



Water Compliance News

December 2022

Kia ora,

It has been a challenging year for many water users, with record rainfall causing flooding in towns across NSW.

To provide additional time to those affected, the NSW Government has extended [metering compliance deadlines](#) by 6 months for the Southern Inland, and by 12 months for Coastal NSW. Work is underway on regulatory amendments to give these changes effect.

Though we will always include important compliance updates in this newsletter, and on our website, a reminder that you can also [reach out to us directly](#) by email or phone if you have an enquiry.

Wishing you all a safe and enjoyable holiday season,



Grant Barnes

Chief Regulatory Officer
Natural Resources Access Regulator

At a glance

In this edition of Water Compliance News read about:

- achievements in 2021-22 and the latest compliance results
- flood works and approvals
- enforceable undertakings

- how to amend the size of works
- recent news stories.

Achievements in 2021-22 & latest compliance results

Our latest [progress report](#) looks back at our achievements in the 2021-22 financial year.

Key outcomes include:

- Wins for the environment such as improved fish habitat, restoration of cleared land, protection of ecological communities and return of flow to important waterways.
- Successful court prosecutions including large fines for an [unlawful irrigation canal](#), damage to [environmentally sensitive land](#) and for [illegal water take](#) at Brewarrina.
- Putting a [dollar value on the state's water allocations](#) for the first time through a report that is changing the perception that water is a "free" resource.

- The setting of our [2022-23 regulatory priorities](#) to guide our activities.
- A new Education & Engagement branch at NRAR with plans to expand our outreach to help water users understand and comply with the rules.

We also recently shared the compliance results for the July-September quarter, which confirmed that most water users want to do the right thing and follow the rules.

View the compliance results for your area with [NRAR's quarterly report tool](#).

Approvals before floods improve flows



Constructing levees, banks or other works on floodplains requires an approval from WaterNSW unless an exemption applies.

Unauthorised flood works can divert flood water to unexpected areas, increasing the risk of flooding for neighbouring properties and local communities, and creating a flow-on effect for the environment.

Throughout the recent floods, we've shared information about approved flood works to local councils and the NSW SES to support their flood emergency management roles.

If you suspect an unauthorised flood work in your community, check if an exemption applies on the [WaterNSW website](#) or view flood work approvals near you on the [NSW Water Register](#).

Find out more about our [compliance approach to flood works](#).

How to amend the size of works on your property



When it comes to water law, small details do matter.

When NRAR officers turn up at your property, the works listed on your approval must match what they see on the ground or you will be in non-compliance with your approval.

If the works installed are smaller in size than those shown on the approval documents, new metering rules have removed the need to amend approvals. Approval holders can instead, notify WaterNSW through a [simple online form](#). This rule change also removes the amendment fee.

This simplified process means it's now faster and easier than ever to notify if you have a smaller sized work on your property, and make sure your approval information is accurate.

For works larger than those shown on the approval documents, an [amendment](#) is still required.

The value of enforceable undertakings (EUs)



Enforceable undertakings (EU) are voluntary and legally binding agreements.

If a company or individual has been found to have significantly breached the *Water Management Act 2000 (WM Act)*, they can propose an EU to NRAR as an alternative to court action.

EUs are a valuable way to address breaches of the water laws and achieve positive outcomes for communities and the environment, without the need for costly and lengthy court processes.

To date, we have entered into seven EUs and we are currently in the process of assessing a number of EU offers.

[Find out more and read case studies of previous EUs.](#)

NRAR in the news

Explore our recent media updates below:

- [NSW viticulturist accused of stealing 13,000 megalitres of water from Darling River | The Guardian Australia](#)
- [NRAR begins prosecution of Wentworth vineyard operator for allegedly illegally taking 13,000ML of water during Millenium drought | ABC Country Hour](#)
- [Most water users 'law abiding' in region | Country Leader](#)

[Visit our news page to see all our latest updates](#)

About NRAR

The Natural Resources Access Regulator (NRAR) is responsible for the enforcement of water laws in NSW through compliance monitoring and education.

If you have a friend or colleague who might benefit from reading this newsletter, they can [subscribe here](#). Simply forward this email to them!

Keep in touch with us



Email: communications@nrar.nsw.gov.au

NRAR acknowledges the traditional custodians of the land and pay respects to Elders past and present.

We also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

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