# Non-Urban Water Metering Reform – Southern Inland

Roadshow Report April/May 2022

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# Contents

# 1 Introduction

This Consultation Outcomes Report documents the key findings and outcomes of five workshops conducted by the New South Wales Department of Planning and Environment (DPE) Water team during April and May 2022.

The workshops were conducted in:

– Albury (26 April)

– Deniliquin (27 April)

– Griffith (28 April)

– Broken Hill (17 May)

– Dareton (18 May).

## 1.1 Workshop Purpose

The purpose of the workshops was to provide information to water users to help them understand the Non-Urban Water Metering rules and to provide information to assist water users with compliance. These meetings did not focus on the policy decisions driving the Non-Urban Water Metering reform but focussed more on what the rules mean for water users, how various water use circumstances are dealt with under the rules, and what is required to ensure water users' compliance.

Given the multiple agencies and stakeholders involved in water regulation, each of the workshops included representatives of:

– The Department of Planning and Environment (DPE)

– WaterNSW

– The Natural Resources Access Regulator (NRAR)

– Irrigation Australia Limited (IAL).

## 1.2 Workshop Format

All of the five workshops followed a similar format:

– Introductions around the room to understand what water users were present and what aspects of the Non-Urban Water Metering rules they were most interested in discussing

– Presentations by DPE, WaterNSW, NRAR and IAL (with each presentation pausing for questions and comments throughout)

– An open, facilitated question and answer session.

The speakers at the workshops included:

- Alastair McKenzie-McHarg (DPE)
- Jessica Douglas (DPE)
- Hannah Grogan (DPE)
- Suzy Lykos (DPE)
- Bryan Ward (IAL)
- Martin Brooks and David Hoadley-Smith (WaterNSW)
- Graeme White and Greg Abood (NRAR).

# 2 Key Themes and Issues

This section of the report provides a summary of the key themes and common issues that were consistently raised across the five workshops. While each meeting and its participants were unique, some common issues emerged across workshops.

Note that this section contains general, common views expressed during the workshops. It does not capture every view but is an attempt to summarise the most common themes that were heard regularly throughout the process. The individual workshop summaries (documented in the next section) provide a more thorough record of views heard and questions asked at each of the sessions.

## 2.1 Unique and specific circumstances

At this stage in the process of introducing the Non-Urban Metering rules, many of the questions related to specific water user and property circumstances where water users were unclear exactly how the rules would apply. While some of the circumstances were very individual in nature, some common areas of interest did emerge.

### 2.1.1 Validation for difficult to access meters

Some confusion was expressed during a number of workshops as to how meters that are difficult to access will be dealt with. The maintenance requirements state that:

– Closed works, including pumps and bores, need to be checked, maintained and re-validated by a certified meter installer at a minimum of once every five years

– Open works, such as channels, need to be checked, maintained and re-validated by a certified practising hydrographer at least once every year.

Particular concern was raised regarding the need to uncover buried meters to allow for validation and then the potential need for those meters to be uncovered on a somewhat regular basis as part for maintenance and re-validation. WaterNSW provided detailed responses to many of these queries during the workshops, including the option of installing more accessible viewing points, but it is apparent that there may still be a level of uncertainty about the implications of compliance for those water users with buried meters.

### 2.1.2 Government owned meters

Compliance issues for water users with Government-owned meters was a significant issue of discussion at some of the workshops particularly in Griffith and Deniliquin. WaterNSW was again able to respond in detail to any uncertainty about the compliance requirements for water users with meters in the Government-owned meter fleet. However, this uncertainty suggests there remains some confusion or lack of awareness among water users in general regarding how Government-owned meters will be dealt with and who is responsible for compliance.

The WaterNSW responsibility for Government meters includes them continuing to manage the compliance and ongoing maintenance of existing government-owned meters. This will include:

– Checking licence and approval details for Government-owned meters

– Contact water users with Government-owned meters to inform them about dates and the compliance process

– Visit the site for an inspection if required

– Engage and oversee a Duly Qualified Person (DQP) to certify the meter, submit required documentation, install a Local Intelligence Device (LID), fit the required tamper proof seals and determine what telemetry is required

– Purchase and install a LID through a DQP

– Manage maintenance and repairs

– Complete an annual meter inspection.

There was also a view held by some workshop participants that the NSW Government, through WaterNSW, was actively encouraging water users with Government-owned meters to transfer those meters to private ownership. WaterNSW was

again able to clarify this misconception during the workshop process but it may again suggest a level of misunderstanding among the water user community.

WaterNSW also clarified that if water users with Government-owned meters did choose to transfer that meter to private ownership then the water user, rather than WaterNSW, would be responsible for all compliance requirements.

Additional communication with water users with Government-owned meters may be required to assist with greater understanding of their compliance obligations.

## 2.2 Participation in the process

While a wide range of activities have been undertaken to promote attendance at the workshops, and local networks have been used extensively, overall attendance by water users has been quite low. Given the nature of farm operations it can be difficult for water users to commit to what may be a day away to participate in an information sharing process.

DPE is considering if there are alternative methods of engagement that should be considered to enable greater participation by water users. While there is some efficiency in the workshop style process, and this format may need to be continued, there may be other strategies that involve going more directly to users that could be considered in addition to the current activities.

## 2.3 Awareness of smaller water users

Concerns were raised during the process about the level of engagement by water users in the process and the awareness of smaller water users of their compliance obligations. This concern was raised with particular reference to the Lower Darling area and Menindee and Pooncarie specifically.

Although reaching every stakeholder is not practical, DPE is considering what additional engagement activities should be introduced to increase awareness among smaller water users.

# 3 Meeting Summaries

This section summarises key comments, questions and responses recorded at each of the workshop meetings. Note that this is not intended to be verbatim reporting but attempts to capture the essential nature of both questions and responses.

## 3.1 Deniliquin

Date: 27 April 2022

The Deniliquin Non-Urban Meter Watering Workshop followed the same format as other workshops in this series:

- Introduction and overview
- DPE presentation
- IAL presentation
- WaterNSW Presentation
- NRAR presentation
- Question and Answer Panel Session.

The speakers at this meeting included:

- Alastair McKenzie-McHarg (DPE)
- Jessica Douglas (DPE
- Hannah Grogan (DPE)
- Suzy Lykos (DPE)
- Bryan Ward (IAL)
- Martin Brooks (WaterNSW)
- Graeme White (NRAR).

The presentation given at the Non-urban water metering southern basin roadshow can be found on the department's website.

The focus of the meeting summary is the Question and Answer Panel Session which is summarised below. Both questions and responses are not necessarily captured verbatim and may be paraphrased or summarised in some cases. Best efforts have been made to accurately capture the essence of both questions and responses.

It is noted that as this region of the Southern Basin includes a large amount of Government-owned pumps and meters, many of the questions focussed on this including those Government-owned pumps that have been installed underground.

| Question | Response |
|---|---|
| How are pumps that are smaller than what the licence says dealt with? | The work size is taken from Water Supply Work Approval. The department is working on a process to allow water user to notify that they have a work that is smaller than what is listed on the approval. |
| If pumped water is only used for basic landholder rights does it need to be metered and reported? | If water is used solely under a basic landholder right, the non-urban water metering rules do not apply. To further understand the metering rules visit the department's website. |

| Question | Response |
|---|---|
| Can pumps be tested in-situ? | There are a number of ways for pumps to be tested in-situ. This allows for a +/- 5% margin of error.<br><br>The department has prepared a in situ accuracy testing guideline that is available on the website. |
| Are buried meters acceptable?<br><br>Government owned buried meters are monitored through a sampling process but how are privately owned buried meters dealt with? What is NRAR position on privately owned buried meters?<br><br>Comments<br><br>Water users that choose to change from a Government owned meter to a private one will be disadvantaged if they have to unbury meters as it was not the water users choice to bury the meter in the first place.<br><br>In some cases unburied meters were buried by WaterNSW and this was questioned at the time by landowners. Landowners would like buried meters to be unburied if they have decided to change them to privately owned meters. | Government meters are a fleet so the sampling method can be used in accordance with AS4747.<br><br>If water users choose to change from a Government-owned meter to privately owned, the benefit of the sampling method will be lost. Private meters that are buried may be required to be uncovered/unburied or a new meter installed that can be validated and maintained.<br><br>Meters that are buried are still compliant with AS4747. However, it makes more sense for meters to be uncovered as repairs and maintenance is easier.<br><br>From an NRAR perspective all meters are treated the same whether they are Government-owned or privately owned.<br><br>NRAR will expect people to comply regardless of whether meters are publicly or privately owned. Meters will be assessed on a case by case basis. Contact a DQP who can advise whether a meter is compliant or not. |
| To confirm, is it still the landowners responsibility to inform WaterNSW if their pump size is different than what is on their works approval? | The department is working on a process to allow water user to notify that they have a work that is smaller than what is listed on the approval.<br><br>NRAR confirmed that as an independent regulator they can only act on the law as it currently stands. NRAR cannot take into consideration possibilities that the law may change in the future and conduct enforcement activities in anticipation of possible future changes. |
| Do water users require a data storage unit or on-site recording in addition to a LID? | Recognition that there has been some confusion between terms related to LIDs, data loggers, and telemetry.<br><br>There is not a requirement for a data storage unit in addition to a LID. The LID is the data logger and will transmit directly to the Data Acquisition Service (DAS) if connected via telemetry..<br><br>If a water user is not required to connect to the DAS via telemetry, water users can also install a YDOC LID, which allows for downloading data in the field and collected locally on the farm. A list of compatible LIDs for Non-urban Metering is available on the department's website. |

| Question | Response |
|---|---|
| What are the options for buried Government-owned meters? | Meters that are buried are still compliant with AS4747. However, it makes more sense for meters to be uncovered as repairs and maintenance is easier.<br><br>There may be the option to install a new meter in a different location on the pipe that is more accessible. This could be done as an alternative to uncovering the existing buried meter. WaterNSW will be able to provide further information on specific scenarios. |
| Do small volume stock and domestic access licence need to comply with the metering rules? | The non-urban metering rules are determined through pump diameter rather than quantity of water.<br><br>Users were encouraged to check their licence/approval for their pump diameters to understand how the rules may apply to them.<br><br>Works that are used for basic landholder rights use only do not require metering. There is also an exemption available for small, low risk works used solely to take water under a stock and domestic water access licence, more information and criteria here.<br><br>A water user may also apply to WaterNSW to make their work inactive, if they don't use the work. |

## 3.2 Griffith

Date: 28 April 2022

The Griffith Non-Urban Meter Watering Workshop followed the same format as other workshops in this series:

- Introduction and overview
- DPE presentation
- WaterNSW Presentation
- Natural Resources Access Register (NRAR) presentation
- IAL presentation
- Question and Answer Panel Session.

The speakers at this meeting included:

- Alastair McKenzie-McHarg (DPE)
- Jessica Douglas (DPE)
- Hannah Grogan (DPE)
- Suzy Lykos (DPE)
- Martin Brooks (WaterNSW)
- Bryan Ward (IAL)
- Graeme White (NRAR).

The presentation given at the Non-urban water metering southern basin roadshow can be found on the department's website.

The focus of the meeting summary is the Question and Answer Panel Session which is summarised below. Both questions and responses are not necessarily captured verbatim and may be paraphrased or summarised in some cases. Best efforts have been made to accurately capture the essence of both questions and responses.

It is noted that as the majority of water users are part of the Murrumbidgee Irrigation Area, many of the questions related to Murrumbidgee irrigation area and the Murrumbidgee Irrigation corporation.

| Question | Response |
|---|---|
| How is the issue of corruption being dealt with regarding the exemption of Murrumbidgee Irrigation from the non-urban water metering rules? | Irrigation corporations including Murrumbidgee Irrigation must comply with the non-urban metering rules at the water source off-take.<br><br>Organisations like NRAR are required to enforce the rules as decided by Government. DPE representatives are here to help people understand the rules as they apply to them and help people to understand what is required for compliance. |
| Why do we need to comply when Murrumbidgee Irrigation is exempt? | Irrigation corporations including Murrumbidgee Irrigation must comply with the non-urban metering rules at the water source off-take. |
| Can we get access to the data if we don't have to have telemetry? | There are a number of Local Intelligence Devices available to suit the individual needs of your meter and property.<br><br>A YDOC LID allows for downloading data in the field and collected locally on the farm. A list of compatible LIDs for Non-urban Metering is available on the department's website. |
| If not required to have telemetry, can you still choose to install telemetry and still get the rebate? | Yes. Once you install telemetry you will be connected to the government's Data Acquisition Service (DAS). WaterNSW will have visibility that you have telemetry installed and qualify for the rebate. |
| What is the general cost of telemetry? | Depending on circumstances telemetry devices range from around $850-$2,500. There is a $975 rebate-available for water users who install telemetry equipment. Rebate will automatically be applied as a credit on the water users water bill, meaning that you get the telemetry service for free for approximately four years. |
| I have 20 windmills and several stock water pumps. How will this affect me? | Water supply works that are solely used to take water under a basic landholder right do not need metering equipment. There is also an exemption to the metering rules for small domestic and stock water access licences that meet a strict criteria.<br><br>To understand how the Non-urban Metering rules apply to you, visit the department's website and use our metering guidance tool. |

| Question | Response |
|---|---|
| I have bores on two different landholdings with two different Water Access Licences owned by the same licence holder. Some years one bore is over drawn while the other is under-drawn – can I transfer water between the two bores? | You can't take more water than what a licence allows for that specific licence and that specific work. If you are consistently over-drawing on one licence and under on another you may want to change the conditions on your licence. This can take some time so suggest addressing this as soon as you know you have the potential to be overdrawn on a licence. NRAR can only use the allocations identified on a Water Access Licence in an enforcement situation. |
| Is water theft illegal in an Irrigation Area? Does NRAR have jurisdiction over this? | Yes. NRAR will enforce current water access regulations.<br>NRAR does not have a role in the commercial arrangements made between members of an Irrigation Area and the Irrigation Corporation.<br>People can report concerns to NRAR here. |
| Is it fair to say that the Irrigation Company is seen as one customer and what happens after that in terms of the arrangement that they make is not your concern? | They are the licence holder and the approval holder and that is where the obligation lies about how they take water and how it is measured. The commercial arrangements between the Irrigation Company and its water users are not within the purview of NRAR. |
| How is it fair that from a good corporate governance perspective that the three irrigation companies and the government agencies are qualified as Duly Qualified Persons (DQPs) and can therefore monitor or police their own pumps? They are marking their own homework. This should be restricted to commercial providers. | Irrigators can also become qualified and install and validate their own meters in NSW.<br>WaterNSW do have field staff qualified as DQPs as it is important that they understand what is required of DQPs. However, WaterNSW contracts the installation, validation and monitoring of Government pumps to the private sector to ensure objectivity. |
| LIDs and all the conditions regarding groundwater licences were changed. Old ones were removed and new conditions regarding the keeping of log books were introduced as previously some licences didn't have to have log books and now you do. We have a few government-owned meters are they compliant without a log book? | Would have to look at specifics but if a water user has a Government owned meter it is WaterNSW's responsibility to make it compliant and part of that process will involve Water NSW installing a Local Intelligence Device (LID).<br>If you are not required to transmit your water take data via telemetry (and don't voluntarily connect to the government's Data Acquisition Service (DAS) via telemetry), you will need to record and report your water take. Further information on recording and reporting requirements is available on the WaterNSW website. |
| Does Government (Water NSW) still own the meters or are you handing them over to us? | WaterNSW owns them and has the responsibility to ensure the meters comply with the Non-urban Water Metering rules. Water users can take over ownership if they choose to leave the government owned meter fleet. |

## 3.3 Dareton

Date: 18 May 2022

The Dareton Non-Urban Meter Watering Workshop followed the same format as other workshops in this series:

- Introduction and overview
- DPE presentation
- IAL presentation
- WaterNSW Presentation
- Natural Resources Access Register (NRAR) presentation
- Question and Answer Panel Session.

The speakers at this meeting included:

- Alastair McKenzie-McHarg (DPE )
- Hannah Grogan (DPE)
- Suzy Lykos (DPE)
- Bryan Ward (IAL)
- David Hoadley-Smith (WaterNSW)
- Greg Abood (NRAR).

The presentation given at the Dareton meeting can be found on the Department's website.

The focus of the meeting summary is the Question and Answer Panel Session which is summarised below. Both questions and responses are not necessarily captured verbatim and may be paraphrased or summarised in some cases. Best efforts have been made to accurately capture the essence of both questions and responses.

| Question | Response |
|---|---|
| How often is revalidation required for existing meters installed prior to 2019? | All metering equipment must be validated by a duly qualified person every five years, or every 12 months for open channels, and in any other circumstances in which metering equipment is required by AS4747 to be validated (for example, when maintenance work affects the metrology of the meter). |
| How much will validation cost? | Water NSW is seeking information from DQPs but cost will essentially be determined by market forces which may change over time. |
| There are concerns over the possibility of corruption and misreporting where landowners/water users are able to become qualified as DQPs and validate their own meters. | The ability for people in NSW to become qualified as a DQP and certify their own meters is part of the regulations in NSW. Penalties are in place for any misuse or abuse of system. People must also declare if they are validating their own meters, in the DPQ Portal. |
| Some of us have underground or buried meters that are in inaccessible locations – how can this be rectified? How can meters be installed for underground works? | The Australian Standard AS4747 does not preclude meters being buried. You can have a buried meter and still comply.<br>For the Government fleet, buried meters are assessed on a sample approach. |

| Question | Response |
|---|---|
| | For private meters, you would need to excavate for maintenance and validation purposes. |
| Do Stock and Domestic only water users need to comply? | An exemption is available for small, low risk works used solely to take water under a stock and domestic water access licence. There is a strict criteria for this exemption, more information is available on the website.<br>If you do not meet the criteria, you are required to install compliant metering equipment. |
| If you have a private meter and are not irrigating, do you still have to install a meter? | If you have a work that is not being used, you can apply to have it tagged as inactive. Works that are tagged as inactive are exempt from installing, using and maintaining metering equipment provided that:<br>– the work is not capable of taking water from the water source<br>– the work is marked as inactive on the approval<br>– the approval contains a condition that prohibits the work from being used to take water and from being<br>– capable of taking water from a water source all conditions applying to the inactive work are complied with.<br>Note that there is a fee to make a work inactive. |
| Will there be other roadshow presentations at locations? | DPE will look at suggestions for additional roadshows and what it can do to ensure as many stakeholders as possible are well informed. |
| Why does it cost over $500 for Water NSW to make a meter inactive? | This is a price set by the Independent Pricing and Regulatory Tribunal (IPART) and is based on a time and motion study. |
| Can people opt-in to have a Government owned meter? | People can no longer opt-in to the Government owned meter scheme, if you don't already have a Government owned meter. Government is not encouraging people with Government owned meters to opt-out of the scheme, but there is the option to opt-out should they prefer to do so. |
| The DQP system seems loose by allowing validation of your own meters. This seems like an opportunity for misuse and corruption. It is possible to change meters to not read accurately.<br>The penalties do not seem to match the potential for gain. | The DQP portal alerts WaterNSW about any changes or anomalies. Any inconsistencies or anomalies will trigger investigation by NRAR. NRAR utilises a range of investigative means including aerial photography, local intelligence, and visits. |
| What is the point of digging up buried meters when they can be validated from above ground? | Inspection needs to be able to see that the tamper-proof seals are in place. That is why digging may be required to ensure visibility of those seals. |

## 3.4 Albury and Broken Hill

Attendance at both the Albury and Broken Hill workshops were much lower than others with two to three participants in each. As a result, detailed summary notes were not taken as the workshops evolved more as conversations between those present and agency staff.

Some of the general topics discussed in these meetings included:

- The requirements for a Local Intelligence Device (LID) for groundwater extraction and the implications of not having a LID on reporting
- The importance of ensuring consistency between actual pump size and what is identified on the Works Approval Licence
- The process for de-commissioning or making pumps inactive
- Information about how to find Duly Qualified Persons (DQPs)

# 4 Summary

It appears that there is a reasonable level of understanding of general compliance among water users who have participated in the consultation process to date. It is also apparent that, due to the complexity of some on-farm systems, that application of the rules is not straightforward in some cases. DPE is considering additional consultation sessions based on a drop in format where individual water users can discuss in detail the specifics of their situation. This would likely assist in raising compliance understanding in these more complex situations.

DPE is also considering if there are alternative methods of engagement that should be considered to enable greater participation by water users. While there is some efficiency in the workshop style process, and this format may need to be continued, there may be other strategies that involve going more directly to users that could be considered in addition to the current activities.

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