

Ministerial Statement of Expectations to the Board of the Natural Resources Access Regulator

Issued by The Hon Rose Jackson MP, Minister for Water: 2 July 2026

Purpose

This Statement of Expectations outlines my requirements for how the Natural Resources Access Regulator (NRAR) will fulfil its statutory mandate – particularly the maintenance and defence of its independence, the exercise of its regulatory responsibilities and the agency’s contributions to the Government’s broader water management objectives.

In general terms I expect NRAR to adopt an approach to regulation that recognises the complexity of the water management framework for many water users and that most are not intentionally breaking the law. Education, advice and continuous improvement should be a focus of the regulator, including effective engagement and the provision of guidance and information alongside reactive investigations into breaches of the law.

I expect NRAR to hold all water users to the same standard of compliance. While it is acknowledged that there are different types of water users that often operate and access water in very different ways, the maintenance of confidence in both the regulator and the broader water management framework is contingent on the fair and consistent application of the law.

1. Legislative Foundation

NRAR’s work is grounded in the objectives set out in section 10 of the Natural Resources Access Regulator Act 2017, including the requirements:

“to ensure effective, efficient, transparent and accountable compliance and enforcement measures for the natural resources management legislation” and

“to maintain public confidence in the enforcement of the natural resources management legislation”.

NRAR is expected to apply these objectives consistently across all functions under section 11, including the preparation of regulatory policies, the provision of advice to Ministers, and the commencement of proceedings and publication of enforcement outcomes.

2. Independence

NRAR is an independent statutory authority, and its compliance and enforcement decisions must be made free from external influence. This independence is essential to maintaining public confidence in water management and must be actively protected in all aspects of NRAR’s work.

Section 5 of the Natural Resources Access Regulator Act 2017 (NRAR Act) limits any Ministerial direction to NRAR to be in writing, of a general nature only and must not relate to any specific matter, the content of advice or report, or the institution of proceedings. I would further define these limitations on direction to include not just the institution, but also the conduct, finalisation and withdrawal of proceedings – including both investigations and prosecutions.

3. Effectiveness

NRAR is expected to deliver high quality, outcomes focused regulation that supports best practice water management in New South Wales with both proactive (education) and reactive (enforcement) elements. It should apply leading regulatory practices, maintain a strong evidence base for decision making, and identify and advise on areas where the water management framework can be improved. NRAR is also expected to collaborate effectively with NSW and Commonwealth agencies to support coherent, whole of system water management. Its enforcement activities should deter non-compliance through proportionate, timely and consistent use of administrative, civil and criminal tools and sanctions.

4. Efficiency

NRAR must use its allocated resources prudently and efficiently. It is expected to respond to performance indicators set by the Independent Pricing and Regulatory Tribunal, adopt cost effective and risk-based approaches to compliance and enforcement, including encouragement of voluntary compliance where suitable. NRAR should continue to invest in technology related to its investigation and intelligence-gathering activities where appropriate to streamline work and increase accuracy.

5. Transparency

Transparency is essential to maintaining trust in the regulatory system. NRAR is expected to publish its regulatory priorities, maintain an accurate and up to date public register of enforcement actions and publish enforcement outcomes - including naming regulated parties where appropriate and lawful. NRAR should respond to information requests in a timely manner while ensuring that active investigations and legal constraints are respected.

6. Accountability

NRAR will meet all statutory and parliamentary reporting obligations. This includes participation in parliamentary inquiries and Budget Estimates hearings. NRAR's governance arrangements must support clear accountability for regulatory decisions and the responsible stewardship of public resources.

7. Public Confidence

Public confidence in water management is essential to achieving voluntary compliance and maintaining the integrity of the regulatory system. NRAR is expected to maintain a visible regulatory presence across the state, manage and eliminate conflicts of interests and duties, and engage with relevant communities, including First Nations people, to understand community perspectives and explain regulatory decisions. NRAR should monitor public sentiment regarding its activities and provide periodic updates to the Minister.

8. Collaboration with Government Priorities

Within the limits of its statutory independence, NRAR is expected to support the Government's broader water reform agenda and work with counterpart agencies to ensure coherent and effective delivery of water management outcomes.

9. Cross-agency collaboration

NRAR is expected to work with the range of NSW water agencies to, where possible, improve the interaction between water users and the government by identifying and working to avoid confusion about obligations, the level of administrative burden and fragmentation of contact points. It is expected that NRAR will continue to explore innovative data management solutions to address long-standing gaps in NSW water data sets and improve cross-agency information sharing protocols and interfaces.

10. Review

This Statement of Expectations will be reviewed at least every two years, or earlier if agreed with my office, to ensure it remains current and fit for purpose. The next review is due in June 2028.