

Do I also need other approvals?

While the following list of approvals may apply, please note that legislation can change so if in doubt, as a first step you should contact the local council of the area in which the works are to be undertaken.

- When working within 40 m of the high bank of a natural creek or river – permit required under *Controlled Activity Provisions of the Water Management Act 2000*, administered by NSW Office of Water (NOW).
- Damaging native vegetation – permit required under *Native Vegetation Act 2003*, administered by NSW Local Land Services (LLS).
- Remove/sell native flora, remove/injure native fauna or damage habitat – permit required under *National Parks & Wildlife Act 1974*, administered by OEH.
- Damaging threatened species of flora or fauna or habitat, consult NPWS, OEH - Threatened Species Unit, *Threatened Species Conservation Act 1995*.
- Endangered Ecological Communities can occur as Swamp Oak, Freshwater Wetlands, Swamp Sclerophyll, Coastal Saltmarsh, River Flat Eucalypt, Sub Tropical Eucalypt, Littoral Rainforest - consult NPWS, OEH Threatened Species Unit, *Threatened Species Conservation Act 1995*.
- Dredging or reclamation, fish passage, damaging marine vegetation - permit required under *Fisheries Management Act 1994*, Department of Primary Industries (DPI).
- Water supply (dams) and drainage works - Water Management Act 2000, NOW.
- Working within wetlands - SEPP 14 Wetlands - NSW Planning, contact local council.
- Land zoned for environmental protection under the local environmental plan (LEP), Zones E1, E2, E3, W1, W2 contact local council.

NOTE: Failure to comply with your legislative obligations may result in you being fined and/or prosecuted.

Disclaimer

The information contained in this publication has been taken from various sources including LEPs and is based on knowledge and understanding at the time of writing, however users are reminded of the need to ensure that the information upon which they rely is current.

More information

Ballina Shire Council:
Phone: 02 6686 4444;
Email: council@ballina.nsw.gov.au
Acid sulfate soil maps available under Environment/Floodplain management/Acid Sulfate Soils from website:
<http://www.ballina.nsw.gov.au>

Office of Environment & Heritage
Acid sulfate risk maps, available at:
<http://www.environment.nsw.gov.au/acidsulfatesoil/index.htm>

Department of Primary Industries, (DPI), Wollongbar:
Phone: 02 6626 1200;
Email: wollongbar.office@dpi.nsw.gov.au
Website: <http://www.dpi.nsw.gov.au/land-and-water/soils/ass>

Lismore City Council:
Phone: 1300 87 83 87;
Email: council@lismore.nsw.gov.au
Acid sulfate soil maps link under Planning & Development/LEPs & DCPs/Lismore Local Environment Plan 2012 – Maps: www.lismore.nsw.gov.au

Rous County Council:
Phone: 02 6623 3800;
Email: council@rous.nsw.gov.au
Website: www.rous.nsw.gov.au

Richmond Valley Council:
Phone: 02 6660 0220;
Email: council@richmondvalley.nsw.gov.au
Acid sulfate soil maps under Environment/Acid Sulfate Soils available from website: <http://www.richmondvalley.nsw.gov.au/>

Publications

Owers, G. Storer, A. 2017, Landowners seeking to excavate: Guidelines for works in actual or potential acid sulfate soils in the Richmond River catchment NSW, Rous County Council, Lismore NSW.

Tulau, M.J. (2007). Acid Sulfate Soils Remediation Guidelines for Coastal Floodplains in New South Wales, Office of Environment & Heritage.

Earthmoving contractors

Guidelines

for works in areas of actual or potential acid sulfate soils in the Richmond catchment NSW 2017



If I want to excavate acid sulfate soils do I need development consent from local council?

If the site is mapped as class 1 – 5 on the acid sulfate soil (ASS) maps, development consent will be required from the local council of the area in which the works are to be undertaken unless exemptions apply.

Class	Works requiring local council development consent
1	Any works.
2	Works below the natural ground surface. Works by which the water table is likely to be lowered.
3	Works more than one metre below the natural ground surface. Works by which the water table is likely to be lowered more than one metre below the natural ground surface.
4	Works more than two metres below the natural ground surface. Works by which the water table is likely to be lowered more than two metres below the natural ground surface.
5	Works within 500 metres of adjacent class 1, 2, 3 or 4 land that is below five metres Australian Height Datum (AHD) by which the water table is likely to be lowered below one meter AHD on adjacent class 1, 2, 3 or 4 land.

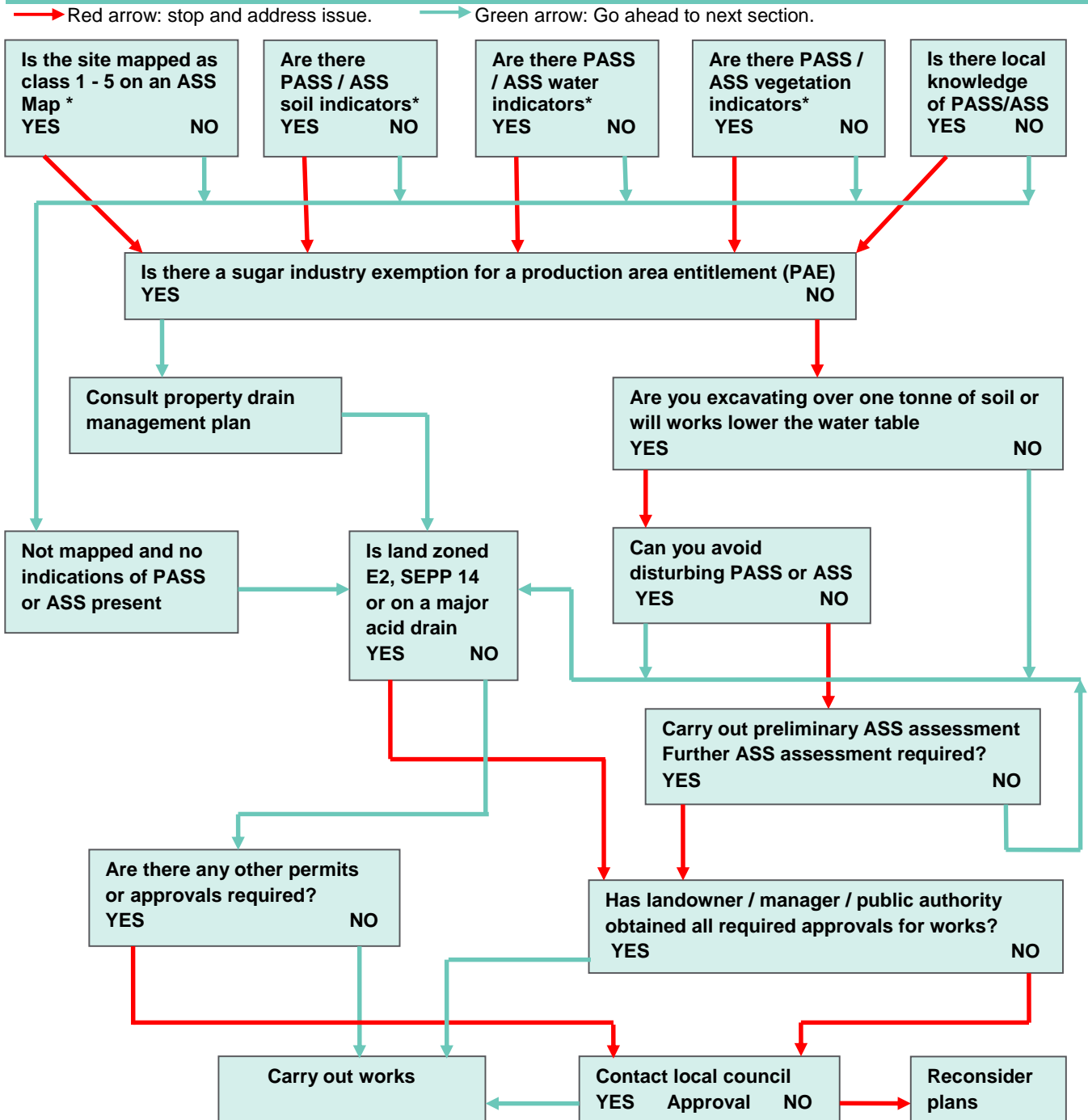
You will also need to prepare and submit an ASS management plan in accordance with the ASS Manual. For information about where to view or obtain the ASS maps and ASS Manual refer to the 'More information' section on the back page of this brochure.

Are there exemptions to obtaining development consent?

Yes. For more information you should contact the local council of the area in which the works are to be undertaken. A summary of the exemptions is as follows:

- Excavating <1t of soil and not lowering the water table.
- For the sugar industry on properties operating a production area entitlement (PAE) and having an approved drain management plan, however this does not apply to land zoned E2 (Environmental Conservation), SEPP 14 (wetlands) or major acid drains.
- If a preliminary assessment of the proposed works prepared in accordance with the ASS Manual indicates that an ASS management plan need not be carried out and this is confirmed in writing by the local council.
- Emergency works, routine maintenance or minor works undertaken by public authorities.

Flow chart for earth works in areas of actual and potential acid sulfate soils (ASS/PASS)



*Refer to 'Landowners seeking to excavate: Guidelines for works in actual or potential acid sulfate soils', RCC.