

NSW WATER REFORM ACTION PLAN

Transparency measures

Consultation paper

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Transparency measures—Consultation paper

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More information

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Introduction

Water is one of the most important natural assets in New South Wales (NSW). 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 (this document)
- Better management of environmental water.

The NSW Government has committed to improving transparency in how we share, allocate and manage water. The purpose of increasing transparency is to give all stakeholders confidence that water is being used (whether for production or the environment) in accordance with adopted water sharing laws, plans and licences. Confidence is a prerequisite for sustainable communities, jobs and the environment.

We are progressing several initiatives to improve the transparency of water management in NSW including:

- creating a public register of water information that could cover water entitlements, water licences and water work approvals
- improving the transparency of when take of water is permitted
- publishing compliance and enforcement activities undertaken by the Natural Resources Access Regulator.

This consultation paper seeks your feedback about how these measures can best be developed to meet the information needs of industry and the wider community, and increase public confidence that water users are complying with the rules.

Background

One of the flagship recommendations of the *Independent investigation into NSW water management and compliance* conducted by Ken Matthews, AO (the Matthews Report) was to improve significantly the transparency and public accessibility of information about NSW water use and regulation. The *Murray–Darling Basin Water Compliance Review* drew similar conclusions.

The Matthews Report proposed that, as water generally is a community-owned resource, members of the public have a right to satisfy themselves that it is being used in compliance with the law. The overall objective of publishing water management information and data in a transparent way that is accessible to the public is to improve compliance effectiveness and public confidence in the regulation of our water resources. Ken Matthews concludes that full transparency would add considerably to a more compliant culture among water users.

This paper covers three initiatives in particular that will improve transparency about water regulation and use, and outlines some proposed legislative amendments that will allow them to be implemented.

The first is the commitment in the Water Reform Action Plan to release a discussion paper on creating a public register of water information that could cover water entitlements, water licences and water work approvals. This seeks to implement the recommendations of the Matthews Report and the *Murray–Darling Basin Water Compliance Review* to provide easy public access to information about water entitlements and how they are being used.

This paper also discusses initiatives to improve the transparency of when water take is permitted. This will make it easier for water users and members of the public to access and understand information about when water can be taken, which will also contribute to greater voluntary compliance and assist with enforcement.

Finally, this paper explains the Water Reform Action Plan commitment to publishing compliance and enforcement activities undertaken by the Natural Resources Access Regulator (the Regulator). This is intended to improve public confidence that the regulatory arrangements in NSW are being enforced, while also encouraging voluntary compliance.

The Matthews Report also recommended improving the transparency of environmental water entitlements and flow. There is a separate project to improve the management of environmental water, which will include publishing explanatory material for the public about how environmental water is managed.

Consultation topic 1: What information should be included in a public register and why?

The Matthews Report and *Murray–Darling Basin Water Compliance Review* recommend that all details of water entitlement information should be available to the public from a single source. It was recommended that this should include the name of holder, licence details and conditions, water entitlements, water allocations, meter readings, real-time water account balances and all trading activities.

There is a range of water information already available to the public in NSW. However, it is not all available in one place, and is not always easily accessible to the community. The Matthews Report and Murray–Darling Basin Authority recommendations also suggest publishing some information that is not currently in the public domain. This raises two key issues:

- the ease of public access to currently available water information
- the potential consequences of making new information public.

What information is already available and how is it accessed?

All Australian jurisdictions have a form of water register, with each state and territory taking a different approach to what information is contained in the register and how it is accessed. There are three key sources of water information in NSW that can be accessed by the public:

- the NSW Water Register amalgamates information from several public registers and provides public access to information about water licences, approvals, water trading, water dealings and other matters related to water entitlements in NSW
- the Water Access Licence Register (WAL Register)¹ has a separate record for each Water Access Licence issued (WAL folio) which shows water access licence details, including the name of the licence holder. To search the WAL Register the relevant WAL number is required, with each search incurring a fee of \$14.20
- the NSW Environmental Water Register (which is accessible from the NSW Water Register), which provides information on environmental water holdings.

A summary of legislative requirements, available information and how it can be accessed from these registers is included in Attachments A and B. Table 1 shows the categories of information that have been recommended for inclusion in a public register, and where the information can currently be found.

While much of this information is already in the public domain, currently its accessibility and usability is limited. The information is disparate and there are constraints to accessing certain types of information. For example, an identifying reference (a WAL number or a lot/DP number) is usually needed to conduct a search and the ownership of a licence can only be found via a search of the WAL Register, which attracts a fee.

Also, real-time information about water use is not currently publicly available, as metering information and water account balances are not currently published. In many areas this information is not available because metering is not universal. However, in time, meter coverage will improve which will make this information more readily available.

The Matthews Report also recommended arrangements be put in place for the public to readily identify any specific pump, off-take or works, for example, by posting an identifying number on all river pumps and making the mapping of pump locations more readily available. While physical identifiers for pumps and other works could contribute to improving public confidence that all activity is appropriately authorised, there are some risks. For example, generally works will be on private land and therefore will not be able to be accessed by the general public without trespassing.

¹ The WAL Register is maintained and operated by *Australian Registry Investments* as part of a 35 year concession granted by the NSW Government.

The NSW Water Register can currently be searched with a Lot/DP number to get details of any approvals and the work types, including a reference number for the approval. While this gives a general indication of where the works are located, it does not provide a specific location within the Lot and DP. Improving information about approved works through a map-based solution and identification scheme may provide an appropriate alternative for achieving this objective.

Consultation questions

- Is the information already available on the NSW Water Register and Water Access Licence Register enough to provide greater transparency of water use? If not, what else is needed and why?
- Is the currently available information too complicated and difficult to access? How could it be simplified?
- What information should be prioritised for access?

Table 1: Currently accessible NSW water information

Information recommended to be readily accessible	Information currently accessible in the NSW Water Register	Information currently accessible in the WAL Register (in a WAL folio)
Name of holder	Not available	<ul style="list-style-type: none"> • current holder(s)
Licence number (WAL number)	Lists of WAL numbers can be generated by water source or licence category. <i>Water Act 1912</i> licence numbers can be searched by a particular property (Lot/DP)	<ul style="list-style-type: none"> • WAL number (this number is used to conduct the search)
Licence conditions	A particular water licence or approval (including conditions), provided that the licence number or approval number is known	<ul style="list-style-type: none"> • expiry date • conditions • tenure type
Water entitlement	Share components of a WAL can be identified if the WAL number is known, or share components of all WALs can be found for a certain licence category and water source	<ul style="list-style-type: none"> • category (that is, unregulated river, aquifer etc.) • share component (volume) • water source • water sharing plan
Water allocations	Water allocations (available water determinations), searched by either water source or specific WAL number	<ul style="list-style-type: none"> • extraction component (including conditions about extraction and extraction zone)
Meter readings	Not available	Not available
Real-time water account balance	Not available	Not available

Information recommended to be readily accessible	Information currently accessible in the NSW Water Register	Information currently accessible in the WAL Register (in a WAL folio)
Trading activities	<p>Water trading statistics for:</p> <ul style="list-style-type: none"> • water allocation assignment trading, by water source (updated monthly). Total number of assignments and volume of water traded (updated weekly) • share assignment trading, by water source (updated weekly) or by WAL • transfer trading, by water source (updated weekly) or by WAL • tagged trading (updated weekly). <p>Processing times for:</p> <ul style="list-style-type: none"> • water allocation assignment trades, and • transfer and share assignment trades. 	
Water works approvals	<p>An approval (and conditions) can be identified if the approval number is known or by property (if Lot/DP is known). Also, a list of approvals can be searched, based on kind and/or region and/or date of application</p>	<ul style="list-style-type: none"> • Nominated works (including work approval numbers)

Are there risks associated with publishing some water information and how can these be managed?

The Matthews Report and the *Murray–Darling Basin Water Compliance Review* recommend that meter readings and real-time water account balances be available for the public to readily access. This information is not currently published.

Some stakeholders have suggested that disclosure of water account balances could be commercially sensitive and pose risks to operation of the water market. The information could reveal operational strategy by providing a detailed pattern of water use and, if in real time, would provide a clear indication of the value of water to the individual or enterprise at a particular time. Further, water brokers or other water suppliers could inflate or depress buy and sell offers based on irrigators' account balance information.

There are options which could mitigate risks to privacy and commercial sensitivity, while also meeting the objectives of greater transparency. For example, account balances and meter reading information could be provided on the public register at an aggregated level or at a time when the information was no longer commercially sensitive.

Water information in existing NSW water registers already includes certain personal information. For example, the available information includes the names of licence and approval holders, the share component associated with the licence as well as licences and approvals linked to a particular property or region. However, this information is disparate and there are currently some barriers to determining easily the ownership of an access licence or approval and the associated terms and conditions. In particular, the name of a licence holder can only be obtained via a search of the Water Access Licence Register, if the licence number is known and at a fee.

The disclosure of personal information associated with access licences and approvals needs to be balanced with the need to improve transparency of the water management framework. A decision to make this information more readily available would be aimed at increasing confidence in the community that the water management framework is being complied with as well as to encourage voluntary compliance.

Amendments to the *Water Management Act 2000* are proposed to authorise the disclosure of personal information. The *Water Management Amendment Bill 2018* (Exposure Bill) includes a provision allowing regulations to be made that will authorise the disclosure of information (including personal information) about water licences and approvals. This information could include information already held on a water register, water allocation account information and information about water take from a specified area of the state.

Consultation questions:

- Are there categories of information that should not be made public? What are they and why?
- Are there ways that sensitive information can be managed and still made public? For example, by publishing account balances quarterly?

How should information be provided on a public register?

Other Australian jurisdictions generally provide the same types of information in their public water registers. The main difference between jurisdictions is how the information is accessed. For example, Western Australia's Water Register provides a web mapping tool which displays areas where surface water and ground water licences exist. Clicking on one of these licences provides a summary of water entitlement information including holder name and convictions.

Similarly, formats of access vary between comparable NSW resource industry registers. For example, the Environment Protection Authority uses a single web page to provide access to its *Protection of the Environment Operations Act 1997* registers, including a public register of information about Environmental Protection Licences, a public register of related convictions and results of civil proceedings and a public register of enforceable undertakings.

Typically, there are two main access formats for public registers—online search portals or web mapping tools. A summary of the information available from water registers in other jurisdictions and comparable NSW resource industry registers, and how they can be accessed is included in Attachment C.

A web mapping tool may be suitable to provide greater accessibility to water information in NSW. For example, the NSW Department of Planning and Environment Planning Portal uses a web mapping tool to provide simple summaries of information relevant to users and the public. Users can drill down to the detail contained in those information sources, if required. The planning tool also provides access to legislation and rules related to information displayed on the mapping platform. This access format could provide a user friendly way to access water entitlement information in NSW, for example, by clicking a map to find Water Access Licence information connected to a property, water source or region.

Consultation questions:

- How would you like to be able to search for details and/or data in a public register of water information?

Consultation topic 2: How to improve information about when water can be taken

Access rules governing when water can be taken can be complex. This is particularly the case in unregulated systems where there may be different categories of licences whose daily access is dependent on the flow at a flow reference point (often a river gauge), the year of the plan and other factors.

Unregulated water sharing plans specify the flow and flow reference point. However, they do not specify from where flow information is accessed or what data is to be relied upon to determine if take is or is not permitted.

Improved transparency of when take is permitted will enable members of the public to better understand the rules governing when water can be taken. It will also clarify for licence holders the rules with which they must comply. This, in turn, will contribute to greater voluntary compliance and assist in compliance enforcement activities.

The NSW Government has recognised the need for a single source of information, for example on a dedicated web page, to make it easier for licence holders and the public to understand when the flow conditions allow for water take at a particular point in time. WaterNSW has developed a system with this functionality for the Barwon–Darling that will be released shortly, which will reflect the water sharing plan access rules.

To support compliance activities, an amendment to the *Water Management Act 2000* is proposed which allows information to be included on an authorised website that identifies whether take of water is, or is not, permitted at a specific location at a point in time. The Exposure Bill includes a provision which allows the Minister to approve a website that includes this information.

The website will reflect whether the water sharing plan rules generally authorise take of water. However, some individuals' licence or approval terms and conditions may impact on this authorisation, and need to be complied with.

The Exposure Bill also includes amendments to the *Water Management Act 2000* to allow an evidentiary certificate to be issued for the purpose of legal proceedings that states what information was provided on the website at a particular point in time.

Consultation questions

- What issues should be considered in developing a single source of authority on when take of water is permitted and how could those issues be managed? For example, how would this operate in areas with limited internet coverage?

Publishing compliance information

Transparency is critical in encouraging and supporting voluntary compliance and underpins public confidence in the integrity of the regulatory regime. The Natural Resources Access Regulator Board has adopted this principle in its Code of Conduct.

Under the *Natural Resources Access Regulator Act 2017*, the Regulator is required to publish information on convictions arising from prosecution action. Additionally, the Board has determined that it will seek to deliver on the full intent of the Matthews Report recommendations on transparency as a pillar of how it intends to transform the way water compliance and enforcement activities are designed, delivered and reported on.

The Regulator Board determined at its inaugural meetings in January 2018 its intent to proactively publish an extensive range of information. This will not only include compliance-related policies, procedures, guidance, data and reports when these become available, but its own governance and performance information.

The Regulator recognises that information needs to be timely, accessible and relevant. It has been actively considering available technologies that may be able to provide real-time data and analysis at a catchment, water sharing plan and individual level and how these could be used to support voluntary compliance, inform its regulatory operations and support transparency and confidence with all stakeholders and the community.

In addition, the Regulator's Memorandum of Understanding with the Murray–Darling Basin Authority will further promote transparency through information sharing and publication to inform regulatory activities and community confidence in achieving higher levels of compliance.

It is proposed that the Regulator will be authorised to publish details of proceedings and compliance actions that have been taken under the *Water Management Act 2000*. These details may include personal information. The publication of this information will be an important tool in building and maintaining public confidence in the enforcement of the water management framework and it is considered appropriate that relevant personal information is included in any publication.

The Regulator is currently authorised in section 11 of the *Natural Resources Access Regulator Act 2017* to publish details of convictions in prosecutions for offences under the natural resources management legislation (which includes the *Water Management Act 2000*). However, it is also proposed that the Regulator will be authorised to publish other information relating to compliance actions, such as penalty infringement notices (PINs), and stop-work orders.

The Exposure Bill includes a draft provision allowing regulations to be made that will authorise the publication of information (including personal information) about the exercise of enforcement powers under the *Water Management Act 2000*.

Have your say

The community is encouraged to provide feedback. These responses will be due by 11.59 pm on Sunday 15 April 2018 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

Next steps

This consultation paper is the start of a conversation the NSW Department of Industry is having with the community on the development of transparency measures for water management.

Community submissions will be a critical element to inform the next steps in determining solutions to introduce best practice water management to NSW.

A summary of all community feedback provided as part of the consultation and submission process will be released by the NSW Government in the months that follow the close of the consultation period at 11.59 pm on 15 April 2018.

The NSW Government is committed to ongoing engagement with the community and business on the proposed water reform changes and to ensuring that water users and stakeholders understand the changes being proposed and their potential impacts.

This submission process will inform the legislation to be brought to the Parliament by mid-2018. This legislation will allow the NSW Government to implement key elements of water reform required to address the recommendations of the Matthews Report.

Where actions to deliver on water reform will be implemented by regulation, consultation will be undertaken.

Attachment A—NSW legislative requirements

Table 2. Water Management Act 2000

Section	Summary	Requirement
Section 71	Water Access Licence Register	<p>(1) The Minister is to keep a Water Access Licence Register for the purposes of this Act (the Access Register).</p> <p>(2) In the Access Register, there is to be a division recording the matters specified in section 71A(1) (the General Division) and a division recording the matters specified in section 71A(2) (the Assignment Division).</p> <p>(3) The Access Register is to be kept in the form and manner determined by the Minister.</p> <p>(4) Without limiting subsection (3), the Access Register may be kept in the form of a computer record.</p>
Section 71A	Dealings and other matters that must be recorded in the Access Register	<p>(1) The following matters relating to an access licence (including a replacement access licence) or a holding in an access licence must be recorded in the General Division of the Access Register:</p> <ul style="list-style-type: none"> (a) Ministerial action in relation to the licence or holding, (b) any general dealing in the licence or holding, (c) any dealing on default in relation to the licence or holding, (d) any caveat lodged in relation to the licence or holding, (e) any security interest held over the licence or holding, (f) any devolution of the licence or holding as referred to in section 72, (g) any alteration in co-holder's tenancy arrangements in relation to the licence or holding, as referred to in section 73, (h) any other matter prescribed by the regulations. <p>(2) The following matters are to be recorded in the Assignment Division of the Access Register in such manner as the Minister considers appropriate:</p> <ul style="list-style-type: none"> (a) any assignment dealing in an access licence, (b) any other matter prescribed by the regulations.
Section 71J	Access to the Access Register	<p>(1) The Minister is to make the information recorded in the Access Register available to any member of the public at the times and in the manner and on payment of the fee (if any) approved by the Minister.</p> <p>(2) The information may be made available in accordance with such conditions as are determined by the Minister.</p> <p>(3) The conditions may:</p> <ul style="list-style-type: none"> (a) require the payment, whether on a periodic or other basis, of fees and charges, and (b) restrict access to information in the Access Register or any part of the Register.
Section 84	Register of available	<p>(1) The Minister is to cause a register to be kept of each available water</p>

Section	Summary	Requirement
	water determinations	determination made under section 59. (2) The regulations may make provision for or with respect to the form in which such a register is to be kept and the particulars that are to be recorded in such a register. (3) The register must be made available for public inspection during normal business hours at such places as may be prescribed by the regulations.
Section 113	Register of approvals	(1) The Minister is to cause a register to be kept of: <ul style="list-style-type: none"> (a) every application for an approval that is duly made under this Act, and (b) every approval that is granted, extended, amended, transferred, surrendered, suspended or cancelled under this Act, and (c) every agreement entered into by landholders under section 101(2). (2) The regulations may make provision for or with respect to the form in which such a register is to be kept and the particulars that are to be recorded in such a register. (3) The register must be made available for public inspection during normal business hours at such places as may be prescribed by the regulations.

Table 3. Water Management (General) Regulation 2011

Section	Summary	Requirement
Clause 14	Register of available water determinations	(1) The following particulars must be recorded in the register of available water determinations kept under section 84 of the Act in relation to each available water determination made under section 59 of the Act: <ul style="list-style-type: none"> a) the terms of the determination, b) the date on which it was made, c) the water source or sources (or the parts of the water source or sources) to which it applies, d) in the case of a determination referred to in section 59 (1) (a) of the Act, the categories or subcategories of access licence to which it applies, e) in the case of a determination referred to in section 59 (1) (b) of the Act, the individual access licences to which it applies. (2) For the purposes of section 84 (2) of the Act, the register of available water determinations may be kept in written or in electronic form. (3) For the purposes of section 84 (3) of the Act, the register of available water determinations is to be made available for public inspection at each office of the Department. (4) The Director-General may also make the register of available water determinations, or parts of the register, available on the Department's website.
Clause 11	Matters to be included in Water Access Licence Register	(1) For the purposes of section 71A (1) (h) of the Act, the matters to be recorded in the General Division of the Access Register include any memorandum of terms and conditions:

Section	Summary	Requirement
		<p>(a) that is lodged with the Minister by the holder, or prospective holder, of a security interest, and</p> <p>(b) that is, or is intended to be, adopted by or incorporated in an instrument evidencing the existence of a security interest, as referred to in section 71D (1) (a) of the Act.</p> <p>(2) For the purposes of section 71A (2) (b) of the Act, the matters to be recorded in the Assignment Division of the Access Register include any agreement in the approved form that is signed by all the holders of an access licence and is submitted to the Minister, being an agreement that the person or persons specified in the agreement may, on behalf of the holders of the access licence, apply for an assignment dealing.</p>
Clause 27	Register of approvals	<p>(1) For the purposes of section 113 (2) of the Act, the register kept under that section may be kept in written or in electronic form.</p> <p>(2) For the purposes of section 113 (3) of the Act, the register kept under that section is to be made available for public inspection at each office of the Department.</p> <p>(3) The Director-General may also make the register, or parts of the register, available on the Department's website.</p>

Attachment B—Current registers of water information in NSW

Table 4. NSW water information registers

Register	Information	Access to information
NSW Water Register Link: http://archive.water.nsw.gov.au/all-archived-content/licensing-and-trade/trade/register	<ul style="list-style-type: none"> Water Access Licences (WAL), information includes: category/subcategory, status, water source, tenure type, management zone, share component (units or ML), extraction times or rates, nominated works approval(s), licence conditions, water sharing plan conditions and other conditions. 	<ul style="list-style-type: none"> Need to input a WAL number
	<ul style="list-style-type: none"> <i>Water Act 1912</i> licences and authorities 	<ul style="list-style-type: none"> Need to input a licence number or land reference (Lot/DP). Provides Lot/DP information associated with <i>Water Act 1912</i> licence.
	<ul style="list-style-type: none"> Approvals issued under the <i>Water Management Act 2000</i>, information includes: kind of approval, issue/expiry date, approval number, status, water source, work type, description, number of works, location (Lot/DP), conditions, water sharing plan conditions and other conditions. 	<ul style="list-style-type: none"> Need to input an approval number
	<ul style="list-style-type: none"> Water licence conversion status (if a <i>Water Act 1912</i> licence has been converted to a WAL). 	<ul style="list-style-type: none"> Need to input <i>Water Act 1912</i> licence number
	<ul style="list-style-type: none"> Water licences or approvals related to a particular property 	<ul style="list-style-type: none"> Need to input Lot/DP or SP reference number
	<ul style="list-style-type: none"> WALs, water usage and status approvals related to a particular water source. Searches can be made for: <ul style="list-style-type: none"> Water access licences (including conditions) for a water source Total number of WALs and water usage for a water source Status of approvals 	<ul style="list-style-type: none"> Need to input licence category and water source Need to input water source, Licence Category and Period (Financial Year) Need to input kind of approval, date of approval (month, year)
	<ul style="list-style-type: none"> Flood work approvals in relation to a particular floodplain management plan or land declared to be a floodplain, including information about status and conditions 	<ul style="list-style-type: none"> Need to input Flood Management Plan and date of approval (month/year)
	<ul style="list-style-type: none"> Water allocation (available water determinations), a list of allocations including information such as: announcement date 	<ul style="list-style-type: none"> Need to input water source or WAL number

Register	Information	Access to information
	<p>and volume, access licence category and water source</p> <ul style="list-style-type: none"> • Approval applications and advertisements can search for the status of a particular approval application, for the status of approval application for a water source or region, for the status of flood work approval applications for a floodplain management plan or land declared to be a floodplain, advertisements for all approval applications that are currently being advertised 	<ul style="list-style-type: none"> • For the status of a particular approval application (including water source, information about the type of work and location), the application number needs to be input • By inputting the kind of approval (i.e. water use, water supply work etc.), the region (including other states) and the date of application (month, year) a list of approval numbers are provided • By inputting the Floodplain Management Plan or the Land declared to be a floodplain and date of approval (month, year) a list of flood work approvals are provided
	<ul style="list-style-type: none"> • Water trading statistics and processing times. <ul style="list-style-type: none"> ○ Statistics about Water Allocation Assignment Trading can be searched for: <ul style="list-style-type: none"> ▪ a particular water source ▪ a particular access licence ▪ total number of water allocation assignments and volume of water traded within a water source ▪ total number of water allocation assignments and volume of water traded between water sources ('intervalley' and interstate). ○ Share assignment trading statistics can be searched by: <ul style="list-style-type: none"> ▪ water source for a certain period (up to this week) ▪ WAL ○ Licence transfer statistics can be searched by: <ul style="list-style-type: none"> ▪ Water source, transfer type or for a certain period (up to this week) ▪ WAL ○ Tagged trading statistics can be searched by: <ul style="list-style-type: none"> ▪ period (Water year) (up to this week) • Processing times for water allocation assignment, transfer and share assignment trades. 	<ul style="list-style-type: none"> • for a certain licence category, within a water year or month of allocation • need to know WAL number • need to know WAL number • need to know WAL number

Register	Information	Access to information
<p>WAL Register</p> <p>Link: http://www.nswlrs.com.au/land_titles/wal_register_fees</p>	<ul style="list-style-type: none"> WAL number current ownership details (holders) category share component (volume) extraction component nominated works water source expiry date conditions mortgages, charges and related information 	<ul style="list-style-type: none"> Searches of the WAL Register can be made over the counter at NSW Land Registry Services office at Queens Square Sydney, or can be searched via an information broker. The fee for WAL search is equivalent to Torrens Title searches (\$14.20 for 2017 financial year).
<p>NSW Environmental Water Register</p> <p>Link: https://ewp.water.dpi.nsw.gov.au/ewr/main/ewrHome</p>	<ul style="list-style-type: none"> licensed environmental water including part held licences (where only a part of the entitlement is held for the environment) Environmental Water Use Plans approved by the Minister the assignment of water allocations to and from environmental access licences changes in the share component of environmental access licences over time 	<ul style="list-style-type: none"> Can search for a specific WAL if number is known. Or able to limit search by choosing fields in Water Sharing Plan, source, management zone, SDL Resource Unit, Licence category, Environmental Licence Type, water type, use type, environmental holder group or program name Environmental summary can be searched by Water Sharing Plan, Water Source and Date of Report. Can search a specific WAL if the WAL number is known, or can limit search for water allocation trades by water sharing plan, water source, water management zone, SDL Resource Unit, Licence category, Environmental holder group and water year. This is presented in an annual summary dashboard

Attachment C—Water registers in other Australian jurisdictions and registers in NSW resource industries

Table 5. Water registers in other Australian jurisdictions

Jurisdiction	Information in public water register	Access
Australian Capital Territory Link: http://www.environment.act.gov.au/environment/legislation_and_policies/act_water_resources/epa_search	<ul style="list-style-type: none"> • Water Resources Act Register <ul style="list-style-type: none"> ○ Water allocation (including name of holder) ○ Water Access Entitlements ○ Drillers/bore work licence ○ Licence to take water ○ Waterway works licence 	<ul style="list-style-type: none"> • Online search portal • Free
Northern Territory Link: https://nt.gov.au/environment/water/water-licences/approved-water-extraction-licences	<ul style="list-style-type: none"> • Public register for approved water extraction licences <ul style="list-style-type: none"> ○ Approved water extraction licences with details (including name of holder) 	<ul style="list-style-type: none"> • Online search portal • Free
Queensland Link: https://www.business.qld.gov.au/industries/mining-energy-water/water/water-markets/register	<ul style="list-style-type: none"> • Water Licence Register • Water Allocation Register <ul style="list-style-type: none"> ○ Water allocation title record (including name of holder) 	<ul style="list-style-type: none"> • Accessed face-to-face via the Land Information and Titles Office (Qld) • Fee charged
South Australia Link: https://www.waterconnect.sa.gov.au/Pages/Home.aspx	<ul style="list-style-type: none"> • Water Connect <ul style="list-style-type: none"> ○ Water Licence (including name of holder – licence number must be known) ○ Site use approvals ○ Water resource works approvals ○ Water allocations ○ Daily updated list of approved trade by area by financial year in SA. 	<ul style="list-style-type: none"> • Online search portal • Free

Jurisdiction	Information in public water register	Access
<p>Tasmania</p> <p>Link: http://wrt.tas.gov.au/wist/ui?command=content&pageSequenceNo=16&click=[1].Name#opt</p>	<ul style="list-style-type: none"> • Water Information System of Tasmania <ul style="list-style-type: none"> ○ Water entitlement search ○ Allocations and entitlements map 	<ul style="list-style-type: none"> • Online search portal (water entitlement search) • Web mapping tool (allocations and entitlements) • Free
<p>Victoria</p> <p>Link: http://waterregister.vic.gov.au/index.php?option=com_copyofrecord&etype=WEE&view=payment&Itemid=175</p>	<ul style="list-style-type: none"> • Victorian Water Register <ul style="list-style-type: none"> ○ Water shares recorded by the Victorian Water Registrar, together with relevant mortgages and leases ○ Records of licences to take and use surface water/groundwater ○ Works-related licences ○ Water allocations ○ Tracks and reconciles volumes of water entitlements by water system and trading zone ○ Water-use licences and delivery shares ○ Workflows to process water dealings ○ Generates statistics and reports on levels of use, directions of trade and prices paid. 	<ul style="list-style-type: none"> • Online search portal • A fee is charged to download any water entitlement record from the site (except for bulk and environmental entitlements and trading history)
<p>Western Australia</p> <p>Link: http://www.water.wa.gov.au/maps-and-data/maps/water-register</p>	<ul style="list-style-type: none"> • WA Water Register <ul style="list-style-type: none"> ○ Can search for current licences associated with a licence holder or property ○ Can identify water resources on a property (for determining availability for new licences) ○ Identify all the current water licences in a resource (to identify trading opportunities) ○ Can click any region to identify water source, whether allocations are available, as well as current licences. <p>Clicking on licence provides water entitlement information including name of holder and any convictions</p>	<ul style="list-style-type: none"> • Web mapping tool • Free

Table 6. Registers in NSW resource industries

Other NSW resource industry registers	Information	Access
<p>Land Registry Services - Online Portal</p> <p>Administered by: NSW Land Registry Services</p> <p>Link: https://online.nswlrs.com.au/</p>	<ul style="list-style-type: none"> Allows search for titling records which help confirm ownership of property, along with obtaining copies of related documents Plans, cadastral records & survey marks Deeds (general register): For images of Old System land transactions and deeds linked to a person or company such as a Power of Attorney Specialised searches: For information on commercial leases, security on goods and Orders from courts. 	<ul style="list-style-type: none"> Online search portal Fee applies for Torrens Title searches Searches require specific referencing information (i.e. DP plan number, survey mark number etc.) and often only yield evidence of whether a record exists (rather than the record itself).
<p>Environment Protection Authority – Protection of the Environment Operations Act (POEO) public register</p> <p>Administered by: NSW Environment Protection Authority</p> <p>Link: https://www.epa.nsw.gov.au/licensing-and-regulation/public-registers</p>	<p>POEO public register—PRPOEO:</p> <ul style="list-style-type: none"> allows searches for information about Environmental Protection licences, applications, notices, audits or pollution studies and reduction programs. Includes the name of holder. <p>POEO public register—CaseApp:</p> <ul style="list-style-type: none"> allows searches for information about convictions and results of civil proceedings under the POEO Act <p>POEO public register: Enforceable undertakings</p> <ul style="list-style-type: none"> allows searches for all enforceable undertakings entered into by the EPA. 	<ul style="list-style-type: none"> Online search portal Free PRPOEO searches can be made for specific licences or searched by holder or catchment. Can search by party name, court name, act/regulation and date of sentence/final orders. Can search by notice number, who issued to, suburb, LGA and/or catchment.
<p>Department of Planning and Environment (Resource and Energy) Common Ground</p> <p>Administered by: NSW Department of Planning and Environment (Resources and Geoscience)</p> <p>Link: http://commonground.nsw.gov.au/#/</p>	<p>Provides information about current exploration and mining activity in specific areas.</p> <p>Common Ground provides explanations of mining and production titles.</p> <p>Using the map to click on a specific title provides a summary of the status, resource and holder. From here, able to drill down to a title overview which provides more detailed information holder (i.e. other</p>	<ul style="list-style-type: none"> Provides an interactive map with information geo-spatially represented Free Able to search NSW title maps by resource (i.e. coal, minerals or petroleum/gas) or by stage (i.e. exploration application, exploration licence, mining or production lease etc.).

Other NSW resource industry registers	Information	Access
	holdings), location and area of title, stage, resource type, title type, important dates and documents (linked to Digital Imaging of Geological System (DIGS) archive).	
<p>Department of Planning and Environment Planning Portal</p> <p>Administered by: NSW Department of Planning and Environment</p> <p>Link: https://www.planningportal.nsw.gov.au/find-a-property</p>	<p>Planning layers:</p> <ul style="list-style-type: none"> • key planning layers (such as floor space ratio, height of building etc.) • administration information (suburbs, local government areas etc.) • Primary Planning matters (heritage, min lot size etc.) • development control (Foreshore building line, Development Control Plans etc.) • land use (key sites, precincts, transport and arterial road infrastructure etc.) • hazard (bushfire prone land, flood planning, mining subsidence) • protection (environmental conservation area, acid sulphate soils etc.) <p>Also provides access to Legislation information, State Environmental Planning Policies, Development Control Plans and Contribution plans.</p>	<ul style="list-style-type: none"> • Provides an interactive map with information geo-spatially represented • Free • Able to search by address or Lot/Section/DP or click a location on the map. Planning layers and any other information (i.e. legislative information, development control plans etc.) associated with that property are able to be accessed from the web mapping tool.
<p>Office of Environment and Heritage eSPADE</p> <p>Administered by: Office of Environment and Heritage</p> <p>Link: http://www.environment.nsw.gov.au/eSpade2WebApp</p>	<p>Site layers:</p> <ul style="list-style-type: none"> • soil profiles <p>Landscape layers:</p> <ul style="list-style-type: none"> • soil map index • soil landscapes • soil and land resources • acid sulphate soil risk mapping • hydrogeological landscapes 	<ul style="list-style-type: none"> • Provides an interactive map with information geo-spatially represented. • Free • Reports can be downloaded from the various information layers