species?**

**Development is likely to significantly affect threatened species if:**

- (a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test set out below.
- (b) the development exceeds the biodiversity offsets scheme threshold (explained below) if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or
- (c) it is carried out in a declared area of outstanding biodiversity value (these are areas declared under the *Biodiversity Conservation Act 2016*).

**Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats**

- 1) The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:
  - a) in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,
  - b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:
    - i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
    - ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,
  - c) in relation to the habitat of a threatened species or ecological community:

- i) the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and
- ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and
- iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,
- d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),
- e) whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.

Source: s 7.3 of the *Biodiversity Conservation Act 2016*.

### Threshold levels

The Biodiversity Conservation Regulation 2017 sets out threshold levels for when the Biodiversity Offsets Scheme will be triggered. The threshold has two elements:

- whether the amount of native vegetation being cleared exceeds a threshold area set out below
- whether the impacts occur on an area mapped on the Biodiversity Values map published by the Minister for the Environment. The Biodiversity offsets map is available on the website of the Office of Environment and Heritage.

### Area clearing threshold

The area threshold varies depending on the minimum lot size (shown in the Lot Size Maps made under the relevant Local Environmental Plan (LEP)), or actual lot size (where there is no minimum lot size provided for the relevant land under the LEP).

Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply
Less than 1 ha	0.25 ha or more
1 ha to less than 40 ha	0.5 ha or more
40 ha to less than 1000 ha	1 ha or more
1000 ha or more	2 ha or more

Source: cl. 7.2 of the Biodiversity Conservation Regulation 2017 (NSW)

The area threshold applies to all proposed native vegetation clearing associated with a proposal, regardless of whether this clearing is across multiple lots. In the case of a subdivision, the proposed clearing must include all future clearing likely to be required for the intended use of the land after it is subdivided.

## 6. Approvals from state agencies (Part 11 of the DA form)

If, as well as development consent, you need one or more of the approvals listed in Attachment A of this Supplement, your development is known as “Integrated Development”. The Department will refer your application to the agency(ies) you identify. The agency(ies) will notify the Department of whether or not they 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 complete Attachment A and include it with your application. If you need help to fill out the attachment contact the Department. The contact details of the Department and other agencies are listed below.

Office of Environment & Heritage (Heritage Division)  
 Internet: [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)  
 Phone: 02 9873 8500  
 Email: [heritage@planning.nsw.gov.au](mailto:heritage@planning.nsw.gov.au)

Department of Planning & Environment  
 Internet: [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)  
 Phone: 1300 305 695

Office of Environment & Heritage  
 Internet: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

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

Phone: 02 9995 5000  
Email: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)

Department of Primary Industries  
Internet: [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)  
Phone: 02 6391 3100

NSW Rural Fire Service  
Internet: [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)  
Phone: 02 8741 5555

Phone: 02 4908 4395  
Email: [mail@minesub.nsw.gov.au](mailto:mail@minesub.nsw.gov.au)

Department of Water and Energy  
Internet: [www.dwe.nsw.gov.au](http://www.dwe.nsw.gov.au)  
Phone: 02 8281 7777  
Email: [information@dwe.nsw.gov.au](mailto:information@dwe.nsw.gov.au)

Roads and Maritime Services  
Internet: <http://www.rms.nsw.gov.au/>  
Phone: 131 782

## Attachment A: Integrated development — approvals from State agencies

Some proposals need other types of approvals (e.g. 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 below. Answer the following series of questions to decide whether you need any of these approvals. If you have identified that you need one or more approvals, please include this attachment with your application (**Section 6** of this Supplement.)

### Fisheries Management Act 1994

Do you want to carry out aquaculture?

No

Yes, you need a permit under section 144 of the Fisheries Management Act 1994 from the Department of Primary Industries.

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 the Department of Primary Industries.

Will your development cut, remove, damage or destroy marine vegetation (e.g. mangroves, seagrasses) on public water land or an aquaculture lease, or on the foreshore of any such land or lease?

No

Yes, you need a permit under section 205 of the Fisheries Management Act 1994 from the Department of Primary Industries.

Are you planning to:

- (a) set a net, netting or other material, or
- (b) construct or alter a dam, floodgate, causeway or weir, or
- (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat?

No

Yes, you need a permit under section 219 of the Fisheries Management Act 1994 from the Department of Primary Industries.

### Heritage Act 1997

Does your development involve a place, building, work, relic, movable object, precinct or land that has an interim heritage order or listing on the State Heritage Register protecting it?

No

Yes, you need an approval under section 57 of the Heritage Act 1977 from the Office of Environment & Heritage.

### Coal Mine Subsidence Compensation Act 2017

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 22 of the Coal Mine Subsidence Compensation Act 2017 from the Chief Executive of Subsidence Advisory NSW.

## **Mining Act 1992**

Do you wish to carry out development for the purposes of obtaining minerals?

No

Yes, you need a mining lease approval under section 63 and 64 of the Mining Act 1992 from the Department of Planning and Environment (Division of Resources and Geoscience).

## **National Parks and Wildlife Act 1974**

Will your development destroy, deface or damage, or permit the destruction or defacement of or damage to a relic or Aboriginal place that is known to you?

No

Yes, you need a permit under section 90 of the National Parks and Wildlife Act 1974 from the Office of Environment & Heritage

## **Petroleum (Onshore) Act 1991**

Do you wish to carry out development for the purposes of mining petroleum?

No

Yes, you need a grant of production lease under section 9 of the Petroleum(Onshore) Act 1991 from the Department of Planning and Environment (Division of Resources and Geoscience)

## **Protection of the Environment Operations Act 1997**

Are you intending to carry out scheduled development work as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 at any premises?

No

Yes, you need an environment protection license under sections 43(a), 47 and 55 of the Protection of the Environment Operations Act 1997 from the Office of Environment & Heritage

Are you intending to carry out a scheduled activity as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 at any premises?

No

Yes, You need an environment protection license under sections 43(b), 48 and 55 of the Protection of the Environment Operations Act 1997 from the Office of Environment & Heritage.

Are you intending to carry out non-scheduled activities for the purposes of regulating water pollution resulting from the activity?

No

Yes, you need an environment protection license under sections 43(d), 47 and 122 of the Protection of the Environment Operations Act 1997 from the Office of Environment & Heritage.

Note: Schedule 1 of the Protection of the Environment Operations Act 1997 lists the activities that are scheduled activities for the purposes of the Act.



## **Roads Act 1993**

Will your development:

- erect a structure or carry out a work in, on or over a public road, or
- dig up or disturb the surface of a public road, or
- remove or interfere with a structure, work or tree on a public road, or
- pump water into a public road from any land adjoining the road, or
- connect a road (whether public or private) to a classified road.

No

Yes, you need consent under section 138 of the Roads Act 1993 from the Roads and Traffic Authority or the local council.

## **Rural Fires Act 1997**

Do you want to subdivide bushfire prone land that could lawfully be used for residential or rural residential purposes, or develop bushfire prone land for special fire protection purposes?

No

Yes, you need a bushfire safety authority under section 100B of the Rural Fires Act 1997 from the NSW Rural Fires Service.

Note: 'Special fire protection purpose' means the purpose of the following:

- a school
- a child care centre
- a hospital (including a hospital for the mentally ill or mentally disordered)
- a hotel, motel or other tourist accommodation
- a building wholly or principally used as a home or other establishment for mentally incapacitated persons
- seniors housing within the meaning of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*
- a group home within the meaning of *State Environmental Planning Policy (Infrastructure) 2007*
- a retirement village
- any other purpose prescribed by the Rural Fires Regulation 2013.

## **Water Management Act 2000**

Are you intending to use water for a particular purpose at a particular location, or are you intending to use water from outside NSW?

No

Yes, you need a water use approval under section 89 of the Water Management Act 2000 from the Water NSW.

Are you intending to construct and use a specified water supply work, drainage work, or flood work at a specified location?

No

Yes, you need a water management work approval under section 90 of the Water Management Act 2000 from the Water NSW.

Are you intending to carry out a controlled activity in, on or under waterfront land?

No

Yes, you need a controlled activity approval under section 91 of the Water Management Act 2000 from the Water NSW. If the development will affect Sydney Harbour or its tributaries, Botany Bay (east of Captain Cook Bridge) or the Ports of Newcastle or Kembla, a permit from NSW Transport.

Are you intending to carry out aquifer interference activities?

No

Yes, you need an aquifer interference approval under section 91 of the Water Management Act 2000 from the Water NSW.

Note:

**Controlled activity** means:

- the erection of a building or the carrying out of a work (within the meaning of the *Environmental Planning and Assessment Act 1979*), or
- the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or
- the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or
- the carrying out of any other activity that affects the quantity or flow of water in a water source.

**Water supply work** means:

- a work (such as a water pump or water bore) that is constructed or used for the purpose of taking water from a water source, or
- a work (such as a tank or dam) that is constructed or used for the purpose of:
  - capturing or storing rainwater run-off, or
  - storing water taken from a water source, or
- a work (such as a water pipe or irrigation channel) that is constructed or used for the purpose of conveying water to the point at which it is to be used, or
- any work (such as a bank or levee) that has, or could have, the effect of diverting water flowing to or from a water source, or
- any work (such as a weir) that has, or could have, the effect of impounding water in a water source, including a reticulated system of such works, and includes all associated pipes, sluices, valves and equipment, but does not include:
- any work (other than a water supply work under the control or management of the Sydney Water Corporation, the Hunter Water Corporation or a local water utility) that receives water from a water supply work under the control or management of the Sydney Water Corporation, the Hunter Water Corporation or a local water utility, or
- any work declared by the regulations not to be a water supply work.

**Drainage work** means a work (such as a pump, pipe or channel) that is constructed or used for the purpose of draining water from land, including a reticulated system of such works, and includes all associated pipes, sluices, sluicegates, valves and equipment, but does not include:

- any sewage work (within the meaning of Part 2 of Chapter 6 of the *Water Management Act 2000*), or
- any work declared by the regulations not to be a drainage work.

**Flood work** means a work (such as a barrage, causeway, cutting or embankment):

- that is situated:
  - in or in the vicinity of a river, estuary or lake, or
  - within a floodplain, and
- that is of such a size or configuration that, regardless of the purpose for which it is constructed or used, it is likely to have an effect on:
  - the flow of water to or from a river, estuary or lake, or
  - the distribution or flow of floodwater in times of flood, and includes all associated pipes, valves and equipment, but does not include any work declared by the regulations not to be a flood work.