

# Prepare to lodge an objection

## Fact sheet

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The *Water Management Act 2000* (WMA) allows for applications for water access licence and new or amended water supply work and use approvals to be submitted, and for certain types of applications to be advertised.

The process of advertising an application provides the opportunity for members of the community to lodge an objection to the granting of the application before a decision is made that may adversely affect a right, interest or expectation which they hold.

## How to find out about applications

The NSW Water Register provides public access to information about water access licences and approvals. This information can be accessed by searching the [NSW Water Register](#).

For more information about an application, call the phone number on the advertisement to speak to a WaterNSW staff member.

## What type of applications can be objected to?

The WMA allows objections to be made in a wide range of situations. This fact sheet focuses on objections to the grant of water access licences (WAL) and the grant of approvals (such as for a water use or water supply works approval).

**WAL:** objections can only be made to the grant of a WAL where the water is not in a water management area or where a water sharing management plan is not in force.

**Approval:** objections can only be made to the granting of an approval if the application has been advertised.

## What must be included in an objection?

An objection must:

- be in writing or electronic form
- be signed by the objector
- contain the objector's name and address
- specify the grounds of objection

The grounds of the objection are the reasons why the objector thinks the application should not be granted. The grounds might be based on the merits of the application (e.g. granting the application would have a specific impact on them or their property) and/or they might relate to process (e.g. the application does not comply with the WMA) or other issues.

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## Using the WaterNSW objection form

WaterNSW has an [Objection form](#) that can be used. The form does not have to be used to make an objection; however, the objection must be lodged in writing within the timeframe provided and must be posted or sent electronically to the address nominated in the advertisement.

Two or more people may use the same form for their objections, but each objector must provide the required details in the section above and sign the objection.

### Does the objection relate to the application?

Prior to submitting an objection, the objector needs to ensure the objection relates to the specific application they're objecting to.

If the objection is more general or relates to other matters, it may be best to contact one of the agencies in NSW which also have roles in implementing the WMA. For example, 'suspicious behaviour' may be best referred to the Natural Resources Access Regulator (NRAR), dumping rubbish to the local council and concerns with water sharing plan rules to NSW DCCEE. An overview of key agency functions are listed below.

**NSW Department of Climate Change, Energy, the Environment and Water** - responds to state outcomes of sustainable and secure water resources, and resilient and sustainable environment and energy, including the draft and review of water resource plans for the Murray-Darling Basin and water sharing plans for all water sources across the state. NSW DCCEE also looks after the licensing and approval functions for certain customers.

**Natural Resources Access Regulator (NRAR)** - delivers compliance and enforcement of water management legislation in NSW.

**NSW Environment Protection Authority (EPA)** - provides environmental regulation addressing pollution and waste, protection of human health and agricultural practices such as use of sprays and fertilisers.

**WaterNSW** - provides water licensing and approval functions for certain customers, billing and water resource information for surface and groundwater quantity and quality.

### Does an objection need to be lodged?

The approval process often addresses an objector's concerns regardless of whether they submit an objection.

The decision-maker must consider the potential impact of the proposed activity on existing users and the environment. An approval must not be granted if there will be more than a minimal impact as a result of the granting of the application.

Before granting an approval, WaterNSW undertakes detailed assessments. The assessment process is summarised in the [Process to assess applications to take water fact sheet](#).



Use the [objection form](#) on the WaterNSW website to lodge an objection.

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Many groundwater applications require assessment by the Hydrogeology team at NSW DCCEEW. The process is outlined in the fact sheets below. During drought, different provisions can apply.

## Does the objection relate to the application?

### 1. Receipt of objection

The objector will be advised in writing that the objection has been received. For an objection to be considered it must:

- be in writing, or, electronically submitted in writing
- be signed or authenticated by the objector
- contain the name and address of the objector
- be received within 28-days from the date the notice was published
- specify the grounds of the objection

The applicant is notified of the grounds of the objection received and given an opportunity to respond.

### 2. Request for information

WaterNSW may require the objector or the applicant to provide additional information which would be relevant when considering the issues raised in the objection. Any such request will be in writing, specifying the time in which the information should be provided.

### 3. Consultation

Before making a decision to grant or refuse an application for an approval which is subject to an objection, WaterNSW must attempt to resolve the issues raised in the objection by means of consultation with the applicant and the objector.

### 4. Mediation or neutral evaluation

If the issues cannot be resolved through consultation, WaterNSW may decide (at its cost) to attempt to resolve the matter by way of mediation or neutral evaluation, which may involve an independent mediator. Whether this process is successful or unsuccessful, WaterNSW must still determine the application, and the applicant still retains any relevant appeal rights.

#### Need help?

If you need more information, please contact our Customer Service Centre on **1300 662 077** between 8am and 5pm, Monday to Friday or email [Customer.Helpdesk@waterNSW.com.au](mailto:Customer.Helpdesk@waterNSW.com.au)

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