



26 July 2021

The General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333

Attention: Hamish McTaggart

Uploaded to the ePlanning Portal

Dear Sir/Madam

**Re: IDAS1138400 - Controlled Activity Approval**

**Dev Ref: DA2021/55**

**Description:** This proposed development is for the construction and operation of a waste transfer station, which will be comprised of 2 sheds (one containing an office) with an adjoining awning-covered set of storage bays between the two sheds.

**Location:** 32 Glen Munro Rd, Muswellbrook

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Natural Resources Access Regulator'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 4.46 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires 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, NRAR requests these GTA be included (in their entirety) in Council's development consent. Please also note NRAR 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.

NRAR 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 s4.46 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, NRAR recommends the following condition be included in the development consent:

**The attached GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*.** The development consent holder must apply to NRAR 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 NRAR together with any required plans, documents, application fee 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.

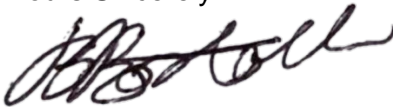
Application forms are available from the NRAR website at:

<https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities>

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

NRAR also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) the EPA Act.

Yours Sincerely



For

**Alison Collaros**

**Manager Licensing & Approvals**

**Water Regulatory Operations**

**Natural Resources Access Regulator**

Reference Number:	IDAS1138400
Issue date of GTA:	26 July 2021
Type of Approval:	Controlled Activity
Location of work/activity:	32 Glen Munro Rd, Muswellbrook
Waterfront Land:	Tributary of Ramrod Creek
DA Number:	This proposed development is for the construction and operation of a waste transfer station, which will be comprised of 2 sheds (one containing an office) with an adjoining awning-covered set of storage bays between the two sheds.
LGA:	Muswellbrook Shire Council

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

Condition Number	Details
GT0009	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Natural Resources Access Regulator, and obtained, for a controlled activity approval under the Water Management Act 2000.
GT0002	<p>A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents relating to Development Application DA2021/55 provided by Council to Natural Resources Access Regulator.</p> <p>B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Natural Resources Access Regulator, Parramatta Office, must be notified in writing to determine if any variations to the GTA will be required.</p>