

MEDIA RELEASE

Agency failures stall compliance with water metering policy

1/09/2021

Departmental and agency failures are stalling the roll-out of the NSW Non-Urban Water Metering Policy, leaving water users unable to fully comply with the new requirements.

In a scathing investigative report released today, NSW Irrigators' Council found the Department of Planning, Industry and Environment-Water (DPIE-Water) and WaterNSW had failed to execute their administrative and technical responsibilities effectively.

“The industry supports this reform, which requires water users to upgrade their meters to a new, world-leading standard,” NSWIC CEO Claire Miller said.

“But irrigators are fed up with being blamed for non-compliance by deadlines while DPIE-Water and WaterNSW get away with glossing over the scale and impact of their poor planning.

““In addition to poor implementation, lockdowns across regional NSW are further stalling the rollout at a crucial time just 13 weeks before 7500 works in Tranche 2 are required to comply.”

The Department and WaterNSW claim, for example that manufacturers can meet demand, that waiting times for meters ordered to arrive are reasonable, and that there are enough DQPs to meet demand for validation and verification.

But the NSWIC report, *Investigation into Compliance barriers: Implementation of the NSW Non-Urban Metering Framework Tranche 1*, found, among other issues:

- A shortage of Duly Qualified Persons (DQPs) who are required to install and validate meters. While DPIE-Water claims 162 DQPs, NSWIC's investigation found only about half are active for farmers to engage.
- The market failing to supply demand, with water users having to wait over 3 months (and longer) for meters to arrive, due to supply bottlenecks.
- Mobile blackspots at pump sites where telemetry devices cannot transmit data to WaterNSW.
- Poor or no communication to water users, demonstrated by an out-of-date customer database.
- Failure of agencies to act when the industry has advised of implementation barriers since the policy conception.

“You would think the most basic requirement for administering a policy on this scale is an accurate customer database,” said Ms Miller.

“Instead, NRAR could not contact the owners of more than a third of the 1126 Tranche 1 works to check compliance because they did not have correct emails, addresses and/or phone numbers.

“That’s pretty bad when it’s just 1126 works – but apply that to the almost 10,000 more water users captured in Tranches 2, 3 and 4. We have a compliance trainwreck in the making.

“If NRAR can’t find people using WaterNSW’s register, it’s hard to believe WaterNSW and DPIE-Water assurances they have sent letters to every water user advising of their obligations. The first time too many will find out what they had to do is when NRAR walks down the driveway.

Another key finding is that contrary to initial NRAR reports of 45% non-compliance by Tranche 1 water users, data shows this number is actually 5%, with the status of 36% considered ‘unknown’, and a further 32% considered ‘out of scope’.

“No action should be taken against those that can genuinely demonstrate they are making every effort to comply but are encountering problems beyond their control,” MsMiller said.

Ms Miller said it was the Government’s responsibility to ensure reforms are deliverable, adequately resourced, and that implementation barriers are promptly resolved. “This reform is in the best interest of industry, government and the environment. Everyone will lose if these barriers are not appropriately addressed.”

NSWIC urges agencies to implement the report’s recommendations, including:

- 1) **Acceptance of barriers** - NRAR to publish a list of barriers to compliance outside water users’ control, to ensure the reasons for non-compliance are transparent.
- 2) **Resolution of barriers** - DPIE-Water to host a roundtable with industry, DQPs, suppliers and NRAR to understand to determine a collective pathway forward.
- 3) **Independent review**
 - a. An independent review into the implementation and administration of the Metering Policy to ensure the policy is achievable and fit-for-purpose, as well as to provide recommendations for improved implementation.
 - b. An independent review of the Water Access Register to ensure it is fit-for-purpose, and that the customer database is up-to-date and accurate.
- 4) **An immediate pathway forward for those facing barriers**
 - a. WaterNSW to undertake a ‘Works Approval Amnesty’ to allow water users to amend ‘out-of-scope’ works approvals free of charge, where water users are undeveloped, inactive or have pumps smaller than their works approval permits.
 - b. Informed and targeted communications to water users using local, regional media (TV, Radio & Newspapers) in addition to social media and mailouts.
- 5) **Transparent, accurate and consistent reporting** - Standardised compliance statistics to be published monthly and by valley to allow Government and industry to effectively distribute resources and communication efforts where needed but also track progress and effort.