

# EXEMPTIONS FROM controlled activity approvals

There are a number of exemptions from the need to obtain an approval to carry out controlled activities on waterfront land. For example, you do not need a controlled activity approval:

- for work on waterfront land that relates to a river channel that is fully concrete lined or is a fully enclosed pipe channel.
- to construct fencing, a vehicle crossing or an access track on waterfront land on a "minor stream" (refer to the website for a definition) in a rural zone if it does not impound water.
- for works/activities undertaken:
  - in accordance with a water supply work approval under the *Water Management Act 2000* or harvestable rights order or, in certain circumstances, a domestic and stock right under the Act
  - in accordance with the conditions of a licence for a work issued under Part 2 of the *Water Act 1912* (for example, for a weir, lock, well, excavation or tunnel)
  - by a network operator or pipeline licensee to construct, modify, repair, maintain or complete emergency work on water or gas infrastructure or licensed pipelines
  - during an emergency under the direction of specified Acts
  - in accordance with any mining, crown lands or western lands lease, licence or permit.

Provided no works occur within the bed or banks of the river, lake or estuary, you also do not need a controlled activity approval to erect, demolish, or make alterations or additions to single dwellings or dual occupancy houses that have development consent or are exempt or complying development.

**CONTACT DPI WATER** to confirm if an exemption applies to your proposed activity.

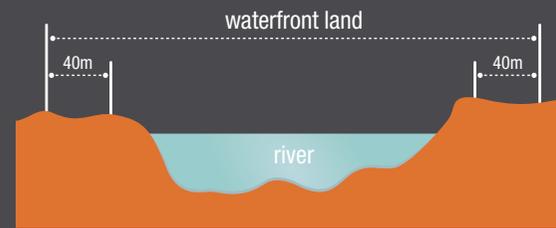
## QUICK FACTS

**Controlled activities** - include erecting a building or other structure, excavating or depositing material or carrying out activities that affect water quantity or flows. Controlled activities are governed under the *Water Management Act 2000*.

**A controlled activity approval** - authorises its holder to carry out a specified controlled activity at a specified location in, on or under waterfront land subject to conditions.

**Waterfront land** - includes the bed of any river, lake or estuary, and any land lying within 40 metres inland of:

- the highest bank of the river; or
- the shore of the lake; or
- the mean high water mark of the estuary.



## CONTACT DPI WATER

phone 1800 353 104

email [water.enquiries@dpi.nsw.gov.au](mailto:water.enquiries@dpi.nsw.gov.au)

website [www.water.nsw.gov.au](http://www.water.nsw.gov.au)

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Department of  
Primary Industries  
Water



# Working on waterfront land

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)

# WORKING ON WATERFRONT LAND

The health of river corridors and other waterfront land across New South Wales is vital for many communities and industries. It is also essential for fish, birds and other animal and plant life.

Keeping waterfront land healthy and productive and protecting our water supplies and water quality is becoming more important with increasing development. One of the ways DPI Water manages potential impacts from activities on waterfront land is through controlled activity approvals.

Some examples of controlled activities that may require approval include constructing river crossings, retaining walls or access ramps and stairs; works to address bank erosion; and extracting sand and gravel.

A valid approval must be held before carrying out a controlled activity on waterfront land.

Some controlled activities are exempt from the need to hold a controlled activity approval under certain conditions.

## Applying for a controlled activity approval

Applications for controlled activity approvals need to be made to DPI Water.

### FORMS ARE AVAILABLE AT

[www.water.nsw.gov.au](http://www.water.nsw.gov.au) go to > Water licensing

The potential impacts of the proposed structure or activity are then assessed. An approval can be granted if there will be minimal harm to waterfront land.

Controlled activity approvals can include conditions to minimise the effects to water flows, to maintain bed and bank stability and to minimise harm to waterfront land.

## Unauthorised controlled activities

Unauthorised activities undertaken without a controlled activity approval can cause bank erosion and increase sediment loads.

This can affect water quality for stock and domestic consumption. It can also result in algae growth and weed infestation and affect the fish and other animals and birds that depend on the waterway. Such decreases in water quality can then affect the value of waterways for commercial and recreational uses such as fishing.

High penalties can apply for carrying out a controlled activity in, on or under waterfront land without holding a current approval or in a manner that isn't authorised. If you are unsure whether a controlled activity approval may be required, contact DPI Water.

### FIND OUT MORE ABOUT

Controlled activities including exemptions, as well as guidelines for:

- watercourse crossings
- in-stream works
- outlet structures
- laying pipes and cables in watercourses
- riparian corridors

[www.water.nsw.gov.au](http://www.water.nsw.gov.au) go to > Water licensing > Approvals > Controlled activity approvals or contact DPI Water.

**MORE INFORMATION ON** other approvals and managing riverbanks can be found on the Department of Primary Industries website [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au) go to > Fisheries NSW > Habitat management > Rehabilitating habitats > Living and working on a riverbank.

**YOU MAY ALSO NEED TO** contact your local council to check whether the work requires development consent.

## EXAMPLES OF CONTROLLED ACTIVITIES



Boat ramp



Sand extraction



Culvert crossing on a river



Splash crossing on a river



Erosion control works