



# Controlled activities

## Working on waterfront land

### Fact sheet

The Natural Resources Access Regulator (NRAR) is an independent regulator established under the *NSW Natural Resources Access Regulator Act 2017*.

We ensure the lawful use of water, so communities and the environment get their fair share.

Controlled activities are works that are carried out on waterfront land. Controlled activity approvals are issued by the NSW Department of Climate Change, Energy, Environment and Water (NSW DCCEEW –Water Group).

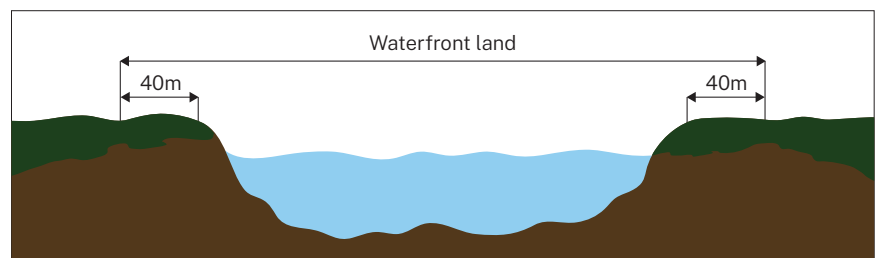
NRAR is responsible for ensuring compliance of controlled activities and works that are undertaken in/on the state's water ways.

The health of river corridors and other waterfront land is vital for communities and industries, as well as for native plants and animals.

## Controlled activities

Controlled activities are certain types of activities that are:

- carried out on waterfront land, and
- defined as a controlled activity in the *Water Management Act 2000*.



**Figure 1** Waterfront land includes the bed of any river, lake or estuary, and the land within 40 metres of a riverbank, lake shore or estuary mean high-water mark. Waterfront land is defined in the *Water Management Act 2000*.

## Examples of controlled activities include:

- modifications to a watercourse, such as erosion control works and channel realignment
- construction of bed control structures
- construction of watercourse crossings such as bridges, causeways and bed level crossings, and other works such as roads
- construction of stormwater outlets and spillways
- construction of boat ramps and sea walls
- laying pipes and cables
- sand and gravel extraction.



Boat ramp



Culvert crossing on a river



Instream works (block bank)



Modifications to a water course (diversion)

You must hold a valid approval before carrying out a controlled activity. You can use the [waterfront land e-tool](#)<sup>1</sup> to check if you need an approval.

## Apply for a controlled activity approval

Visit the NSW DCCEEW -Water Group website to find [information about how to apply for an approval](#)<sup>1</sup>.

The Water Group will review your application and assess the potential impacts of the proposed structure or activity. If they grant an approval, it may include conditions to minimise the impacts to waterfront land.

## Effects of unapproved controlled activities

Unapproved controlled activities can cause bed and bank erosion and increase sediment in the water. This can result in the loss of productive land, reduce the quality of water available for stock and domestic use, and cause algal blooms and weed infestations. Decreases in water quality also affect commercial and recreational uses of waterways, like fishing, and are detrimental to native wildlife.

## Penalties for unapproved controlled activities

NRAR monitors waterfront development to detect unapproved controlled activities. It is an offence to carry out a controlled activity without an approval. It is also an offence to carry out a controlled activity that does not comply with the conditions of an approval.

High penalties can apply for these offences. The maximum penalty for a corporation is \$2.002 million and a further \$132,000 for each day the offence continues. For individuals, fines of up to \$500,500 can be applied, with a further \$66,000 for each day the offence continues.


## Exemptions


You may be exempt from requiring a controlled activity approval. If so, you may still need to obtain other approvals required under relevant legislation. You can check if exemptions apply using the [controlled activity exemptions tool](#)<sup>1</sup>.

<sup>1</sup> [water.nsw.gov.au/controlled-activity-approvals](http://water.nsw.gov.au/controlled-activity-approvals)

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## More information

To contact NRAR call 1800 633 362 or email [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au)

Scan the QR code to find out more about controlled activities and how to apply for an approval on the NSW DCCEEW –Water Group website.

