

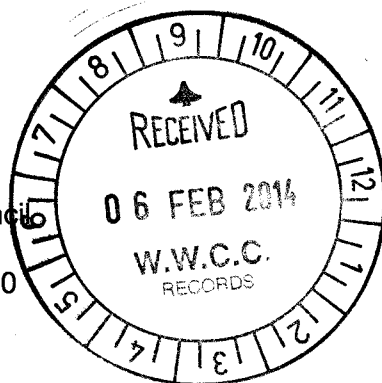


Department of  
Primary Industries  
Office of Water

Contact: Tim Smith  
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Our ref: 40 ERM2013/0561  
Our file: QUE00472  
Your ref: DA13/0307

The General Manager  
Wagga Wagga City Council  
PO Box 20  
Wagga Wagga NSW 2650

Attention: Sam Robins



24 January 2014

Dear Sir/Madam

**Re: Integrated Development Referral – General Terms of Approval**  
**Dev Ref: DA13/0307**  
**Description of proposed activity: Extension of Existing Tarcoola Quarry**  
**Site location: 2 Gillard Rd, East Wagga Wagga, NSW, 2650**

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the subject property. Attached, please find the Office of Water's General Terms of Approval (GTA) for works requiring approvals under the *Water Management Act 2000* and the *Water Act 1912*, as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the Office of Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- The Office of Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works on waterfront land (which includes the bed of any river together with any land within 40 metres inland of the highest bank of the river), or any amendments to accessing water supply works for the proposed development.
- Once notified, the Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.

- The Office of Water should be notified if Council receives an application to modify the development consent and the modifications change any activities on waterfront land.
- The Office of Water requests notification of any legal challenge to the consent.

Any application for the construction or modification of a flood control works must include a flood study for the subject area. This flood study must detail the potential impacts on any neighbouring properties, infrastructure and the environment. This flood study must be submitted with the flood control works application.

As the controlled activity to be carried out on waterfront land cannot commence before the applicant applies for and obtains a controlled activity approval, the Office of Water recommends the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council".

**The attached GTA are not the approvals.** The applicant must apply (to the Office of Water) for any approvals **after consent** has been issued by Council **and before** the commencement of any work or activity on waterfront land.

Finalisation of approvals can take up to twelve (12) weeks from the date the Office of Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form for a new or amended controlled activity approval, a flood control works approval, a water use approval, a water supply works approval or a water access licence together with any required plans, documents, the appropriate fee and security deposit or bank guarantee (if required by the Office of Water) and proof of Council's development consent.

Application forms for the controlled activity approval are available from the undersigned or from the Office of Water's website:

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)      [Water licensing](#) > [Approvals](#)

The Office of Water requests that Council provide a copy of this letter to the applicant.

The Office of Water also requests that Council provides the Office of Water with a copy of the determination for this development application as required under section 91A (6) of the EPA Act.

Yours Sincerely



Tim Smith  
Senior Water Regulation Officer  
Office of Water - Murray Basin South

# General Terms of Approval

for work requiring a controlled activity approval  
under s91 of the Water Management Act 2000

**Our Reference:** 40 ERM2013/0561

**File No:** QUE00472

**Site Address:** 2 Gillard Rd, East Wagga Wagga, NSW, 2650

**DA Number:** DA13/0307

**LGA:** Wagga Wagga City Council

Number	Condition
<b>Plans, standards and guidelines</b>	
1	<p>These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to and provided by Council:</p> <ul style="list-style-type: none"><li>(i) Site plan, map and/or surveys</li><li>(ii) Structural design and specifications</li><li>(iii) Vegetation Management Plan</li><li>(iv) Works Schedule</li><li>(v) Erosion and Sediment Control Plan</li><li>(vi) Soil and Water Management Plan</li><li>(vii) Rehabilitation Plan</li></ul> <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>
2	<p>Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.</p>
5	<p>The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.</p>
<b>Rehabilitation and maintenance</b>	
6	<p>The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.</p>
<b>END OF CONDITIONS</b>	

# General Terms of Approval

for work requiring a water supply work approval  
under s90(2) of the Water Management Act 2000

**Our Reference:** 40 ERM2013/0561

**File No:** QUE00472

**Site Address:** 2 Gillard Rd, East Wagga Wagga, NSW, 2650

**DA Number:** DA13/0307

**LGA:** Wagga Wagga City Council

Number	Condition
7	<p>These General Terms of Approval (GTA) only apply to the activities requiring a water supply work approval described in the plans and associated documentation relating to and provided by Council:</p> <ul style="list-style-type: none"><li>(i) Site plan, map and/or surveys</li><li>(ii) Structural design and specifications</li><li>(iii) Vegetation Management Plan</li><li>(iv) Works Schedule</li><li>(v) Erosion and Sediment Control Plan</li><li>(vi) Soil and Water Management Plan</li><li>(vii) Rehabilitation Plan</li></ul> <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>
8	<p>Prior to the commencement of water use on the following parcel of land, Lot 4 DP 740222, the consent holder must make application to the NSW Office of Water to amend the appropriate water supply work approval prior to any intended changes to pump locations and/or pump size.</p>
9	<p>An approval will only be granted to the occupier of the lands where the works are located, unless otherwise allowed under the Water Management Act 2000.</p>
10	<p>When the NSW Office of Water grants an approval, it may require any existing approvals held by the applicant relating to the land subject to the consent to be surrendered or let lapse.</p>
11	<p>All works subject to an approval shall be constructed, maintained and operated so as to ensure public safety and prevent possible damage to any public or private property.</p>
12	<p>All works involving soil or vegetation disturbance shall be undertaken with adequate measures to prevent soil erosion and the entry of sediments into any river, lake, waterbody, wetland or groundwater system.</p>
13	<p>The destruction of trees or native vegetation shall be restricted to the minimum necessary to complete the works.</p>
14	<p>All vegetation clearing must be authorised under the Native Vegetation Act 2003, if applicable.</p>
15	<p>The approval to be granted may specify any precautions considered necessary to prevent the pollution of surface water or groundwater by petroleum products or other hazardous materials used in the construction and/or operation of the works.</p>
16	<p>A fee calculated in accordance with the Water Management Act 2000 must be paid before an approval can be granted.</p>

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

Level 1, 11 Farrer Place, Queanbeyan NSW 2620 PO Box 189 Queanbeyan NSW 2620 Australia

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**Our Reference:** 40 ERM2013/0561

**File No:** QUE00472

**Site Address:** 2 Gillard Rd, East Wagga Wagga, NSW, 2650

**DA Number:** DA13/0307

**LGA:** Wagga Wagga City Council

Number	Condition
17	The consent holder must install suitable devices to all licensed pumps to accurately measure the quantity of water extracted or diverted by the works.
18	All water measuring equipment must be adequately maintained. It must be tested as and when required by the NSW Office of Water to ensure it's accuracy.
19	The approval holder must produce, every year, an annual water use report which identifies the annual takes for the previous year, the expected take for the coming year, how any identified shortfalls in water requirement will be obtained (e.g. temporary trade). The water take must also account for water lost through evaporation.
20	If required by the NSW Office of Water, the extraction and use of water must be recorded and reported as specified by the NSW Office of Water.
21	Officers of the NSW Office of Water or other authorised persons must be allowed full and free access to the works for the purpose of inspection and testing.
22	The NSW Office of Water has the right to vary the rate at which the allocation is taken in order to prevent the overuse of the aquifer.
<b>END OF CONDITIONS</b>	

# General Terms of Approval

for work requiring a flood control works approval  
under s167 of the Water Act 1912

**Our Reference:** 40 ERM2013/0561 **File No:** QUE00472  
**Site Address:** 2 Gillard Rd, East Wagga Wagga, NSW, 2650  
**DA Number:** DA13/0307  
**LGA:** Wagga Wagga City Council

Number	Condition
<b>Plans, standards and guidelines</b>	
23	<p>These General Terms of Approval (GTA) only apply to the flood control works described in the plans and associated documentation relating to and provided by Council:</p> <ul style="list-style-type: none"><li>(i) Site plan, map and/or surveys</li><li>(ii) Structural design and specifications</li><li>(iii) Vegetation Management Plan</li><li>(iv) Works Schedule</li><li>(v) Erosion and Sediment Control Plan</li><li>(vi) Soil and Water Management Plan</li><li>(vii) Rehabilitation Plan</li></ul> <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>
24	<p>The applicant must supply a copy of a flood study for the subject area, detailing the potential impacts on the environment, infrastructure and neighbouring properties. This must be submitted with the application.</p>
25	<p>Prior to the commencement of any flood control works on the subject lot, the consent holder must obtain a flood control works approval under the Water Act from the NSW Office of Water.</p>
26	<p>The consent holder must carry out the construction of any flood control works in accordance with approved plans and when required, provide a certificate of completion to the NSW Office of Water.</p>
<b>END OF CONDITIONS</b>	

# General Terms of Approval

for work requiring a water use approval  
under s89(1) of the Water Management Act 2000

**Our Reference:** 40 ERM2013/0561 **File No:** QUE00472  
**Site Address:** 2 Gillard Rd, East Wagga Wagga, NSW, 2650  
**DA Number:** DA13/0307  
**LGA:** Wagga Wagga City Council

Number	Condition
<b>Plans, standards and guidelines</b>	
27	<p>These General Terms of Approval (GTA) only apply to the water use approval described in the plans and associated documentation relating to and provided by Council:</p> <ul style="list-style-type: none"><li>(i) Site plan, map and/or surveys</li><li>(ii) Structural design and specifications</li><li>(iii) Vegetation Management Plan</li><li>(iv) Works Schedule</li><li>(v) Erosion and Sediment Control Plan</li><li>(vi) Soil and Water Management Plan</li><li>(vii) Rehabilitation Plan</li></ul> <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>
28	<p>Prior to the commencement of operations on the following parcel of land, Lot 4 DP 740222, the consent holder must apply for an amendment to the appropriate water use approval.</p>
<b>END OF CONDITIONS</b>	