



Office Use Only
INW

Initials & Date

Complete this form if you want to apply for a new aquaculture lease that is outside POAA and you have been advised that you are the successful tenderer following a competitive tender process.

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 application form for 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)	
If a company, current ASIC extract that lists office holders	<input type="checkbox"/> Yes, I have attached a current ASIC extract to this application (available to purchase from asic.gov.au) Note: you do not need to provide a current ASIC extract if you have previously provided DPI with this document.
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. Do you authorise NSW DPI - Aquaculture to correspond with you electronically?

Skip this section if:

- you have previously signed up to be an e-customer for NSW DPI, or
- you do not wish to be an e-customer.

Yes, I would like to be an e-customer for NSW DPI - Aquaculture

By ticking this box, you authorise NSW DPI - Aquaculture to provide the following documentation that is associated with the above leaseholder electronically to all nominated email addresses:

- All formal and informal notices, authorities (e.g. aquaculture permits), correspondence and other instruments issued, as allowed for under the *Electronic Transmissions Act 1999* and *Fisheries Management Act 1994*.

Nominated email addresses for e-correspondence:

If there is an email address currently listed on NSW DPI's system that is not nominated below, this email address will be removed from the customer contact details.

Email contact	Give details in space provided
Primary contact	Email address: Contact person:
Additional contact	Email address: Contact person:

4. Lease details

Details required	Give details in space provided
Estuary	
Approximate area (in hectares)	
Former lease number (if known)	
A detailed map to show the location, approximate boundaries and area of the proposed lease is attached (application will not be assessed unless this map is provided)	<input type="checkbox"/> Yes
Is there any derelict material (cultivation, markings or infrastructure) present on the lease area?	<input type="checkbox"/> Yes <input type="checkbox"/> No

5. Permit details

Aquaculture permit(s) that will authorise this lease and the percentage.

Permit number	Permit holder(s)	Percent (%) authorised

6. Lease tenancy

If the applicant is an individual or company, the tenancy arrangement will default to Common Tenancy. You do not need to complete this section.

If the applicant is a partnership, please tick your preferred option below.

Joint tenancy

Under Joint Tenancy, upon the death of a leaseholder, the lease will be transferred to any surviving leaseholder(s).

Common tenancy

Under Tenancy in Common, the proportion of the lease held by the deceased lessee is transferred according to their Last Will and Testament and/or at the direction of the Executor of the Estate.

7. Assessment criteria for new priority aquaculture areas 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

AREA	YES/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
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

AREA	YES/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
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.

b) What species will be cultivated on the lease?

c) What are the proposed methods of cultivation?

<input type="checkbox"/> catching sticks/slats	<input type="checkbox"/> post supported baskets	<input type="checkbox"/> floating baskets
<input type="checkbox"/> racks/trays	<input type="checkbox"/> raft/trays	<input type="checkbox"/> grow-out/sticks
<input type="checkbox"/> other (please specify)		

d) How much infrastructure will you use? (e.g. number of trays and baskets, metres of post supported longline, metres of rack, number of raft modules)

e) Are there any structures on the lease area?

Yes, please answer questions g to j

No, go to question g

f) Please indicate which types of structure/s are present on the lease area.

- | | | | |
|---|---|--|------------------------------------|
| <input type="checkbox"/> reclamation | <input type="checkbox"/> jetty or wharf | <input type="checkbox"/> fence | <input type="checkbox"/> boat shed |
| <input type="checkbox"/> depot shed | <input type="checkbox"/> slip | <input type="checkbox"/> staging, platform/pontoon | |
| <input type="checkbox"/> other (please specify) | | | |

g) Please give a brief description of the structure(s), including approximate size/dimensions and locations of the structure within the lease.

h) What is the structure currently used for?

i) Do you have any additional information, which is relevant to the structures? (i.e. a copy of the relevant approvals for the structures)

j) Do you intend to build new structures or add to any existing structures on the lease?

Yes No

If yes, please describe the additions or new structures and materials to be placed on the lease area.

k) What is the type of substrate (bottom) present on the lease area?

- | | | | | |
|---|-------------------------------|------------------------------|--------------------------------|---------------------------------|
| <input type="checkbox"/> sand | <input type="checkbox"/> rock | <input type="checkbox"/> mud | <input type="checkbox"/> shell | <input type="checkbox"/> gravel |
| <input type="checkbox"/> other (please specify) | | | | |

l) What are the adjoining land uses?

- | | | | | |
|---|--------------------------------|--------------------------------------|--------------------------------|--|
| <input type="checkbox"/> recreational | <input type="checkbox"/> urban | <input type="checkbox"/> aquaculture | <input type="checkbox"/> rural | <input type="checkbox"/> National Park |
| <input type="checkbox"/> other (please specify) | | | | |

8. 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?

<input type="checkbox"/> nil	<input type="checkbox"/> low	<input type="checkbox"/> medium	<input type="checkbox"/> high
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15. Causing any risk to the safety of the environment

a) What is the likely impact?

b) What is the expected level?

<input type="checkbox"/> nil	<input type="checkbox"/> low	<input type="checkbox"/> medium	<input type="checkbox"/> high
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9. 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.

10. 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

11. 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

12. Payment of application fee

Payment must be received within 14 days of receipt of your application, regardless of which payment method you choose.

If payment is not made within this time, your application will be rejected and returned to you.

Choose your payment method.

Payment method	What you need to do
<input type="checkbox"/> Credit card	Call the Aqua Admin team on 0407 693 244 or (02) 4916 3900 to provide your credit card details. Note that a surcharge applies: Visa & MasterCard 0.4%, American Express 1.4%.
<input type="checkbox"/> Cheque	Make cheque payable to: Department of Regional NSW – Primary Industries Mail to: NSW Department of Primary Industries, Locked Bag 1, Nelson Bay NSW 2315
<input type="checkbox"/> Invoice	We will email you an invoice. Once you receive the invoice you can pay by EFT, BPAY or credit card.

Prescribed application fee schedule dpi.nsw.gov.au/fishing/aquaculture/schedule

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.