

# Amendments to implement recommendations from the Non-Urban Metering Review

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This document answers frequently asked questions about amendments to the Water Management (General) Regulation 2025 to implement recommendations of the Non-Urban Metering Review

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## Why is the Water Management (General) Regulation 2025 being amended?

Amendments are required to the Regulation to further implement recommendations from the 2024 Non-Urban Metering Review to address issues including reporting.

The current rate of reporting water data is very low in some water sources. Inaccurate or incomplete water data means that, in some cases, the department has to estimate water take and that could lead to lower available water determinations.

The current reporting requirements also focus on how much water is taken by a water supply work. In complex situations where a water supply work may be nominated by more than one access licence, water data does not identify which licence the water was taken under or whether it was taken under basic landholder rights or an access licence exemption.

The amendments will support the transparency and integrity of water management by improving water take information available for compliance actions and resource management. Ensuring recording and reporting requirements are as streamlined as possible may also increase reporting of water take data and encourage the installation of telemetry.

## What are the main changes proposed in the draft Regulation?

These amendments primarily relate to introducing:

- the ability for work approval holders to attribute their take of water to an access licence if their work is nominated by more than one access licence
- a requirement for access licence holders with licence entitlements of 3,000 or more unit shares or ML will have to attest to the volume of water taken under their licence by 30 September after the end of each water year.

Other amendments are proposed to:

- streamline reporting and recording requirements to reduce the administrative burden, where possible, for water users and water agencies. This will take into account the information that telemetered data provides
- exempt cleaning of fish screens from metering and exempt the water take associated with this cleaning from requiring an access licence where water taken during cleaning is returned to the river immediately and losses are negligible
- require ongoing metering installation and maintenance for 5 years after a water allocation assignment dealing has occurred
- for works that only take water under a licence exemption – create a new work classification, metering exemption and mandatory condition only allowing water to be taken using that work under an access licence exemption
- clarify metering rules in relation to open channels and works other than a pump or a bore
- address minor drafting issues to ensure consistency with the Non-Urban Metering Framework and Floodplain Harvesting Measurement Policy.

### When will attestation and attribution requirements apply to water users?

The proposed amendments are intended to commence in the first quarter of the 2026-27 water year with the ability to attribute and obligation to attest applying to the 2026–27 water year.

This means approval holders will be able to attribute take and relevant access licence holders will have to attest the outlined requirements by 30 September 2027 for the water year commencing 1 July 2026 and ending 30 June 2027.

### What will be the process for water users to attribute?

All approval holders will need to notify WaterNSW if they wish to attribute take to being taken under a basic landholder rights or access licence exemption. Otherwise, the water take will be debited from the access licence account.

For licensed take, the ability to attribute will apply to approval holders whose work is nominated by more than one access licence.

In regulated rivers or where telemetered data is provided, there will be no significant change from the process that already applies. WaterNSW will apply a default attribution method based on access licence priority and the approval holder will either confirm that method or provide a different method for attribution.

Where telemetered data is not provided, approval holders will need to notify WaterNSW of how to attribute take of water to different access licences.

It is WaterNSW's intent to simplify processes as much as possible by making use of existing account management systems to complete attribution.

### What will be the process for water users to attest?

The process for water users to attest to their water take is currently being developed by the Natural Resources Access Regulator (NRAR) and WaterNSW. It may include submitting a simple online form, or other online method. Water users can have their say about the process during the public exhibition period from 18 May to 15 June 2026.

### Why are large licence holders proposed to provide an annual attestation?

Attestation enables transparent and timely account-keeping for the largest entitlement holders in NSW. Licences with 3,000 or more unit shares or ML account for a significant proportion of licensed water take in NSW. The proposed attestation requirement would strengthen the relationship between the licence holder and the water taken through associated works by confirming water take volumes.

### Are there any self-incrimination protections that apply to attestation?

The *Water Management Act 2000* will be amended to require a licence holder to attest the volume of water taken under the access licence in a water year even if the attestation may incriminate the licence holder or make the licence holder liable for a penalty. However, it will also provide that the licence holder may object to giving the attestation on the grounds that the attestation may incriminate the individual, meaning that it is not admissible as evidence against the individual.

This provision will be commenced via proclamation at the same time as these proposed amendments.

### How are recording and reporting requirements more streamlined?

Under these proposed amendments, authority holders will not be required to:

- submit a no take notice
- record and report the purpose for which water was taken, pump size, maximum extraction rate and irrigated area
- record how the holder confirmed cease to take conditions.

This information will instead be gathered from existing data provided by water users or water agencies can request this information if needed.

### Will I need to record and report water taken under basic landholder rights or access licence exemption?

Under the proposed amendments, recording and reporting water take under basic landholder rights or access licence exemption will be optional. If it is not recorded and reported, it will be debited as licensed take instead.

### What will my recording and reporting requirements be if I install and maintain telemetry?

Under the proposed amendments, there will be no recording and reporting requirements if telemetry is installed, as required information will automatically be recorded and transmitted to water agencies.

If some water was taken under a basic landholder right or licence exemption, the approval holder may choose to inform WaterNSW so that it is not debited as take from a water allocation account.

An approval holder will be able to attribute take to an access licence if more than one access licence nominates the water supply work authorised by the approval.

### Why are fish screen cleaning activities proposed to be exempt from some metering requirements?

Fish screens are installed on irrigation pumps to prevent fish, eggs and larvae from entering pumps and to improve pump efficiency. It is proposed that where water is used to clean these screens and is returned immediately to the river then this activity will be exempt from certain metering requirements and access licence needs.

This proposal recognises that the activity involves small volumes of water that are returned immediately to the river with negligible losses.

### What requirements are proposed to apply to open channels?

The amendments will clarify that open channels must have AS4747 meters installed and need to be validated by a duly qualified person every 12 months.

Inland water users must already be compliant and coastal water users must comply by 1 December 2026. The amendments will align the Water Management (General) Regulation 2025 with the Non-Urban Metering Framework.

### What other clarification amendments are proposed?

Several additional amendments are proposed that do not result in changes to the Non-Urban Metering Framework but clarify existing provisions. These are outlined below.

- Permanent metering exemptions or exemptions from the metering equipment standards that already apply to pumps and bores will also apply to:
- any other type of work, such as a well or spearpoint
- works that do not specify a size

This means that a meter is not required for any work (not just a pump or bore) that is nominated by total entitlement of 15 ML or less. For any work that is nominated by total entitlement of more than 15 ML and less than 100 ML, a pattern approved meter is required. If the work is nominated by total entitlement of 100 ML or more, or that work is a surface water work that is 500 mm or more in diameter, then an AS4747 meter is required to be installed

The amendments also clarify:

- language relating to duly qualified person qualification requirements, including removing repetitive certification requirements
- if a meter is modified or replaced to meet AS4747 requirements then a duly qualified person has to validate those changes
- floodplain harvesting measurement provisions to include the purpose for why the Minister may adopt a storage curve
- water users taking overland flow from declared floodplain may choose to install either point of intake measurement or storage measurement.

### How can I have my say?

You are encouraged to give feedback and submit comments through the online form. All comments will be considered and inform the drafting of the final Regulation before it is made.

### What are the next steps after public exhibition closes?

After the public exhibition period closes on 15 June 2026, a summary of feedback will be compiled and sent to the Minister for Water along with recommendations for proceeding with the regulation amendments.

The intent is for the Water Management (General) Regulation 2025 to be amended in the first quarter of the 2026-27 water year.

A What we heard report will be published on the department's website later in 2026, detailing the feedback received during the public exhibition period.