



New South Wales

Water Management (General) Amendment (Metering) Regulation 2025

under the

Water Management Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Water Management Act 2000*.

ROSE JACKSON, MLC
Minister for Water

Explanatory note

The objects of this regulation are as follows—

- (a) to make amendments about reporting requirements for the taking of water in addition to any metering requirements,
- (b) to require additional information to be recorded on the register of approvals,
- (c) to clarify and further specify the metering requirements for works during floodplain harvesting,
- (d) to clarify and make further provision for the circumstances in which works are exempt from metering and reporting requirements in relation to the taking of water, including—
 - (i) to exempt approval holders and licence holders from metering requirements in relation to small works in groundwater sources formerly specified in the *Water Management (General) Regulation 2018*, Schedule 9 before its substitution by this regulation, and
 - (ii) to require approval holders and licence holders in relation to large works in groundwater sources to install and maintain telemetry equipment,
- (e) to make further provision for persons prescribed as duly qualified persons in relation to the installation, maintenance, repair and validation of metering equipment and other kinds of work.

Contents

		Page
	1 Name of regulation	2
	2 Commencement	2
Schedule 1	Amendment of Water Management (General) Regulation 2018	3

Water Management (General) Amendment (Metering) Regulation 2025

under the

Water Management Act 2000

1 Name of regulation

This regulation is the *Water Management (General) Amendment (Metering) Regulation 2025*.

2 Commencement

This regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Water Management (General) Regulation 2018

1.1 Amendments about records

[1] Clause 3 Definitions

Insert in alphabetical order in clause 3(1)—

AS 4747—see clause 228(1).

controlling work—see clause 238FB(4).

[2] Clause 29 Circumstances in which approvals may be amended

Omit “relates.” from clause 29(2)(b). Insert instead—

relates, or

- (c) a work to which the approval relates, or
- (d) the approval holder’s name.

[3] Clause 31 Register of approvals

Insert after clause 31(1)—

- (1A) The register must include the class of each work under a water supply work approval in accordance with subclause (1B).
- (1B) Each work under a water supply work approval belongs to one of the following classes—
 - (a) for a work subject to an exemption under clause 232A(3)(b) or 238CA(3)(b)—decommissioned,
 - (b) for a work subject to an exemption under clause 232A(3)(c) or 238CA(3)(c)—constructed, basic landholder rights only,
 - (c) for a work subject to an exemption under clause 232A(3)(d) or 238CA(3)(d)—constructed, not taking water,
 - (d) for a work subject to an exemption under clause 232A(3)(e) or 238CA(3)(e)—constructed, approval holder declared not taking water
 - (e) for any other work that is constructed—constructed,
 - (f) for any other work approved but not constructed—not constructed.
- (1C) The register must also specify—
 - (a) the works under a water supply work approval that are controlling works as referred to in clause 238FB, and
 - (b) for all works under a water supply work that are classified as constructed that metering is required unless an exemption applies.

[4] Part 10, Division 4, heading

Omit the heading. Insert instead—

Division 4 Faulty metering equipment

[5] Clause 241 Reporting faulty metering equipment

Insert at the end of the clause—

- (2) For the Act, section 400(2), a person is exempt from the Act, section 91IA if—

- (a) telemetry equipment is the only part of the metering equipment that is faulty, and
- (b) the person gives notice to the Minister, in accordance with subclause (1), within 24 hours of becoming aware the telemetry equipment has been faulty for at least 72 hours.

[6] Clause 242 Records to be kept when metering equipment faulty

Omit clause 242(1). Insert instead—

- (1) For the purposes of the Act, section 91I(3), a person who takes water from a water source by means of a metered work while its metering equipment is faulty must comply with this clause unless the take of water is under—
 - (a) a floodplain harvesting (regulated river) access licence, or
 - (b) a floodplain harvesting (unregulated river) access licence, or
 - (c) an unregulated river access licence if the water taken is overland flow water from a declared floodplain.

[7] Clause 242(2)(d)

Insert “or otherwise no longer faulty” after “repaired”.

[8] Clause 242(3A)

Insert after clause 242(3)—

- (3A) If telemetry equipment is the only part of the metering equipment that is faulty, the person is not required to record the information unless the telemetry equipment has been faulty for at least 72 hours.

[9] Clause 242(5)(a)

Insert “or no longer faulty” after “repaired”.

[10] Clause 243, heading

Omit the heading. Insert instead—

243 Repair or replacement of faulty metering equipment

[11] Clause 243(2)

Insert “or replace” after “repair”.

[12] Clause 243(2), (3), (4) and (7)

Insert “or replaced” after “repaired” wherever occurring.

[13] Clause 243(2A)

Insert after clause 243(2)—

- (2A) If telemetry equipment is the only part of the metering equipment that is faulty, the person must repair or replace the telemetry equipment, or cause it to be repaired or replaced, within 24 days of becoming aware that the telemetry equipment is faulty or within any further period permitted under this clause.
- (2B) Subclause (2A) applies only if the telemetry equipment has been faulty for at least 72 hours after the person became aware of the fault.

[14] Clause 243(3)

Insert “or replacement” after “repairs”.

[15] Clause 243(4) and (6)

Insert “or replacement” after “repair” wherever occurring.

[16] Clause 243(5)

Omit “repairs”. Insert instead “repair or replacement”.

[17] Clause 243(7)(b)

Omit “any repairs”. Insert instead “the repairs or replacement”.

[18] Clause 244, heading

Omit the heading. Insert instead—

244 Mandatory condition—reporting where metering equipment and telemetry used

[19] Clause 244(1A) and (2)

Omit clause 244(2). Insert instead—

- (1A) This clause applies to an authority under which a work used to take water is used in connection with metering equipment that—
 - (a) complies with Schedule 8, and
 - (b) has telemetry capacity that transmits data relating to water measured by the meter in accordance with the telemetry specifications set out in the approved data logging and telemetry specifications within the meaning of Schedule 8.
- (2) The holder of the authority to which this clause applies must—
 - (a) record in the approved form and manner when water is taken by the work under—
 - (i) a basic landholder right, or
 - (ii) an exemption from holding an access licence, and
 - (b) if the authority is subject to a condition that the holder must confirm specified matters before water is taken in accordance with the authority—record, in the approved form and manner, the means by which the holder confirmed the matters, and
 - (c) record the information not later than 24 hours after any day during which water is taken as referred to in paragraph (a) or (b).

[20] Clause 244(2B) and (2F)

Omit “that is the subject of a mandatory metering equipment condition” wherever occurring.

Insert instead “to which this clause applies”.

[21] Clause 244(5)

Omit the subclause. Insert instead—

- (5) This clause does not apply to an authority in relation to a water supply work that is used to take water under one of the following licences—
 - (a) a floodplain harvesting (regulated river) access licence,

- (b) a floodplain harvesting (unregulated river) access licence,
- (c) an unregulated river access licence if the work is used solely for the taking of overland flow water taken from a declared floodplain.

[22] Clause 244A, heading

Omit the heading. Insert instead—

244A Mandatory condition—reporting where metering equipment used without telemetry

[23] Clause 244A(2)–(2B)

Omit clause 244A(2). Insert instead—

- (2) This clause applies to an authority under which a work used to take water is used in connection with metering equipment that—
 - (a) complies with Schedule 8, and
 - (b) does not have telemetry capacity to transmit data relating to water measured by the meter in accordance with the telemetry specifications set out in the approved data logging and telemetry specifications within the meaning of Schedule 8.
- (2A) The holder of the authority to which this clause applies must give to the Minister a report, in the approved way, containing the metering readings of the metering equipment at the beginning and end of the month.
- (2B) The holder of the authority must give the report to the Minister no more than 14 days after the end of each named month.

Note— The *Interpretation Act 1987*, Schedule 4 defines **named month** as January, February, March, April, May, June, July, August, September, October, November or December.

[24] Clause 244A(3)

Omit “subclause (2)”. Insert instead “subclause (2A)”.

[25] Clause 244A(3C)

Omit “that is the subject of a mandatory metering equipment condition that”.

Insert instead “to which this clause applies that”.

[26] Clause 244A(4)

Omit the subclause. Insert instead—

- (4) This clause does not apply to the following—
 - (a) an authority in relation to a water supply work that is used to take water under one of the following licences—
 - (i) a floodplain harvesting (regulated river) access licence,
 - (ii) a floodplain harvesting (unregulated river) access licence,
 - (iii) an unregulated river access licence if the water is overland flow water taken from a declared floodplain,
 - (b) an authority in relation to a water supply work that is used solely to take water under—
 - (i) a basic landholder right, or
 - (ii) an exemption from an access licence.

[27] Clause 244A(5)

Omit the subclause.

[28] Clause 246 Review of metering equipment regulations

Omit the clause.

[29] Clause 248A

Omit the clause. Insert instead—

248A Notification of construction or use of water supply work smaller than authorised—the Act, s 400(1)(e)

- (1) This clause applies to an approval holder who constructs or uses a water supply work smaller in capacity than the water supply work for which the approval holder has a water supply work approval.
- (2) The approval holder must notify the Minister, in the approved form, of the following—
 - (a) the capacity of the water supply work constructed or in use,
 - (b) the demolition of the work,
 - (c) the construction and capacity of works that replace the demolished work.
- (3) The notice must be given within 90 days of the demolition or construction of the work.

[30] Clause 250, heading

Omit the heading. Insert instead—

250 Mandatory condition—reporting where no metering equipment used

[31] Clause 250(1A) and (1B)

Insert before clause 250(1)—

- (1A) A condition imposed by this clause is a mandatory condition for the purposes of the Act, section 115 and 115A(b).
- (1B) This clause applies to an authority under which a work is used without metering equipment to take water.

[32] Clause 250(1)

Omit “For the purposes of sections 115 and 115A(b) of the Act, it is a mandatory condition of an authority under which a work may be used to take water”.

Insert instead “It is a condition of each authority to which this clause applies”.

[33] Clause 250(5)

Omit the subclause. Insert instead—

- (5) This clause does not apply to—
 - (a) a water supply work used to take water under one of the following authorities—
 - (i) a floodplain harvesting (regulated river) access licence,
 - (ii) a floodplain harvesting (unregulated river) access licence,

- (iii) an unregulated river access licence if the water is overland flow water taken from a declared floodplain, or
- (b) a water supply work used solely to take water under—
 - (i) a basic landholder right, or
 - (ii) an exemption from an access licence.

[34] Clause 250(6)

Omit the subclause.

1.2 Amendments about floodplain harvesting metering

[1] Clause 228 Interpretation

Omit the definitions of *mandatory floodplains condition*, *measurement period* and *registered surveyor* from section 228(1).

Insert in alphabetical order—

declared floodplain means a floodplain declared under clause 252(1).

mandatory floodplain harvesting condition means the mandatory condition imposed on a water supply work approval under clause 238B or Division 3A, Subdivision 2.

measurement period, for Division 3A, Subdivision 2—see clause 238EA.

registered training organisation—see Schedule 8A, clause 1.

[2] Part 10, Division 3A, heading

Omit the heading. Insert instead—

Division 3A Metering equipment conditions for floodplain harvesting

[3] Clause 238AA

Omit the clause. Insert instead—

238AA Definitions

In this division—

approved storage work means a work used to store water that is authorised under a water supply work approval.

buffer zone area means an area on a landholding where water is held temporarily before being removed, whether for use or storage.

notified measurement period, for an approved work—see clause 238E(1).

point-of-intake work means a work used to take water from a water source.

[4] Clause 238A Application of Division

Omit “capturing or storing water taken”.

Insert instead “taking water, or storing water taken, under”.

[5] Clause 238A(a) and (b)

Omit “under” wherever occurring.

[6] Clause 238A(c)

Omit “licence” from clause 238A(b). Insert instead—

licence, or

- (c) an unregulated river access licence if the water taken by the approved work is overland flow water taken from a declared floodplain.

[7] Clause 238B

Omit the clause. Insert instead—

238B Mandatory floodplain harvesting condition

- (1) For the Act, section 115, it is a mandatory condition of a water supply work approval to which this division applies that—
 - (a) point-of-intake metering equipment is installed, used and maintained in connection with a point-of-intake work that is authorised to be constructed or used to take water under the approval, and
 - (b) storage metering equipment is installed, used and maintained in connection with a storage work that is authorised to be constructed or used to store water under the approval.
- (2) The holder of an approval is taken to have complied with a particular aspect of the condition imposed by this clause if the holder has complied with the requirements under clauses 238J and 238K.
- (3) Despite subclause (1)(a), point-of-intake metering equipment is not required to be installed, used or maintained in connection with the point-of-intake work if—
 - (a) water taken by the work, before being used, is stored in an approved storage work, and
 - (b) the storage work is required to have storage metering equipment under subclause (1)(b).
- (4) Despite subclause (1)(b), storage metering equipment is not required to be installed, used or maintained in connection with the storage work if—
 - (a) the water stored by the storage work, before being used, is taken by a point-of-intake work, and
 - (b) the point-of-intake work is required to have point-of-intake metering equipment under subclause (1)(a).

[8] Clause 238C, heading

Omit the heading. Insert instead—

238C Ministerial exemption for take of water not capable of being metered

[9] Clauses 238C, 238S, 238U and 238V

Omit “mandatory floodplains condition” wherever occurring.

Insert instead “mandatory floodplain harvesting condition”.

[10] Clause 238C(2)

Omit “captured”. Insert instead “taken”.

[11] Clause 238CA and 238CB

Insert after clause 238C—

238CA Ministerial exemptions from mandatory floodplain harvesting condition

- (1) For the Act, section 101A(3), the Minister may exempt an approval holder, or a class of holders, from the mandatory floodplain harvesting metering condition in relation to a work under the approval.
- (2) The Minister may grant an exemption—
 - (a) at the Minister’s discretion for a holder or class of holders, or
 - (b) on application, in the approved form, for a holder.
- (3) The Minister must not grant the exemption unless the Minister is satisfied of one of the following—
 - (a) the work is not constructed,
 - (b) the work is decommissioned,
 - (c) the work is only used for taking water in accordance with the holder’s basic landholder right,
 - (d) the work does not take water from a water source,
 - (e) the approval holder has declared the work is and will not take water from a water source.
- (4) An exemption may be granted unconditionally or subject to conditions.
- (5) The Minister must publish, on the Department’s website—
 - (a) an exemption that applies to a class of approval holders, and
 - (b) the amendment or revocation of the exemption.
- (6) The Minister may, by written notice to an approval holder, revoke or amend the exemption.

238CB Mandatory condition—no take of water if work certain type exempt

For the Act, section 115A, it is a mandatory condition of an approval to which an exemption under clause 238CA applies in relation to a work under the approval, that the approval holder must—

- (a) if the work is exempt under clause 238CA(3)(c)—not take water from a water source using the work other than under a basic landholder right, or
- (b) if the work is exempt under clause 238CA(3)(a), (b) or (d)—not take water from a water source using the work, or
- (c) if the work is exempt under clause 238CA(3)(e)—
 - (i) not take water from a water source using the work, and
 - (ii) ensure the work cannot take water from a water source.

[12] Clause 238D Reporting faulty metering equipment

Omit the clause.

[13] Clauses 238EA–238FB

Omit clauses 238E and 238F. Insert instead—

238EA Definition of “measurement period”

- (1) In this subdivision, *measurement period*, in relation to a water supply work approval, means a period—

- (a) beginning when overland flow water is taken by 1 or more of the approved works under the water supply work approval, and
- (b) ending when—
 - (i) overland flow water is no longer being taken by 1 or more of the approved works, and
 - (ii) supply channel infrastructure used to direct or convey water to a work for storage no longer conveys water to any of the approved works, and
 - (iii) all buffer zone areas related to the approved works are empty of water, other than water that cannot reasonably be transferred to any of the works.
- (2) The take of overland flow water includes when overland flow water is not able to be isolated from water taken by 1 or more of the works under—
 - (a) an access licence other than the following—
 - (i) a floodplain harvesting (regulated river) access licence,
 - (ii) a floodplain harvesting (unregulated river) access licence,
 - (iii) an unregulated river access licence if the overland flow water is taken from a declared floodplain, or
 - (b) a basic landholder right, or
 - (c) an exemption from holding an access licence.
- (3) The take of overland flow water does not include the take of overland flow water under an exemption from holding an access licence.

238E Mandatory condition—take of water prohibited outside measurement period

- (1) For the Act, section 115, it is a mandatory condition of a water supply work approval to which this division applies that the approval holder must notify (a ***notified measurement period***) the Minister in the approved form of each measurement period for the water supply work approval.
- (2) For the Act, section 115, it is a mandatory condition of a water supply work to which this division applies that the approval holder must not take water from a water source outside a notified measurement period with a water supply work nominated for the purpose of taking water, or storing water taken, under the following—
 - (a) a floodplain harvesting (regulated river) access licence,
 - (b) a floodplain harvesting (unregulated river) access licence,
 - (c) for the take of overland flow water only—an unregulated river access licence if the overland flow water is taken from a declared floodplain.

238F Mandatory condition—take of unlicensed water during measurement period

For the Act, section 115, it is a mandatory condition of a water supply work approval to which this division applies that the approval holder must not take water from a water source during a notified measurement period for the approval if—

- (a) the taking of water would be under—
 - (i) a basic landholder right, or
 - (ii) an exemption from holding an access licence, and
- (b) during the measurement period, the approval holder removes water from—

- (i) an approved storage work under the approval, or
 - (ii) a buffer zone area located on the landholding to which the approval applies, and
- (c) the water being removed—
 - (i) has not been measured by point-of-intake metering equipment before its removal, or
 - (ii) will be used in any way other than being stored in an approved storage work located on the landholding and subject to the mandatory floodplain harvesting condition.

238FA Mandatory metering equipment condition—works removing water during measurement period

Despite any other provision of this regulation, the mandatory metering equipment condition applies in connection with a work under a water supply work approval to which this division applies if—

- (a) the work is used to remove water from an approved storage work or buffer zone area, and
- (b) the removal occurs during a notified measurement period for the approval, and
- (c) during the measurement period, the approval holder takes water from a water source not measured by point-of-intake metering equipment in connection with a work that is subject to the floodplain harvesting condition, and
- (d) after removal, the water is not stored in an approved storage work under the approval and that is subject to the mandatory floodplain harvesting condition.

238FB Mandatory condition—controlling works during measurement period

- (1) Despite clause 238A, this clause applies to any water supply work approval.
- (2) For the Act, section 115, subclauses (4) and (5) are mandatory conditions imposed on a water supply work approval to which this clause applies.
- (3) This clause applies if an approval holder is taking water from a water source or removing water from an approved storage work on the landholding to which the approval applies during a measurement period for any approved work on the landholding.
- (4) The approval holder must use a work (a *controlling work*) to prevent water moving between 2 or more other approved works on the landholding if the approved works are each subject to a different approval.
- (5) The approval holder must notify the Minister in the approved form before using a controlling work for the purposes of this clause.

[14] Clause 238G Measurement period—records

Omit “captured” from clause 238G(1)(a). Insert instead “taken”.

[15] Clause 238G(1)(b)

Omit “238F(1)(b)”. Insert instead “238EA(2)(a)”.

[16] Clause 238G(1A)

Insert after subclause 238G(1)—

- (1A) The approval holder must record, in the approved form, the following information if water is used during a measurement period—
 - (a) the location of where the water was used,
 - (b) the volume of water used,
 - (c) the metered works used in connection with the water.

[17] Clause 238G(3)

Insert after clause 238G(2)—

- (3) The approval holder must give the Minister, in the approved form, a copy of records kept under subclause (1A) within 24 hours of the water being used during the measurement period.

[18] Clause 238I Application of Schedule 8 to floodplain access licences

Transfer the clause to after clause 238D and renumber as clause 238DA.

[19] Part 10, Division 3A, Subdivision 3

Omit the subdivision.

[20] Part 10, Division 3B, heading

Omit the heading. Insert instead—

Division 3B Metering equipment standards for floodplain harvesting

[21] Clause 238J Mandatory requirements for point-of-intake metering equipment

Insert “reasonably” before “able” in clause 238J(3).

[22] Clause 238K Mandatory requirements for storage metering equipment

Omit “a survey benchmark” from clause 238K(4)(b). Insert instead “the survey benchmarks”.

[23] Clauses 238K(5) and (5A)

Omit clause 238K(5). Insert instead—

- (5) The survey benchmarks must be installed, in relation to the approved work, by a duly qualified person in accordance with a survey benchmark standard.
- (5A) The location of the survey benchmarks must be certified by a duly qualified person in accordance with the survey benchmark standard.

[24] Clause 238L Storage curve documents

Omit “registered surveyor” from clause 238L(4)(b). Insert instead “duly qualified person”.

[25] Clause 238N Obligations of duly qualified persons—validation

Omit clause 238N(2).

[26] Clause 238NA

Insert after clause 238N—

238NA Obligations of duly qualified persons—certification of survey benchmarks

A duly qualified person who certifies the location of a survey benchmark, in relation to a water supply work, in accordance with a survey benchmark standard must give a certificate to the person for whom the certification is undertaken—

- (a) confirming the benchmark complies or does not comply with the matters required to be checked in accordance with the survey benchmark standard, and
- (b) if the matters checked do not comply with the survey benchmark standard—
 - (i) specifying the reasons the benchmark does not comply and the modifications required for compliance, or
 - (ii) stating the benchmark is not able to be modified to enable compliance.

[27] Clause 238Q, heading

Insert “and use of secondary metering devices” after “equipment”

[28] Clause 238S Metering records

Insert after clause 238S(1)(a)—

- (a1) a copy of a record made in accordance with clause 238G(1),

[29] Clause 238T Transitional provision—metering equipment installed before 14 February 2020

Omit “licence.” from clause 238T(1)(b). Insert instead—

- licence, or
- (c) an unregulated river access licence if the water taken is overland flow water taken from a declared floodplain.

[30] Clause 238U Transitional provision—metering equipment installed after 14 February 2020

Omit “licence.” from clause 238U(1)(b). Insert instead—

- licence, or
- (c) an unregulated river access licence if the water taken is overland flow water taken from a declared floodplain.

[31] Clause 238U(2)(a)

Omit “specified in clause 236(18)”. Insert instead “who is qualified, as referred to in Schedule 8A, to determine if all water is able to be measured by point-of-intake metering equipment,”

[32] Clause 238U(2)(b)

Omit “specified in clause 236(16)”. Insert instead “who is qualified, as referred to in Schedule 8A, to install or repair a storage meter,”

[33] Clause 238V, as amended by Schedule 1.2[9]

Omit “buffer zone work” from clause 238V(4). Insert instead “buffer zone area”.

[34] Clause 238V(5) and (6)

Omit “buffer zone works” wherever occurring. Insert instead “buffer zone areas”.

1.3 Amendments about non-urban metering exemptions

[1] Clause 230 Temporary exemptions from mandatory metering equipment condition

Omit clauses 230(1), (2) and (2A). Insert instead—

- (1) The mandatory metering equipment condition does not apply until 1 December 2026—

- (a) to a work that takes or may be used to take water from a water source to which any of the following water sharing plans, as in force on 1 July 2019, apply—

Water Sharing Plan for the Bega and Brogo Rivers Area Regulated, Unregulated and Alluvial Water Sources 2011,

Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2020,

Water Sharing Plan for the Brunswick Unregulated and Alluvial Water Sources 2016,

Water Sharing Plan for the Central Coast Unregulated Water Sources 2009,

Water Sharing Plan for the Clarence River Unregulated and Alluvial Water Sources 2016,

Water Sharing Plan for the Clyde River Unregulated and Alluvial Water Sources 2016,

Water Sharing Plan for the Coffs Harbour Area Unregulated and Alluvial Water Sources 2009,

Water Sharing Plan for the Deua River Unregulated and Alluvial Water Sources 2016,

Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources 2011,

Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011,

Water Sharing Plan for the Hastings Unregulated and Alluvial Water Sources 2019,

Water Sharing Plan for the Hunter Regulated River Water Source 2016,

Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2009,

Water Sharing Plan for the Lower North Coast Unregulated and Alluvial Water Sources 2009,

Water Sharing Plan for the Macleay Unregulated and Alluvial Water Sources 2016,

Water Sharing Plan for the Murrumbidgee Area Unregulated and Alluvial Water Sources 2010,

Water Sharing Plan for the Nambucca Unregulated and Alluvial Water Sources 2016,

Water Sharing Plan for the North Coast Coastal Sands Groundwater Sources 2016,

Water Sharing Plan for the North Coast Fractured and Porous Rock Groundwater Sources 2016,

Water Sharing Plan for the Paterson Regulated River Water Source 2019,

Water Sharing Plan for the Richmond River Area Unregulated, Regulated and Alluvial Water Sources 2010,
Water Sharing Plan for the Snowy Genoa Unregulated and Alluvial Water Sources 2016,
Water Sharing Plan for the South Coast Groundwater Sources 2016,
Water Sharing Plan for the Towamba River Unregulated and Alluvial Water Sources 2010,
Water Sharing Plan for the Tuross River Unregulated and Alluvial Water Sources 2016,
Water Sharing Plan for the Tweed River Area Unregulated and Alluvial Water Sources 2010, or

- (b) to a work that is used or may be used to take water under a licence or entitlement under the former 1912 Act with a number that begins with 10, 20 or 30.

[2] Clause 230(3)

Omit “subclauses (1) and (2)”. Insert instead “subclause (1)”.

[3] Clause 230(3)

Omit “for surface water”. Insert instead “with a diameter”.

[4] Clause 230(4)

Omit the subclause.

[5] Clause 231 Permanent exemptions from mandatory metering equipment condition

Omit clause 231(1)(b) and (c). Insert instead—

- (b) the work is specified in Schedule 9 as exempt from the condition,

[6] Clause 231(1)(f1)

Insert after clause 231(1)(f)—

- (f1) the work is used solely to take overland flow water from a declared floodplain under an unregulated river access licence,

[7] Clause 231(1A) and (4)

Omit the subclauses.

[8] Clause 231(4B)

Omit “subclause (1)(c)”. Insert instead “subclause (1)(b)”.

[9] Clause 231(5)

Omit the subclause. Insert instead—

- (5) For the purposes of subclauses (2) and (3), the provisions do not apply to a water supply work that is—
 - (a) a work—
 - (i) authorised to be used only if another work to which the same authority applies is not capable of being used because of a mechanical or electrical failure, and
 - (ii) being used in the authorised circumstances, or
 - (b) a constructed work and not subject to an exemption under clause 232A.

[10] Clauses 232–232B

Omit clause 232. Insert instead—

232 Additional exemptions from metering equipment standards and reporting

For the Act, section 101A(3), 115 and 115A, a work specified in Schedule 9 is exempt from the metering equipment standards and mandatory conditions specified in the clause in the circumstances, and subject to the conditions, specified in the clause.

232A Ministerial exemption for certain types of works

- (1) For the Act, sections 101A(3), 115 and 115A, the Minister may exempt a holder of an authority, or a class of holders, from the application of the mandatory metering equipment condition in relation to a work under an authority.
- (2) The Minister may grant an exemption—
 - (a) at the Minister’s discretion for a holder or class of holders, or
 - (b) on application, in the approved form, for a holder.
- (3) The Minister must not grant the exemption unless the Minister is satisfied of one of the following—
 - (a) the work is not constructed,
 - (b) the work is decommissioned,
 - (c) the work is only for taking water in accordance with the holder’s basic landholder rights,
 - (d) the work does not take water from a water source,
 - (e) the approval holder has declared the work will not take water from a water source.
- (4) An exemption may be granted unconditionally or subject to conditions.
- (5) The Minister must publish, on the Department’s website—
 - (a) an exemption that applies to a class of approval holders, and
 - (b) the amendment or revocation of the exemption.
- (6) The Minister may, by written notice to an approved holder, revoke or amend an exemption.

232B Mandatory condition—no take of water for certain types of exempt works

For the Act, sections 115 and 115A, it is a mandatory condition of an authority to which an exemption under clause 232A applies in relation to a work under the authority, that the holder of the authority—

- (a) if the work is exempt under clause 232A(3)(a), (b), (d) or (e)—must not take water using the work to which the exemption applies, or
- (b) if the work is exempt under clause 232A(3)(c)—must not take water using the work to which the exemption applies other than in accordance with the holder’s basic landholder rights.

[11] Clause 233, heading

Omit the heading. Insert instead—

233 Ministerial exemption for take of water not capable of being metered

[12] Schedule 8, heading

Insert “standards” after “Metering equipment”.

[13] Schedule 8, clause 6(2)

Omit the subclause.

[14] Schedule 9

Omit the schedule. Insert instead—

Schedule 9 Additional exemptions for non-urban metering and recording

clause 231(1)(b)

Part 1 Preliminary

1 Definitions

(1) In this schedule—

100mm–499mm pump means a pump for surface water—

- (a) authorised to be constructed or used under an authority, and
- (b) for which the authority permits the pump to have a diameter of—
 - (i) not less than 100mm, and
 - (ii) not more than 499mm.

200mm or larger bore means a water bore with a diameter of 200mm or more and authorised to be constructed or used under an authority.

single small bore means a water bore—

- (a) with a diameter of not more than 199mm, and
- (b) authorised to be constructed or used under an authority, and
- (c) for which the authority only permits the use of 1 water bore.

single small pump means a pump for surface water—

- (a) authorised to be constructed or used under an authority, and
- (b) for which the authority—
 - (i) only permits the use of 1 pump, and
 - (ii) permits the pump to have a diameter of not more than 99mm.

(2) For subclause (1), definitions of ***100mm–499mm pump*** and ***single small pump***, the authority is taken to be expressed as permitting the actual size of the pump as constructed, instead of another size, if the holder of the authority has notified the Minister of the size of the pump as constructed under clause 248A.

2 Conversion of unit shares

For this schedule, 1 unit share, in relation to the share component of an access licence, is equal to 1 megalitre.

Part 2 Exemptions

3 Single small pumps

A single small pump is exempt from the mandatory metering equipment condition.

4 Single small bores

A single small bore is exempt from the mandatory metering equipment condition.

5 100mm–499mm pumps

A 100mm–499mm pump is exempt from the following—

- (a) if the total share components of all access licences on which the pump is nominated is 15ML or less—the mandatory metering equipment condition,
- (b) if the total share components of all access licences on which the pump is nominated is more than 15ML but less than 100ML—
 - (i) the mandatory metering equipment condition until the later of—
 - (A) 1 December 2027, or
 - (B) the date on which the approval for the pump is first extended after the commencement of the *Water Management (General) Amendment (Metering) Regulation 2025*,
 - (ii) the metering equipment standards under Schedule 8, clauses 2(1), 4, 5(2), 6 and 7.

6 200mm or larger bores

A 200mm or larger bore is exempt from the following—

- (a) if the total share components of all access licences on which the bore is nominated is 15ML or less—the mandatory metering equipment condition,
- (b) if the total share components of all access licences on which the bore is nominated is more than 15ML but less than 100ML—
 - (i) the mandatory metering equipment condition until the later of—
 - (A) 1 December 2027, or
 - (B) the date on which the approval for the pump is first extended after the commencement of the *Water Management (General) Amendment (Metering) Regulation 2025*,
 - (ii) the metering equipment standards under Schedule 8, clauses 2(1), 4, 5(2), 6 and 7.

7 Works other than pumps or bores

A water supply work, other than a pump or bore, is exempt from the following—

- (a) if the total share components of all access licences on which the work is nominated is 15ML or less—the mandatory metering equipment condition,

- (b) if the total share components of all access licences on which the work is nominated is more than 15ML but less than 100ML—the metering equipment standards under Schedule 8, clauses 2(1), 4, 5(2), 6 and 7.

1.4 Amendments about duly qualified persons

[1] Clause 236

Omit the clause. Insert instead—

236 Definition of “duly qualified person”

- (1) For the Act, Dictionary, definition of *duly qualified person*, a person specified in Schedule 8A, Table 1, Column 1 is a duly qualified person if the person—
 - (a) has the qualifications, skills and experience specified opposite in Schedule 8A, Table 1, Column 2, and
 - (b) has completed a registration course specified by the Minister and given notice in the approved form to the Minister of the completion of the course.
- (2) However, a person is a duly qualified person only for the purposes of carrying out the work specified in Schedule 8A, Table 2, Column 1 if the person is a duly qualified person specified opposite in Schedule 8A, Table 2, Column 2.
- (3) Subclause (1)(b) does not apply if the person holds a current certification as a certified meter installer issued by a registered training organisation before the commencement of the *Water Management (General) Amendment (Metering) Regulation 2025*.

[2] Clause 258A Compliance audits—the Act, ss326A and 400(1)(e)

Omit clause 258A(6)(a). Insert instead—

- (a) if required by the direction—
 - (i) the holder of the access licence or approval, or
 - (ii) a duly qualified person, but only in relation to the work for which the person is duly qualified, or
 - (iii) a person who holds a qualification issued by an Australian university, and who has at least 10 years experience, in a field of engineering or environmental science sufficient to enable the person to assess compliance with legal requirements under the Act, as they relate to the holder’s activities,

[3] Clause 258A(7)

Omit the definitions of *certified meter installer* and *certified practising hydrographer*.

[4] Schedule 8 Metering equipment

Omit clause 7(1). Insert instead—

- (1) Metering equipment, other than metering equipment installed in connection with an open channel, must be validated in accordance with AS 4747 by a duly qualified person—
 - (a) on installation, and
 - (b) within 10 years after installation, and
 - (c) at intervals of no more than 5 years after the validation referred to in paragraph (b).

[5] **Schedule 8, clause 7(5)**

Insert after clause 7(4)—

- (5) Metering equipment must be validated in any other circumstance in which metering equipment is required by AS 4747 to be validated.

[6] **Schedule 8, clauses 8(2)(a) and 9(3A)(a)**

Omit “the first interval of 5 years for validation after the application day is taken to end 5 years after the existing validation” wherever occurring.

Insert instead “the date of installation is taken to be the date on which the existing validation occurred”.

[7] **Schedule 8A**

Insert after Schedule 8—

Schedule 8A Duly qualified persons

clause 236

1 Definitions

In this schedule—

closed conduit meter means metering equipment, other than metering equipment installed in connection with an open channel.

registered training organisation means a training organisation that is listed as a registered training organisation in the National Register established under the *National Vocational Education and Training Regulator Act 2011* of the Commonwealth.

Table 1

Column 1	Column 2
Duly qualified person	Qualifications, skills and experience
Closed conduit meter manufacturer	(a) employed by a business that manufactures or supplies one or more pattern approved meters, and (b) holds a position within the business that is recognised as having the technical capacity and experience required to install the pattern approved meters that are distributed by the business.
Diploma surveyor	an Australian diploma in surveying
Electrician	(a) holds a current licence with NSW Fair Trading in the electrical field, and (b) holds a contractor licence, qualified supervisor certificate or endorsed contractor licence in accordance with the <i>Home Building Act 1989</i> .

Column 1	Column 2
Duly qualified person	Qualifications, skills and experience
Engineer	(a) registered as a professional engineer with NSW Fair Trading in one of the following areas— (i) civil engineering, (ii) electrical engineering, (iii) mechanical engineering, (iv) structural engineering, or (b) registered on the National Engineering Register with Engineers Australia in one of the following areas— (i) civil engineering, (ii) construction, (iii) electrical engineering, (iv) environmental engineering, (v) information, telecommunications and electronic engineering, (vi) mechanical engineering, (vii) mechatronics engineering.
Engineer for open channels	registered on the National Engineering Register with Engineers Australia in civil engineering or environmental engineering
Fitter-welder	(a) Certificate III in Engineering–Mechanical Trade, or (b) Certificate IV in Engineering (Welding).
Hydrographer	(a) Certificate III in Water Industry Operations, or (b) Diploma of Water Industry Operations, or (c) recognised by the Australian Hydrographers Association as a Certified Practising Hydrographer or Certified Associate Hydrographer.
Instrumentation specialist	(a) Certificate III in Instrumentation and Control, or (b) Certificate IV in Electrical–Instrumentation.
Irrigation technician	(a) Certificate III in Irrigation Technology, or (b) Certificate IV in Irrigation Management, or (c) a vocational education and training qualification issued by a registered training organisation of at least Certificate II level or greater in irrigation technology, irrigation technician or irrigation management.
Local intelligence device manufacturer	(a) employed by a business that manufactures or supplies 1 or more of the local intelligence devices that are published on the Department’s website by the Minister, and (b) holds a position within the business recognised as having the technical capability and experience required to install the local intelligence devices distributed by the business.
Meter installer	(a) completion of a NSW meter installer course, specified by the Minister, or (b) holds a current certification as a certified meter installer issued by a registered training organisation.

Column 1	Column 2
Duly qualified person	Qualifications, skills and experience
Open channel meter manufacturer	(a) employed by a business that manufactures or supplies 1 or more open channel meters, and (b) holds a position within the business recognised as having the technical capability and experience required to install the open channel meters the company distributes.
Plumber	(a) holds a current licence with NSW Fair Trading in the area of plumbing or water plumbing or water plumbing—urban irrigation or draining work, and (b) holds a contractor licence or qualified supervisor certificate or endorsed contractor licence in accordance with the <i>Home Building Act 1989</i>.
Storage meter installer	(a) holds a current certification for installation and validation of storage metering equipment issued by a registered training organisation, or (b) completed a NSW storage meter installer course specified by the Minister.
Storage meter manufacturer	(a) employed by a business that manufactures or supplies 1 or more of the storage meters that are published on the Department's website by the Minister, and (b) holds a position within the business recognised as having the technical capability and experience required to install the storage meters that are distributed by the business.
Surveyor	qualifications in surveying recognised by the NSW Board of Surveying and Spatial Information
Telecommunications technician	(a) Certificate III in Electronics and Communications, or (b) Certificate IV in Industrial Electronics and Control, or (c) Diploma in Electronics and Communications Engineering, or (d) another qualification with at least Certificate II level or greater in radio communications, or electronic communications, issued by a registered training organisation.

Table 2

Column 1	Column 2
Work	Duly qualified person
Install, validate or maintain closed conduit meter	Closed conduit meter manufacturer
Repair or replace closed conduit meter	Engineer Fitter-welder Hydrographer Instrumentation specialist Irrigation technician Meter installer Plumber Trainee, except for making certifications, under the direct supervision a duly qualified person specified for the work.
Install, validate or maintain open channel meter	Engineer for open channels
Repair or replace open channel meter	Hydrographer Open channel meter manufacturer Trainee, except for making certifications, under the direct supervision a duly qualified person specified for the work.
Install or maintain local intelligence device	Electrician
Repair or replace local intelligence device	Engineer Hydrographer Instrumentation specialist Irrigation technician Local intelligence device manufacturer Meter installer Telecommunications technician Trainee, except for making certifications, under the direct supervision a duly qualified person specified for the work.
In situ, volumetric or simulated accuracy testing for closed conduit meter	Closed conduit meter manufacturer Engineer Hydrographer Meter installer with expertise in intrusive and non-intrusive flow measurement testing Plumber Trainee, except for making certifications, under the direct supervision a duly qualified person specified for the work.
In situ, volumetric or simulated accuracy testing for open channel meter	Engineer for open channels Hydrographer Open channel meter manufacturer Trainee, except for making certifications, under the direct supervision a duly qualified person specified for the work.

Column 1	Column 2
Work	Duly qualified person
Install, validate or maintain storage meter	Engineer
Repair or replace storage meter	Hydrographer
	Instrumentation specialist
	Irrigation technician
	Storage meter installer
	Storage meter manufacturer
	Trainee, except for making certifications, under the direct supervision of a duly qualified person specified for the work.
Calibrate storage metering device capable of measuring volume of water in water supply work by reference to water level in the work	Diploma surveyor
	Engineer
	Hydrographer
	Storage meter installer
	Surveyor
Install, but not certify, survey benchmark	Diploma surveyor
Repair or replace survey benchmark	Surveyor
	Trainee, except for making certifications, under the direct supervision a duly qualified person specified for the work.
Certify survey benchmark	Surveyor
Certify new or replacement storage curve	Engineer
	Surveyor
Determine if point-of-intake metering equipment has been installed correctly	Engineer
Determine if all water entering water supply work is reasonably able to be measured by point-of-intake metering equipment	Hydrographer
	Meter installer
	Surveyor