NRAR Board meeting - Minutes

MEETING NRAR Board meeting
MEETING NO. No.11 DATE 27 June 2018
LOCATION Level 49 Secretary Board Room TIME 2.00pm – 5.00pm
BOARD ATTENDEES Craig Knowles (Chair), Ilona Millar (member), Bruce Brown (member)
NRAR ATTENDEES Grant Barnes (Chief Regulatory Officer), Gregory Abood (Director Regional Water Regulation – East), Kirsty Ruddock (Director Regulatory Investigations & Compliance), Timothy Gilbert (Director Regulatory Capability & Coordination), Russell Johnston (Executive Officer), Kendy Burke (Principal Project Officer), Ryan Lynn (Senior Project Officer)
OTHER ATTENDEES Nil
APOLOGIES Nil
PREPARED BY Ryan Lynn (Senior Project Officer)

Previous meeting

New/Continuing action items following meeting Person responsible Due date
Review Legal Model and report on potential external legal options for future prosecutions Director Investigations & Compliance 27 June
Regular updates on inter-agency and intra-agency stakeholder engagements Board Secretariat ongoing
NRAR Structure/Budget update Chief Regulatory Officer 27 June
Floodplain harvesting funding/challenges Director Operations West 10 July
Briefing on the 20 Year Infrastructure Options Study developed by WaterNSW Executive Officer 27 June

This meeting

Agenda Item Notes

Confirm Minutes • Minutes of 12 June 2018 were confirmed.
Declaration of conflict of interests • No declarations of conflicts of interest.
• Board member Ilona Millar advised that her legal practice from time to time represents some organisations that have mining interests. It is further noted that there are no interests relating to the papers tabled.

Compliance Activity Update • The Board were provided with an update on the triage and allocation of historical compliance matters inherited by NRAR on 30 April.
• Gregory Abood advised the Board of a Stop Work Order issued in relation to unauthorised water take whilst NRAR continues to investigate the matter.
• The Board were updated on recent property inspections and current investigations.
• The Board acknowledged the work of the Floodplain Harvesting team and requested further information on the next steps following the questionnaire issued to irrigators, information on the funding arrangements/timelines for the project and challenges being faced.

General Business Update • The CRO provided an update on his regional visits in the past fortnight. These included Murwillumbah, Grafton, Coffs Harbour, Newcastle, Parramatta and Wollongong - engaging with staff and visiting local compliance sites.
- The CRO will be representing NRAR at the Cotton Australia Conference in August.

### Professional Development
- Kirsty Ruddock advised the Board of a recently held Water Law Workshop. NRAR staff, DOI Legal Branch, Crown Solicitors and Barristers all attended and presented on their respective functions. Feedback has been that the workshop was greatly appreciated to help build understanding of how each area can better contribute to successful compliance and enforcement of water in NSW.
- The Board noted that four NRAR Executives completed the PSC Executive Leadership Essentials course to strengthen their leadership capability as public service executives.

### NRAR Operational Structure
- The CRO presented on a regulatory framework and detailed operational structure for NRAR.
- The Board endorsed the structure and the NRAR Executive will consult with staff on functions and roles moving forward.

### Establishment Plan – Progress Report
- The Board were thankful of the work that NRAR staff have undertaken in compiling the report and highlighting the early successes of NRAR.
- The Board approved publishing of the Progress Report.

### NRAR Operational Planning
- The Board endorsed an operational plan presented by the CRO to assist in achieving key Establishment Plan objectives.
- The CRO and Board noted the need to focus on appropriate acknowledgement and recognition for NRAR staff.

### Legal Update
- The Board considered two matters for prosecution, and recommended to proceed to prosecution with both matters (confidential).
- Following new legal advice the Board approved a variation to its resolution of 30 May 2018 by determining to cease prosecution in relation to one matter (confidential).
- The Board noted a complaint received relating to alleged unlawful surface water take at a mine, and endorsed the commencement of an investigation.

### Other Matters
- The Board requested information on Water Sharing Plans, and on the trading of temporary water.
- Board Chair noted that Northern Basin Aboriginal Nations (NBAN) is launching their Cultural Flows reports.
- The Board Chair wished to extend thanks and record appreciation for the work of Kendy Burke for her work in the establishment of NRAR, and fundamentally influencing the way things are done in the Regulator.

### New/Continuing action items following meeting

<table>
<thead>
<tr>
<th>Item</th>
<th>Person responsible</th>
<th>Due date</th>
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<tbody>
<tr>
<td>Update on Floodplain Harvesting; questionnaire, next steps, funding &amp; challenges.</td>
<td>Director Operations West</td>
<td>July meeting</td>
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<td>Prepare a de-identified case report on the Stop Work Order</td>
<td>Director Operations East</td>
<td>August meeting</td>
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<tr>
<td>Report on trading of temporary water</td>
<td>Executive Officer</td>
<td>July/August meeting</td>
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<tr>
<td>Report on Water Sharing Plans</td>
<td>Executive Officer</td>
<td>August/September</td>
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<td>Invite NBAN to attend a future NRAR Board meeting</td>
<td>Board Secretariat</td>
<td>August/September</td>
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### Next meeting
- Tuesday 10 July