

# New rules to manage water for the environment Frequently Asked Questions

*The new rules help protect environmental water from extraction in unregulated systems*

## What are the new rules?

The new rules help protect environmental water from extraction in unregulated systems by limiting the daily extraction, adjusting access thresholds when environmental water is present, and providing clarity on access through announcements. See fact sheet 8 – [New rules to manage water for the environment – rule summary](#).

## Who do the new rules apply to?

The new rules apply to licence holders who have water access licences in the unregulated Gwydir, Macquarie Bogan and Barwon-Darling water sources.

**Table 1: Water access licences with the new conditions**

Rule	Water source	Affected water access licences
Individual daily extraction component (IDEC)	Barwon-Darling unregulated river	Unregulated River Unregulated River A Class Unregulated River B Class Unregulated River C Class
Resumption of flows	Barwon-Darling unregulated river	Domestic and Stock Local Water Utility Unregulated River Unregulated River A Class Unregulated River B Class Unregulated River C Class
Active management (commence-to-pump and cease-to-pump)	Gwydir unregulated river	All access licences in the Gingham Watercourse Management zones and Mallowa Creek
Active management (commence-to-pump, cease-to-pump and expression of interest)	Macquarie Bogan unregulated river	All access licences in the Lower Macquarie River Water Source and Lower Marthaguy Creek
Active management (commence-to-pump, cease-to-pump and expression of interest)	Barwon-Darling unregulated river	Unregulated River A Class Unregulated River B Class Unregulated River C Class

## What do licence holders have to do differently?

Licence holders will now check announcements each day to see if access is permitted for their licence. Announcements will be made by WaterNSW on their [WaterInsights portal](#). Individual

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licence announcements – daily flow shares (Barwon-Darling) and volumetric limits (Lower Macquarie Downstream Management Zone) will be issued through [iWAS](#) and related notification systems.

Licence holders must no longer use gauge readings or river heights to make decisions about pumping and should not rely on word-of-mouth about when they can pump. Licence holders must pump only in accordance with an announcement from WaterNSW. Some licence holders will need to submit an expression of interest and then receive permission to access water. This requirement will be indicated on their licence conditions.

## Will conditions for licences and works approvals change?

Yes, all licence and approval holders in the relevant areas will receive updated conditions for water access licences (statement of conditions) and approvals (statement of approval). These new mandatory conditions align with the new rules. Licence holders must comply with the new rules and conditions.

## Why are the new rules necessary, and what do they protect?

Held environmental water is water the government has purchased to achieve certain environmental outcomes, such as improving the health of rivers, wetlands and floodplains. The new rules protect held environmental water from extraction as it moves down the river. In the Lower Macquarie River and the Lower Marthaguy Creek, the rules will also protect flows from the Macquarie Environmental Water Allowance Sub-allowance 2 (active) from extraction. More information about environmental water is available from the [environmental water hub](#) and the Department of Planning, Industry and the Environment's (the department) [Water for the environment](#) page.

## What is not changing?

Some things are not changing for licence holders. These include:

- the requirement to enter water take into logbooks (i.e. dates, duration, volume, supply work approval number and actual take versus permitted take)
- the volume of entitlements
- the access rules when held environmental water is not present.

## Individual Daily Extraction Components FAQs

### Will Certificates of Title need to be reissued?

Certain activities, such as water trading, require licence holders to provide a NSW Land Registry Services Certificate of Title showing the IDEC. Normally there is a fee for reissuing a Certificate of Title. However, the NSW Government is waiving the fee for issuing new certificates in the 2020-21 water year. Licence holders will receive advice on how to apply for a free reissue of their Certificate of Title with their licence notification.

### How can a licence holder find out their IDEC?

Licence holders received a letter in late July or early August 2020 for each of their water access licences. It stated the IDEC value for the licence. IDECs can also be viewed by the licence holder on the [NSW Water Register](#). A licence holder's IDEC can be accessed through the register from 1 July 2020.

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### Can licence holders still 'roster' their pumping?

There will be no mechanism for rostering to allow licence holders to access more water than their IDECs. Licence holders have a maximum daily limit to their IDEC which is either their full IDEC value or the lesser amount announced by WaterNSW. The only way to increase an IDEC is to permanently trade someone else's. Licence holders may choose to communicate with other water users before submitting their EoI to get a sense of daily demand in their management zone.

### If a licence holder pumps less than the IDEC on one day, can they make it up on another day?

No. IDECs are individual daily limits for pumping on a given day. Licence holders must not exceed their IDEC.

### What if the 'works approval' for a pump states higher capacity than the IDEC?

The IDEC is the volume that licence holders can extract per day for a licence, and licence holders must comply with their IDEC.

### When will IDECs apply?

IDECs will be part of the new mandatory conditions for water access licences in the Barwon-Darling. Licence holders have received new licence conditions and will need to comply from the date the new conditions are issued unless otherwise specified.

### What happens if a licence holder doesn't comply?

The Natural Resources Access Regulator (NRAR) responds to situations where licence or approval holders are not compliant with regulatory requirements. NRAR will exercise regulatory discretion where a licence or approval holder cannot strictly comply with new regulatory requirements because of issues that are beyond their control.

Where NRAR investigates and proves a breach, the regulator may take enforcement action. This could include fines or prosecution. The [NRAR Regulatory policy](#) and [prosecution guidelines](#) set out the regulator's approach to enforcement and prosecution.

### Where can I find more information?

The department has published a series of fact sheets on the [environmental water hub](#).

#### Fact sheets in this series:

Environmental water fact sheets		
<a href="#">What's new – Gwydir (fact sheet 1)</a>	<a href="#">What's new – Macquarie (fact sheet 2)</a>	<a href="#">What's new – Barwon-Darling (fact sheet 3)</a>
<a href="#">How to comply – Gwydir (fact sheet 4)</a>	<a href="#">How to comply – Macquarie (fact sheet 5)</a>	<a href="#">How to comply – Barwon-Darling (fact sheet 6)</a>

# New rules to manage water for the environment (Fact sheet 9)



## Frequently Asked Questions for licence holders

### Environmental water fact sheets

How to find out more (fact sheet 7)	<a href="#">New Rules for protecting environmental water – summary (fact sheet 8)</a>	<a href="#">New Rules for protecting environmental water – FAQ (fact sheet 9)</a>
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[Individual Daily Extraction Components \(IDECs\) – Barwon-Darling \(fact sheet 10\)](#)

WaterNSW has a customer service enquiries line and email for licence holder questions about the new licence conditions. Licence holders can email [Customer.Helpdesk@waternsw.com.au](mailto:Customer.Helpdesk@waternsw.com.au) or call **1300 662 077** from 8 am to 5 pm, Monday to Friday. Contact the department by email at [water.relations@dpie.nsw.gov.au](mailto:water.relations@dpie.nsw.gov.au) for general questions about the new environmental water policy.

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