



NRAR Board meeting - Minutes

MEETING	NRAR Board meeting		
MEETING NO.	No.18	DATE	13 & 14 March 2019
LOCATION	Sydney MLC – L48 Kingfisher	TIME	9.30am – 5.00pm
BOARD INVITEES	Craig Knowles (Chair), Ilona Millar (member), Bruce Brown (member)		
NRAR INVITEES	Grant Barnes (Chief Regulatory Officer), Russell Johnston (Executive Officer), Ryan Lynn (Senior Project Officer)		
OTHER INVITEES	Listed next to relevant agenda item		
PREPARED BY	Ryan Lynn (Senior Project Officer)		

Agenda Item	Notes
Confirm Minutes Declaration of conflict of interests	<ul style="list-style-type: none"> Minutes of 6 February were confirmed. No declarations of a conflict of interest.
General Business Update	<p>CRO Grant Barnes provided an update for the Board:</p> <p>Caseload An increase in cases received during February has meant an overall increase in active caseload at present. Legacy cases inherited from the former department and WaterNSW continue to track downward.</p> <p>Stakeholder engagement NRAR has commenced independent meetings with advisory groups following WaterNSW CAG meetings. The meetings have provided an opportunity to better understand community concerns, including the respective responsibilities of the different water management agencies, and NRARs compliance approach.</p> <p>The Board discussed increased risk of non-compliance as drought continues and the price of water/feed increases.</p>
WaterNSW <i>Invitees: Anne McDonald (Board Chair) & David Harris (CEO)</i>	<p>The Board met with the Chair and CEO of WaterNSW to discuss the recently signed MOU and the importance of a positive and constructive relationship between the agencies.</p> <p>Agreement was reached on CEO of WaterNSW being a regular invitee to future Board meetings.</p>
Water Resource Plan (WRP) Update <i>Invitee: Director Water Planning - Peter Hyde</i>	<p>Peter Hyde provided the Board an update on NSW progress with Water Resource Plans (WRPs). DoI Water and the Water Reform Task Force continue to work on a suite of actions to improve environmental water management in the Barwon Darling, and expect to commence public consultation in mid-2019.</p> <p>The Board noted that the WRPs have operational and resourcing implications for NRAR in terms of compliance and indicated a desire for increased involvement in their development.</p>
Introductory Meeting - Northern Basin Commissioner <i>Invitee: Mick Keelty</i>	<p>The Board discussed with Mr Keelty how his experience in compliance could provide insights into water management.</p> <p>Mr Keelty highlighted how technological solutions that could be developed to support water management and compliance, and the complexities of State-based management of a natural resource that crosses borders.</p> <p>The Board requested that NRAR consult with Mr Keelty on a regulatory priorities document prior to it being brought for decision.</p>
Water Markets Report: Aither	Mr Finn & Mr Cole provided a presentation to the NRAR Board on water market

<i>Invitees: Wilf Finn & Lawson Cole</i>	trends including pricing and volumes of trade. Mr Finn advised of the potential for overlays of crop watering cycles and water prices to be used to inform seasonal patterns of increased risk of non-compliance.
Stakeholder Consultation – Methodology for Regulatory Priorities	The Board met individually with the TEC (Jeff Angel), MDA (Emma Bradbury), NSW Irrigators (Luke Simpkins), Cotton Australia (Michael Murray) and AFA (Terry Korn) and discussed the methodology NRAR intends to use to determine future regulatory priorities. Following the consultation the Board provided strategic direction to the NRAR Executive on the regulatory priorities and requested a document be brought to a future Board meeting for decision.
Prosecutions <i>Invitee: Kirsty Ruddock (Director WET)</i>	Five matters were considered in relation to prosecutions (confidential).
Strategic Risk Register <i>Invitees: Tim Gilbert (Director Capability & Coordination)</i>	Mr Gilbert tabled an updated risk register be tabled for discussion. The Board discussed risks to NRAR including Cybersecurity/IT, Governance risks implementation and new regulations that might be created and business continuity following any change in government. The Board requested an updated risk control plan for the April meeting.
NRAR MOU with DOI <i>Invitee: Liz Livingstone (Deputy Secretary)</i>	The Board and Ms Livingstone discussed a draft MOU on prescription of support services for NRAR. It was agreed that NRAR and the Department will work to ensure adequate resourcing and budget security. The Board asserted that it strongly guards its independence and secure and adequate funding is critical for this to be maintained.
Water Renewal Taskforce Update <i>Invitee: Emma Solomon (Group Director, Water Renewal Taskforce)</i>	Ms Solomon provided an update for the Board: <ul style="list-style-type: none"> • An independent review of the Water Reform Action Plan (WRAP) has found 34/35 deliverables met. • Department is close to engaging a provider on a data acquisition service for captured metering data. • The Department intends to brief the Minister following the election on the issue of Stock and Domestic usage.
A-Class Licences & Impacts on Flows <i>Invitee: Geoff Wise</i>	Mr Wise presented on the impact of rule changes in the Barwon-Darling Water Sharing Plan (introduced in October 2012) where pump size limitations were removed. Mr Wise asserted that current rules have allowed legal access via A-Class licences to pump during lower flows than was intended in the WSP.
WHS Duties for Boards <i>Invitee: Stephen Hardy (Partner, Baker McKenzie)</i>	Stephen Hardy a late apology, Maria Hurley-Smith (Special Counsel, Baker McKenzie) attended in place. Ms Hurley-Smith advised the Board of their responsibilities under WHS legislation. The Board requested WHS be a standing item at future Board meetings.

New/Continuing action items following meeting	Person responsible	Due date
Presentation on public register	Director Capability & Coordination	April
Information on best practice budget allocation – proactive education/prevention compared to reactive investigations	Program Lead Risk-Based Regulation	April
Strategic Risk Register – Risk Control Plan	Director Capability & Coordination	April
Regulatory Priorities – For decision prior to publishing	Director Innovation	April
WHS Reporting	Chief Regulatory Officer	Ongoing
Information session – Water use in mines	Director WET	May

Next meeting

Wednesday 10 April