

## Instructions

This application form is required to apply for the consent of the Minister to carry out State significant development under the ***Environmental Planning & Assessment Act 1979***.

This form must contain all relevant information required under the ***Environmental Planning and Assessment Regulation 2000***, otherwise it may be rejected.

If your application is rejected, you will be advised within 14 days of lodgement.

If the application and EIS are accepted, you will be contacted regarding the exhibition arrangements.

You may also be asked to submit further information on the application or EIS prior to exhibition.

## Applicant Details

### Applicant

**Note:** Details entered below should be for the person and/or company that is proposing to carry out the development. This should not include the consultant or person(s) acting on behalf of the applicant.

- Title
- First Name
- Last Name
- Phone
- Email
- Role/Position
- Primary Address

## Project Details

- Description of Development

### Concept Development

- Are you intending to submit a Concept or Staged Application?
- Capital Investment Value (excl GST)
- Construction Jobs
- Operational Jobs

## Statutory Context

### Pathway and Permissibility

- Schedule under *State Environmental Planning Policy (State and Regional Development) 2011*
- Clause under selected Schedule

- Permissibility of Proposal
- Describe the permissibility of the proposal under relevant environmental planning instruments

## Critical Habitat and Threatened Species

- Is the land, or part of the land, critical habitat?
- Is the development likely to significantly affect threatened species, populations or ecological communities, or their habitats?
  - (IF NO) Is the development biodiversity compliant? (refer to Schedule 1, Part 1(2) of the Environmental Planning and Assessment Regulation)
    - Does the application include an indication of the reason why the development is biodiversity compliant development?

## Other Requirements – Part 1

- Is the application accompanied by a biodiversity development assessment report?
  - (IF YES) Are different biodiversity credits proposed to be used as offsets in accordance with the variation rules under the *Biodiversity Conservation Act 2016*?
    - (IF YES) Does the application include 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?
- Is the land subject to a private land conservation agreement under the *Biodiversity Conservation Act 2016*?
  - (IF YES) Does the application include a description of the kind of agreement and the area to which it applies?
- Does the application include a site plan of the land, which indicates the matters referred to in Schedule 1, Clause 2(2) of the *Environmental Planning and Assessment Regulation*?
- Does the application relate to residential apartment development to which *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* applies?
  - (IF YES) Does the application include the documents specified in Schedule 1, Clause 2(5) of the Environmental Planning and Assessment Regulation?
- Does the development involve any subdivision work?
  - (IF YES) Does the application include preliminary engineering drawings of the work to be carried out?
- Does any environmental planning instrument require arrangements for any matter to have been made before development consent may be granted (such as arrangements for the provision of utility services)?
  - (IF YES) Does the application include documentary evidence that such arrangements have been made?
- Does the development involve a change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house and other than a temporary structure)?
  - (IF YES) Does the application include a list of the Category 1 fire safety provisions that currently apply to the existing building?

- (IF YES) Does the application include a list of the Category 1 fire safety provisions that are to apply to the building following its change of use?
- Is the development within a wilderness area and the subject of a wilderness protection agreement or conservation agreement within the meaning of the *Wilderness Act 1987*?
  - (IF YES) Does the application include a copy of the consent of the Minister for the Environment to the carrying out of the development?

## Other Requirements – Part 2

- Does the development involve the erection of a temporary structure?
  - (IF YES) Does the application include all of the following documentation:
    - documentation that specifies the live and dead loads the temporary structure is designed to meet
    - a list of any proposed fire safety measures to be provided in connection with the use of the temporary structure
    - in the case of a temporary structure proposed to be used as an entertainment venue, 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 (if a performance solution, to meet the performance requirements, is to be used)
    - documentation describing any accredited building product or system sought to be relied on for the purposes of section 4.15(4) of the Act
    - copies of any compliance certificates to be relied on?
- Does the development involve the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant?
  - (IF YES) Does the application include a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies?
- Is the development for the purposes of a manor house or multi dwelling housing (terraces) to which Part 2, Division 1 of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARH SEPP) applies?
  - (IF YES) Does the application include a statement that addresses how the design is consistent with the relevant design criteria set out in the Low Rise Housing Diversity Design Guide 2008?
    - The statement must be in the form approved by the Planning Secretary and signed by a qualified designer or a person accredited as a building designer by the Building Designers Association of Australia, that verifies that the designer or person designed, or directed the design of, the development
    - **Low Rise Housing Diversity Design Guide** has the same meaning as in State Environmental Planning Policy (Exempt and Complying Codes)
- Is the development referred to in clause 50(1) of the ARH SEPP?
  - (IF YES) Does the application include evidence or information demonstrating whether the development is likely to result in the loss of low-rental dwellings on the land to which the application relates during the relevant period?
    - **Low-rental dwellings** has the same meaning as in Part 3 of the ARH SEPP
    - **Relevant period** has the same meaning as in Part 3 of the ARH SEPP

- Is the development BASIX affected development?
  - (IF YES) Does the application include a BASIX certificate or BASIX certificates for the development, issued no earlier than 3 months before the date on which the application is made?
    - (IF YES) Do the architectural drawings included with the application contain such other matters (details of all commitments listed in the BASIX Certificate(s) and associated NatHERS Certificate(s)) as any BASIX certificate for the development requires?
      - (IF YES) Does the application include such other documents (e.g. NatHERS Certificate) as any BASIX certificate for the development requires to accompany the application?
        - (IF YES) Does the application involve the alteration, enlargement or extension of a BASIX affected building that contains more than one dwelling?
          - (IF YES) Does the application include a separate BASIX certificate for each dwelling?
- Is the development BASIX optional development and accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A for it to be so accompanied)?
  - (IF YES) Does the application include such other documents (e.g. NatHERS Certificate) as any BASIX certificate for the development requires to accompany the application?
    - (IF YES) Do the architectural drawings included with the application contain such other matters (details of all commitments listed in the BASIX Certificate(s) and associated NatHERS Certificate(s)) as any BASIX certificate for the development requires?

## Political Donations

- Do you need to disclose a political donation?
  - (IF YES) Please complete and attach a Political Donations Disclosure Statement. A template of this statement can be downloaded [HERE](#)

## Site Details

### Site Information

- Site Name
- Site Address (Street Number and Name)
- Indicative Site Co-ordinates – Latitude
- Indicative Site Co-ordinates – Longitude

### Local Government Area

- Local Government Area

## Lot & DP

- Lot and DP

## Landowner's Consent

### Privacy and Personal Information Protection Notice

**Purpose:** Your personal information is being collected to enable the Department to exercise its functions and assess your application under the *Environmental Planning and Assessment Act 1979* and other legislation.

**Recipients:** Department of Planning, Industry and Environment, councils, and government agencies for the above-stated purpose

**Supply:** The landowner's consent form will be published on the NSW planning portal, as required by law. If you do not provide the information (or any part of it) your application may not be accepted.

**Access/Correction:** The Department of Planning, Industry and Environment will collect this information. You can access and correct the information by contacting –

- the Information Access & Privacy Unit, 4 Parramatta Square, Locked Bag 5022, Parramatta 2124;
- Phone: 02 9860 1440;
- Email: [gipa@dpie.nsw.gov.au](mailto:gipa@dpie.nsw.gov.au)

**Storage:** The Department of Planning, Industry and Environment will store this information on its records management system in line with its [Privacy Management Plan](#).

- Is landowner's consent required?
  - (IF YES) Do you have evidence of all landowners' consent?
    - (IF YES) Please upload any evidence of landowner's consent required.
  - (IF NO) Reason landowner's consent is not required
    - The applicant owns all the land subject of the proposal
    - The development is proposed to be undertaken by a public authority
    - The development is set out in clause 5 (Mining) or 6 (Petroleum (oil and gas)) of Schedule 1 to *State Environmental Planning Policy (State and Regional Development) 2011* and is not in a state conservation reserved area under the *National Parks and Wildlife Act 1974*
    - The development is on land with multiple owners as designated by the Secretary of the Department of Planning, Industry and Environment.

**Warning!** Please note that if landowner's consent is not required, relevant landowners must still be given notice of the application by the applicant by:

- Written notice to the owner of the land, before the application is made; or
- Publishing a notice no later than 14 days after the application is made:
  - in a newspaper circulating in the area in which the development is to be carried out; and
  - in the case of an application made by a public authority, on the public authority's website; or

- in the case of public notification development, on the NSW Planning Portal.

## Approvals – Part 1

- Would the development otherwise, but for Section 4.41 of the EP&A Act, require any of the following:
  - A permit under Section 201, 205 or 219 of the *Fisheries Management Act 1994*?
  - An approval under Part 4, or an excavation permit under Section 139, of the *Heritage Act 1977*?
  - An Aboriginal heritage impact permit under Section 90 of the *National Parks and Wildlife Act 1974*?
  - A bush fire safety authority under Section 100B of the *Rural Fires Act 1997*?
  - A water use approval under Section 89, a water management work approval under Section 90 or an activity approval under Section 91 of the *Water Management Act 2000*?

## Approvals – Part 2

- Do you require any of the following approvals from Section 4.42 of the EP&A Act in order to carry out the development:
  - An aquaculture permit under Section 144 of the *Fisheries Management Act 1994*?
  - An approval under Section 15 of the *Coal Mine Subsidence Compensation Act 1961*?
  - A mining lease under the *Mining Act 1992*?
  - A petroleum production lease under the *Petroleum (Onshore) Act 1991*?
  - An environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in Section 43 of that Act)?
  - A consent under Section 138 of the *Roads Act 1993*?
  - A licence under the *Pipelines Act 1967*?

## Attachments

### **Please upload an Environmental Impact Statement (EIS).**

The EIS must be prepared in accordance with the Secretary's Environmental Assessment Requirements.

In addition to the EIS, you must also upload:

- A Quantity Surveyor report that verifies the Capital Investment Value of the development; and
- Geographic Information System data that delineates the extent of the development and any key environmental constraints. This data must meet the Standard Technical Requirements for Spatial Datasets and Maps.

If required, you must also upload any other documents required under Part 2 of Schedule 1 of the Environmental Planning and Assessment Regulation 2000.

## Confirmation

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