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<b>Are you an individual or representing an organisation?</b>	Organisation
<b>Organisation or Business Details</b>	
<b>Name of Organisation</b>	Gwydir Valley Cotton Growers Association
<b>Who are you representing?</b>	Water related industry
<b>Proposed changes to recording and reporting requirements</b>	
<b>The draft public exhibition regulation includes proposed changes to the recording and reporting mandatory conditions. Do you have any comments on the recording and reporting requirements?</b>	Yes
<b>If yes, please include your comment below and indicate whether it relates to works</b>	C. required to have a meter, data logger and telemetry - clause 244 of the regulations
	<p>The Gwydir Valley CGA is concerned that a significant number of our members are required to have compliant water meters by the first roll-out date on 1 December 2019. These members however, despite working toward being fully compliant, may not be able to meet their obligations by this first roll-out date. There are two primary reasons for this;</p> <p>Firstly, the ongoing drought conditions and resultant lack of water availability means that wet-testing of new meters, or flow testing of existing meters cannot be undertaken by our members.</p> <p>Secondly, the department's inability to provide information to support accuracy testing methodologies and finalise telemetry requirements. This means that none of our members can have a compliant meter at the time of writing this submission.</p>

This second issue is most concerning as it is government delays that have rendered the policy unimplementable to this point. Additionally, it was clearly articulated during consultation on the regulations that the timeframes were aspirational. Water availability:

The current drought conditions mean that there is almost no capacity to wet-test any newly installed AS4747 pattern approved meters or current meters that have been previously installed and are manufacturer tested, as both options require testing as per the Validation Certificate required to be utilised by the regulations. For current meters, an alternative option to accuracy test the meter in situ also requires water to assess flow.

An option of removing the requirement for flow testing on the Validation Certificate relies on the installation specifics being correct to assume accuracy but does not provide a solution to those seeking an in situ accuracy test.

Alternatively, individuals may seek Ministerial exemption to allow for a 'transitional status' for mandatory metering requirements based on lack of water availability. This approach ensures that water users must provide evidence of installation requirements as per the current Validation Certificate but that a duly qualified person may deem the site non-compliant, due to inability to undertake a wet-test or an accuracy test. This specific exceptional circumstance for non-compliance could be added to the options in Part E on the Validation Certificate or Part E on the Certificate of Accuracy for Existing Meter (not pattern approved).

The Gwydir Valley CGA recommend that individuals be able to seek 'Ministerial exemption for a transitional status' to meet mandatory metering requirements in exceptional circumstances.

We recommend that an approach to allow for up to six-month transitional status, be established following receipt of documentation, signed by a duly qualified person that the site is non-compliant due to inability to undertake a wet-test or an accuracy test due to lack of water. We suggest that a Validation Certificate or Certificate of Accuracy can be amended to provide a work plan, that outlines that within the next six-month period the required steps will be undertaken to achieve compliance.

This approach, is consistent with the Water Management Act 2000, in particular Section 233 (1) and (2) whereby the Department through delegated Ministerial Authority can issue a Ministerial Exemption in extenuating circumstances whereby conditional "transitional" status can be applied provided there is a suitable works Plan of Action which is consistent with Section 233 (3). This arrangement can also be revoked again by Minister

**Please provide your comments on the proposed recording and reporting requirements**

or delegated Ministerial Authority.

This approach ensures consistency with the legislation, maintains the regulation roll-out dates for meters and provides a systematic approach for all impacted water users to provide due evidence of effort and outline a work plan to achieve compliance.

This approach also negates the need for the Natural Resources Access Regulator's voluntarily 'pathway to compliance register' and the need for discretion by the regulator, if an event provided water users the opportunity to access water allocations after the first roll-out date.

Telemetry and data logging:

At the time of writing this submission, there are no approved data logger or telemetry units that meet the NSW Government's new requirements.

Telemetry is additional to the Australian Standard and has no impact on the accuracy of a meter or whether it is tamper proof and recording systematically. Greater clarity around the telemetry requirements were needed when the regulations were initiated, and to date this information remains unknown. In addition changes to the requirements for telemetry developed since the regulations took effect are disturbing. In principle support for telemetry was given provided it was to add benefit to water users, government and the community. An estimated 20% of water users in our region already have telemetry, telemetry regulation changes raise questions about the timeliness and format of users' access to their data.

To ensure that telemetry adds value to water users, government and the community, the Gwydir Valley CGA propose that the telemetry roll-out date should be extended to align with the second roll-out date of 1 December 2020. This extension does not detract from the accuracy of meters or the fact these meters are recording data via existing data loggers with tamper evident seals. This proposal is a practical solution that will deliver enduring and achievable outcomes and will bring the majority of 'higher risk' water users on-line at the same time. It would also allow more time to:

- Test and secure alternative options;
- Address redundancy issues with existing telemetry users;
- Address data accessibility issues including timeliness and format; and
- Enhance data integration opportunities with existing farm management software and government systems, like Water NSW's Water Accounting system; and
- Assess the cost implications of the single Data Acquisition Service model.

The Gwydir Valley CGA recommend that roll-out date for meters requiring government approved data

loggers and telemetry be amended to begin from 1 December 2020.

**Draft public exhibition regulation**

**Do you have any other comments on the draft public exhibition regulation?**

Yes

**If yes, please provide your comments.**

Outstanding implementation issues:  
Further to our recommendations above, the following issues remain outstanding:

- Guidance on in situ testing of accuracy.
- Alternative approaches for larger than 1200mm pipe diameters whereby there is no AS4747 pattern approved meter(s).
- Meter supply and options in 600mm-1,200mm diameter categories when there remains limited meter choice.
- Guidance on suitable documentation to support validation of pre-1 April 2019 installations via examples.
- Clarification on installation requirements for non-pattern approved meters.
- Legal right of a water user to access water allocations with a non-compliant water meter.
- Total number of compliant water meter sites in NSW.
- Frequency and timeliness of access of telemetry data via the DAS to the water user.

Recommendation to provide communication addressing these above listed on-going concerns.

**Thank you for your submission**

**If you would like to provide any additional information or supporting documents to help us understand your view please upload them here or email [water.reform@industry.nsw.gov.au](mailto:water.reform@industry.nsw.gov.au) from the same email you provided above.**

[File 1https://drive.google.com/open?id=1vuLLdo4-kBizikNoKhYXPrFw20\\_clAhb](https://drive.google.com/open?id=1vuLLdo4-kBizikNoKhYXPrFw20_clAhb)