

About the Water Reform Action Plan

Water is one of the most important natural assets in New South Wales. The community, business and the environment all rely on water to survive and prosper.

In December 2017, the NSW Government released the Water Reform Action Plan in response to the *Independent investigation into NSW water management and compliance*, conducted by Ken Matthews, AO (the Matthews Report) and the *Murray–Darling Basin Water Compliance Review*.

The plan will deliver on the state’s responsibility to ensure we have an equitable and transparent approach to the management of water for current and future generations.

As part of the development process for the water reforms being introduced, the NSW Government has released three consultation papers for community input on:

- Water take measurement and metering
- Transparency measures
- Better management of environmental water.

Exposure Bill

To support the implementation of the Water Reform Action Plan and the options proposed in the consultation papers, amendments will be required to the *Water Management Act 2000* and *Natural Resources Access Regulator Act 2017*.

The NSW Government has released an Exposure Bill, the draft Water Management Amendment Bill 2018, as an example of the mechanisms that could be enacted to enable key elements of the reform. The Bill that will be introduced into Parliament later this year will reflect the final policy positions that are developed following your input to the consultation papers listed above. Some policy elements will be enabled in the regulations that will be developed after the Bill has been considered by Parliament.

This fact sheet accompanies the Exposure Bill and should be read in conjunction with the consultation papers listed above. Your feedback on the options proposed in the consultation papers will help shape the final Bill that will be introduced into Parliament.

Table 1. Overview of draft Water Management Amendment Bill 2018

Relevant consultation paper	Water Management Amendment Bill 2018	Bill reference
Better management of environmental water	Assignment of individual daily extraction components (Individual Daily Extraction Limits or IDELs): <ul style="list-style-type: none"> • Amends the access licence dealings provisions to enable individual daily extraction components to be assigned between access licences. • Enables information about assignment of individual daily extraction components to be included in the water allocation account for an access licence. 	[3], [5], [6], [19], [20], [21]
	Temporary water restrictions: <ul style="list-style-type: none"> • Amends the existing temporary water restriction provision to allow the Minister to restrict or prohibit the taking of water where the Minister is 	[14], [15]

Relevant consultation paper	Water Management Amendment Bill 2018	Bill reference
	<p>satisfied it is necessary for the purposes of managing water for environmental purposes.</p> <p>Imposition of mandatory conditions:</p> <ul style="list-style-type: none"> • Enables regulations to impose mandatory conditions on access licences and approvals to limit, for environmental purposes, the taking of water in specified circumstances. • These mandatory conditions will override existing conditions in water sharing plans, access licences and approvals and are not subject to the general notification requirements. 	<p>[1], [2], [4], [11], [12]</p>
<p>Transparency measures</p>	<p>Including information in a public register:</p> <ul style="list-style-type: none"> • Enables regulations to be made that will authorise the disclosure of water information. This could include information already held on a water register about an access licence or approval, water allocation account information, as well as general information about water take from a specified area of the state. <p>Information about when water can be taken:</p> <ul style="list-style-type: none"> • Allows the Minister to authorise a website that provides information about whether take of water is or is not permitted at a specific location at a specific time. • The website will show whether the water sharing plan rules generally authorise take of water. However, some individuals' licence or approval terms and conditions may affect this authorisation, and need to be complied with. • Allows an evidentiary certificate to be issued for the purpose of legal proceedings that states what information was provided on the website at a particular time. <p>Publishing compliance information:</p> <ul style="list-style-type: none"> • Enables regulations to authorise the Natural Resources Access Regulator to publish details about enforcement actions that have been taken, such as the issue of penalty infringement notices (PINs) and stop work orders. 	<p>[18]</p> <p>[7], [17]</p> <p>Schedule 2</p>
<p>Water take measurement and metering</p>	<p>Imposition of mandatory conditions:</p> <ul style="list-style-type: none"> • Enables regulations to impose mandatory conditions on approvals relating to the use of metering equipment in connection with water supply works. • These mandatory conditions will override existing conditions in water sharing plans, access licences and approvals and are not subject to the general notification requirements. <p>Setting out metering requirements:</p> <ul style="list-style-type: none"> • Enables regulations to be made to require the use of metering 	<p>[1], [2], [4], [11], [12]</p> <p>[12], [13], [16]</p>

Relevant consultation paper	Water Management Amendment Bill 2018	Bill reference
	<p>equipment including requirements relating to the installation, use and maintenance of metering equipment.</p> <ul style="list-style-type: none"> Expands an existing power to enable a person to be directed to use metering equipment. <p>New offence provisions:</p> <ul style="list-style-type: none"> Includes a new offence provision with respect to providing false or misleading information in connection with metering records or the metering requirements that will be set out in the regulations. Expands an existing offence provision so that it is an offence where a person does not comply with the metering requirements that are in the regulations. 	<p>[8], [9], [10]</p>

Have your say

The community is encouraged to provide feedback. These responses will be due by Sunday 15 April at 11.59 pm and can be submitted in a number of ways, including:

Online: www.haveyoursay.nsw.gov.au

Email: water.reform@industry.nsw.gov.au

Website: www.industry.nsw.gov.au/water-reform/consultation

Post: Water Renewal Task Force, Department of Industry, GPO Box 5477, Sydney NSW 2001

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