



Natural Resources Access Regulator

Guide to completing and submitting an extension to a controlled activity approval

industry.nsw.gov.au/nrar

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Introduction

What is a controlled activity?

Controlled activities are certain types of activities that are

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

What is waterfront land?

'Waterfront land' means the bed of any river, lake or estuary, and the land within 40 metres of the river banks, lake shore or estuary mean high-water mark.

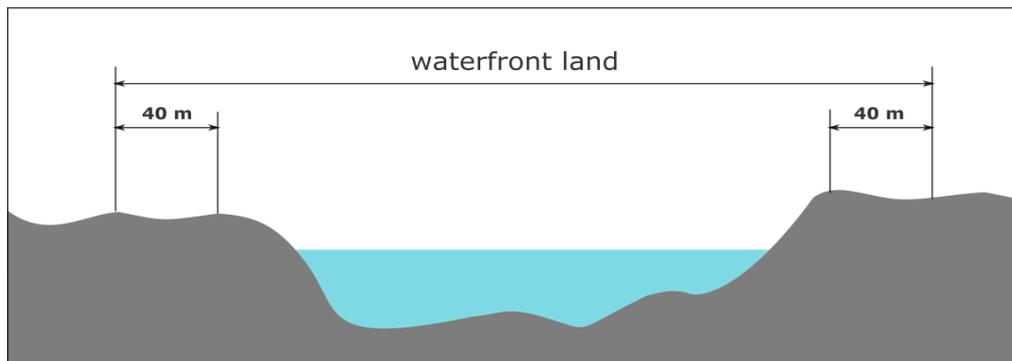


Figure 1. Waterfront land means the bed of any river, lake or estuary, and the land within 40 metres of the river banks, lake shore or estuary mean high-water mark.

What kinds of activities are controlled activities?

'Controlled activity' means:

- erection of a building
- carrying out a work
- removing material from waterfront land, such as vegetation or extractive material
- depositing material on waterfront land, such as extractive material
- carrying out an activity that affects the quantity or flow of water in a water source.

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 ancillary 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.

When does an approval need to be extended?

Controlled activity approvals are granted for up to ten years and have an expiry date.

You may need to extend your controlled activity approval if the works or activity authorised by the approval will not be completed before the approval is due to expire.

It is an offence to carry out a controlled activity without an approval, including after an approval has expired.

How long can an approval be extended for?

A controlled activity approval can be extended for up to three years.

The application fee is the same no matter how long you request your approval be extended.

You should consider how long you need your approval to be extended for to complete the works or activity authorised by the approval, and any rehabilitation or maintenance required by the conditions of the approval.

How to use this guide

Use this guide to help you complete the application form for a new or amended controlled activity approval.

This guide has four parts:

- How to fill in the form
- How to submit the form
- How to pay the application fee
- Sections in the application form

How to fill in the form

Download the extended controlled activity approval application form from the following link:

industry.nsw.gov.au/water/licensing-trade/approvals/applications-fees

There are two options for completing the downloadable extension application form. You can choose to complete the form electronically before printing, or by hand after printing.

1. Electronically before printing:
 - a. Download and complete the electronic application form
 - b. Print the completed form
 - c. All applicants must sign the completed form
 - d. Scan and save the application in PDF format
2. By hand after printing:
 - a. Download and print the application form
 - b. Complete the printed application form by hand in capital letters with a blue/black pen
 - c. All applicants must sign the completed form
 - d. Scan and save the application in PDF format

How to submit the form

- All applications should be lodged by email to nrar.servicedesk@industry.nsw.gov.au
- The email is to include:
 - Subject title: CAA Application Extension – Address
 - Short email applying to extend the controlled approval, including your contact details
 - Scanned PDF of your completed and signed application form
 - All supporting documents and reports attached in PDF format. If the total file size exceeds 10 MB then the supporting documents should be provided using a file sharing link (or in multiple emails).

If you do not have email access, call the Natural Resources Access Regulator on 1800 633 362.

How to pay the application fee

The Natural Resources Access Regulator (NRAR) charges fees to cover the cost of assessing and reissuing controlled activity applications. Controlled activity approval extension fees are set at a standard rate.

For information about application fees for a new approval, to amend or extend an existing approval, or to release a security deposit or bank guarantee, go to:
industry.nsw.gov.au/water/licensing-trade/approvals/applications-fees

Fee amount

You can pay a standard application fee at the same time as you submit your application form, or pay the fee that has been previously advised by an NRAR assessing officer. You need to pay the application fee before your application can be assessed.

Payment options

You can pay the application fee by credit card as follows:

- After you have submitted your application form and completed Section A, we will call you to take payment over the phone.
- Do not write your credit card details in your application form or any other correspondence you send to us. This is a security risk if your correspondence is seized by someone else on its way to us.

Sections in the application form

The application form has several sections. In each section are questions identified by a number on the left hand side of the form (for example, B4 is question 4 in section B).

The information provided in the guide corresponds to these numbers in the application form.

Ensure you provide all the information requested in this application form. If your application form is incomplete it will not be accepted.

The department may contact you to request more information about your application.

Section A: Approval details

- A1** This is the reference number of the approval you are applying to extend. You can find this approval number on your *Statement of Approval as a CX number*.
- A2** The approval expiry date is specified in the *Statement of Approval*.

Section B: Payment of application

- B1-5** Name and contact details for the person or company making payment of the application fee. The application fee can be paid by credit card (direct deposit is not currently available). Further information about how to pay the application fee is included in the *How to pay the application fee* section on page 6 of this Guide.

Section C: Applicant details

These are the details of the applicant(s) that will appear on your approval.

- C1-6** Name of the person(s) applying for the controlled activity approval. Name can be a person's name or a legal entity, such as a corporation. The controlled activity approval application must be made by an individual(s), a company, a body corporate or a public authority, but not a partnership or joint venture. If the approval is to be registered under the names of more than two people, provide the additional applicants' details on a separate sheet of paper and attach it to the application form.

If the application is being made by a company then you must provide the Australian Company Number (ACN). Note that an ABN (Australian Business Number) is not permitted.

- C7-13** Address and other contact details for the person(s) applying for the controlled activity approval.

If the application is being made by a company then the **registered** business address must be provided.

- C14** Applies only if there is a second (or more than one) applicant. Details of all additional applicants must be supplied or the application may be rejected. If space provided is insufficient, please photocopy or print multiple copies of this page.

Section D: Contact person for application

You only need to complete this section if a person other than the applicant or owner will be dealing with the application.

- D1-3** The name of the agent or contact person appointed by the applicant to deal with the controlled activity approval application.

- D4-9** The complete details—address, contact details—of the contact person(s).

Section E: Property owner's details and consent

You only need to complete this section if the owner of the land is different to the applicant(s).

- E1** The owner of the land is any person with freehold title to land.
- E2-10** The complete details—address, contact details—of the owner(s) of the land must be included as it may be necessary for us to contact the owner(s) and verify consent has been provided. If the owner is not contactable, the controlled activity approval application may be rejected.
- E11** Applies only if there is a second (or more than one) land owner. Details of all additional land owners must be supplied or the application may be rejected. If space provided is insufficient, please photocopy or print multiple copies of this page.
- E12-13** All land owners must sign and date the application or the application may be delayed or rejected.
- E14-18** If the owner is a company/corporation(s), complete the name, registered business address and signatories.

Section F: Details of progress of controlled activity

Provide details of the progress of the controlled activity to help us understand why you are requesting the extension and what needs to happen before the controlled activity is completed.

- F1** Describe the status of the controlled activity as authorised by the approval.
- F2** The conditions of a controlled activity approval may require a rehabilitation and/or maintenance period. Describe the status of any rehabilitation and/or maintenance period required by the approval.
- F3** If the controlled activity, or rehabilitation and/or maintenance period, has been started but not completed, provide details of progress to date. You may provide these details in the space provided in the application form, or by attaching a separate progress report, photographs and/or diagrams to your application.

Section G: Extension time

- G1** Specify the period of the extension you are requesting.

You can request an extension of up to three years. Consider how long you need to complete the controlled activity authorised by the approval, as well as any requirements for rehabilitation and/or maintenance specified in the conditions of the approval.

Section H: Certification of compliance with approval

We are required by law to refuse your application to extend your controlled activity approval if you do not certify that you have complied with the terms and conditions of the approval.

It is an offence to carry out a controlled activity in a manner that does not comply with the terms and conditions of an approval.

If you think you may have committed a breach of the terms or conditions of your approval, we encourage you to notify us. Self-notification is a factor we consider when deciding how we will respond to a potential breach.

Information about how we respond to reports of alleged breaches is provided in our *Regulatory Policy* and our guidelines *Compliance with water legislation*.

Section I: Declaration of applicant

Ensure that all approval holders sign the application form. If there is insufficient room for the signatures, please attach additional pages. Companies must also stamp the application with the company stamp.