



Controlled activity exemption e-tool

This controlled activity exemption e-tool has been developed to help controlled activity applicants and consultants determine if a controlled activity approval is required under the provisions of the Water Management Act 2000. The tool can be used to help identify:

- if there is an exemption that applies to the site or proposed activity and
- provide support in the interpretation of exemptions
- the CAA exemption e-tool should be used in conjunction with the Waterfront land e-tool that helps you to identify if you are located on waterfront land. Please use the below link to use the Waterfront land e-tool.
https://docs.google.com/forms/d/1YtVIPpmxVdum8ZxZm_ImKQTqPYPmtAhr8u4CnF0ndVA/vi/ewform?edit_requested=true
- If you require more information on controlled activities please use the below link:
<https://www.dpie.nsw.gov.au/water/licensing-and-trade/controlled-activity-approvals>

Using the tool

Multiple exemptions may apply to your property and/or proposed works. You must complete this e-tool separately for each applicable exemption.

You can go back at anytime after reading the further information provided in the questions.

Some of the questions in this tool can be answered using materials online. Depending on your circumstances, you may also need to visit the site of the proposed work in person to gather supporting evidence. There is a PDF factsheet on exemptions available that you can download and take into the field at:

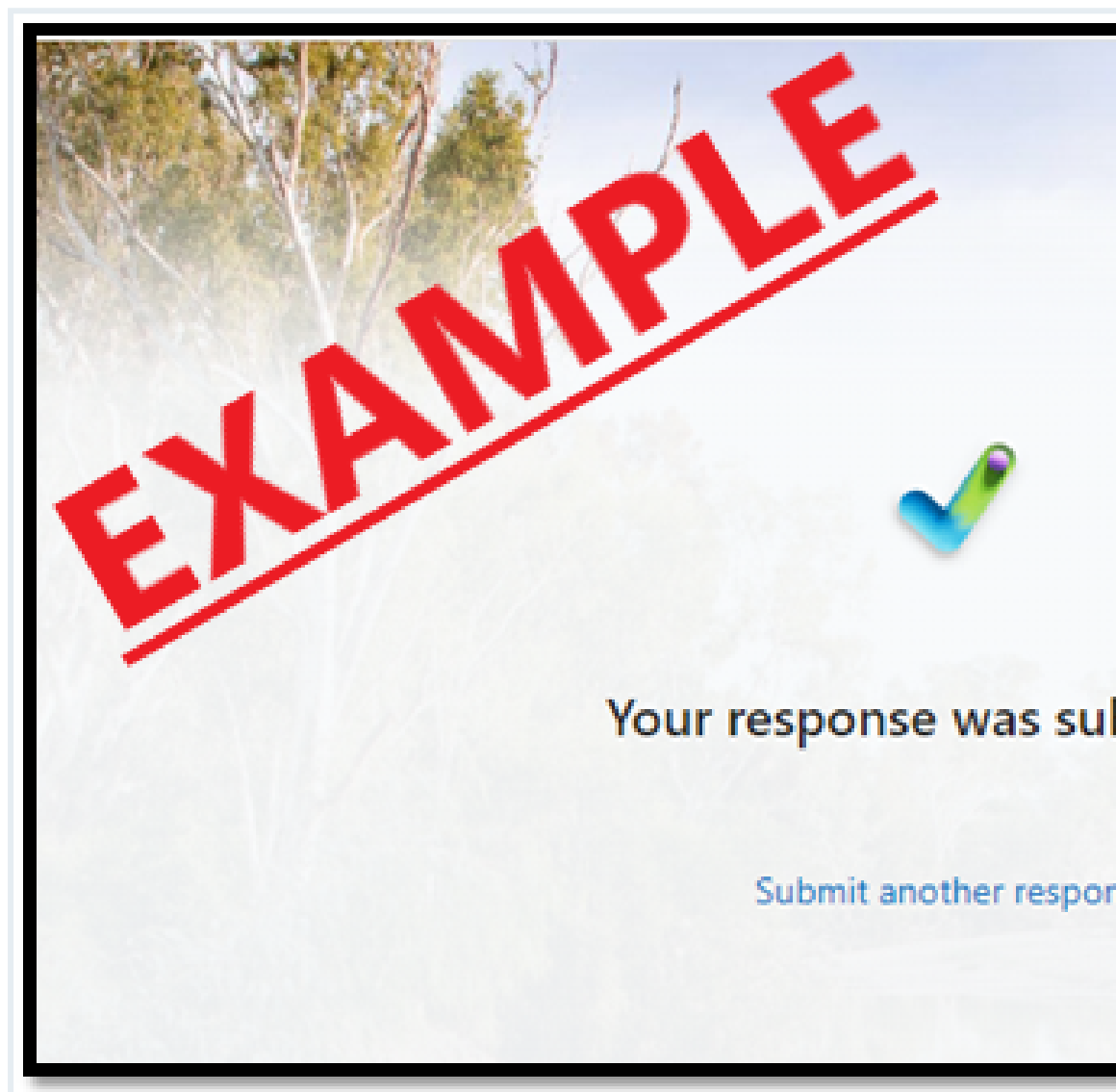
https://water.nsw.gov.au/_data/assets/pdf_file/0009/386190/Controlled-activity-approval-exemptions-fact-sheet.pdf

Members of the general public who are planning works near waterfront land should seek professional advice.

The NSW Department of Climate Change, Energy, the Environment and Water may request copies of the controlled activity exemption e-tool answers and supporting documents from landholders where works are carried out without a controlled activity approval under the Water Management Act 2000.

The controlled activity exemption e-tool will store your answers but it will not identify your location or any other personal details.

When you complete the tool, **you must click Submit before you'll get the option to save or print a pdf copy of your answers and result**, which you must keep as a record of your decision-making. You must also keep all reference material and information used—including maps, photos and observations to answer the tool questions.



More Information

- about this tool, contact NSW Department of Climate Change, Energy, the Environment and Water via lodging an enquiry through Water Assist

<https://www.dpie.nsw.gov.au/water/water-assist>

- about controlled activity approvals, visit

<https://www.dpie.nsw.gov.au/water/licensing-and-trade/controlled-activity-approvals>

Disclaimer

- This tool is intended for guidance purposes only and cannot be used as evidence of compliance with the Water Management Act 2000.
- Users of this tool will be responsible for making their own assessment of the material and should verify all relevant representations, statements and information with their own professional advisers.
- This tool only applies to controlled activities on waterfront land—it does not apply to water access licences or water supply work and/or water use approvals.
- This is not an approval to undertake work on waterfront land and you will still need to obtain relevant approvals as required under the Water Management Act 2000 (WM Act).
- The use of this tool does not remove the obligation to obtain approval under any other relevant legislation.
- Users should also refer to the disclaimer on the department's website at: <https://www.industry.nsw.gov.au/disclaimer>

Entity Types

1

Are you any of the following? *

- ☒ a Public Authority
- ☐ a State or Commonwealth body
- ☐ a Network operator
- ☐ None of the above

1. Public Authorities

Who is a public authority?

- Local Government Council

- Contractor undertaking works for Council where Council is responsible for the works
 - Examples:
 - Removing flood debris from a public culvert or
 - Removing vegetation from a watercourse
 - Construction of Council flood mitigation works
- NSW Public Service Agencies
- Sydney Water
- Hunter Water

Who is not a public authority?

- Landcom (Urban Growth)
- Private person or company undertaking works in kind for Council eg. Building a detention basin to be handed over to Council at completion of subdivision works.
- Private person or company undertaking works in kind for Sydney Water or Hunter Water eg. Construction of sewer line by developer as part of subdivision
- Universities
- Superannuation Administration Corporation.
- Energy operators

2

Using the above information which of the following public authorities are you? *

- ☒ Local Government Council
- ☐ Contractor undertaking works for Council, where Council has oversight and responsibly for the works
- ☐ NSW Public Service Agencies
- ☐ Sydney Water
- ☐ Hunter Water

1.1 Result - Public Authority - Local Government Council

Based on your answers, the result is:

EXEMPT - Controlled Activity Approval not required

Exemption under Clause 41 of the Water Management (General) Regulation 2018

<https://legislation.nsw.gov.au/view/html/inforce/current/sl-2018-0480#sec.41>

Statements

- You are a Local Government Council

3

Is the above statement correct? *

☒ Yes (Record keeping and disclaimer)

☐ No (Restart Tool)

Record keeping and disclaimer

Please ensure you keep the electronic and/or printed copies of all supporting evidence used to answer questions in this tool and the saved PDF you receive after clicking submit.

NOTE:

- The results given by this tool are generated using the answers you have provided. If any answers are incorrect or incomplete, the result produced may be incorrect.
- This tool is intended for guidance purposes only and cannot be used as evidence of compliance with the Water Management Act 2000.
- Users of this tool will be responsible for making their own assessment of the material and should verify all relevant representations, statements and information with their own professional advisers.
- Users should also refer to the disclaimer on the department's website at: industry.nsw.gov.au/disclaimer.

If ANY of your assessments identify that a controlled activity approval is required for your proposed works, you must complete the following tasks:

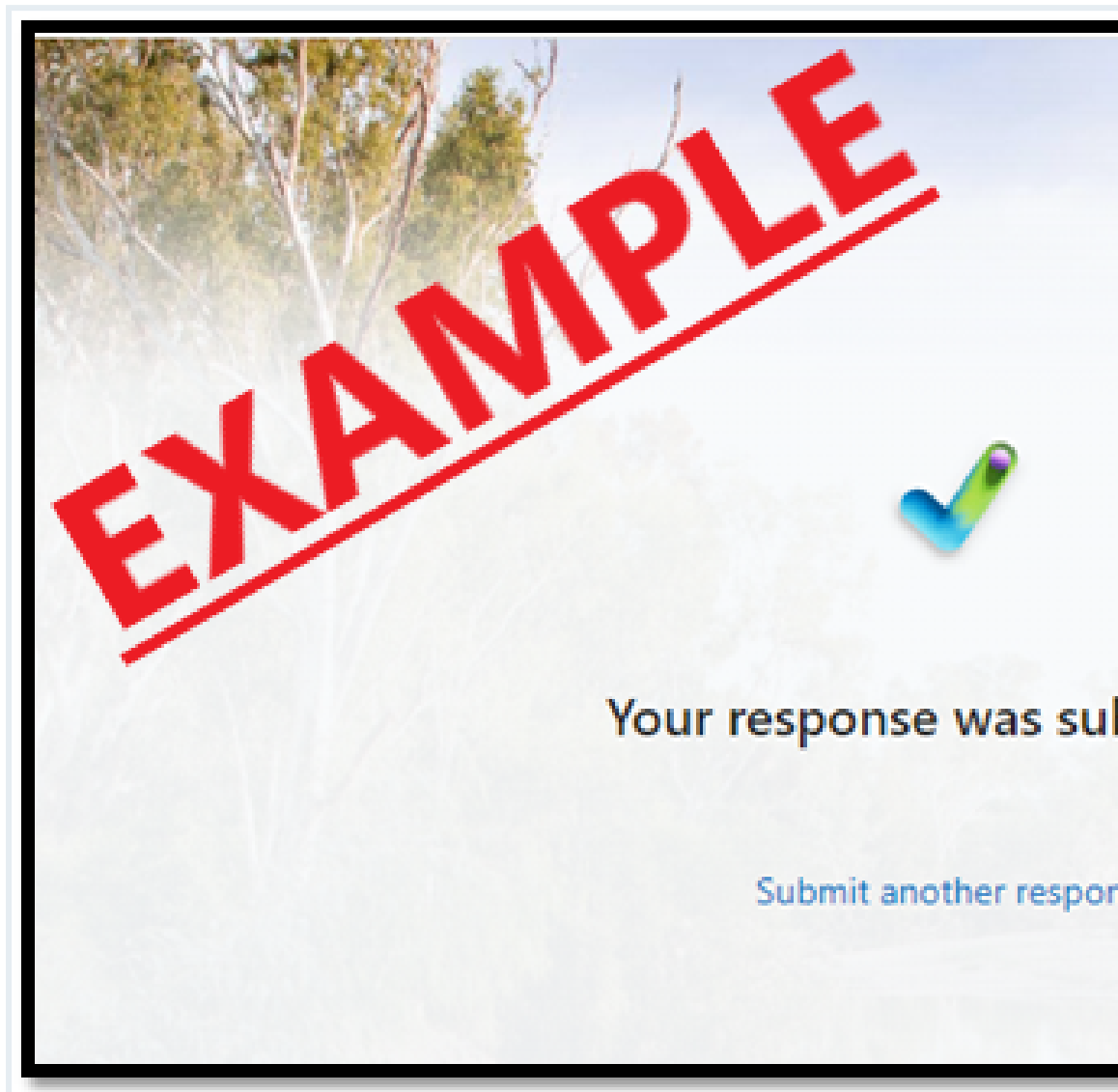
- For matters requiring a development application (DA) from Council, you should lodge your DA as Integrated Development.
- For matters NOT requiring a DA, please refer to Water Assist for instructions on how to apply for a Controlled Activity Approval:

<https://www.dpie.nsw.gov.au/water/water-assist>

Reminder: Multiple exemptions may apply to your property and/or proposed works. You must

complete this e-tool separately for each applicable exemption.

You must click Submit before you'll get the option to save or print a pdf copy of your answers and your result.



4

Please let us know whether you found this tool helpful and what we could do to make it better. Your comments will help us to improve the tool. *

☐ Provide feedback then submit

☒ Submit now



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