

# Coastal-Hunter Customer Advisory Group

## Minutes of Meeting



**Location:** Sydney/MS Teams

**Date:** 23 March 2022

**Time:** 10.20am

**Present:** David Williams, Shane Gee, Ken Bray, Chris Rooney, Steven Crick, Will Russell, David Frith, Wayne Clarke, Nick Cook, Jonathan Dickson, Enrico Proietti, Sonia Townsend, Chris Shaw, Megan Brennan, Anne-Maree Burke, Hank Hochfaerber, Andrew Harrison and Emma Oates.

The following attended for specific agenda items: Martin Brooks, Greg Abood, David Thomas, Brian Mayhew, Jessica Douglas, David Swift-Hoadley, Hannah Grogan, Hannah Schokman, Keeley Reynolds, Kaia Hodge, Danielle Doughty, Andrew Richardson.

**Meeting Opened:** 10.30am.

### 1. Introduction and Acknowledgement of Country:

#### 1.1 Welcome and introductions:

**1.2 Apologies:** Graham Kennett, Philip Rudd, John Watson, Julia Wokes, Toni Hayes.

#### 1.3 Confirmation of Agenda Items:

#### 1.4 Declaration of Interest(s):

- Declarations of interest were sought from attendees in relation to the meeting's agenda items. No interests were declared. Items included in the agenda are not considered confidential unless declared as such.

#### 1.5 Minutes of Previous Meeting, 28 October 2021:

- Resolved the minutes of meeting held on [28 October 2021](#) be confirmed as a correct record. Taken as read.

*D Williams/S Gee  
carried*

#### 1.6 Actions arising from minutes

- See action sheet attached.

### 2. Assets:

#### 2.1 Asset Maintenance update (B Mayhew)

- Asset performance and maintenance in the Coastal and Hunter valleys presented and discussed, including routine preventative and corrective maintenance delivery at Toonumbar Dam, Eden Creek Weir, Goolmagar Weir, Glenbawn, Glennies Creek, Lostock, Brogo and Bega dams.
- WaterNSW completed 159 (NC), 536 (Hunter) and 114 (SC) preventative maintenance work orders and 50 (NC), 103 (Hunter) and 37 (SC) corrective maintenance works orders from December to February.

### 3. Water System Operations:

#### 3.1 Operations update (M Khan)

- WaterNSW presented an update on water system operations including rainfall, dam operations, storages status, water allocations, flows, water orders and outlook.

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- WaterNSW provided a reminder of the importance of placing water orders to allow the correct releases to be made to meet demand, minimise shortfalls and operations surplus, and ensure water security and compliance.
- Customers questioned how Glenbawn Dam is managed once it reaches 100%. Glenbawn Dam has a 120GL flood mitigation zone, however if the storage gets close to capacity, WaterNSW would create airspace in the storage.
- The CAG suggested customers should [subscribe to the emergency warning notification list](#) to ensure people are made aware of releases.

#### **4. Presentations/Consultation:**

##### **4.1 Coastal Water Sharing Plan update (D Doughty)**

- DPE Water is responsible for state water strategy, Regional Water Strategies, Metropolitan Water Strategies, Water Resource Plans, Water Sharing Plans and other plans including Floodplain management.
- An overview of the Water Sharing Plan replacement process was provided, including the public exhibition and feedback process.
- 61 WSPs across the state, with 26 on the coast. 23 of the 26 require replacement in the coming 5 years. Information on [Water Sharing Plan reviews](#) is available on DPE's website.
- Public exhibition is ongoing, with the next plan to go on public exhibition being Towamba (around May) followed by Bega/Murray-Wallaga, Richmond, Tweed and Greater Metropolitan.
- Customers expressed concern that consultation for the Hunter unregulated WSP was not adequate (mindful of the impacts of COVID in the early stages). DPE responded that around 200 responses were received from the Hunter, which were of very high quality, but accepted that the public exhibition process timeframe was limited due to some additional work being required on Hunter tidal pool issues. DPE accept that customers require earlier consultation going forward.

##### **4.2 Regional Water Strategies update (M Simons)**

- DPE is preparing 12 Regional Water Strategies across NSW to identify current and future regional water security challenges with priorities and actions for town and communities, industry, Aboriginal people and the environment. Approach to developing coastal regional water strategies presented and discussed.
- DPE has heavily invested in ground-breaking climate science, which underpins the strategies. Data and graphs on what the new climate data is showing in the North Coast and South Coast presented.
- Coastal regional water strategies process for consultation and finalisation and launch of strategy presented.
- North Coast, Far North Coast and Coastal Draft Regional Water Strategy themes presented.
- Far North Coast - CSIRO engaged to independently review options being considered, including Dunoon Dam. This work is due to be completed early in 2022, with a report recently provided with a list of recommendations and a range of issues which require further review.
- Coastal public exhibition period Q2 2022 (TBC), with final strategy to be released end of 2022.
- Greater Hunter regional water strategy completed in 2018 – plan to now bring in line with the four objectives for the most recent strategies.
- Information on [Regional Water Strategies in NSW](#) can be found on DPE's website.

### 4.3 Water Reform Implementation Plan (WRIP) update

#### Non-Urban Metering Reform update – WaterNSW (M Brooks)

- WaterNSW provided an update on the non-urban metering reforms, including a recap on the roll out dates, metering requirements for surface, groundwater and at-risk groundwater sources and what water users need to do to get meter ready.
- Water users **must check the mandatory conditions** on work approvals as they supersede the requirements in the regulations. Use the online [Metering Guidance Tool](#) to see if and how the rules apply to you.
- Customers can choose to **make an authorised work inactive** to be exempt from the metering rules. Customers must complete the [application form](#) and pay an administration fee. Once inactive, customers will not be able to use their work to take any water, including basic landholder rights. Unregulated and groundwater customers will be billed on a one-part tariff (full entitlement charge). To **make a work active again**, customers will need to submit a new application and provide evidence that the work adheres to the metering regulations, **noting that works in 'at-risk' water sources may not be re-approved**.
- **All works captured by the metering rules** will need to be fitted with a pattern-approved meter by the regional rollout date. It may be possible to keep an existing meter if it was installed before 1 April 2019. For more information, please refer to the DPE leaflet [Non-Urban Water Metering in NSW: what water users need to know](#).
- Irrigation Australia has a full list of [AS4747 pattern-approved meters](#) on its website as well as a [list of DQPs in NSW](#).
- If it is **past your rollout date** and you have not yet started the process, it is vital you begin immediately. If you have taken **some action** but are still not yet compliant, you must keep records of all communication with your DQP and equipment providers.
- All licensed water users in **at-risk groundwater sources** must meter regardless of the size of your bore. There is a potential regulation change that would allow water users to make a work inactive (exempt from rules) but still take water for BLR. For more information, please refer to the [At-risk Groundwater Sources](#) fact sheet.
- Water users who connect to telemetry (mandatory and voluntary) will receive a **telemetry rebate** of \$975 which is credited against the telemetry fee that is applied to your bill for the next 4 years (the IPART annual telemetry charge is \$182-\$226 per year). This does not apply to water users with Government-owned meters.
- Recording and reporting requirements presented and discussed.
- WaterNSW will continue to manage the compliance and ongoing maintenance of government-owned meters, including ensuring compliance by the relevant rollout dates. There is an option to [transition meters to private ownership](#) if landholders wish to do so.
- WaterNSW is developing a process for customers to inform us if the work installed is smaller than what is specified on your work approval, without the cost of amending the approval (subject to regulatory approval). To see what is listed on your work approval, visit the [NSW Water Register](#).
- **Faulty metering equipment** must be reported within 24 hours by completing the [online s91i form](#).
- There are a number of metering resources available on WaterNSW and DPE's websites (including links above) to help customers identify their metering requirements to ensure they are meter ready. Please visit [www.waternsw.com.au/metering](http://www.waternsw.com.au/metering) and <https://water.dpie.nsw.gov.au/nsw-non-urban-water-metering>.

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- Customers reported on a meter which has been installed and connected to the DAS, however customer is unable to access the data - currently having to call WaterNSW or physically drive to site to check usage.

**CVH2203.01:** *K Bray to be contacted out of session to discuss issues with being unable to access data from meter connected to the DAS (currently having to call WaterNSW or physically drive to site to check usage).*

*Responsibility: M Brooks*

- Customers sought clarification on which is the determined size of a work (i.e. what is on work approval, size of actual pump installed, or size of meter). WaterNSW advised that the regulations determine that the size is what is listed on a customer's work approval. DPE to provide further detail on this issue during their presentation following.
- Customers asked when an existing meter needs to be validated – can it be done prior to compliance due date? Will it remain valid for a period of time? DPE responded that if works are made compliant with validation certificate from a DQP lodged in the DQP portal, that certificate will be valid for five years (can be validated prior to the due date).
- Customers sought advice on licence conditions which changed in 2018 for Hunter licence holders where new conditions were included across all licence categories. The CAG expressed concern that the broad message to Hunter customers has been that they are due for compliance by 1 December 2023 (Coastal date) however this date is not applicable to Hunter customers, who were due 1 December 2021. This has caused a great deal of confusion amongst customers, and CAG members are unable to communicate this information to their constituents as they do not have a database of customer contact details. DPE noted some WSP amendments have occurred, and if there is confusion DPE will work to ensure customers are made aware of their requirements.

**Action CVH2203.02:** *DPE and WaterNSW to share with customers documents available to provide clarity around metering compliance dates for Hunter customers (re customer concerns over confusion around the messaging surrounding due date for compliance: Hunter customers' due date being 1 December 2021, not 1 December 2023, which is Coastal compliance due date).*

*Responsibility: J Douglas/M Brooks*

- Customers expressed concern that customers with multiple sleeper licences will need to pay \$500 to make each individual licence inactive, noting there are a very large number of sleeper licences in the Patterson for which will need this to occur. Other CAG members noted that this is relevant to many customers in the valley and requested a response be shared broadly.

**Action CVH2203.03:** *WaterNSW to provide confirmation on whether customers with multiple "sleeper" licences will need to pay the fee to make each individual work inactive (as there a very large number of customers in the Paterson who hold multiple sleeper licences). WaterNSW to contact D Williams out of session to discuss, and also to share further information on inactivation of sleeper licences with the broader CAG.*

*Responsibility: M Brooks*

**Action CVH2203.04:** *WaterNSW to contact K Bray to assist with accessing the list of DQPs in his area via the Irrigation Australia website.*

*Responsibility: M Brooks*

- The CAG was advised that the authorised work size is used to trigger compliance due date, however if the physical size of the pump outlet is smaller than what is authorised, this should be notified to WaterNSW.

## Non-Urban Metering Reform update – DPE (J Douglas)

- There are currently 15 compliant meters available, 5 compatible telemetry devices and over 160 DQPs across NSW (refer <https://www.irrigationaustralia.com.au/>).
- There are five exemptions that may be applied to non-urban water metering – works solely used to take water under BLR; works that have been made inactive; works that cannot physically comply with the non-urban metering rules; works that are not nominated against an access licence; and small, low-risk works used solely to take water under a licensed S&D access licence. Customers should use the online [NSW Metering Guidance Tool](#) to see if exemptions apply to them.
- The Minister has granted a **temporary exemption (233)** from the non-urban metering rules for works that are required to connect to telemetry but cannot because they are in a site that does not receive network coverage. For more information, please use the [Telemetry Coverage Tool](#) on DPE's website.
- Customers reported that in the Hunter (Wybong area) which comprises around 80 individual water users, customers have ongoing connectivity issues (limited internet and mobile reception). DPE responded that the coverage area for telemetry is not the same as the mobile service coverage map, operating on a different platform. DQPs in each area should be up to date with coverage issues, and DPE also strongly suggest using the telemetry coverage blackspot tool on their website. Customers added that customers may be unable to access the tool online due to very limited internet access.
- DPE has developed a Metering and Measurement virtual marketplace tool which connects water users, meter installers and suppliers and includes non-urban and floodplain harvesting (to go live in May).
- Non-urban Metering Roadshows will be held around the state soon, with the Coastal dates being flagged for September/October 2022. The CAG noted that this date is too late for Hunter customers. In June 2021 a mailout to customers occurred to advise them of their need for compliance by 1 Dec 2021, but CAG note there are customers who have not yet taken action in the Hunter as they have had no further communication or follow-up. DPE noted that all customers can attend any of the planned webinars.
- **Floodplain Harvesting** regulatory amendments were made in December 2021 however were subsequently disallowed on 24 February 2022. The disallowance means that implementation dates for floodplain harvesting remain uncertain. The department remains committed to the regulation of floodplain harvesting to legal limits set out in NSW water sharing plans and the Basin Plan. For enquiries, please email [floodplain.harvesting@dpie.nsw.gov.au](mailto:floodplain.harvesting@dpie.nsw.gov.au)
- Customers asked how Roadshows will be promoted. DPE advised that details are still being worked through, and will confirm locations and communicate further details more broadly. DPE added that communication mechanisms include email, advertising in local areas, and through water user groups. The CAG noted that many of the water user groups do not hold contact details for their water users. WaterNSW reiterated that due to the privacy act, WaterNSW are not able to distribute personal contact information for customers to water user groups.
- Further discussion occurred on communication with customers, with DPE noting around 20,000 letters have been sent out to customers by DPE to date, however communication can only occur with customers whose details are up to date. The CAG suggested including a direct mailout to customers.
- Customers noted that Yancoal Australia's WAL conditions have different details to those held in the DPE database – have recently had a trade refused due to an internal database disconnect, where data held by DPE didn't reflect what was included in their conditions.

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**Action CVH2203.05:** NRAR to make contact out of session to discuss conditions on Yancoal Australia's approval not reflecting conditions listed in the DPE database.

Responsibility: G Abood

#### 4.4 NRAR Compliance update

##### Regulatory Priorities 2021-22 (G Abood)

- A principal objective of NRAR is to ensure effective, efficient, transparent and accountable compliance and enforcement measures to support natural resources management legislation. NRAR's regulatory priorities are published to show how and where efforts are focussed to build and maintain public confidence in water management in NSW.
- NRAR will be running an irrigated agriculture campaign, focussing on a range of irrigated agriculture activities that may include certain crop types and irrigated agriculture that extract large volumes of water in the Hunter, Murray, Murrumbidgee and Far North Coast valleys.
- Enduring and annual priorities presented and discussed, including unauthorised flood works program. There will be a state-wide focus on metering and overdrawn accounts and targeted focus on irrigated agriculture and extraction limits in at-risk water sources in some valleys.
- More information on [NRAR's Regulatory Priorities 2021-22](#) can be found on NRAR's website.

##### Metering Compliance (D Thomas)

- NRAR presented statistics on tranche 1 (Dec 2020) compliance rates and its compliance approach for tranche 2 (Dec 2021) and tranche 3 (Dec 2022) for affected works under the non-urban water metering framework, including state-wide and Lachlan comparisons. Compliance is reported on active works that are in scope, within the metering threshold for the tranche.
- Tranche 1 compliance in the Far North Coast is currently 33% (Dec 2021) compared to 69% state-wide. Tranche 1 data does not include Hunter, as there are a limited number of pumps of the relevant size in the Hunter.
- NRAR will visit high volume water users in tranche 2 in early 2022. Each case will be considered on its own merit. There is an expectation that all water users have at least entered into a formal arrangement with a meter installer before their deadline. Alternative pathways will be recognised.
- Tranche 3 compliance involves WaterNSW, DPE Water and NRAR working to ensure widespread awareness with the new rules. Communication channels including advertising, social media and host information events will be part of this.
- NRAR has developed an e-tool, [NRAR Assist](#), to help customers find answers to common compliance questions.
- Customers asked what the best first point of call should be to ensure they are compliant. NRAR responded that checking licence conditions, using the online metering tool and making contact with a DQP are the recommended first steps. If a customer has questions specifically relating to licensed areas of irrigation etc, WaterNSW's Water Regulation team would be the point of contact.

#### 4.5 Cold Water Pollution update (A Richardson)

- WaterNSW is required to address cold water pollution (CWP) under some works approvals subject to funding being provided. WaterNSW high priority CWP sites that require mitigation options funding are Copeton, Keepit, Wyangala and Blowering dams.
- WaterNSW sought funding for a CWP mitigation options study for works to improve temperature monitoring in its rural pricing submission to IPART. Funding was approved for 3 high priority sites (Copeton, Blowering and Keepit) and 3 temperature monitoring sites (Toonumbar, Lostock and Carcoar).

- The CWP mitigation options studies on the three dams will commence March 2022 through to June 2023, with expected outcomes being a robust assessment process, identification of the best CWP solution with the greatest environmental benefit at least whole-life cost and a benchmark to apply to lower priority dams. The CWP temperature monitoring works will occur in FY22-FY24.

#### **4.6 Regulatory Economics – Pricing Determination Engagement update (J Dickson)**

##### **Customer Conversations:**

- Feedback from the Kitchen Table Kit provided insights that will inform future engagement on the 2025 Pricing Determination, with key themes of pricing (including water availability, postage stamp pricing, tariff structure, water accounting), regulatory complexity and licensing (minimum invoice amounts, fees for sleeper licences).
- Future engagement is intended to align with the IPART Engagement Framework and themes received will be used in the next phase. Starting engagement earlier than in the past remains a focus of WaterNSW.

##### **Increasing Transparency:**

- Based on customer feedback, WaterNSW is improving the description and breakdown of charges on your bill. Pass-through charges collected by WaterNSW on behalf of MDBA and DBBRC are now listed separately as "other pass-through charges". This change does not impact the overall fees and charges levied against a water licence, only separated to improve transparency. All pass-through charges are determined by IPART.

##### **ACCC Consultation:**

- The nine MDB valleys and rural customers in the Fish River Water Supply (FRWS) scheme have been regulated by IPART under the Water Charge (Infrastructure) Rules 2010 (WCIR). The Coastal valleys and urban FRWS customers are regulated by IPART under the IPART Act.
- Following the ACCC review of the WCIR, the Commonwealth Minister for Agriculture and Water Resources accepted the ACCC's advice to return the regulation of bulk water infrastructure charges back to the basin states, which resulted in several amendments to the WCIR in 2020.
- Following these changes, WaterNSW has notified the ACCC that it has been made aware of a matter that may result in WaterNSW ceasing to be subject to Commonwealth legislation. If approved, this would allow IPART to regulate all of WaterNSW's water services under the IPART Act. If not approved, regulation of the MDB valleys will revert to the ACCC for the 2025 Determination.
- Details of the review can be found on the [ACCC's website](#).
- Customers noted their support for one determination for simplicity.

#### **4.7 CAG Term of Office (J Dickson)**

- WaterNSW made specific mention and thanks to all current members and alternates who have contributed to CAGs over the current term, noting the efforts and service of the Chair. We do appreciate the time and effort made by many to attend and provide feedback on the services provided by WaterNSW.
- The current term of office for WaterNSW CAGs expires on 30 June 2022, with a new term commencing 1 July 2022. Letters have been sent to your nominating organisations inviting nominations for the 2022-25 term.
- If you are considering renominating as a member of the CAG, please contact your nominating organisation to complete your nomination. Nominations close on 14 April 2022.
- Customers discussed the challenges of CAG members communicating information back to their constituents, with WaterNSW noting that in some valleys (eg Lachlan Valley), the water user group

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represents up to 95% of customers in the valley, and those organisations have worked very hard from a grass roots level to connect with their customers and to establish comprehensive communication mechanisms.

- Customers discussed DPE and NRAR involvement in meetings, with the CAG agreeing that having these agencies attend is valuable.
- Customers suggested a central point (website) to enable all customers to access information on who to contact in their area within the CAG, to enable customers to make contact with their local water user group or CAG member.

#### **4.8 WAVE update (J Dickson)**

##### **WAVE – Pilot Coming Soon:**

- WaterNSW continues to renew core systems to improve and streamline the way customers transact. A pilot for our new customer portal will launch soon to test functionality with new customers, prior to being extended to existing customers.
- The customer portal will enable customers to access our services at anytime from anywhere, with the opportunity to manage water needs in one place. The portal will be progressively launched throughout 2022, with the first stage being rolled out in March allowing customers to submit new basic landholder rights (BLR) bore applications via the portal.
- Additional functionality being introduced over the next 12 months includes WAL applications, ordering and trading water, viewing water account balances, meter reads, other licensing application types and paying your WaterNSW bills.
- Please visit WaterNSW's [Customer Portal](#) page for more information.

#### **4.9 What's New (J Dickson)**

##### **Controlled Allocation Order Update**

- A new Controlled Allocation Order has been made under section 65 of the WMA 2000, with registrations of interest open from 18 March–18 April 2022.
- A controlled allocation provides a right to acquire a water access licence for a specified water source by auction, tender or other mean specified in an order published in the Government Gazette.
- For more information on [Controlled Allocations](#), or to register your interest, please visit DPE's website.

#### **5. Business Papers:**

- Noted and taken as read.

#### **6. General Business:**

##### **6.1 Measurement of Stock and Domestic Usage**

- Customers discussed customers accessing BLR supply via an irrigation works, seeking a response on whether WaterNSW have made any progress on determining how BLR usage will be calculated in these circumstances.

**CVH2203.06:** Advice to be provided to CAG on the correct method for measurement of stock and domestic usage being taken through irrigation works (many customers currently filling domestic tanks etc but being measured as irrigation usage).

Responsibility: M Brooks

##### **Meeting Review and Close**

**Next Meeting:** date to be confirmed (July 2022)

**Meeting closed:** 2.18pm

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## Coastal-Hunter Customer Advisory Group – Actions – 23 March 2022

### Carried forward actions

Action No.	Action	Responsibility	Status
	Nil carried forward actions.		

### New actions

Action No.	Action	Responsibility	Status
<b>CVH2203.01</b>	K Bray to be contacted out of session to discuss issues with being unable to access data from meter connected to the DAS (currently having to call WaterNSW or physically drive to site to check usage).	M Brooks	
<b>CVH2203.02</b>	DPE and WaterNSW to share with customers documents available to provide clarity around metering compliance dates for Hunter customers (re customer concerns over confusion around the messaging surrounding due date for compliance: Hunter customers' due date being 1 December 2021, not 1 December 2023, which is Coastal compliance due date).	J Douglas / M Brooks	
<b>CVH2203.03</b>	WaterNSW to provide confirmation on whether customers with multiple "sleeper" licences will need to pay the fee to make each individual work inactive (as there a very large number of customers in the Paterson who hold multiple sleeper licences). WaterNSW to contact D Williams out of session to discuss, and also to share further information on inactivation of sleeper licences with the broader CAG.	M Brooks	
<b>CVH2203.04</b>	WaterNSW to contact K Bray to assist with accessing the list of DQPs in his area via the Irrigation Australia website.	M Brooks	
<b>CVH2203.05</b>	NRAR to make contact out of session to discuss conditions on Yancoal Australia's approval not reflecting conditions listed in the DPE database.	G Abood	
<b>CVH2203.06</b>	Advice to be provided to CAG on the correct method for measurement of stock and domestic usage being taken through irrigation works (many customers currently filling domestic tanks etc but being measured as irrigation usage).	M Brooks	

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