



Office Use Only
INW

Initials & Date

Complete this form if you want to lodge a preliminary application for a new aquaculture lease that is outside POAA. If your application is supported, the lease area will be offered via a competitive tender process.

To participate in the tender process, you must either hold a current aquaculture permit, or have a lodged a permit application which has been assessed by DPI, or have an agreement with a current permit holder to sublet at the lease(s) you intend to tender for.

To find out more, go to the Application for Oyster Lease Information Kit
dpi.nsw.gov.au/fishing/aquaculture/forms/lease-based

1. Is the area outside a priority oyster aquaculture area (POAA)?

You can check this on the [Fisheries Spatial Data Portal \(nsw.gov.au\)](http://fisheries.spatialdata.nsw.gov.au) or by contacting Aquaculture Administration on 02 4916 3900.

Yes - please complete this form.

No - do not complete this form. Please complete the new lease preliminary application form for outside POAA - dpi.nsw.gov.au/fishing/aquaculture/forms/lease-based

2. Applicant details

Details required	Give details in space provided
Name of applicant (or company name if applicable)	
Mailing address for all correspondence	Address Suburb State Postcode
Physical address (cannot be a PO Box)	Address Suburb State Postcode
Preferred contact Specify if mobile can be used for SMS alerts	Contact person Home/work/mobile number SMS alerts (if mobile provided above) <input type="checkbox"/> Yes <input type="checkbox"/> No Email

3. Lease details

Submit a separate page if you are applying for more than 4 lease areas.

Lease number (if known)	Estuary	Is the area over a former lease?	Are you applying for the entire former lease?
		<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes <input type="checkbox"/> No*
		<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes <input type="checkbox"/> No*
		<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes <input type="checkbox"/> No*
		<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes <input type="checkbox"/> No*

*If you answer 'No' above, you must provide a sketch of the area(s) you are applying for.

4. Assessment criteria for new POAA in NSW estuaries

a) Is the proposed aquaculture lease in any of these areas?

AREA	YES/NO
NAVIGATION	
Within an identified navigation channel as marked by the Transport for NSW (except dredge bed leases).	<input type="checkbox"/> Yes <input type="checkbox"/> No
Directly offshore from, or 50 m to either side of any public wharf or public boat ramp. Greater distances may be required in high use areas.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Directly offshore from, or 50 m to either side of, any public or privately operated marina. Greater distances may be required in high use areas.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within a recognised mooring area.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 50 m of an area identified by Transport for NSW as a specific watercraft operation area. Greater distances may be required in high use areas.	<input type="checkbox"/> Yes <input type="checkbox"/> No
CONSERVATION AREAS	
Within any areas identified as "coastal wetlands" on the Coastal Wetlands and Littoral Rainforests Area Map in State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP 2018) if oyster aquaculture is likely to have significant adverse impacts on the wetland.	<input type="checkbox"/> Yes <input type="checkbox"/> No
In an area mapped as "Posidonia" seagrass bed	<input type="checkbox"/> Yes <input type="checkbox"/> No

AREA	YES/NO
In an area where oyster aquaculture is likely to have a significant adverse impact on matters of national environmental significance under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .	<input type="checkbox"/> Yes <input type="checkbox"/> No
Not in an area declared as an Aquatic Reserve under Part 6 of the <i>FM Act</i> if oyster aquaculture is likely to have significant adverse impacts on the conservation values of the Reserve.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Only within areas within a Marine Park that identify oyster aquaculture as a permitted activity.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within an area if oyster aquaculture is likely to have significant adverse impacts on threatened species or habitats listed under Part 7A of the <i>FM Act</i> or under the <i>Biodiversity Conservation Act 2016</i> .	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within the National Park estate unless it has the planning approval of the relevant authority and the written concurrence of the Minister administering the <i>NPW Act</i> .	<input type="checkbox"/> Yes <input type="checkbox"/> No
Immediately adjacent to any area reserved or acquired under the <i>NPW Act</i> if oyster aquaculture is likely to have significant adverse impacts on the conservation values of the area.	<input type="checkbox"/> Yes <input type="checkbox"/> No
HERITAGE	
Within over or adjacent to any area likely to adversely affect items listed on the State Heritage Inventory e.g. shipwrecks.	<input type="checkbox"/> Yes <input type="checkbox"/> No
ABORIGINAL HERITAGE	
Within, over or adjacent to sites/places of regional or national aboriginal significance without consultation and endorsement by the local Aboriginal community.	<input type="checkbox"/> Yes <input type="checkbox"/> No
PUBLIC HEALTH SAFETY	
Within any areas classified as a Prohibited (Closed Safety) under the NSW Shellfish Program.	<input type="checkbox"/> Yes <input type="checkbox"/> No
COMMERCIAL FISHING	
Within a commercial net hauling ground recognised in a Fisheries Management Strategy made under the <i>FM Act</i> .	<input type="checkbox"/> Yes <input type="checkbox"/> No
RECREATIONAL ACTIVITY	
Directly offshore from, or 50 m to either side of, an area managed for public recreation.	<input type="checkbox"/> Yes <input type="checkbox"/> No

AREA	YES/NO
Within 50 m of an area identified by the Transport for NSW as a designated swimming area.	<input type="checkbox"/> Yes <input type="checkbox"/> No
MISCELLANEOUS	
Over any area deemed as commercially non-viable for oyster aquaculture or not in the public interest.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Note: new leases in these areas will require additional approvals and a more detailed level of assessment. Contact NSW DPI on 02 4916 3900 for further information.

5. Environmental impacts and assessment

The following section looks at the potential environmental impact that may be caused by the proposal. For assistance in completing this section, you may need to contact your local NSW DPI Fisheries Office, or the Environment, Energy and Science (National Parks & Wildlife Service).

1. Marine vegetation (seagrass, mangroves, saltmarsh)

a) Indicate the presence of the following on the lease area

Mangroves	<input type="checkbox"/> within lease area	<input type="checkbox"/> adjacent to lease area Distance _____metres
Seagrass Zostera (eelgrass)	<input type="checkbox"/> within lease area	<input type="checkbox"/> adjacent to lease area Distance _____metres
Seagrass Posidonia (strapweed)	<input type="checkbox"/> within lease area	<input type="checkbox"/> adjacent to lease area Distance _____metres
Seagrass Other (please specify)	<input type="checkbox"/> within lease area	<input type="checkbox"/> adjacent to lease area Distance _____metres
Saltmarsh	<input type="checkbox"/> within lease area	<input type="checkbox"/> adjacent to lease area Distance _____metres

b) What is the likely impact on any marine vegetation?

c) What is the expected level of impact on marine vegetation?

nil low medium high

2. Birds, fish, turtles and marine mammals and their habitat

a) What is the likely impact?

b) What is the expected level?

nil low medium high

3. Ecosystem of the locality including critical habitats, threatened species and ecological communities

a) What is the likely impact?

b) What is the expected level?

nil low medium high

4. Human community and existing oyster cultivation

a) What is the likely impact?

b) What is the expected level?

nil low medium high

5. Transforming a locality (changing the natural features of an area)

a) What is the likely impact?

b) What is the expected level?

nil low medium high

6. Causing a loss of the aesthetic, recreational, cultural, scientific or other environmental quality or value of the locality

a) What is the likely impact?

b) What is the expected level?

nil low medium high

7. Locality, place or building having aesthetic, anthropological, archaeological, cultural, historical, scientific or social significance, or other special value for the present or future generations

a) What is the likely impact?

b) What is the expected level?

nil low medium high

8. Causing any reduction in the range of beneficial uses of the environment

a) What is the likely impact?

b) What is the expected level?

nil low medium high

9. Placing any increased demands on resources, natural or otherwise, which are likely to become short in supply

a) What is the likely impact?

b) What is the expected level?

nil low medium high

10. Causing any degradation of the quality of the environment

a) What is the likely impact?

b) What is the expected level?

nil low medium high

11. Causing any pollution of the environment

a) What is the likely impact?

b) What is the expected level?

nil low medium high

12. Causing any environmental problems associated with the disposal of waste

a) What is the likely impact?

b) What is the expected level?

nil low medium high

13. Causing any long-term effects on the environment

a) What is the likely impact?

b) What is the expected level?

nil low medium high

14. Any cumulative environmental effect with other existing or likely future activities

a) What is the likely impact?

b) What is the expected level?

nil low medium high

15. Causing any risk to the safety of the environment

a) What is the likely impact?

b) What is the expected level?

nil low medium high

6. Proposed environmental safeguards

List and describe any safeguards that are proposed to protect the environment from the proposed activity or to mitigate any of the likely impacts. You may refer to the OISAS best practice standards and commitments to environmentally sustainable practice.

7. Applicant declaration

All applicants must sign the declaration.

An application lodged by a company must be signed by two directors, or one director and a secretary. If the company is a sole director/secretary company, then the sole director must state this next to their name that they are the “sole director and sole secretary”.

- I/we am authorised to make this application.
- I acknowledge that all the information provided in this application is true and correct.
- I understand that giving false or misleading information is a serious offence.

Applicant name	Applicant signature	Date

8. Submitting your application

- Mail: NSW Department of Primary Industries, Locked Bag 1, Nelson Bay NSW 2315
- Email: aquaculture.administration@dpi.nsw.gov.au
- Telephone enquiries: Aquaculture Administration 0407 693 244 or (02) 4916 3900

9. What happens now?

Following an initial assessment to determine if the area is suitable for aquaculture, DPI may offer the area via a competitive public tender process according to current policy. For more information on the Tender Process, go to [Lease Notifications & Tenders \(nsw.gov.au\)](http://www.nsw.gov.au/Lease-Notifications-&-Tenders)

Privacy Collection Notice

Information collected on this application is subject to the *Privacy and Personal Information Protection Act 1998*. You must provide the information for NSW Department of Primary Industries – Fisheries to assess the application and to administer aquaculture leases and permits under the *Fisheries Management Act 1994*. Information collected will be stored securely within the FishOnline system and NSW DPI's records management system, to which only authorised personnel have access.

NSW DPI – Fisheries may use the information and disclose it to authorised agencies by way of a Memorandum of Understanding, for related administration, regulation, research, and statistical reporting purposes. For example, but not limited to, purposes such as biosecurity matters, licensing with other agencies, industry extension and grant applications. The information may be pooled in a manner not identifying individuals to form industry-based statistics. Information collected may be publicly available on the NSW register of aquaculture permits in accordance with section 154 of the *Fisheries Management Act 1994*. Information collected may also be subject to other lawful requests for information such as subpoenas or GIPA (Government Information Public Access) requests. Section 19(2)(h) of the *Privacy and Personal Information Protection Act 1998* allows the disclosure of information when permitted or required by an Act (including an Act of the Commonwealth) of any other law.

Any email addresses collected may be used to electronically serve instruments if the customer has agreed to receive documentation from NSW DPI electronically. Information collected will be destroyed when no longer required. You may access or correct your information by contacting NSW DPI, Aquaculture Administration, Locked Bag 1, Nelson Bay NSW 2315, or via email aquaculture.administration@dpi.nsw.gov.au. For more information, please refer to Regional NSW Privacy Statement at regional.nsw.gov.au/privacy and Regional NSW Privacy Management Plan at regional.nsw.gov.au/privacy/privacy-management-plan.