

Natural Resources Access Regulator



Community benchmarking survey 2023

Tracking community views on water law enforcement and the role and activities of the NSW Water Access Regulator.

nrar.nsw.gov.au

December 2023



Bore outlet emptying into an irrigation channel, Narrabri. Photo: NRAR

Background

NRAR is continuously striving to understand community views, concerns and expectations about how water is regulated. We use this feedback to improve performance and deliver positive outcomes that benefit the community, the environment and industry.

We regularly run surveys that provide valuable insights that help inform NRAR's activities and priorities.

NRAR became operational in 2018, and ran its first community benchmarking survey in 2020. A second survey was run in 2021 building on our understanding of the community we regulate.

In 2023, our most recent community benchmarking survey was completed.

Objectives of the research

The survey provides NRAR with a baseline to help track how community views on the enforcement of water laws and the role of NRAR change over time.

The survey also allows the regulator to identify community concerns and work to address them.

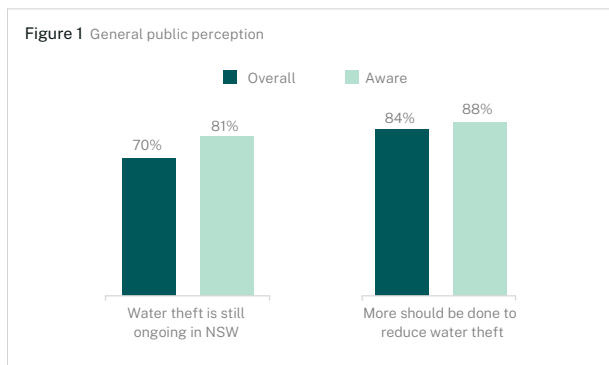
Key findings

NRAR was formed during the worst drought in Australia's history to address systemic challenges in water regulation in NSW.

Since our inception, we've taken 38 of the most serious matters to court with 210 enforcement actions issued in the 2022-23 financial year alone.

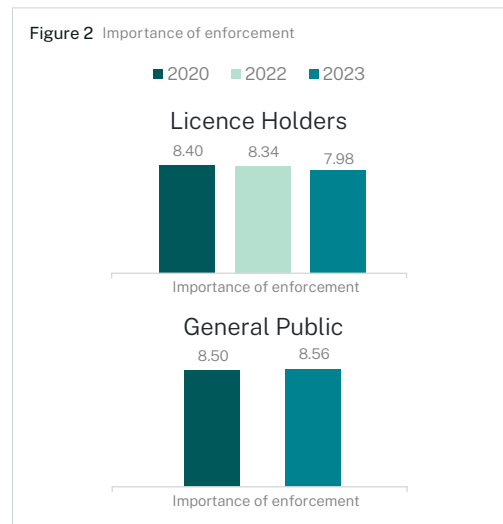
NRAR acts decisively against those who break the law but there is still some work to do to improve community perceptions of the pervasiveness of water theft.

In 2023, 70 per cent of the general public surveyed believe water theft is still ongoing with an even greater number believing more should be done to combat water theft (84%). See figure 1.



Like the general public, licenced water users continue to show strong support for the enforcement of water rules.

Figure 2 shows that in 2020, the public and water licence holders rated the importance of enforcement of the NSW water rules as 8.4 and 8.5 out of 10 respectively. Similar numbers were returned this year and the sentiment echoed by stakeholder respondents.



“NRAR are very highly regarded by industry because we value compliance as well,”
Stakeholder respondent, Water Sector Survey, 2023.

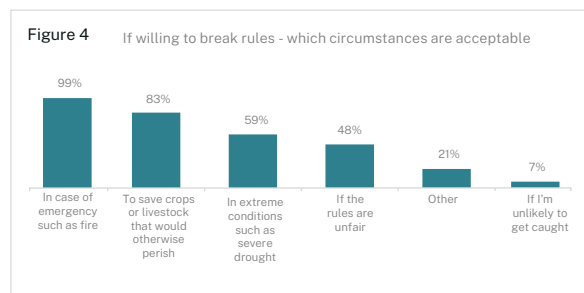
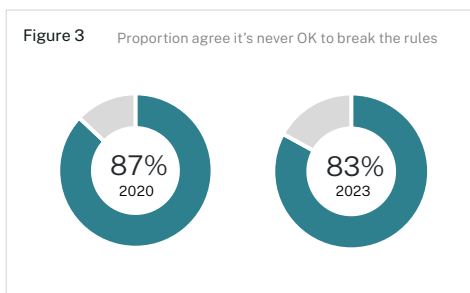
Although there is strong support for enforcement, stakeholders felt strongly that non-compliance was rare and appreciated that NRAR was beginning to recognise the efforts of most water users to do the right thing.

NRAR is maturing and achieving regulatory balance

“From our engagement with the industry, I think not many people would intentionally or maliciously do the wrong thing, and if they do, they should absolutely face the full force of the law and I think NRAR do try to strike that balance.”
 Stakeholder respondent, Water Sector Survey, 2023.

Over the past five years of regulating water in NSW, we have learnt that most water users want to do the right thing but mistakes happen when water users don't know the rules.

This sentiment was echoed by stakeholders and water users with 83 per cent of water licence holders agreeing it was never okay to break the rules. Those who disagreed cited emergency scenarios such as fire as the most common justification. See figures 3 and 4.



NRAR restructured its organisation in 2022 to support even more effective regulation and to take into account the attitudes and behaviours of water users in NSW. The creation of an education and engagement branch dedicated to helping water users follow the rules was an important part of the restructure.

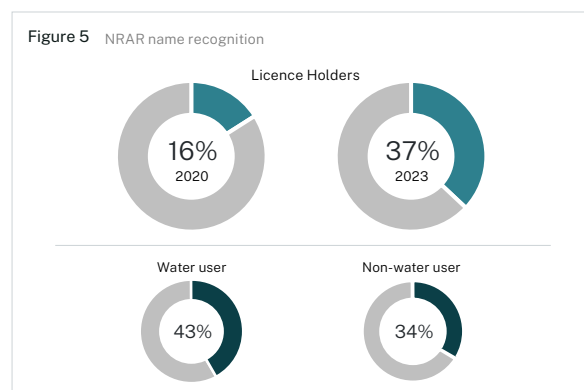
Stakeholders now feel NRAR is on the way to becoming a mature regulator that educates the community on compliance while also enforcing the law when it's broken.

Awareness of NRAR is rising, yet confidence appears to have declined

We know that today, members of the regulated community and the general public are more aware of NRAR than they were in 2020.

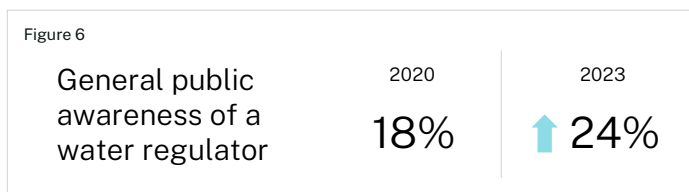
Awareness is an important metric for a regulator. When licence holders are aware there is a strong regulator on the beat, they're more likely to follow the rules. Visibility and awareness also contribute to the development of public trust.

Awareness of NRAR has doubled amongst licence holders in the last three years. See figure 5.



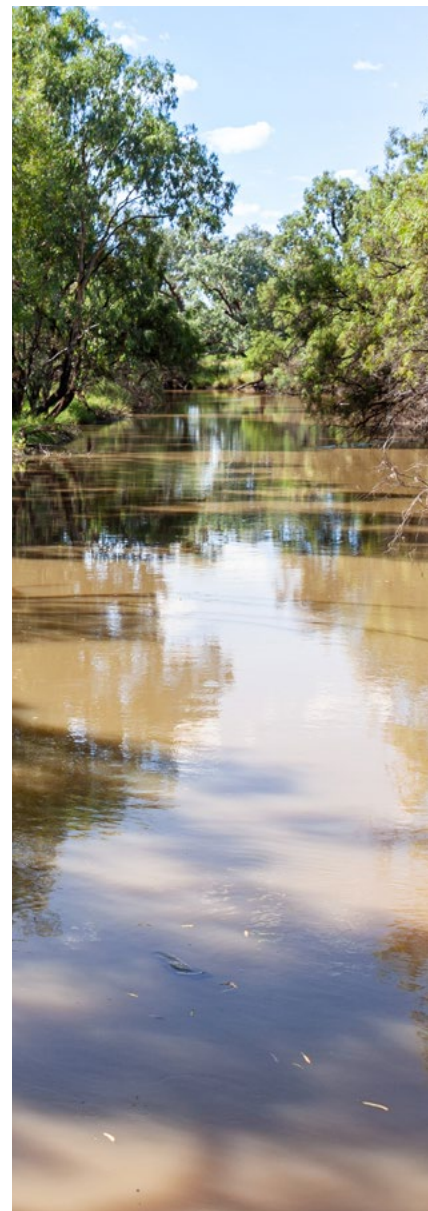
Unsurprisingly, recognition of NRAR amongst those currently using water is significantly higher than non-users.

Twenty-four per cent of the general public were also aware of the existence of a water regulator. Up from just 18 per cent in 2020. See figure 6. Forty-seven per cent of the general public who considered themselves to have good knowledge of water issues were aware of the existence of a water regulator.



Every representative interviewed from stakeholder organisations was aware of NRAR and its role.

Despite an increase in awareness and positive performance feedback, confidence in enforcement of the water rules appears to have declined from 6/10 in 2020 to 5.2/10 in 2023 among licence holders and 6.4/10 in 2020 to 5.2/10 in 2023 among the general public. See figure 7.



Namoi River, Narrabri. Photo: NRAR

Further qualitative analysis into these declining scores revealed the drivers behind them.

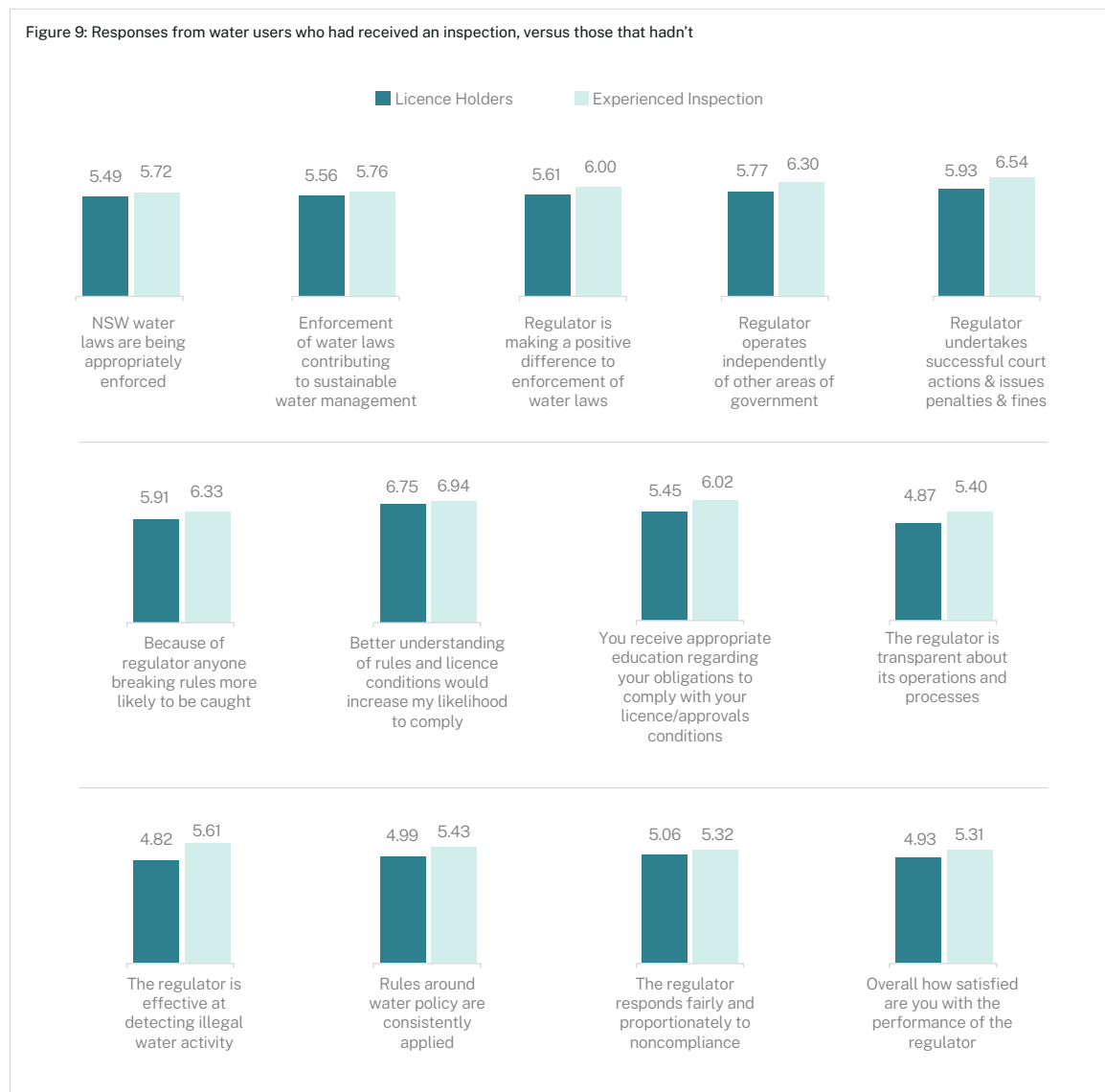
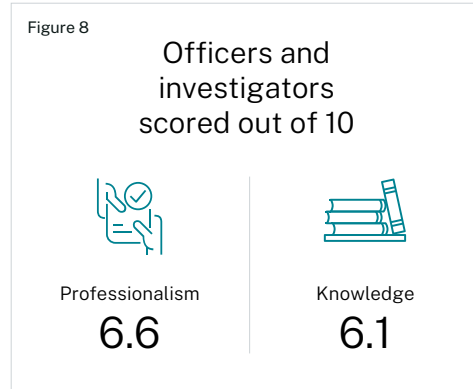
- the general public's declining confidence was largely due to not differentiating the regulator from low trust in government in general
- a common driver of lower confidence amongst licence holders was the local knowledge of a community members who did the wrong thing and avoided detection
- a number of licence holders also noted their confidence in NRAR was lower due to an either reported un-investigated issue, or an investigated and cleared issue
- other issues include perceived lack of punishment and insignificant penalties.

NRAR's staff are well regarded

NRAR's staff play a key role in educating, enabling, encouraging and enforcing compliance with the NSW water rules. Through a variety of boots on the ground programs, officers visit water licence holders on their properties and at local events or field days to ensure the rules are followed.

Water licence holders rated the professionalism (6.6/10) and knowledge (6.1/10) of our officers and investigators well. See figure 8.

On average, a visit from NRAR increased confidence in our ability to enforce the rules. See figure 9.



Next steps for NRAR

NRAR is responding to the key insights in a number of ways.

Continue to educate, enable and encourage water users

Only 60 per cent of licence holders who received an inspection received appropriate education regarding obligations. We will continue to develop or source educational materials across a range of topics.

Highlight and promote our ability to detect non-compliance

Only 50 per cent of licence holders believed the regulator was effective at detecting illegal water activity. We will continue to deter wrongdoing by highlighting our ability to detect illegal activity and promoting our successful enforcement actions.








Continuously improve our field visits and follow up communications

Some respondents felt NRAR's field staff were inexperienced, and others were dissatisfied with the communications they received following a visit. We will continue to provide quality training for staff and provide clarity following our visits.

Methodology

A total of 1,615 people were surveyed including 1118 licence holders, and 450 members of the public. The survey was done mostly through survey forms, but with some additional direct phone interviews to gain further understanding and information.

Figure 10: Quantitative licence holder interviews by method, fourt2 consulting

	 Regulated	 Unregulated	 Groundwater	 Overall
Phone 	201	351	359	911
Online 	66	106	35	207
Total Surveys 	267	457	394	1,118

Stakeholders

Qualitative interviews were completed with representatives from 47 stakeholder organisations.

A breakdown of participants is available in figure 11.








Figure 11: stakeholder participant breakdown, fourt2 Consulting

Associations & Peak Bodies	Government	Local Government	Recreations Fishing & Boating	Environment	Indigenous	Overall
16	19	6	2	3	1	47

General public

Quantitative surveys were completed by 450 members of the general public. A breakdown of these participants is available in figure 12.

Figure 12: Public sentiment participants, fourt2 Consulting

	 Metro	 Regional	 Rural	 Overall
Phone 	56	80	29	165
Online 	92	114	79	285
Total Surveys 	148	194	108	450



Murrumbidgee River, Gundagai. Photo: NRAR

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