

Application for a water supply works approval for construction dewatering

How to guide

This guide is to assist applicants requiring a water supply works approval for construction related dewatering.

Introduction

This guide will assist you to complete the [Application for a water supply works approval for construction dewatering](#). This form must be completed in order to obtain a water supply works approval under section 92 of the *Water Management Act 2000*.

A water supply works approval for construction dewatering allows you to construct and use a work which takes water from an aquifer (groundwater source). Examples of water supply works for construction dewatering are water pumps, water bores, drainage channels, pipes, spearpoints and excavations.

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*. This means that you are exempt under the Water Management (General) Regulation 2018.

Please note that other exemptions may also apply. Please refer to clauses 34 and 35 of the Regulation and contact our 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.

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 webpage](#).

About these guidelines

The application for a water supply works approval 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.

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.

Section A: Applicant details

If this application is made by the owner/s of the land on which the work is to be located, then each owner listed on the Land Title Certificate must be listed in Section A and must sign the application form.

In this situation it is not necessary for the owners to be listed as applicants.

In this section provide the details of the applicant/s for the approval.

A1-4 The name can be a person's name or the name of a legal entity, such as a company or corporation, that is either the owner or legal occupier of the land to which the application relates.

A5-6 Insert the Australian Company Number (ACN) or Australian Business Number (ABN) if the application is by a company.

A7 Insert the position of the person/s who is/are making the application for and on behalf of the company or corporation. If the applicant is a company this would be either a company director or company secretary. If the applicant is another kind of corporation this would be the duly authorised officer.

A8-12 Insert the address of the applicant. For companies or corporations, insert the address details of the registered office.

A13-15 Insert the contact details for the applicant.

A16-26 There can be more than one holder of an approval. The form makes provision for two applicants to apply. If there are more than two applicants photocopy/print multiple copies of the blank Section A, complete it and attach it to the form.

A27 This is the total number of applicants listed on the application form and includes applicants listed on any additional pages.

Section B: Contact person

B1-11 Insert the name and contact details of the authorised contact person. This will assist WaterNSW if it needs to contact someone to discuss the details of the application. If this section has not been completed, we will assume the first applicant on the form is the authorised contact person and contact that person, if necessary, prior to the determination of the application.

SECTION C: Payment of application fee

C1 Specify method of payment for application fee. If you are paying by credit card, do not include your card details on the form. If you have nominated to pay the application fee by credit card, WaterNSW will contact the person listed at C2 to process credit card payment over the phone.

C2-3 Insert the name and number for the person who WaterNSW will contact to process credit card payment.

Section D: Capacity of the applicant

If you own the land to which the application relates, select this box. All owners listed on the Certificate of Title must be listed in Section A and must sign the application form.

If you are the lawful occupier of the land, select this box. All lawful occupiers of the land must be listed in Section A and must sign the application form. You should also attach documentary evidence of lawful occupation such as a lease agreement or court order.

If you want to construct a work/s on land you own, as well as a work/s on land where you are the lawful occupier, then you will need to tick both boxes D1 and D2.

If you do not own the land, select the box marked "Other". In these circumstances, an approval can only be granted if:

- a) you are likely to become the owner of the land within a reasonable time, or
- b) the land is subject to an easement that authorises the construction and use of such a work for the benefit of the land, or
- c) you are otherwise entitled (whether under an Act or an agreement applying to the land) to construct and use such a work.

You should specify which of (a), (b) or (c) applies to you and provide supporting documentation (i.e., evidence of likely acquisition with a reasonable time, an easement, or evidence of other statutory or contractual entitlement).

Section E: Other approvals

In this section, indicate if your proposal requires development consent from your local council.

If it does require development consent and has been granted provide the consent number.

If your proposal does not require development consent from your local council, you may also need a water supply use approval to undertake the construction dewatering (unless an exemption applies). Read the exemption fact sheets that may apply to you on our [dewatering webpage](#).

E8-9 Specify if you have a water access licence (WAL) and the number of the WAL.

Section F: Groundwater works

All groundwater works such as spear points and batteries of spears are subject to mandatory metering requirements, unless an exemption applies. All high risk groundwater sources, which are identified in Schedule 9 of the Water Management (General) Regulation 2018 will be subject to mandatory metering requirements, regardless of the size.

F1 Specify the type of work i.e. bore, pump, excavation, pipes, spearpoint, well.

F4 This is important to provide the scope of the area where the dewatering will take place.

F5-7 This is important if the proposed work is an excavation within waterfront land as you may need to apply for a controlled activity approval.

Please refer to the relevant water sharing plan or check with WaterNSW to confirm if this applies to you.

Section G: Dewatering details

G1-9 This section is mandatory.

Section H: Declaration of approval holder(s)

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.

Section I: Company declaration

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 PO Box 398 Parramatta NSW 2124 with the enclosed money order for payment of the application fee, or scan and email to Customer.Helpdesk@waternsw.com.au

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.

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.

Need help?

If you need more information, please contact our Customer Service Centre on 1300 662 077, Monday to Friday between 8am-5pm or email Customer.Helpdesk@waternsw.com.au

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