

How to guide

Application for a water use approval for construction dewatering

This guide is to assist applicants requiring a water use approval for construction-related dewatering, where development consent has not been obtained, no development application has been lodged and no other exemption for a water use approval applies. Water use approvals authorise the holder to use water for a particular purpose (such as dewatering) under the *Water Management Act 2000* (NSW).

INTRODUCTION

This guide will assist you to complete the application for a water use approval for construction dewatering. This form must be completed in order to:

- obtain a water use approval under sections 89 and 92 of the *Water Management Act 2000* (NSW) (WMA); or
- apply to change or remove a condition of an existing water use approval.

A water use approval allows you to use water for a particular purpose at a particular location. If you are undertaking construction dewatering, you will need to obtain a water use approval to permit you to “deal with” the water once it has been removed from the construction site. Usually, and subject to any relevant exemptions, you will also need a water supply works approval to cover the works used to extract, transport, store and dispose of the water.

If you have obtained development consent for the construction, you may be exempt from requiring a water use approval, on the basis that the use of the water is for a purpose for which there is a development consent in force under the *Environmental Planning and Assessment Act 1979* (NSW). This means that you are exempt under the *Water Management (General) Regulation 2018* (NSW) (Regulation).

Please note that other exemptions may also apply, please refer to clauses 34 and 35 of the Regulation and contact the WaterNSW Customer Service Centre on [1300 662 077](tel:1300662077) or email Customer.Helpdesk@waternsw.com.au if you have any questions in relation to what exemptions may apply.

****Please note: a combined works and use approval will attract a higher fee**

This guide is specifically directed to construction dewatering. If you want to apply for a water use approval (or an amendment to an existing approval) for other situations, please visit the [approvals page](#) on the WaterNSW website.

ABOUT THESE GUIDELINES

The application for a water use approval for construction dewatering has multiple sections, which are divided into a series of questions.

The questions are identified by a number on the left-hand side of the page, for example, B4, which is question 4 in section B.

This guide provides detailed explanations of each section and questions to help you fill in the application form. We recommend you read this carefully before completing the application form. However, if you require further assistance, please contact WaterNSW on [1300 662 077](tel:1300662077) or email Customer.Helpdesk@waternsw.com.au.

GENERAL INSTRUCTIONS

To make sure that your application is processed efficiently, please note these general instructions:

- use BLOCK letters as they are easier to read
- if there is not enough space on the form for all your information, please complete the response on a separate sheet of paper, marking it with the question identifier (for example, if you are completing more information in relation to question B4, please mark your additional page with “B4”) and attach it to application form (remember to include this page when numbering your pages)
- ensure that you fully complete the form as all the information is necessary to verify and process your application. The application may be rejected if all the information is not provided for the assessment
- include the appropriate fee with your application unless you nominate on the form that you are paying by credit card – do not write credit card details on this form or any other correspondence you send to WaterNSW. We will contact you about paying the application fee over the phone for credit card payment
- your local WaterNSW office will be able to advise you on the current fee which may vary depending on the type of approval you need
- this form and all supporting documentation are to be attached to the application for a water supply works approval for construction dewatering.

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SECTION B: PURPOSE

B1 You should only fill out this section if you want approval to use water for construction dewatering. If you want to use water for any other purpose, contact your local office for advice.

SECTION C LOCATIONS OF WATER USE

C1 C8 Provide a location map, and a property name (if applicable), address and title details, to identify the location of the proposed water use. If the proposal will be located on more than one property, please mark them all clearly on a map and identify which information relates to which property.

SECTION D – APPROVAL TO DISCHARGE

D1 You are required to obtain approval from a relevant authority to discharge groundwater extracted in the process of dewatering. Provide information on the authority issuing the approval, the date of issue and expiry date of the approval to discharge.

SECTION E INFORMATION MAPS

Attach maps to the application.

SECTION F SOILS

F1-F3 For complex or potentially high impact proposals, you may be required to provide a soil survey. If you are in doubt, contact your local office.

SECTION H: DECLARATION

Please ensure you understand your legal obligations before signing this document. If you require assistance, please contact WaterNSW to discuss. Alternatively, please consider obtaining independent advice in relation to your legal obligations and liabilities.

Each applicant must fill in their name, followed by a signature and the date of signing.

If the applicant is a company, the form must be executed in accordance with section 127 of the *Corporations Act 2001* (Cth).

This means that the document must be signed by either:

- two directors of the company; or
- a director and a company secretary of the company; or
- for a proprietary company, that has a sole director who is also the sole company secretary, that director.

If a company has a common seal, the company may execute a document if the seal is fixed to the document and the fixing of the seal is witnessed by:

- two directors of the company; or
- a director and company secretary of the company; or
- for a proprietary company that has a sole director who is also the sole company secretary, that director.

An independent witness is required to sign this section in order to verify that the position stated for each signatory is the position held by the signatory.

SUBMITTING YOUR APPLICATION

Post your completed application to WaterNSW at PO Box 398, Parramatta NSW 2124, with the enclosed cheque or postal order for payment of the application fee.

If you have nominated to pay the application fee by credit card, WaterNSW will contact you on the details provided in the application form to process credit payment over the phone.

If the application is complete and correct it will be registered on WaterNSW database and the fee will be processed. You will receive an acknowledgment letter providing an application reference number and a receipt for the fee.

The application will be delayed if it is incomplete or incorrect. WaterNSW will notify you of any delay or if further information is required. If this information is not received within the specified time, WaterNSW will reject the application and return it with an explanation and fee will be refunded.