

Water Compliance News

Good afternoon

Our quarterly compliance and enforcement data for April-June is now available in our [interactive digital reporting tool](#). My team at the Natural Resources Access Regulator (NRAR) conducted 1141 site inspections and took 108 enforcement actions during this period to ensure compliance with the NSW water laws.

We're also happy to share our redesigned and considerably improved website as well as some new e-tools to make it easier for your members and communities to follow the rules.

In closing, we would like to remind water users in the Northern Inland region of NSW that the deadline for complying with the new metering rules is fast approaching (1 December 2021). We encourage you to act now to ensure you have your meters installed and validated by the deadline. We've included more information about how to comply below.

Stay safe and well during the lockdown,



Grant Barnes
Chief Regulatory Officer
Natural Resources Access Regulator

Quarterly compliance results

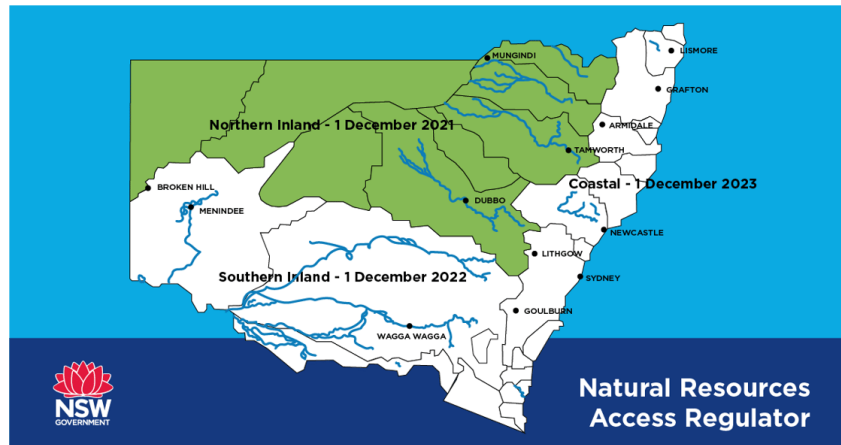


We publish our compliance results on a quarterly basis to maintain transparency around our enforcement actions. Our interactive digital tool allows you to search results by region and municipality and shows the actions we have taken to ensure water is used lawfully and fairly.

The reporting tool's dashboard reveals during the April-June quarter there were 10 prosecutions in court, 49 penalty notices issued for rule breaches, and dozens of other enforcement actions such as formal warnings, stop work orders and official cautions.

[Read more](#)

Northern Inland region rollout



The next deadline of the non-urban water metering framework, 1 December 2021, is fast approaching. Water users in the Northern Inland region must:

- **Check your licence and approval details** on the [NSW Water Register](#). To see what is listed and whether there are any existing metering conditions that you need to comply with now. WaterNSW can help you [amend your approval](#) if you need to change the size of your pump or make your work inactive.
- **Use the government's [online metering guidance tool](#)** to see if and how the rules apply to you.
- **Contact a duly qualified person (DQP)**, such as a certified meter installer (CMI), to discuss your situation. They can advise you about what equipment you need, and order, install and validate it. A list of DQPs can be found on Irrigation Australia's website at [irrigationaustralia.com.au](#). Click on 'certified meter installers and validators' to search for one in your area.

NRAR's work in this area will continue to ensure the vast majority of licensed water take is effectively metered and that meters are accurate, tamperproof and auditable.

Use the metering tool

Visit the water register

Improved digital offering



We've improved our website making it easier to navigate and find helpful information about how to comply with the rules and apply for licences and approvals. We have

also developed two new e-tools:

- [NRAR Assist](#), an easy-to-use online e-tool with answers to compliance questions and pre-lodgement support in real-time.
- our [Controlled activity exemption e-tool \(CAE e-tool\)](#) helps landowners, developers and consultants to determine if they need a [controlled activity approval](#) from NRAR before starting work on waterfront land.

These new tools complement [our existing e-tools](#):

- the Compliance e-tool enables water users to determine if they are following NSW water laws.
- the Waterfront land e-tool can be used in tandem with the CAE e-tool – it helps you determine whether your project is on waterfront land and if you need a controlled activity approval.

NRAR also worked with the NSW Department of Planning, Industry and Environment to move [controlled activity approval applications](#) to the [NSW Planning Portal](#). This change gives users a more streamlined experience and faster processing times.

[Read more](#)

Collaboration this quarter



The combined efforts of NRAR, NSW Fisheries, WaterNSW and the Queensland Department of Regional Development, Manufacturing and Water resulted in enforcement action to remove illegal rock block banks from the Macintyre River. The illegal structures impede the migration of native fish and will be removed when river conditions allow.

[Read more](#)

Bore audit puts focus on groundwater compliance



NRAR's pilot project aimed at protecting the State's fragile groundwater sources is now complete. Operation Drawdown focused on enforcing bore water extraction limits in the Lower Murrumbidgee, Lower Lachlan, Macquarie-Castlereagh, and Lower Namoi groundwater sources which are at risk from high and increasing water demand.

[Read more](#)

NRAR commences 30th prosecution



NRAR has commenced a prosecution against a Narrabri landholder for alleged breaches of the *Water Management Act 2000* relating to unlawful water take. The landholder was charged with having allegedly taken 1200ML of water in excess of their extraction limit. This is the independent water watchdog's 30th prosecution and a major milestone for the maturing regulator.

[Read more](#)

Beemery Farm judgment



In a significant decision, the operators of Beemery Farm lost their appeal against conviction in the NSW Court of Criminal Appeal on 9 August. Read the full judgment online by clicking the button below or read the [ABC news report](#).

The Land and Environment Court of NSW previously found the Brewarrina irrigators guilty in March 2020 of having illegally taken water for their property. WaterNSW brought the prosecution, which began before NRAR was formed.

NRAR has several cases related to similar flow issues before the Land and Environment Court of NSW that are likely to be listed for hearing in 2022. Completed prosecutions relating to channel and metering compliance are [available to view on our website](#).

Beemery Farm judgment

Maules Creek Coal enforceable undertaking



NRAR entered into an enforceable undertaking with Maules Creek Coal Pty Ltd on 11 August. The enforceable undertaking takes steps to address the [unlawful taking of water by the mine at the site from 1 July 2016 until 30 June 2019](#) without a licence, in breach of s60A(2) of the *Water Management Act 2000*.

Maules Creek Coal pleaded guilty to this offence and the matter came before the Land and Environment Court of NSW between 16 and 19 August 2021. Judgment in

the sentencing is reserved. Maules Creek Coal has undertaken to, among other actions:

- decommission a sediment dam and re-establish the historical natural drainage line at the location of these storages within the rail corridor
- submit an updated water management plan for approval under the State Significant Development (SSD) Consent
- submit an updated biodiversity management plan for approval under the SSD Consent

The enforceable undertaking can be read in full by clicking the button below. This and other NRAR enforcement actions are also available to view on the [NRAR public register](#).

Enforceable Undertaking

Oberon community wins after deal with gardens



In a win for the Oberon community, a local business has offered to establish several programs to benefit vulnerable local groups and school students, as an alternative to other enforcement action for water law breaches. Pegela Pty Ltd, trading as Mayfield Garden, has entered into an 'enforceable undertaking' with the state's water regulator, after the company was found to be operating bores without the correct approvals.

Read more

Hawkesbury Market Garden ordered to pay \$47,830



Taking water without approval from an environmentally sensitive lagoon has cost a Freemans Reach market garden operator a total of \$47,830. In a case heard at Parramatta Local Court on August 9, Huang Brother Pty Ltd pleaded guilty to, among other charges, 10 charges of using a work approval to take water without approval, an offence under section 60D of the *Water Management Act 2000*.

[Read more](#)

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Keep in touch with us



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