

Environmental water deliveries in NSW

Summary

Some environmental water deliveries in NSW have been temporarily paused while environmental water licensees, river operators and approval holders ensure they fully comply with the Water Management Act 2000.

Two main issues are being addressed:

- all licensed water use needs to be properly metered and measured; and
- there is a risk that some delivery of environmental water may cause water to be taken from a water source otherwise than in accordance with the Act.

While this work is underway, some environmental water events can continue as planned, some will be slightly delayed, and others may need to be changed. In addition, rainfall and dam releases are still supporting rivers and wetlands.

The NSW Government is installing metering and measurement equipment and progressing urgent regulatory amendments.

These changes will provide certainty, improve transparency and ensure that environmental watering can continue to be delivered for positive environmental outcomes and in accordance with the Act.

FAQ

Q. Why have some environmental water flows been paused?

Some environmental water flows in NSW have been paused in response to two issues:

Metering compliance: all licensed water extractions in NSW must be metered in accordance with the metering rules in the Water Management (General) Regulation. Some sites used for environmental watering are not yet fitted with compliant metering or measurement equipment.

Water ‘take’ and licencing requirements: the Department identified a risk that delivery of environmental water in NSW, under NSW legal and policy frameworks, may cause water to be ‘taken’ from a water source otherwise than in accordance with the Water Management Act 2000.

Q. Were environmental water holders told to stop delivering water?

No. Aside from an unrelated direction provided in relation to Toorale (see below), no directions have been provided to environmental water holders or river operators.

Environmental water holders place a high priority on compliance with the law and have taken these proactive, temporary steps to ensure they remain compliant.

Metering**Q. How does metering compliance apply to environmental water deliveries?**

In NSW (and across all Basin states) water extracted from rivers and groundwater sources must be accurately measured using approved metering or measurement equipment, unless exempt. This helps protect water resources and ensures everyone is accountable for their water use.

These metering obligations have been in place for all water users since 2018, with the regulations coming into effect for large water users on 1 December 2021.

Under the Non-Urban Water Metering Policy, any work (e.g. bore, pump or regulator) used to extract water under a licence – including environmental water licences – may be subject to metering requirements.

The NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) has been working towards compliance with the non-urban metering policy. It has reviewed a total of 714 sites. As of August 2025, 56 NSW sites where environmental water would normally be delivered do not yet meet these metering requirements.

These metering obligations apply to licensed water only. Planned environmental water established under Water Sharing Plans and delivered and accounted for by the river operator WaterNSW, is not intended to be metered and measured in the same way.

Q. What is being done to resolve this metering issue?

NSW DCCEEW is working with the approval holders to install metering or measurement equipment at sites used for environmental watering as quickly as possible to ensure full compliance.

Q. What is the timeframe for full metering compliance across NSW?

NSW DCCEEW has a metering implementation plan that outlines how and when measurement equipment will be installed at each site, where alternative measurement approaches will be used or where there are administrative changes required to ensure compliance with the non-urban metering regulation.

They are engaging closely with WaterNSW, the CEWO, and several partner agencies, as part of this process.

Works will start in early September to install meters at 11 sites in the Millewa and Werai forests. The meters will be installed by the end of September, after which important watering events can commence at these sites.

Work to install meters on the remaining 45 sites will occur over the coming year.

Water 'take' and licencing requirements

Q. Why would environmental water deliveries potentially require a licence?

It's important that environmental water is delivered in accordance with NSW's robust rules and regulations, to ensure water is accounted for and that it is used legally, responsibly and fairly.

It is an offence under the Act for a person to take water from a water source without a licence or the benefit of a basic landholder right or exemption.

Whilst reviewing its environmental watering program, including in the context of working towards compliance with the non-urban metering requirements, NSW DCCEEW identified a risk that some environmental water deliveries may cause water to be taken from a water source not in accordance with the Act.

It wasn't intended that this water needed to be licensed, given it is provided for under water sharing plans.

Q. What is being done to fix this licencing issue?

The NSW Government is progressing urgent amendments to the Water Management (General) Regulation 2025 to make clear that the delivery of environmental water in this manner is exempt from licensing requirements.

We are also working closely with the Commonwealth Environmental Water Holder, agencies and government partners to ensure these solutions can be effectively implemented.

Q. What is the timeframe for these amendments?

Amendments are currently being drafted to the Water Management (General) Regulation 2025 and are being progressed as a priority.

Q. Has all environmental watering stopped?

No. Many events are unaffected and continue as planned. These include:

- Planned and held environmental water from regulated rivers that stays within the same system
- Held environmental water delivered from regulated rivers into a single unregulated site.

In addition, rainfall and dam releases for other purposes means water is still flowing in rivers, which benefits the environment and ecosystems.

Q: What are the environmental impacts of the pause?

Where possible, environmental water events are being modified to be compliant so they can be delivered and still achieve ecological outcomes, and other water events have been delayed but will occur after the new regulation comes into effect or meters are installed (or both).

For the deliveries that have been paused, the impact will vary across valleys.

Q. When will environmental water deliveries resume?

Some deliveries are proceeding. Other deliveries are expected to be progressively reinstated throughout the water year as metering is installed, and regulation amendments are put in place.

Q. Will the government publish any legal advice that informed the suspension?

No. Any legal advice is privileged.

Q. How do these issues relate to NRAR's action at Toorale?

The issues at Toorale relate to how water use is measured and reported. NRAR directed that all water taken through Boera Dam must be properly accounted for, after finding the current metering arrangements lack sufficient rigour under the Water Management Act.

The Department is already reviewing Toorale's licence conditions and will finalise stricter, more transparent rules by September 2025.