



## Status information

### Currency of version

Current version for 5 November 2015 to date (accessed 23 September 2016 at 00:44).  
Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.  
See [Historical notes](#)

### Does not include amendments by:

[Water Management Amendment Act 2014 No 48](#) (not commenced)

### Proposed repeal:

The Act is to be repealed by sec 5 (1) of this Act on the day following the day on which all of the provisions of this Act have commenced.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 5 November 2015.



An Act to amend the [Water Management Act 2000](#) in relation to compliance and enforcement, access licences, publication of notices and orders and other miscellaneous matters; and for other purposes.

## 1 Name of Act

This Act is the [Water Management Amendment Act 2008](#).

## 2 Commencement

- (1) This Act commences on the date of assent to this Act, except as provided by subsection (2).
- (2) Schedules 1–4 and 7.2 and 7.3 commence on a day or days to be appointed by proclamation.

## 3 Amendment of [Water Management Act 2000 No 92](#)

The [Water Management Act 2000](#) is amended as set out in Schedules 1–6.

## 4 (Repealed)

## 5 Repeal of Act

- (1) This Act is repealed on the day following the day on which all of the provisions of this Act have commenced.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

## Schedules 1–3 (Repealed)

### Schedule 4 Amendments relating to access licences

(Section 3)

#### [1]–[4] (Repealed)

#### [5] Section 71W

Omit the section. Insert instead:

#### **71W Access licence may nominate water supply works**

- (1) On the application of the holder of an access licence for a water management area or water source, the Minister may consent to the amendment of the licence so as:
  - (a) to nominate a specified water supply work in that water management area or water source as a work by means of which water credited to the licence may be taken, or
  - (b) to nominate a specified water supply work in a NSW water tagging zone as a work by means of which water credited to the licence may be taken, or
  - (c) to nominate a specified extraction point in an interstate water tagging zone as an extraction point from which water credited to the licence may be taken,

or so as to withdraw such a nomination.

- (2) For the avoidance of doubt, a water supply work may be nominated under subsection (1) even though no approval is required to be held in relation to the work.
- (3) The holder of an approval for a water supply work must notify the Minister, in accordance with the regulations:
  - (a) that the work has been nominated (whether by reference to the work itself or by reference to an extraction point at which it is located) as a work from which water credited to the interstate equivalent of an access licence may be taken, or
  - (b) that such a nomination has been withdrawn,

if that is the case.

- (4) For the purposes of this section, an extraction point in an interstate water tagging zone is to be specified in accordance with the regulations.
- (5) In this section, a reference to a *water supply work* includes a reference to a group of such works.

#### [6] Section 71Z Access licence dealing principles

Omit section 71Z (2). Insert instead:

- (2) The access licence dealing principles may include provisions relating to any or all of the following:
- (a) the establishment of interstate water tagging zones,
  - (b) the establishment of NSW water tagging zones,
  - (c) the criteria to be considered for the granting of an application with respect to a nomination referred to in section 71W (1) (b) or (c).

**[7]–[9] (Repealed)**

**[10] Section 391A Interstate arrangements in relation to access licences and approvals**

Omit “in cases referred to in section 71W (2) or 89 (2)” from section 391A (1).

Insert instead “pursuant to section 71W or 89”.

**[11] Dictionary**

Insert in alphabetical order:

*interstate water tagging zone* means an interstate water tagging zone established by the access licence dealing principles.

*NSW water tagging zone* means a NSW water tagging zone established by the access licence dealing principles.

**Schedules 5–7 (Repealed)**

**Historical notes**

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
ClI	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

**Table of amending instruments**

[Water Management Amendment Act 2008 No 73](#). Assented to 28.10.2008. Date of commencement, except Schs 1–4, 7.2 and 7.3, assent, sec 2 (1); date of commencement of Schs 1–3, 7.2 and 7.3, 1.1.2009, sec 2 (2) and GG No 158 of 19.12.2008, p 12315; date of commencement of Sch 4 [1]–[3] [8] and [9], 1.7.2009, sec 2 (2) and 2009 (258) LW 26.6.2009; date of commencement of Sch 4, Sch 4 [1]–[4] [7]–[9] excepted: not in force; date of commencement of Sch 4 [4], 1.4.2011, sec 2 (2) and 2011 (145) LW 3.3.2011; date of commencement of Sch 4 [7], 3.8.2012, sec 2 (2) and 2012 (350) LW 3.8.2012. This Act has been amended as follows:

- 2009** No 56     [Statute Law \(Miscellaneous Provisions\) Act 2009](#). Assented to 1.7.2009.  
Date of commencement of Sch 5, 17.7.2009, sec 2 (1).
- No 106     [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2009](#). Assented to 14.12.2009.  
Date of commencement of Sch 6, 8.1.2010, sec 2 (2).
- 2011** No 62     [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2011](#). Assented to 16.11.2011.  
Date of commencement of Sch 5, 6.1.2012, sec 2 (1).
- 2012** No 42     [Statute Law \(Miscellaneous Provisions\) Act 2012](#). Assented to 21.6.2012.  
Date of commencement of Sch 1.28, 6.7.2012, sec 2 (1).
- 2015** No 48     [Regulatory Reform and Other Legislative Repeals Act 2015](#). Assented to 5.11.2015.  
Date of commencement of sec 4, assent, sec 2 (1).

#### Table of amendments

Sec 4	Rep 2009 No 56, Sch 5.
Schs 1–3	Rep 2009 No 56, Sch 5.
Sch 4	Am 2009 No 106, Sch 6; 2011 No 62, Sch 5; 2012 No 42, Sch 1.28 [1] [2]; 2015 No 48, sec 4.
Schs 5–7	Rep 2009 No 56, Sch 5.