



New South Wales

Water Management (General) Amendment (Metering Equipment) Regulation 2020

under the

Water Management Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Water Management Act 2000*.

MELINDA PAVEY, MP
Minister for Water, Property and Housing

Explanatory note

The objects of this Regulation are—

- (a) to ensure that a person undergoing training to become a duly qualified person in relation to metering equipment is authorised to carry out work on meters under the supervision of a duly qualified person in connection with that training, and
- (b) to ensure that records required to be made and kept under a condition of an authority are retained, despite the termination of that requirement, for the period that the records were required to be retained when the records were made, and
- (c) to make other amendments of a minor or consequential nature.

This Regulation is made under the *Water Management Act 2000*, including sections 115 and 400 (the general regulation-making power) and the Dictionary (definition of *duly qualified person*).

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1 Name of Regulation

This Regulation is the *Water Management (General) Amendment (Metering Equipment) Regulation 2020*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Water Management (General) Regulation 2018

[1] Clause 3 Definitions

Insert in alphabetical order in clause 3(1)—

approved manner means the manner approved by the Minister and notified on—

- (a) the Department’s website, or
- (b) a publicly available website maintained by WaterNSW and approved by the Minister.

[2] Clause 228 Interpretation

Omit the definition of *approved manner* from clause 228(1).

[3] Clause 230 Temporary exemptions from mandatory metering equipment condition

Omit “1 July 2019” from clause 230(1)(c). Insert instead “1 July 2020”.

[4] Clause 230(1)(c)

Omit “*Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2008*”.

Insert instead “*Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2020*”.

[5] Clause 230(4)(b)

Insert “(other than a replacement access licence or replacement approval, within the meaning of Schedule 10 to the Act)” after “an authority”.

[6] Clause 236 Duly qualified persons

Insert after clause 236(14)—

- (15) A person undertaking formal training or certification to attain the qualifications, skills and experience to carry out work in connection with metering equipment is specified for that work, if the person—
 - (a) performs the work in connection with formal training or certification to become a certified meter installer, and
 - (b) performs the work under the supervision of a duly qualified person with respect to the work concerned.

[7] Clause 237 Obligations of duly qualified persons

Insert after clause 237(5)—

- (6) For the purposes of this clause, a duly qualified person, in relation to work carried out by a person referred to in clause 236(15), is a reference to the duly qualified person who supervised the activity.

[8] Clause 244 Mandatory condition relating to other reporting

Insert after clause 244(3)—

- (3A) For the avoidance of doubt, the removal of a condition relating to the keeping of logbooks by subclause (3) does not remove the requirement to retain records made before the removal of the condition for the period required by the condition.

- [9] Clause 244A Mandatory condition relating to reporting where no telemetry otherwise required**
Omit clause 244A(6).
- [10] Clause 250 Mandatory condition requiring record of water taken where metering equipment not otherwise required to comply**
Insert after clause 250(3)—
(3A) For the avoidance of doubt, the removal of a condition relating to the keeping of logbooks by subclause (3) does not remove the requirement to retain records made before the removal of the condition for the period required by the condition.
- [11] Clause 250(5)(a)**
Insert “the requirements of clause 244 and either” after “complies with” where secondly occurring.
- [12] Schedule 8 Metering equipment**
Insert “, unless a shorter term is specified in the approved data logging and telemetry specifications” after “5 years” in clause 4(2).