

Floodplain harvesting licensing & measurement framework Landholder information webinar – Barwon-Darling

NSW Department of Planning & Environment – Water
WaterNSW
Natural Resources Access Regulator

28 March 2023



Today's agenda

4:00pm

- Workshop open, introductions and Welcome to Country

4:10pm

- Initial joint agency presentation and Q&A session

4:55pm

- Measurement methods, period, installations and Q&A session

5:25pm

- Approvals, dealings and billings

5.40pm

- Final Q&A session




Welcome to Country



Outline for this presentation

1. Introduction and update on FPH licensing and measurement framework (DPE Water)
2. Overview of FPH function implementation (WaterNSW)
 - Licensing and approvals
 - Billing
 - Measurement systems
3. Overview of approach to FPH rule compliance (NRAR)
4. Question and answer session





Introduction and floodplain harvesting framework update

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Introduction

- Floodplain harvesting (FPH) licensing and measurement framework will commence in the Barwon-Darling valley on **1 April 2023**.
- Agencies continue to work together to finalise and implement the framework.
 - DPE Water
 - develop and set FPH rules
 - assess, grant, and issue FPH licences and approvals
 - WaterNSW
 - implement FPH rules – licences, approvals, billing, measurement systems
 - NRAR
 - FPH rule compliance



Today's purpose

- Share knowledge with you on the licensing and measurement framework.
- Opportunity to understand what the licensing and measurement framework means for you, expectations on compliance, and process requirements for amending water supply works approvals and dealings.
- Opportunity to ask agency staff questions on floodplain harvesting licensing and measurement requirements.
- Opportunity to highlight where you believe that follow up is required to provide additional clarity on your obligations.



Update on framework commencement

FPH water regulation amendments

- FPH Measurement regulation (1 July 22)
- Tailwater exemption (1 July 22)
- FPH licence determination process (3 Feb 23)

FPH water sharing plan rules


- Effective 17 February 2023 for Barwon-Darling valleys

FPH licence and approval packages

- Sent to landholders in the week of 20 March 2023
- Approvals: Statement of Approval, Notice of Determination, Water Infrastructure Plans
- Licence: Statement of Conditions
- FPH metering and measurement fact sheets

FPH licensing and measurement framework

- Commencing on 1 April for Barwon-Darling



WaterNSW: Floodplain harvesting function implementation

2

WaterNSW role in FPH implementation

- WaterNSW are responsible for implementing floodplain harvesting rules developed and set by DPE Water.
- We have and continue to work with DPE Water to seamlessly transition FPH licensing, approval and measurement functions to our agency.



WaterNSW role in FPH implementation

1. **Water supply work approvals** – responsible for undertaking FPH approval amendments and charging associated fees
2. **Water access licences** – responsible for FPH licence **dealings** and charging associated fees
3. **Billings** – responsible for charging NSW Independent Pricing and Regulatory Tribunal determined FPH fees
4. **Measurement** – responsible for developing and maintaining landholder measurement systems



NRAR: floodplain harvesting rule compliance

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Floodplain harvesting compliance

Border Rivers, Gwydir, Macquarie, Barwon-Darling



NRAR will:

- inspect storages in licenced valleys **from mid-2023**

and

- use satellites and other monitoring techniques to identify water users who are capturing water from the floodplains.

MINIMUM REQUIREMENT:

If **secondary metering** equipment is not installed, you should **not** take water from the floodplain.

Our compliance enforcement approach

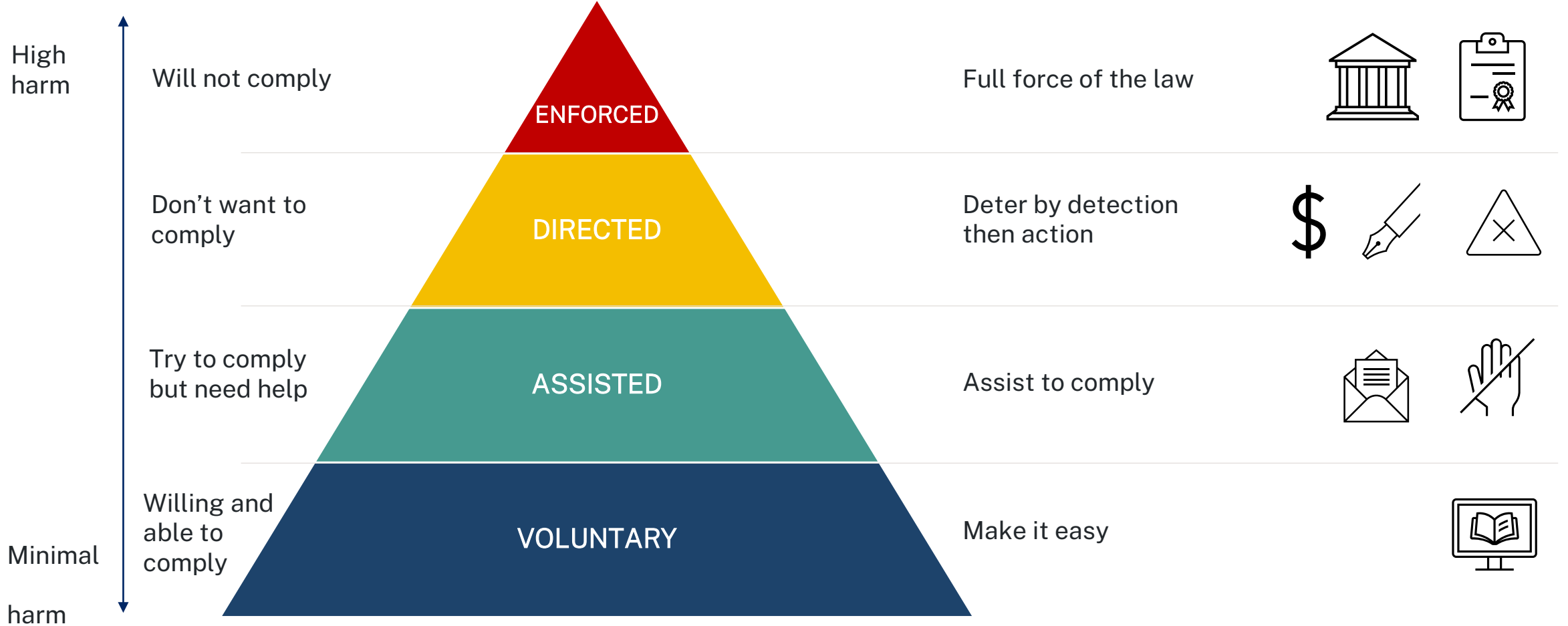


- Unlawful floodplain harvesting will be assessed on a case-by-case basis. We will consider:
 - **the water take** – we will look at the volume of the water taken
 - **Licences/entitlements** – we will confirm whether the user has a licence to take the water
 - **supply work** - the legal status of the flood work or water supply work that was used to capture and store the water
 - **regulatory discretion** – as always, we will also consider the harm or potential harm caused, the culpability of the offender as well as their compliance history and attitude to the offence.


What will happen to those who break the rules?

Impact / Attitude

Our regulatory tools



Actions at the top of the pyramid support actions at the bottom by clarifying expectations and demonstrating that those who don't comply will be held to account.



Question and answer session

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Read me: FPH FAQs <https://www.industry.nsw.gov.au/water/plans-programs/healthy-floodplains-project/faqs>

Floodplain harvesting licensing & measurement framework: Barwon-Darling

Floodplain Harvesting Measurement



Alastair McKenzie-McHarg

Metering and Measurement
Implementation

March 2023

1. Why measure overland flow

The Floodplain Harvesting Measurement Policy's guiding principles are that measurement is:



Accurate



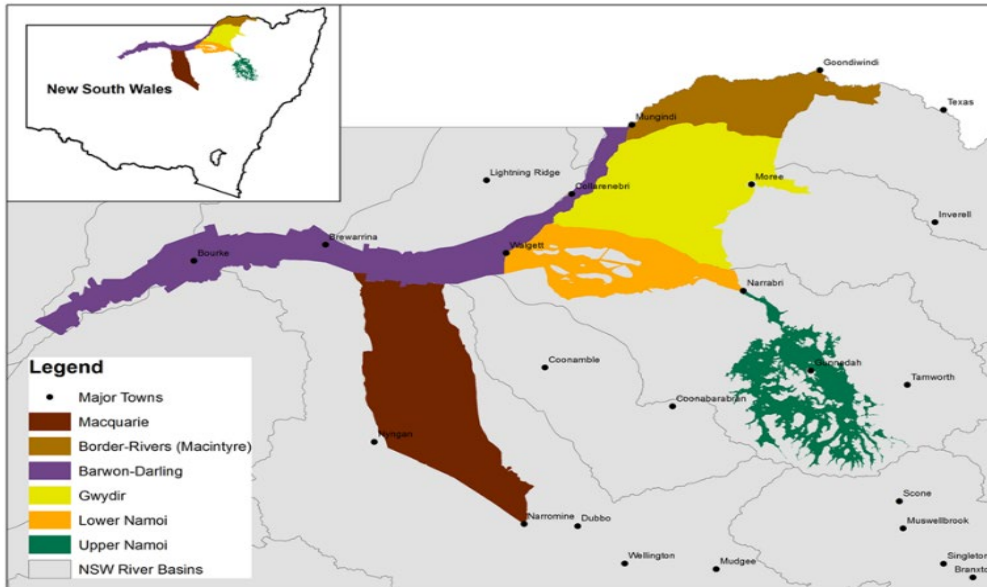
Auditable



Tamper proof



2. Where will the policy apply?



Valley	Storages
Gwydir Valley	324
Border Rivers	110
Macquarie	178
Barwon-Darling	86
Namoi	447

Floodplain harvesting measurement will be rolled out in the **Macquarie and Barwon-Darling** next with conditions imposed when floodplain harvesting licences are issued

Landholders have 12 months to install 'primary metering equipment' from when licences are first credited – deadline **1 March 2024 (Macquarie)** and **1 April 2024 (Barwon-Darling)** for measurement.

Landholders can use 'secondary metering equipment', such as a gauge board if they wish to floodplain harvest during that time.

4. Measurement methods

Floodplain harvesting occurs when water is either collected and impounded in an on-farm storage or is directly used.

There are 2 ways you can measure floodplain take:

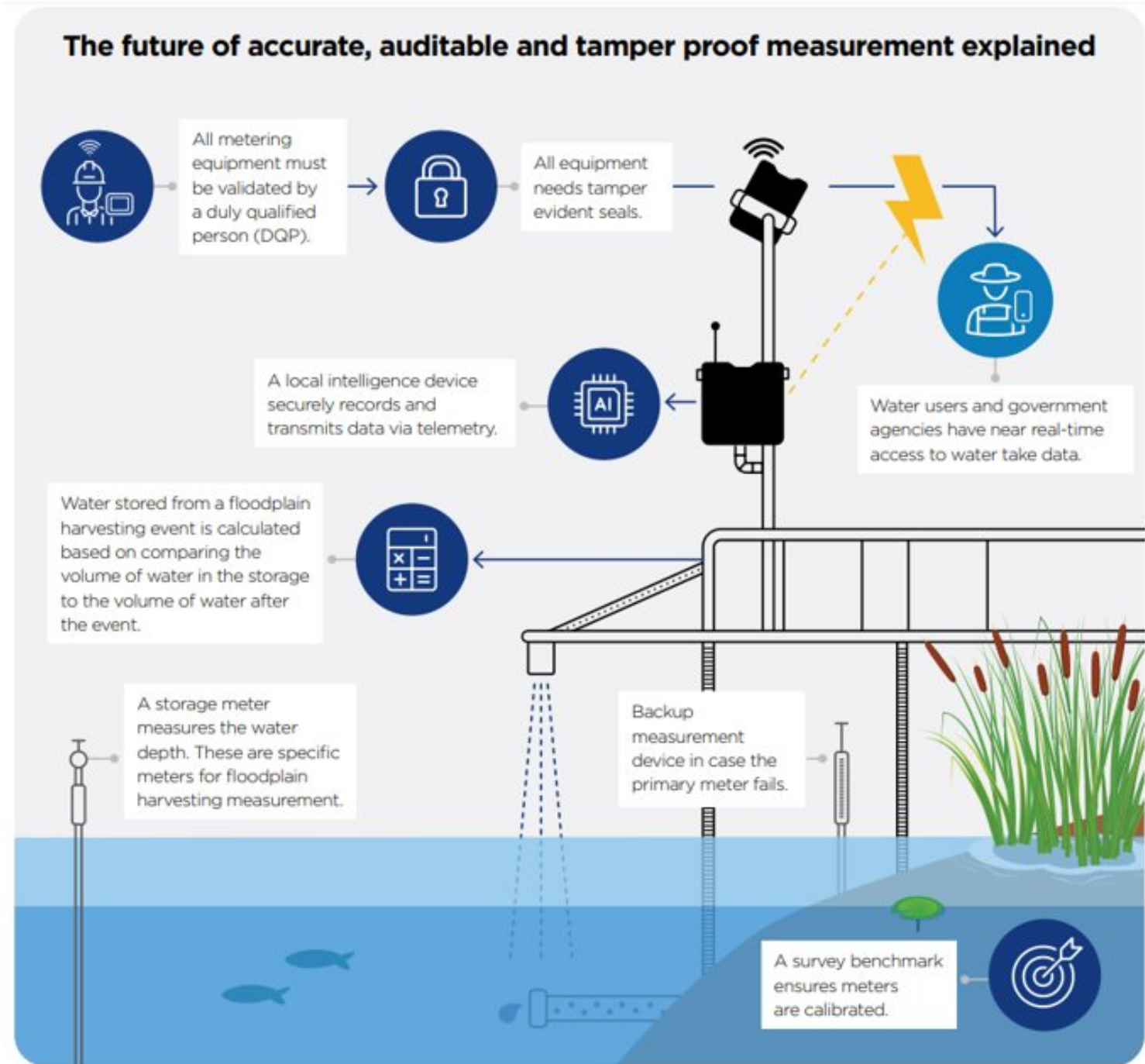
- at the storage, method OR
- at point-of-intake, method



3. Measurement at a glance

The amount of water collected from a floodplain harvesting event is calculated as the increase in storage volume over the measurement period.

Floodplain harvesting measurement



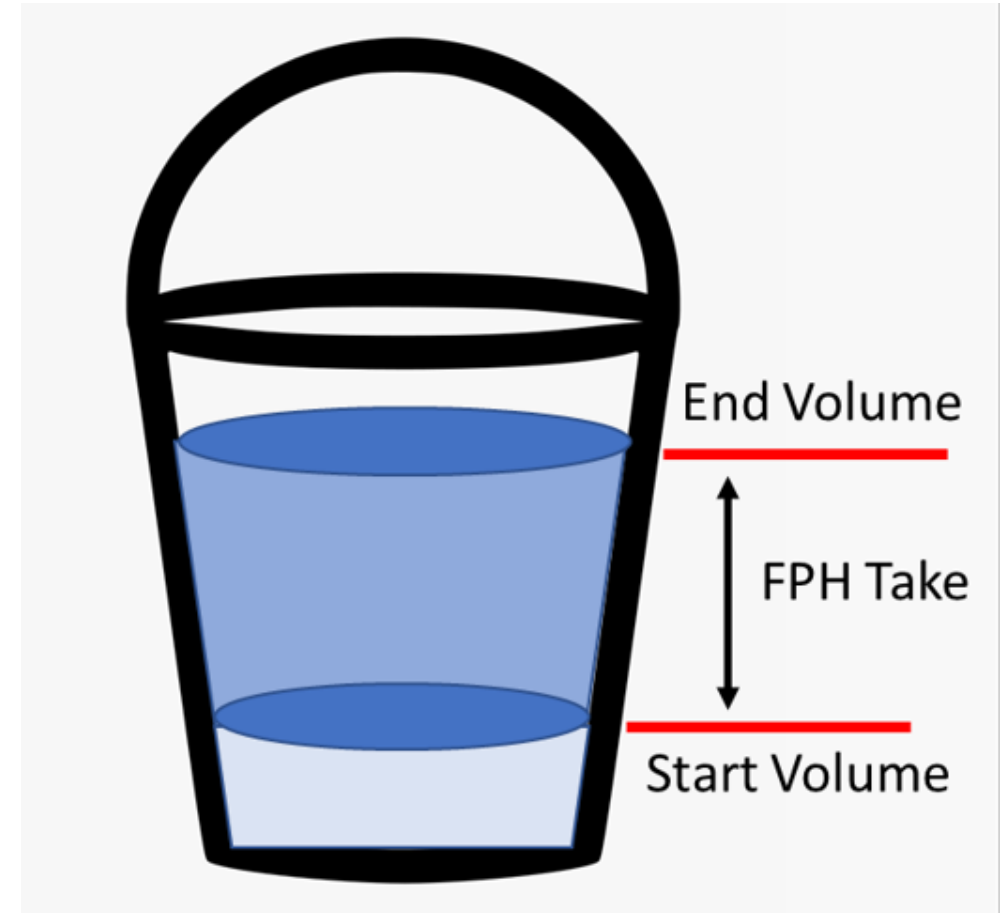
5. Measurement period

The Measurement ***STARTS*** when overland flow:

- enters your property, or
- mixes with water on the property.

The measurement period ***STOPS*** when water is no longer being brought into your property and all water in the buffer zones, other than water that cannot reasonably be transferred, has been moved to a metered storage.

Landholders nominate the beginning and end of the measurement period in iWAS (www.watarnsw.com.au/iwas).



6. Steps required to measure

- a. Survey benchmark and storage curve
- b. Storage meter and local intelligence device (data logger with telemetry)
- c. Secondary metering devices (OPTIONAL)
 - gauge board, or
 - another approved system such as a storage meter.



10. Duly qualified persons - DQPs

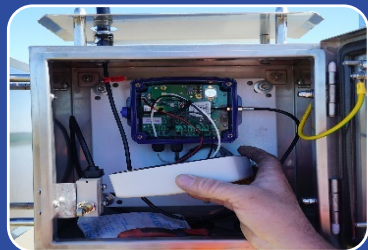


Survey benchmark	Storage curve	Storage meter installation and validation	Meter installation and validation	Local intelligence device	Secondary metering device	Point-of-intake eligibility
Registered surveyor	Registered surveyor	Certified storage meter installer and validator (CSV)	Certified meter installer (CMI)	CMI or CSV	Registered surveyor	Certified practising hydrographer
Class of persons approved by the Minister <i>(recognising existing professional skills)</i>			Certified practising hydrographer	Certified practising hydrographer	Register practising engineer	Registered professional engineer <i>(experienced in overland water flow)</i>
				Telemetry technician	Class of persons approved by the Minister	

11. Device and installation availability



10 compliant level sensors



2 compliant local intelligence devices

Market engagement policy for metering and telemetry

MHL testing



28 Certified Storage Meter Validators

12. Programs to support floodplain harvesting measurement

Programs to support floodplain harvesting include:

- Floodplain harvesting measurement demo site at Australian Cotton Research Institute
- \$975 account credit for every data logger connected to the data acquisition service (telemetry rebate - \$18m program)
- 50 storages being fitted with equipment in Border Rivers and Gwydir valleys (\$2.5m)
- Field days to support continued learning, development and recertification of certified storage meter installer and validators (CSV)
- Multiple CSV courses were conducted in 2022 and will be completed in 2023 to boost CSV numbers.



Enquiries



Websites

www.dpie.nsw.gov.au/water/nsw-non-urban-water-metering

www.industry.nsw.gov.au/water/plans-programs/healthy-floodplains-project/measurement

Enquiries

water.enquiries@dpie.nsw.gov.au

1300 081 047

Question and answer session

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Read me: FPH FAQs <https://www.industry.nsw.gov.au/water/plans-programs/healthy-floodplains-project/faqs>

Floodplain harvesting licensing & measurement framework: Barwon-Darling

Approvals, Dealings & Billing



Presentation by Amanda Fuller



Today's workshop



- Overview of handover process of licensing and approvals function to WNSW
- Amending FPH Water Supply Work Approvals
 - Process & fees
- FPH Access Licences
 - Process of undertaking a dealing & fees
- FPH Billing
- Question and Answer session

▪2 **WaterNSW**

Overview of the FPH licensing & approvals transition process



- Numerous inter-agency working groups in place to cover floodplain harvesting processes from end to end – with these working groups looking at assessments and approvals, billing, system changes, together with metering and measurement
- Handover of all relevant information and records including ROI data, ineligible work data, details of works on lands which do not have lawful occupation, details of works which require a flood work approval and all records
- associated with licences and approvals
- Staged implementation and support during and post transition

Floodplain harvesting water supply work approvals



- DPE Water Licensing & Approval team have assessed and will determine and grant FPH water supply work approvals across the 5 northern Murray-Darling Basin valleys.
 - Approvals are then transferred across to WaterNSW to process any future approval amendments or dealings.
 - This includes 485 water supply work approvals, covering 6,890 individual works
- WaterNSW future workload will include receipt, assessment and determination of applications to amend their FPH water supply work approvals.
 - To include works on Crown Land once lawful occupation has been obtained.
 - To include a change to approved work/s.
 - To include water supply works which require a Flood Work Approval.
 - To make a work inactive

How to apply for an Amended Approval

Application form and guide available at www.waternsw.com.au

22/23 Application fees:-

New or amended works and/or use approval \$4,728.11

Administrative amendment only - \$563.80
this applies to:-

- Make a work inactive
- Remove lands/works.
- Consolidate approvals ONLY where there is no change to the existing works
- Subdivide an approval



The screenshot shows the 'Application for a new or amended water supply works and/or water use approval' form and guide. It includes the WaterNSW logo, a title, and introductory text explaining the purpose of the application. A table lists 'OFFICE USE ONLY' fields: Fee paid \$, Officer signature, and Application number. Below the table is contact information for WaterNSW. The main body of the document contains sections for 'INTRODUCTION', 'GENERAL INFORMATION', and 'GENERAL INSTRUCTIONS'. The 'GENERAL INSTRUCTIONS' section lists several key requirements for applicants, such as using BLOCK letters, ensuring the application is complete, and providing a cheque or money order for payment.

Floodplain Harvesting Water Access Licences



- In addition to the grant of a Floodplain Harvesting Water Supply Work Approval, a Floodplain Harvesting Water Access Licence will also be granted.
- Dealings are permitted subject to the trade rules that are water source specific and set out in the relevant water sharing plans.
- Some common dealing transactions may include:-
 - **71W** – nomination of works ie. remove a nominated water supply work approval from FPH Water Access Licence
 - **71P** – subdividing of a FPH Water Access Licence into two or more access licences, or the consolidation of two or more access licences into a single access licence
 - **71Q** – assignment of share components (permanent trade)
- No temporary trading of allocations (71T)

How do you undertake a Dealing on a WAL?



- Water Applications Online – easy to use and interactive
 - Faster processing times
 - Applicants can track the progress of their application using a unique reference number

- Application form and guide available at www.waternsw.com.au

Schedule a meeting with us

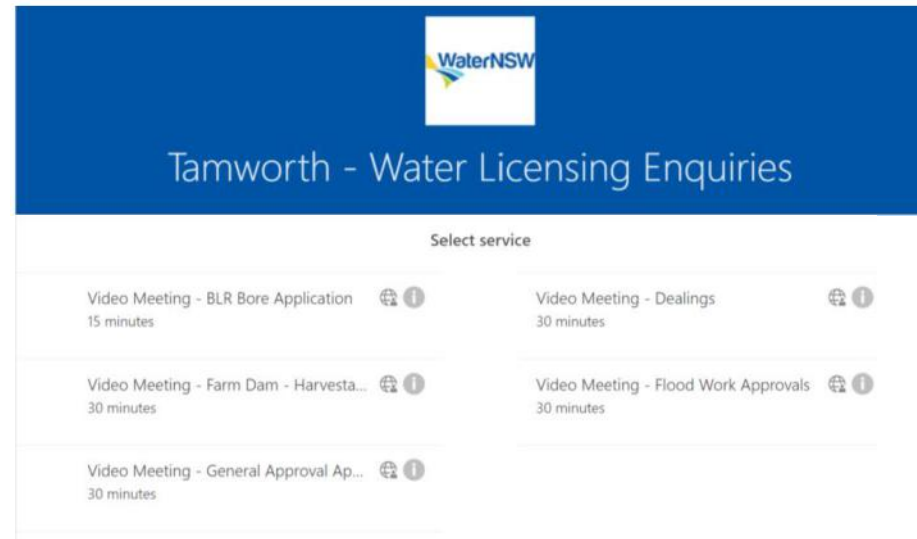


Got an approval or dealing question or would you like to meet with us?

Use our online facility to book a video meeting.

Go

<https://www.waternsw.com.au/customer-services/water-licensing>



Floodplain Harvesting Billing



- The NSW Independent Pricing and Regulatory Tribunal (IPART) determines how much WaterNSW can charge for the water services we provide.
- IPART have determined floodplain harvesting charges, which WaterNSW has communicated to our customers via our pricing booklet.

Unregulated water prices
2022-23

Charges where a floodplain harvesting regulation has been made in respect of the relevant water source*
If floodplain harvesting regulation is operational, the below charges will take effect and replace the previous charges.

Water source	Details	1-PART TARIFF		2-PART TARIFF
		Entitlement charge (A)	Entitlement charge (B)	Usage (C)
Border	WAMC charges	\$3.64	\$1.52	\$2.11
	Murray-Darling Basin Authority charges*	\$0.28	\$0.16	\$0.13
	Total charges collected by WaterNSW	\$3.92	\$1.68	\$2.24
Gwydir	WAMC charges	\$3.64	\$1.52	\$2.11
	Murray-Darling Basin Authority charges*	\$0.28	\$0.16	\$0.13
	Total charges collected by WaterNSW	\$3.92	\$1.68	\$2.24
Namoi	WAMC charges	\$3.64	\$1.52	\$2.11
	Murray-Darling Basin Authority charges*	\$0.28	\$0.16	\$0.13
	Total charges collected by WaterNSW	\$3.92	\$1.68	\$2.24

Current Fees and Charges can also be found on our website:
<https://www.waternsw.com.au/customer-services/water-pricing/fees-and-charges>

Contact details



Call us on **1300 662 077**



Visit us at **waterNSW.com.au**

Final question and answer session

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