

WATER MANAGEMENT AMENDMENT (EASEMENTS FOR INUNDATION) BILL 2025

Schedule of amendments referred to in the Legislative Council's message of 7 May 2026.

No. 1 **GOVT No. 1 [c2026-116J]**

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 **GOVT No. 2 [c2026-116J]**

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)—

- (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 **GOVT No. 3 [c2026-116J]**

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