Wednesday, 1 September 2021

The Hon. Melinda Pavey, MP

Minister Water, Property and Housing

GPO Box 5341  
SYDNEY NSW 2001 [Lodged Electronically](https://www.nsw.gov.au/nsw-government/ministers/minister-for-water-property-and-housing) Via Portal

**RE: Application for Ministerial Exemption for telemetry requirements due to no suitable devices**

Dear Minister

I/We have been working hard towards achieving full compliance with our metering requirements for 90CA/WA…… on the property “property name”, townXXX within the Water Sharing Plan of the Gwydir Regulated River/Gwydir Unregulated Water Source.

On insert date of letter, I/we received the following advisory letter from NRAR (see attachment 1). Despite my/our best efforts and through no fault of our own, NRAR confirmed in this letter, I/ we remain non-compliant.

Although whilst their letter states at this point, we are not under further investigation due to our efforts.

(1) The risk that NRAR change their view concerns me/our business. I/we want to be fully compliant using our validated MACE Series 3 meter but there is no approved telemetry device available to transmit, the data from each of the sensors being operated. The meter is still data logging individual data but there is no way currently to transmit this information in a way that currently meets the requirements of the DAS. However, telemetry is required at this site by the metering reforms.

After waiting more than 12-months for a market solution that has never arrived. To then undertake extensive review and testing of options using existing approved devices to electronically manifold the data from multiple sensors into one package to transmit to the DAS, which was later rejected by NRAR. I/we are writing to request a Ministerial Exemption under S.233 of the *Water Management (General) Regulation 2018* to be exempt from telemetry requirements until such time as a suitable device is approved and becomes available. Our Duly Qualified Person/Certified Meter Installer has recommended this option to us based on their technical knowledge and experience.

(2) The risk that NRAR change their view concerns me/our business. I/we want to be fully compliant using our validated transitioned meter/newly installed, pattern approved meter but on-farm testing revealed there is not enough signal for any of the approved devices to connect and transmit to the DAS. However, telemetry is required by the metering reforms.

After waiting for a solution that is yet to arrive. I/we are writing to request a Ministerial Exemption under S.233 of the *Water Management (General) Regulation 2018* to be exempt from telemetry requirements until such time as a suitable device is approved and becomes available. Our Duly Qualified Person/Certified Meter Installer has recommended this option to us based on their technical knowledge and experience.

The supply and approval of devices is out of our control. The Department set the requirements of the devices. It is responsibility of the market with Department support, to provide solutions that meet these requirements. It is then the responsibility of WaterNSW to test and approve devices. This has not been achieved with full options for all types of meters or site conditions by the required deadlines.

Its important to note that the meter, which meets the requirements of the regulations will be logging data as required by the rules it just this cannot be transmitted. Existing requirements such as any logbook requirements, routine meter reads by WaterNSW and full access by NRAR remain.

We request your approval to provide certainty to my/our business to continue to use our infrastructure without fear of further action from NRAR through no fault of our own.

Yours sincerely,

Licence Holder DQP/Certified Meter Installer

Mobile CMI: XXXX

Email Mobile

Email

Attachment 1: NRAR Advisory Letter

Cc: Gwydir Valley Irrigators Association, [gvia@gvia.org.au](mailto:gvia@gvia.org.au)

NSW DPIEW, regulatory.implementation@dpie.nsw.gov.au