
c2026-116J
GOVT--Government

LEGISLATIVE COUNCIL

Water Management Amendment (Easements for Inundation) Bill 2025

First print

Proposed amendments

- No. 1 **Water NSW's liability in relation to inundation**
Page 2, clause 2, lines 5 and 6. Omit all words on the lines.
Insert instead—

2 Commencement

This Act commences as follows—

- (a) for Schedule 1—on a day or days to be appointed by proclamation,
- (b) otherwise—on the date of assent to this Act.

- No. 2 **Water NSW's liability in relation to inundation**
Page 5. Insert after line 16—

Schedule 2 Amendment of Water NSW Act 2014 No 74

[1] Section 3 Definitions

Insert in alphabetical order in section 3(1)—

inundate, in relation to land, includes—

- (a) inundate private land, and
- (b) move water to or across land, including private land.

[2] Section 7 Functions of Water NSW

Omit “community.” from section 7(1)(k).

Insert instead—

community,

- (l) to release or supply water, including environmental water, to inundate land for an environmental purpose,
- (m) to operate works to inundate land for an environmental purpose,
- (n) in the exercise of a function, to inundate land.

[3] Section 37 Compensation by Water NSW for damage

Insert after section 37(3)—

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- (4) No compensation is payable under this section for damage resulting from the inundation of land as a consequence of anything done, or omitted to be done, by Water NSW.

[4] Schedule 2 Savings, transitional and other provisions

Insert at the end of the schedule, with appropriate part numbering—

Part Provision consequent on enactment of Water Management Amendment (Easements for Inundation) Act 2025

1 Listed functions relating to inundation taken to be authorised by existing operating licence

- (1) An existing operating licence is, until its expiry, taken, for section 7(3)(a), to authorise Water NSW to exercise the listed functions under section 7(1)(l)–(n).
- (2) In this clause—
existing operating licence means an operating licence in force immediately before the commencement of this part.

No. 3 **Long title**

Insert “to amend the *Water NSW Act 2014* to address Water NSW’s liability in relation to the inundation of land;” after “environmental purposes;”.