



Department of  
Primary Industries  
Water

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- 1 DEC 2017

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General Manager  
Tamworth Regional Council  
PO Box 555  
TAMWORTH NSW 2340

Our ref: IDAS1102140  
Our file: IDAS1102140  
Your ref: 2018-0142

Attention: Sam Lobsey

28 November 2017

Dear Sir/Madam

**Re: Integrated Development Referral – General Terms of Approval**  
**Dev Ref: 2018-0142**  
**Description: Aged care housing.**  
**Location: 372 Moore Creek Road Tamworth 2340.**

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find DPI Water's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), 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, DPI Water requests these GTA be included (in their entirety) in Council's development consent. Please also note DPI Water requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

DPI Water will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s96 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, DPI Water recommends the following condition be included in the development consent:

**The attached GTA issued by DPI Water do not constitute an approval under the *Water Management Act 2000*.** The development consent holder must apply to DPI Water for a Controlled Activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A completed application form must be submitted to DPI Water together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Application forms are available from the DPI Water website at:

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

DPI Water requests that Council provide a copy of this letter to the development consent holder.

DPI Water also requests a copy of the determination for this development application be provided by Council as required under section 91A (6) of the EPA Act.

Yours Sincerely



 **Bart Kellett - BKELLETT**  
**Water Regulation Officer**  
**Water Regulatory Operations**  
**NSW Department of Primary Industries – Water**





## General Terms of Approval

for proposed development requiring approval  
under s89, 90 or 91 of the Water Management Act 2000

**Reference Number:** IDAS1102140

**Issue date of GTA:** 28 November 2017

**Type of Approval:** Controlled Activity

**Description:** Aged care housing.

**Location of work/activity:** 372 Moore Creek Road Tamworth 2340.

**DA Number:** 2018-0142

**LGA:** Tamworth Regional Council

**Water Sharing Plan Area:** Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources

The GTA issued by DPI Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to DPI Water for the relevant approval **after** development consent has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
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### Design of works and structures

- |              |   |
|--------------|---|
| GT0009-00004 | Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Crown Lands and Water Division, and obtained, for a controlled activity approval under the Water Management Act 2000.  |
| GT0013-00001 | A. Any proposed controlled activity carried out under a controlled activity approval must be directly supervised by a suitably qualified person. B. A copy of this approval must be: i. kept at the site where the controlled activity is taking place, and ii. provided to all personnel working on the controlled activity. |
| GT0018-00003 | Before constructing or carrying out any proposed controlled activity, an application must be submitted to Crown Lands and Water Division, and obtained, for a controlled activity approval under the Water Management Act 2000.   |

### Erosion and sediment controls

- |              |   |
|--------------|---|
| GT0006-00001 | The following plan(s): - Erosion and Sediment Controls Plan must be: A. prepared in accordance with Managing Urban Stormwater: Soils and Construction, Volume 1 (Landcom, 2004), as amended or replaced from time to time, and B. submitted with an application for a controlled activity approval.   |
| GT0014-00003 | A. The consent holder must ensure that any proposed materials or cleared vegetation, which may: i. obstruct water flow, or ii. wash into the water body, or iii. cause damage to river banks, are not stored on waterfront land, unless in accordance with a plan held by Crown Lands and Water Division as part of a controlled activity approval. B. When the carrying out of the controlled activity has been completed, surplus materials must be removed from waterfront land. |

### Plans, standards and guidelines

- |              |   |
|--------------|---|
| GT0002-00063 | A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application 20180142 provided by Council to Crown Lands and Water Division. B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Crown Lands and Water Division, Tamworth Office, must be notified in writing to determine if any variations to the GTA will be required. |
| GT0003-00004 | The application for a controlled activity approval must include the following document(s): - Works Schedule; Erosion and Sediment Control Plan; Soil and Water Management Plan; Vegetation Management Plan.   |



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GT0010-00003 All documents submitted to Crown Lands and Water Division as part of an application for a controlled activity approval must be prepared by a suitably qualified person.

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### Rehabilitation and maintenance

GT0007-00003 When the proposed controlled activity is completed, and the rehabilitation plan has been implemented, maintenance of the site must be carried out for a period of 2 years in accordance with that rehabilitation plan submitted as part of the controlled activity approval, and approved by Crown Lands and Water Division.

GT0011-00001 A rehabilitation plan for the waterfront land must be provided as part of a controlled activity approval application.

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### Reporting requirements

GT0016-00002 The consent holder must inform Crown Lands and Water Division in writing when any proposed controlled activity carried out under a controlled activity approval has been completed.

GT0017-00003 When required: A. a suitably qualified person must provide a certificate of completion for any controlled activity carried out under a controlled activity approval, and B. the certificate must be sent to Crown Lands and Water Division.

## **SCHEDULE 1**

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by DPI Water for integrated development associated with 2018-0142 as provided by Council:

- All documents are attached to V17/8276#29.