



New South Wales

# Water Management Amendment (Transfer of Water) Bill 2023

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Water Management Act 2000* (the *WM Act*) to restrict the transfer of water access licences to the Commonwealth or the State unless certain conditions are met.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

## Schedule 1      Amendment of Water Management Act 2000 No 92

**Schedule 1** inserts proposed section 71ZA into the WM Act to give effect to the object of the Bill.

The proposed section applies to transfers of water access licences to the Commonwealth and the State and to Ministers, public servants, agents, public authorities, agencies or subsidiaries of the Commonwealth and the State.

The proposed section prevents the Minister for Water from registering a transfer of this type in the Access Register under the WM Act unless an assessment has been undertaken and a report on the assessment has been published on a publicly available website that demonstrates the transfer causes neutral or positive socio-economic impacts and neutral or positive environmental impacts

in the locality, being the relevant NSW water tagging zone or, if there is no relevant zone, the State.

The assessment of socio-economic impacts must have regard to the following criteria—

- (a) production output levels,
- (b) employment levels and diversity,
- (c) individual and business incomes,
- (d) costs of carrying on businesses,
- (e) changes to working conditions, including hours worked and health and safety conditions,
- (f) psychological wellbeing levels, including in relation to stress, happiness, security, family harmony and the ability to undertake leisure activities,
- (g) access to, and the level of provision of, social services.

The proposed section also contains provisions dealing with possible inconsistencies with the *Water Act 2007* of the Commonwealth.