

Barwon-Darling Customer Advisory Group

Minutes of Meeting



Location: Video Conference

Date: 17 March 2022

Time: 9.00am

Present: Bruce Coward, Leonie Brown, Ian Cole, Jeff Sowiak, Greg Hill, Matthew Miles, Michael Urquhart, David Miller, Nerida Sloane (observer), Claire Miller (observer), Jonathan Dickson, Andrew Scott, Enrico Proietti, Sonia Townsend and Toni Hayes.

The following attended for specific agenda items: David Stockler, Russell Cocks, David Swift-Hoadley, Jack Finch, Naomi Bell, Hank Hochfaerber, Alastair McKenzie-McHarg, Jayme Wilson, Ryan Lynn, Greg Abood, Irene Zinger, Michael Scotland, Shagofta Ali, Andrew Richardson, Peter Hyde.

Meeting Opened: 9.00am.

1. Introduction and Acknowledgement of Country:

1.1 Welcome and introductions:

1.2 Apologies: Bill Murray, Jason Wilson.

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, 21 October 2021:

- Resolved the minutes of meeting held on [21 October 2021](#) be confirmed as a correct record. Taken as read.

*Ian Cole/Greg Hill
carried*

1.6 Actions arising from minutes

- See action sheet attached.

2. Water System Operations:

2.1 Water System Operations update (A Scott)

- WaterNSW provided an overview of what will be presented at this afternoon's ROSCCo meeting, including system flows summary, water access, EOI, IDEC discussion and Claydon Review update.
- Moving forward, WaterNSW will review how operations updates are presented to customers.
- Customers sought an update on the recent Black Water in the Darling. WaterNSW advised this will be discussed at the Lower Darling ROSCCo meeting to be held on 22 March. See also https://www.industry.nsw.gov.au/_data/assets/pdf_file/0016/500722/NSW-Murray-Darling-Basin-dissolved-oxygen-update-No-7-14-March-2022.pdf
- The Barwon-Darling ROSCCo, will be held following the CAG meeting. Please visit the [ROSCCo page](#) on WaterNSW's website for more information.

2.2 Water Quality update (T Fulford)

- WaterNSW provided a summary of the current algal situation in the Barwon-Darling system. For more information, please visit www.watensw.com.au/water-quality/algae

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- Algae concentrations in the mid-lower Darling have risen rapidly with the reducing flows. Algae production appears to be accelerating. Given the present river flows are still significant, it is surprising to see the algae concentration elevate so soon after good flows in the system after flooding.
- Customers queried what the driver is for the unusual algal growth. WaterNSW advised there is a number of factors, including overland flow with the inflow of nutrients (whether natural or from fertilizers). If there's adequate sunlight and the water is warm enough, that is good conditions for algae to flourish. WaterNSW is monitoring using satellite imagery and samples and will watch closely.
- Council's questioned whether they should be issuing an alert to constituents. WaterNSW advised it's not usually necessary for amber alerts, however that is a matter for Council's to decide. Councils should monitor WaterNSW's website (per above link) and advise constituents as they see fit.
- Customers queried at what point an alert becomes an algal bloom. This is usually a concern at red alert level.

3. Presentations/Consultation:

3.1 Water Reform Implementation Plan (WRIP) update

Non-Urban Metering Reform update – WaterNSW (R Cocks)

- 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 **are strongly encouraged to 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 at <https://www.irrigationaustralia.com.au/certification/as4747-pattern-approved-meters> as well as a list of DQPs in NSW <https://www.irrigationaustralia.com.au/certification/certified-meter-installer-validator>
- 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 all usage 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 over the next 4 years

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(the IPART annual telemetry charge is \$182-\$226 per year). This does not apply to water users with Government-owned meters.

- Customers stated they were under the impression the rebate would be paid in one go, not over 4 years (ie \$975 credit). WaterNSW will ensure the messaging is consistent on our website.
- Recording and reporting requirements a meter presented and discussed.
- 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 at www.watarnsw.com.au/s91i
- There are a number of metering resources available on WaterNSW and DPE's websites to help customers identify their metering requirements to ensure they are meter ready. Please visit www.watarnsw.com.au/metering and <https://water.dpie.nsw.gov.au/nsw-non-urban-water-metering>.

Non-Urban Metering Reform update – DPE (A McKenzie-McHarg)

- 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 IOT network coverage (note this is not the mobile network). For more information, please visit <https://water.dpie.nsw.gov.au/nsw-non-urban-water-metering/what-water-users-need-to-know/telemetry-coverage-exemption>
- DPE is developing a Metering and Measurement virtual marketplace tool which connects water users, meter installers and suppliers and includes non-urban and floodplain harvesting.
- **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. Floodplain harvesting licences are only issued when the WSP takes effect.
- Customers stated there is speculation that the disallowance and proclamation make floodplain harvesting illegal and questioned DPE's position on this. DPE agreed there is uncertainty around it but cannot comment further.

4.2 NRAR Compliance update

Regulatory Priorities 2021-22 (I Zinger)

- 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.

- 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.
- To view NRAR's Regulatory Priorities 2021-22, please visit https://www.dpie.nsw.gov.au/_data/assets/pdf_file/0011/387902/nrar-regulatory-priorities-2021-22.pdf

Metering Compliance (R Lynn)

- 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 Macquarie Bogan comparisons. Compliance is reported on active works that are in scope, within the metering threshold for the tranche.
- Tranche 1 compliance in the Barwon, Darling and West has increased to 86% (69% state-wide).
- Customers questioned if these figures include people who cannot connect due to no fault of their own. NRAR advised that if licence holders have complied with telemetry exemptions they are deemed to be compliant and included in the 86%.
- 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 hosting information events will be part of this.
- NRAR has developed an e-tool, NRAR Assist, to help customers find answers to common compliance questions. Please visit nrar.nsw.gov.au/nrar-assist
- NSWIC stated it is available to help get relevant information out to licence holders via newsletters etc if NRAR feeds the information direct.

4.3 Regional Water Strategies update (M Scotland/S Ali)

- 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.
- DPE has heavily invested in ground-breaking climate science, which underpins the strategies. Data and graphs on what the new climate data is showing presented.
- Approach to developing the Western Region Water Strategy presented and discussed, including timeline, key challenges identified (declining water security, loss of cultural access to water, protecting and enhancing natural systems, reduced connectivity impacting critical needs, poor water quality), connectivity challenges and options being considered, and details of public exhibition.
- Customers sought an explanation of how the NARCLIM data amplifies the stochastic climate change data. DPE explained that it is a different data set – stochastic is past looking, NARCLIM is forward looking. DPE has used the driest NARCLIM scenarios.
- Customers questioned if all four NARCLIM scenarios will be presented in the final report to provide transparency. No, only one scenario will be presented with the stochastic data set. The important part of the process is what we do with the information and how we use it in water management and decision making. The challenge with NARCLIM is that it is continuously updated.
- Customers stated that data presented needs to be clear and transparent in order for a balanced conversation and well-informed planning. DPE will add a caveat to the slide pack prior to sending out stating that the NARCLIM data presented is based on the driest climate change scenario and may not eventuate.

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4.4 Cold Water Pollution update (A Richardson)

- WaterNSW is required to address cold water pollution (CWP) under some work 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.

4.5 Barwon-Darling Unregulated Water Sharing Plan update (P Hyde)

- DPE provided an update on the Barwon Darling WSP issues and proposed consultation.
- The current *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2012* is due to expire in 2023 and a draft replacement plan will be prepared. Amendments are likely to occur in 2022, including trade of historical account water (clause 42(3)) and floodplain harvesting rules as well as other changes primarily arising from NRC review and commitments, Vertessy investigation into fish deaths and the Claydon Review.
- Customers queried if the trades under clause 43 (3) can only be traded in the same section of the river. DPE confirmed that normal trade rules apply. There is a proposal to list the WALs that this applies to in the WSP.
- WaterNSW highlighted that the rules need to be in place first in relation to IDEC temporary trading for WaterNSW systems to be able to process these transactions.
- Customers questioned what changes from NRC and Vertessy is DPE focussed on. DPE stated that they are looking at the long-term impacts and work. NRC recommended that we look at B and C Class trigger levels and that has been rolled into the planning.
- Related projects include connectivity work being undertaken as part of the Western Regional Water Strategy, Wilcannia Weir infrastructure upgrades and pump recalibration work.
- Proposed Q2 2022 consultation approach presented and discussed, including webpages, letters to licence holders, public exhibitions and information webinars and face to face information session.

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, 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 at <https://www.accc.gov.au/regulated-infrastructure/water/water-projects/waternsw-decisions-under-part-6-of-the-water-charge-rules-2010/waternsw-ceasing-to-be-a-part-6-operator-consultation>

What are customers paying for?

- WaterNSW presented a response to action BD21 10.01, as requested by CAG members at previous meetings.
- The total user share revenue requirement in the Barwon-Darling Water Management Charges over the 2021 Determination is \$6.7M over four years. These funds contribute to the services provided by all WAMC agencies (WaterNSW (36%), DPE (27%) and NRAR (37%)).
- DPE, NRAR, MDBA and BRC pass-through charges and services for cost recovery presented.
- WaterNSW's user share revenue requirement in the Barwon-Darling over the 2021 Determination is \$2.4M over four years and includes surface water quality and quantity monitoring; data management, reporting and algal monitoring; customer billing and management; blue-green algae and environmental water management; and infrastructure services to support all of these activities, including hydrometric assets and business systems.
- The combined revenue requirement of the three agencies over the 2021 Determination in the Barwon-Darling is less than it was in the 2016 Determination. The increase in the total prices in the Barwon-Darling is largely driven by increases in MDBA and BRC pass-through water management charges (which IPART set at cost reflective levels).
- Customers noted the total has gone up by \$2.7M over the 4-year period, stating they would like to see a break-up of NRAR and DPE charges and comparison with other valleys. WaterNSW does not have this information.

4.7 CAG Term of Office (S Townsend)

- 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.

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- 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.

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 provide customers with choices on how they transact with WaterNSW. New functionality 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.
- For more information, please visit <https://www.waternsw.com.au/customerportal>

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, or to register your interest, please visit <https://www.industry.nsw.gov.au/water/allocations-availability/controlled>

5. Business Papers:

- Noted and taken as read.

6. General Business:

- Nil general business raised.

Meeting Review and Close

Next Meeting: 14 July 2022

Meeting closed: 12.10pm

Barwon-Darling Customer Advisory Group – Actions – 17 March 2022

Carried forward actions

Action No.	Action	Responsibility	Status
	Nil carried forward actions.		

New actions

Action No.	Action	Responsibility	Status
	Nil new actions.		

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