

# Proposed Water Management (General) Regulation 2025

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## Proposed changes to specific purpose access licences (SPALs)

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The Water Management (General) Regulation 2018 (the 2018 Regulation) will be automatically repealed (that is, stop operating) on 1 September 2025. It is important to have regulations in place because they support the operation of the *Water Management Act 2000* (the Act) by specifying various procedural matters for access licences and approvals, including exemptions from licence and approval requirements.

The NSW Department of Climate Change, Energy, the Environment and Water (the department) is proposing to replace the 2018 Regulation with the:

- Water Management (General) Regulation 2025
- Water Management (Water Supply Authorities) 2025 Regulation.

The two regulations will commence by 1 September 2025.

Most of the content of the two regulations will be the same as the 2018 Regulation, but the department has proposed some changes to be included in the new regulations. Factsheets have been prepared to provide high-level summaries of the proposed changes in the Water Management (General) Regulation 2025. Detailed analysis and the rationale for the changes are outlined in the Regulatory Impact Statement.

This factsheet provides a summary of the proposed changes in the Water Management (General) Regulation 2025 to specific purpose access licences (SPALs).

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## Overview of specific purpose access licences

SPALs are a type of access licence which specify a purpose for which water taken under the licence must be used. Examples include:

- local water utility and town water supply
- domestic consumption
- Aboriginal cultural or commercial purposes.

Additional conditions or restrictions can be imposed on SPALs to ensure they are only used for the purpose they were granted for. Under section 77A of the Act, a SPAL must be cancelled once the purpose for which it was issued ceases. The licence is restricted and cannot be traded.

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## Proposed changes

The department proposes to remove references<sup>1</sup> in the new regulation to the following SPAL categories:

- temporary critical conveyance access licences for the private irrigation districts of West Corugan, Moira, Eagle Creek and Mathoura (temporary critical conveyance SPALs)
- an aquifer access licence of subcategory “Temporary dewatering for construction” to extract water from the Tweed-Brunswick Coastal Sands groundwater source to facilitate the construction of a seawater intake pipeline for an aquaculture facility at Cudgen (Cudgen aquaculture facility SPAL).

These categories are specific to the purposes covered by the licence issued under each. With the removal of these categories, future applicants will not be able to apply for a new licence under these categories. Reference to the above Cudgen aquaculture facility SPAL can be found in the 2018 Regulation at Clause 10(1)(r).

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## Reasons for the changes

All the temporary critical conveyance SPALs have fulfilled their intended purpose and are no longer required. These licences were cancelled as required under section 77A of the Act. Removing the ability to apply for these SPALs in the future will encourage users to consider other options for long-term water access.

The Cudgen aquaculture facility SPAL will still exist and will not be affected by the proposed changes. The Cudgen aquaculture facility SPAL category was created for a single purpose and the Cudgen aquaculture facility licence has been granted and is being used for that purpose. No other applications should be made under this licence category.

Removing unnecessary provisions will streamline the new regulation and make it easier to understand.

For further information about the costs and benefits of the proposed change, please refer to the [Regulatory Impact Statement](#).

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<sup>1</sup> References to the critical conveyance access licences can be found in the 2018 Regulation at clauses 4, 5, 6 and 10. Reference to the Cudgen aquaculture facility SPAL can be found in the 2018 Regulation at Clause 10.

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## How can I provide feedback?

The department is seeking your feedback on the proposed Water Management (General) Regulation 2025 and Water Management (Water Supply Authorities) Regulation 2025.

To have your say, you can make an online submission: [water.nsw.gov.au/water-management-regulation-remake](https://water.nsw.gov.au/water-management-regulation-remake).

If you need assistance making a submission, please contact us at [water.enquiries@dpie.nsw.gov.au](mailto:water.enquiries@dpie.nsw.gov.au).

Consultation will close at 11.59pm on Sunday, 6 April 2025.

Your submission may be published. If you do not want your personal details or responses published, please let us know.

A What We Heard report will be published after the public consultation period.

To find out more, visit the department's website: [water.dpie.nsw.gov.au](https://water.dpie.nsw.gov.au).