

# Development application



Department of  
**Infrastructure, Planning  
and Natural Resources**

Date received: \_\_\_\_/\_\_\_\_/\_\_\_\_ DA no: \_\_\_\_\_

You can use this form to apply for development approval for proposals that needs the Minister Infrastructure Planning consent. The Minister's consent is needed to carry out certain developments such as those declared to be of state significance.

**If you are proposing a development, please contact us to arrange a pre-lodgement consultation before completing this form.** Phone our Planning Centre on 02 9762 8044.

The **DA Supplement** that accompanies this form will help you complete the application. To complete the form, please place a cross in the boxes  and fill out the white sections.

**To minimise delay in receiving a decision about your application, please ensure you submit all relevant information.**

You can lodge your application at any of the listed Infrastructure, Planning and Natural Resources offices. Contact details are at the end of this form.

When your application has been assessed, you will receive a Notice of Determination.

## 1. Details of the applicant

NAME

Mr  Ms  Mrs  Dr  Other

First name

Stephen

Family name

Connelly

Company/organisation

sj connelly pty limited on behalf of North Angels Beach  
Development (Ballina) Pty Ltd

ABN

STREET ADDRESS

Unit/street no.

Suite 7a/64

Street name

Ballina Street

Suburb or town

Lennox Head

State

NSW

Postcode

2478

POSTAL ADDRESS (or mark 'as above')

PO Box 538

Suburb or town

Lennox Head

State

NSW

Postcode

2478

CONTACT DETAILS

Daytime telephone

6687 7171

Fax

6687 7067

Mobile

0419 237 982

Email

steve@connelly.com.au

How would you prefer to be contacted?

email

## 2. Identify the land you propose to develop

Unit/street no.

Street or property name

Angels Beach Drive & Coast Road

Suburb, town or locality

East Ballina

Postcode

NSW

Local government area

2478

Lot/DP or Lot/Section/DP or Lot/Strata no.

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.

Lot 208 DP 851318

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 Department of Lands for updated details.

## 3. Describe what you propose to do

Briefly describe your proposal, including all major components. See [Section 2](#) of the DA Supplement.

63 Lot subdivision with associated parks, conservation area, roads and infrastructure works.

Will this involve:

- erecting, altering or adding to a building or structure  
➤ Is it a temporary building or structure? Yes  No

- subdividing land  
Please specify the no. of lots

- 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)  
 other work (without building, subdividing or demolishing)?

Please indicate the number of jobs this will create. This should be expressed as a proportion of full time jobs over a full year. See [Section 2](#) of the DA Supplement.

Construction jobs (full-time equivalent)

Operational jobs (full-time equivalent)

## 4. Crown development

Specific Provisions apply to development by the Crown under Part 5A 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*?

- Yes  ➤  Identify Crown agency  
No

## 5. 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.

## 6. 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 us 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.

## 7. Environmental effects of your development

To assess your proposal, we need 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 4](#) 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 have a significant effect on **threatened species**, populations, ecological communities or their habitats?

Yes  ➤ Please attach a species impact statement.

No

## 8. Concurrences from state agencies

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.

DIPNR – SEPP No. 1

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

## 9. Approvals from state agencies

If you need a 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  ➤ Please complete **Attachment A** of the **DA Supplement** and submit with your application. Please attach:

- sufficient information for the approval body(ies) to assess your application
- additional copies of your application for each agency. Contact us to find out the number of copies required.

## 10. 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:

See attached bundle of documents

## 11. Application fee

For development that involves a building or other work, 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 need to include an additional processing fee payable to the Department of Infrastructure, Planning and Natural Resources of up to \$110. You may also need to include up to \$250 for each agency that will need to look at your proposal. Cheques should be made out separately to each relevant agency, and lodged with your application. We will forward them on. Note: An agency may require less than \$250 to consider your application or may waive their fee entirely.

If your development needs to be advertised to the public you may also need to include an advertising fee. Clauses 246 to 263 of the Environmental Planning and Assessment Regulation 2000 provide a schedule of fees.

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

Estimated cost of the development

Total fees lodged

\$4293 (includes \$500 integrated fees)

## 12. 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 Infrastructure, Planning and Natural Resources (previously known as 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

<refer to attached authority>

Name

Date

Signature

Name

Date

## 12. Continued...

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

Signature

Name, if you are not the applicant

Stephen J Connelly

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

Town Planner

Date

4/8/04

**LAND OWNER AUTHORITY**

**TO WHOM IT MAY CONCERN**

This is to advise that S.J Connelly Pty Limited has been engaged by:

Client Name: North Angels Beach Development (Ballina) P/L

Client Address: C/o S J CONNELLY PTY LIMITED

Dated 25/4/03

in respect to land described as: Angels Beach Drive & Coast Road

No: ....Street: .....

Locality/Suburb: East Ballina

Real Property Description: lot 208 DP 851318

The owner of the abovementioned land hereby authorises S.J Connelly Pty Limited or its agents to:

1. Inspect Records
2. Carry out searches and site inspections
3. Lodge applications, objections or appeals

Signed: 

Christopher Brian Leo Condon  
Director  
North Angels Beach Development (Ballina) P/L.  
A.C.N. 102629461

## 13. Privacy policy

The information you provide in this application will enable us, 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 information provided in your application. Please ensure that the information is accurate and advise us of any changes.

## 14. 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 no.s
- A schedule that sets out the lot, DP/MPS and volume/folio no.s
- A registered plan of lease boundaries

### 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 — **required for all applications**
- Plans or drawings of the proposal — **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 and an electronic version of the executive summary
- A statement of environmental effects — **required for all applications** that are not designated development
- A species impact statement

### State agency concurrences and approvals

- Additional information required by the agencies from which you need concurrence
- Attachment A of the DA Supplement
- Additional information required by the agencies you have identified in Attachment A 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.**

Are you lodging an application for a construction certificate with this development application?

Yes

No

### Where to lodge your application

You can lodge your completed form, together with attachments and fees at any of the Department of Infrastructure, Planning and Natural Resources offices listed below.

## 15. Contact details

### The Planning Centre

Ground floor, 20 Lee Street, SYDNEY 2000 (near Railway Square)  
GPO Box 3927 SYDNEY 2001  
t: 02 9762 8000  
f: 02 9762 8713

e: [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)  
w: [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

### Sydney West

Level 8, Signature Tower  
2-10 Wentworth Street PARRAMATTA 2150  
PO Box 404 PARRAMATTA 2124  
t: 02 9895 7633  
f: 02 9895 6270  
e: [sydneywest@planning.nsw.gov.au](mailto:sydneywest@planning.nsw.gov.au)

### Central Coast

Level 3, 107 Mann Street GOSFORD 2250  
PO Box 1148 GOSFORD 2250  
t: 02 4323 7000  
f: 02 4323 6573  
e: [centralcoast@planning.nsw.gov.au](mailto:centralcoast@planning.nsw.gov.au)

### Hunter

Level 4, 251 Wharf Road NEWCASTLE 2300  
t: 02 4926 2566  
f: 02 4926 1529  
e: [hunter@planning.nsw.gov.au](mailto:hunter@planning.nsw.gov.au)

### Illawarra and South Coast

Level 2, 84 Crown Street WOLLONGONG 2500  
PO Box 61 WOLLONGONG EAST 2520  
t: 02 4224 9450  
f: 02 4224 9470  
e: [wollongong@planning.nsw.gov.au](mailto:wollongong@planning.nsw.gov.au)

**Kosciuszko Alpine Resorts Assessments team**  
Snowy River Avenue  
PO Box 36 JINDABYNE 2627  
t: 02 6456 1733  
f: 02 6456 1736  
e: [alpineresorts\\_assessments@planning.nsw.gov.au](mailto:alpineresorts_assessments@planning.nsw.gov.au)

**North Coast**  
49 Victoria Street  
PO Box 6 GRAFTON 2460  
t: 02 6642 0622  
f: 02 6642 0640  
e: [northcoast@planning.nsw.gov.au](mailto:northcoast@planning.nsw.gov.au)

**Western New South Wales Subregional office**  
32 Lowe Street  
PO Box 728 QUEANBEYAN 2620  
t: 02 6297 6911  
f: 02 6297 9505  
e: [queanbeyan@planning.nsw.gov.au](mailto:queanbeyan@planning.nsw.gov.au)

# DA supplement



A 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. 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 help in completing your application, please contact us on 02 9762 8044.

## 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.'

Provide an **estimate** of the full-time equivalent (FTE) jobs generated by the development. This includes during construction and operation.

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.

## 3. Plans of the land and development (Part 6 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 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 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. We 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 us to assess whether any existing buildings must be upgraded for safety reasons.

## 4. Assessing the environmental impacts of the proposal (Part 7 of DA form)

So that we can assess the impacts of your proposal, you need to attach one or more environmental reports to your application. The type of report/s required depend on whether your proposal is designated development or not, and the possible effects on threatened species.

### For 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. (Contact us if you need help in determining whether 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 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 9762 8044 to find out what you will need to include in your EIS.

You will also need to include an electronic copy of the executive summary of the EIS. This will be published on our website. The document is to be saved on a 3.5 inch floppy disk or CD-ROM. It should be in a format compatible with Windows 95 for PC or in Portable Document Format (PDF) compatible with Acrobat Reader Version 3.0 and above for PC.

### 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 Director-General 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 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.

**For demolition:**

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

## 4. continued...[Question06](#)

**Table 1 continued**

**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 9585 6444 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.

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

### **For proposals that may effect 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 us (phone: 02 9762 8044), the National Parks and Wildlife Service (phone: 02 9585 6444) or NSW Fisheries (phone: 02 9527 8411).

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 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*.

## 5. Concurrences from state agencies [\(Part 7\)](#)

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

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

## 6. Approvals from state agencies [\(Part 8 of the DA form\)](#)

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. Integrated development means assessment of the proposal will be integrated. We will refer your application to the agency(ies) you identify. The agency(ies) will tell us 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 complete Attachment A and include it with your application. If you need help to fill out the attachment contact us. Our details and those of other agencies are listed below.

### **Department of Infrastructure, Planning and Natural Resources (Previously known as 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)

### **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)

### **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 9585 6444  
 Email: [info@npws.nsw.gov.au](mailto:info@npws.nsw.gov.au)

### **NSW Fisheries**

Internet: [www.fisheries.nsw.gov.au](http://www.fisheries.nsw.gov.au)  
 Phone: 02 9527 8411  
 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)

### **NSW Rural Fire Service**

Internet: [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)  
 Phone: 02 9684 4411  
 Email: n.a.

### **Department of Infrastructure, Planning and Natural Resources (Previously known as PlanningNSW)**

Internet: [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)  
 Phone: 02 9762 8044  
 Email: [information@planning.nsw.gov.au](mailto:information@planning.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)

**Waterways Authority**  
Internet: [www.waterways.nsw.gov.au](http://www.waterways.nsw.gov.au)  
Phone: 02 9563 8511  
Email: [enquiries@waterways.nsw.gov.au](mailto:enquiries@waterways.nsw.gov.au)

## Attachment A Integrated development — approvals from state agencies

Some proposals 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](#) of this Supplement.)

### Aboriginal relics and places

Will your development 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  **Yes, permit obtained (See attached documents).** You need an approval under section 90 of the *National Parks and Wildlife Act 1974* from the National Parks and Wildlife Service

Will your development 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.

### Aquaculture

Do you want to carry out aquaculture?

No

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

### Bushfires

Do you want to subdivide 'bushfire prone land' <sup>(1)</sup> that could lawfully be used for residential or rural residential purposes?

No

Yes  You need a bushfire safety authority issued under section 100B of the *Rural Fires Act 1997*.

Do you propose to develop 'bushfire prone land' <sup>(1)</sup> for a special fire protection purpose <sup>(2)</sup>?

No

Yes  You need a bushfire safety authority issued under section 100B of the *Rural Fires Act 1997*.

## Notes

1. *Bush fire prone land*, in relation to an area, means land recorded for the time being as bush fire prone land on a bush fire prone land map for the area

2. *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
- housing for older people or people with disabilities within the meaning of State Environmental Planning Policy No. 5 – Housing for Older People or People with a Disability
- a group home within the meaning of State Environmental Planning Policy No. 9 – Group Homes
- a retirement village
- any other purpose prescribed by the Rural Fires Regulation 2002.

3. The above provisions do not include the carrying out of internal alterations to any building in 'bush fire prone land'

## 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 Fisheries.

## 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.

## Marine vegetation

Will your development harm any mangroves or seagrasses in a public waterway or on the shore of a public waterway?

No

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

Do you want to take sea lettuce or blackfish weed to use as bait from a public waterway or the shore of a public waterway?

No

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

### 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.

### 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 may need a licence under section 47 of the *Protection of the Environment Operations Act 1997* from the Environment Protection Authority.

Yes  ➤ You may 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 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 Infrastructure, Planning and Natural Resources (previously known as Department of Land and Water Conservation) in any other case.

### 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 Infrastructure, Planning and Natural Resources (previously known as Department of Land and Water Conservation) or the council.

### Using water

NB: The following approvals are taken from the *Water Act 1912*. 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 Infrastructure, Planning and Natural Resources (previously known as 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 Infrastructure, Planning and Natural Resources (previously known as 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 Infrastructure, Planning and Natural Resources (previously known as Department of Land and Water Conservation) to build the pumps and take and use the water.

Yes  ➤ Go on to question 4

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 Infrastructure, Planning and Natural Resources (previously known as 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 Infrastructure, Planning and Natural Resources (previously known as 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 wish 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 Infrastructure, Planning and Natural Resources (previously known as 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 Infrastructure, Planning and Natural Resources (previously known as Department of Land and Water Conservation).

➤ *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 Infrastructure, Planning and Natural Resources (previously known as 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 may need an authority under Part 8 of the *Water Act 1912* from the Department of Infrastructure, Planning and Natural Resources (previously known as 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 Infrastructure, Planning and Natural Resources (previously known as Department of Land and Water Conservation).