



Department of Climate Change, Energy, the Environment and Water



Non-urban Metering Stage 2 Regulation Amendment Public Exhibition

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26 May 2026

Acknowledgement of Country

The Department of Climate Change, Energy, the Environment and Water acknowledges that it stands on Aboriginal land.

We acknowledge the Traditional Custodians of the land and water, and we show our respect for Elders past, present and emerging.

We do this through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Artist and designer Nikita Ridgeway from Aboriginal design agency – Boss Lady Creative Designs, created the People and Community symbol.

Agenda

Topic

Welcome

Non-urban metering Review recommendations (Water Group)

Amendments overview (Water Group)

- Recording and reporting
- Approval holder 'attribution'
- Licence holder 'attestation'
- Floodplain harvesting
- Other – minor clarifying changes

Attestation - Deep Dive

Q&A session (Water Group, NRAR, WaterNSW)

Close

NUM review findings

The review found that while the non-urban metering reforms remain necessary to support transparency and integrity in water management, current implementation settings are constraining progress and increasing costs.

Key findings

Implementation is not sufficiently risk-based.

Workforce and capacity constraints.

Costs are disproportionately high for some small and lower-risk water users.

Technical and administrative requirements are complex.

System and data limitations restrict efficiencies.

Overall, the review identified targeted opportunities to simplify rules, improve sequencing, and enable greater flexibility – while safeguarding measurement accuracy and enforcement – so reforms can be delivered faster, at lower cost, and with stronger integrity outcomes.

What have we achieved since the review



- ✓ Implemented volumetric thresholds which
 - focusses metering upon the largest water users who collectively hold more than 95% entitlement across NSW
 - simplifies the metering requirements for smaller water users
- ✓ Expanded the definition of DQPs to include other trades with similar skills to increase the accessibility of DQPs
- ✓ Delivered a new training course with TAFE for DQPs who have trade background allowing more people to assist
- ✓ Established the DQP Concierge service to provide in-field support to DQPs during the meter installation and validation process
- ✓ Published step by step guides to make it easier for DQPs to install LIDs and meters and reduce validation error rates
- ✓ Delivered the Telemetry Review which identified key opportunities to improve telemetry implementation for Non-urban metering and floodplain harvesting
- ✓ Delivered licensing system improvements to make it clear which works require metering and which do not
- ✓ Established the Telemetry Uplift Program which will accelerate the metering compliance rate with large inland water users by delivering 2,500 free telemetry devices.
- ✓ Published on the department's website quarterly reports which provide transparency and accountability on progress for the delivery of Non-urban metering.

Outcome: Metering compliance is improving – 70% by entitlement volume

NUM review recommendations

Where do the Stage 2 regulation amendments fit?

- Review recommendation: Resolve the regulatory gap around the source of truth for volume of take
 - Acknowledge the need for an enforceable obligation for licence holders to record and report water take in a way that establishes a single time-bound source of truth for the volume of water taken against a licence
- Commitment: Introduce regulation amendments (Stage 2) required to:
 - Streamline recording and reporting requirements for approval holders, and;
 - Establish a process for reporting the volume of water taken against an access licence (attestation) for access licence holders



Scope of Stage 2 amendments

- Recording and reporting
- Approval holder 'attribution'
- Licence holder 'attestation'
- Floodplain harvesting
- Other – minor clarifying changes

Recording and reporting amendments

- Recording and reporting requirements will only apply to works classified as ‘Constructed’.
- Recording and reporting water taken under Basic Landholder Rights (BLR) or a licence exemption will become voluntary.
- Remove requirements to:
 - record and report the purpose for which water was taken, pump size, maximum extraction rate, dates and times pump was operating and information such as irrigated area
 - Record the means by which the holder confirmed cease-to-take did not apply
 - submit a ‘no take notice’.



'Attribution' related amendments

- Where an approval nominates 2 or more licences, WaterNSW will attribute water take to those licences
- Default attribution rules will apply, e.g. in accordance with water orders in regulated rivers and licence priority in unregulated rivers.
- Approval holders can then vary the default attribution.
- Will commence for the 2026/2027 water year.
- Approval holders for 'mixed rights dams' will have the option to attribute to a licence or domestic and stock right or licence exemption, any water they pump from the river direct to the dam.

'Attestation' related amendments

- Access licences with a share component of 3,000 or more will need to formally attest to the amount of water taken under the licence each water year.
- Its purpose is to ensure large WAL holders are accountable for the volume of water take against their WAL, improving accountability, closing reporting gaps, and supporting more complete and reliable reporting of water take.
- Attestation will need to be completed by 30 September in the following water year.
- Will commence for the 2026/2027 water year (i.e., the first attestation will be required by 30 September 2027).
- Amendments to the WMAct have been made to require the licence holder undertake attestation even if it incriminates the licence holder.
- Licence holder can object to the attestation on the grounds that it may incriminate them
- If licence holder objects to the attestation then it is not admissible as evidence
- WMA amendments will commence via proclamation at the same time the Regulation amendments are made.



Floodplain harvesting related amendments



- Approvals not nominated by a FPH licence will be exempt from FPH measurement conditions.
- Provide greater clarity around floodplain harvesting measurement rules, for example:
 - FPH measurement rules apply to any category of licence in an unregulated river water source if they take overland flow from a designated floodplain.

Other amendments

- Works that only take water under a licence exemption – create a new work classification, new metering exemption and new mandatory condition only allowing take under the exemption.
- Water allocation trades – if metering equipment is required to be installed for trade approval, then metering equipment will need to be in place for 5 years.
- Fish screen cleaning related amendments will:
 - exempt the requirement to measure water taken,
 - exempt the need to hold a licence.
- Various wording changes to clarify intent of existing rules, for example:
 - the metering exemption based on amount of entitlement should apply to works other than a pump or bore.

Non-urban Metering Stage 2 Regulation Amendment Public Exhibition – Attestation

David Thomas
Manager Operational Policy

26 May 2026



Why Attestation?

Attestation strengthens confidence in water regulation by requiring large licence holders to confirm their water use.

It reinforces trust that water is being taken lawfully and transparently.

Review of the NSW non-urban metering framework: Recommendations report



Recommendation: Acknowledge the need for an enforceable obligation for licence holders to record and report water take in a way that establishes a single timebound source of truth for the volume of water taken against a licence.

What will attestation achieve?

Enhances enforceability

- Creates clear, enforceable obligation linked to licenced entitlement.

Improves intelligence and targeting

- Annual declarations provide verifiable water use data attributed to a WAL, improving NRAR's ability to prioritise audits, investigations, and regulatory actions.

Aligns effort with risk

- By focusing initially on the largest entitlement holders, NRAR can allocate resources in proportion to compliance risk and potential system impact.



Large entitlement holders

Entitlement holders must take an active part in fulfilling obligations that come with the right to take water.

Why 3,000 units of entitlement?

- The ~400 WAL holder with over 3,000 units represent 65% of entitlement held in NSW.
- There is increasingly complex relationships between WAL holdings and nominated approvals.

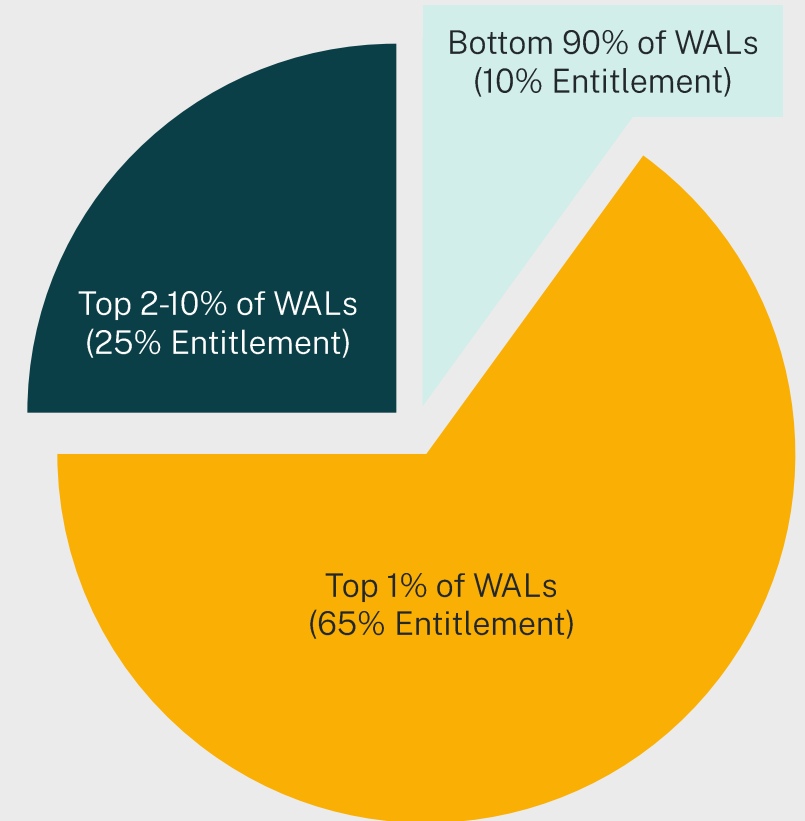


Water entitlement

| | |
|-------|--|
| 90% | of users account for 10% of water entitlement (33600 WALs) |
| 2-10% | of users account for 25% of water entitlement (4600 WALs) |
| 1% | of users account for 65% of water entitlement (400 WALs) |

The 1% cohort includes a mix of:

- Irrigation corporations
- Environmental water holders
- Water Utilities
- Mining and industry
- Agribusinesses

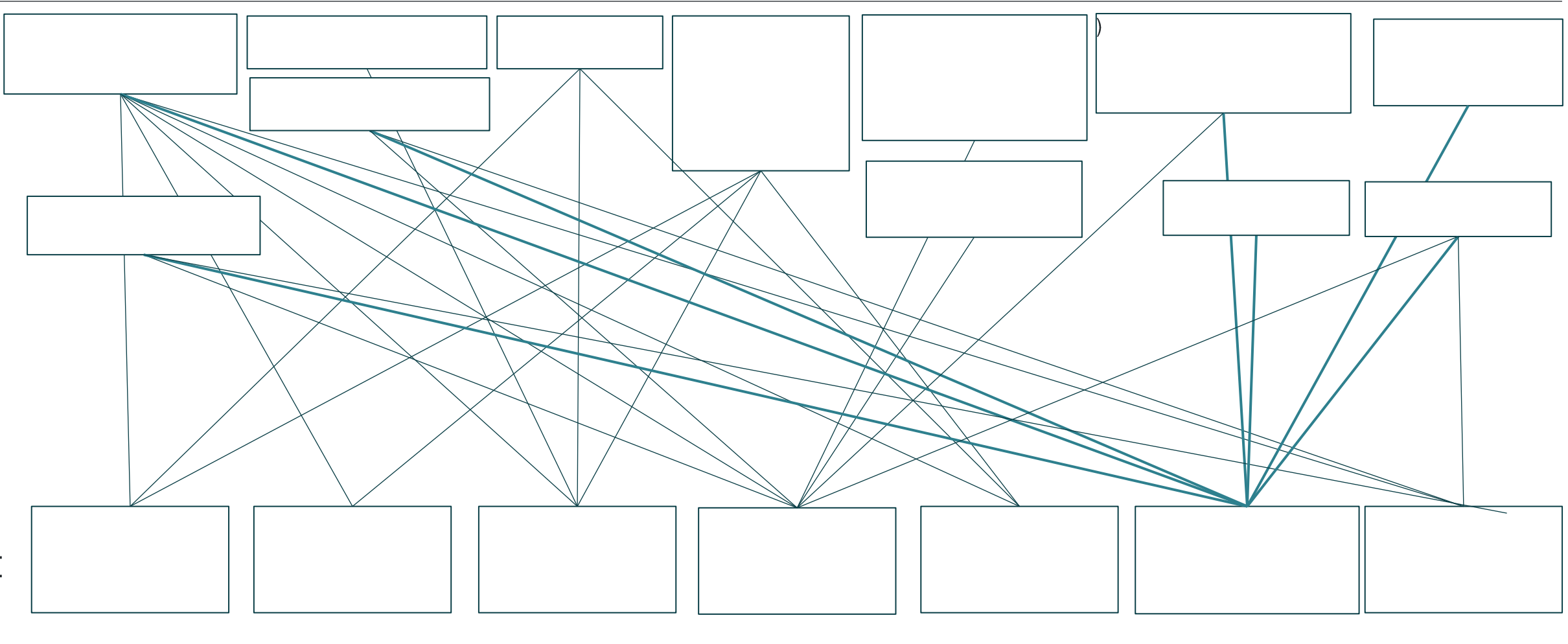


Example: many-to-many relationship (involving different entities)



Licences:

Approvals:



How will it work?

- A reporting requirement to be imposed on certain WAL holders.
- Condition added to WALs with >3000 units of entitlement.
- WAL holder reviews relevant records for nominated approvals
- WAL holder attests to volume taken under their WAL.

The intent is to ensure the form and manner for attestation balances practicality, proportionality and workability across different relationship models.



Self-incrimination

As identified previously:

- Amendments to the WM Act have been made to require the licence holder undertake attestation even if it incriminates the licence holder.
- Licence holder can object to the attestation on the grounds that it may incriminate them
- If a licence holder objects to the attestation then it is not admissible as evidence

The attestation form will make clear that any self-incriminating information specific to compliance with WAL conditions is provided on a voluntary basis.



Equivalent schemes



Annual requirements to confirm, or report are not novel:

- Annual returns for NSW Environmental Protection Licences -EPA
- Annual Land and Stock Returns – LLS
- Previous monthly At-risk groundwater reporting

How will NRAR use the information?



Attestation is further evidence to support confidence in lawful use of water entitlement. NRAR uses multiple lines of evidence to confirm water use:

- attested volumes
- hydrometric data
- metered and reported volumes (such as under trades or s91i)
- remotely-sensed data

Questions



For more information about the Stage 2 Metering Regulation Amendments, and to make a Submission, visit our Public Exhibition website: water.nsw.gov.au/have-your-say

For enquiries, please contact the NSW DCCEEW Water Enquiries team:

- Phone: 1300 081 047 (Monday to Friday 9am – 5pm)
- Email: water.enquiries@dcceew.nsw.gov.au

For enquiries about compliance, please contact NRAR:

- Website: nrar.nsw.gov.au
- Phone: 1800 633 362
- Email: nrar.enquiries@nrar.nsw.gov.au

For metering and licensing enquiries please contact WaterNSW:

- Phone: 1300 662 077 (Monday to Friday 8am – 5pm)
- Email: Customer.Helpdesk@waternsw.com.au
- Make an [online appointment](#) with a metering expert



Thanks for joining us

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