

About NRAR

Fact sheet

March 2020 Natural Resources Access Regulator



The Natural Resources Access Regulator (NRAR) is an independent regulator established under the NSW *Natural Resources Access Regulator Act 2017*. The current regulatory focus of NRAR is water regulation, a key part of which is to prevent, detect and stop illegal water activities.

The NSW water laws govern water take and use, environmental water, the safety of dams and related issues.

NRAR also approves and regulates works on waterfront land and manages water licences and approvals of larger entities.

We work closely with other parts of the Department of Planning, Industry and Environment—Water, and with other agencies such as WaterNSW.



Inform, educate and engage

NRAR works with the community to promote understanding of water laws and water users' responsibilities. We provide a range of information and programs to make it easier to understand and follow the rules, and make informed choices. We are committed to openness, transparency and engaging community and stakeholders in meaningful, two-way communication.

Licensing and approvals

NRAR and WaterNSW split the responsibilities for granting and managing water licences and approvals. NRAR administers water licences, water use and works approvals for certain water users including water utilities, government agencies, mines, irrigation corporations, and Aboriginal communities and businesses. We also advise on state-significant development and infrastructure projects, and issue controlled activity approvals for activities on waterfront land.

Monitoring and auditing

NRAR has teams of compliance officers across NSW who actively monitor and audit the use of surface and ground water. Our officers have a broad range of powers to enter premises and gather evidence, such as taking photos and samples; and requesting records and answers to questions.

An authorised officer cannot enter any part of the premises used only for residential purposes without the permission of the occupier or a search warrant.

Investigation and enforcement

NRAR's investigators respond to suspected breaches of water law. When a breach is detected, NRAR takes appropriate action. The more serious the offence, the more serious the response.

Our responses range from giving information to help people to comply with water laws; issuing stop work orders and directions to protect the water source; issuing cautions and fines; and prosecuting offenders. Individuals found guilty of an offence in court can face fines of up to \$1.1 million and prison terms of two years. Courts can also impose fines of up to \$5.005 million on corporations and additional per-day penalties can apply.



Regulatory priorities

To carry out our compliance functions effectively and efficiently, we focus on areas where there is high likelihood of non-compliance occurring, and where that non-compliance would have material environmental and hydrological consequences and an effect on fair use and public confidence.

NRAR determines regulatory priorities by analysing information such as ecological and hydrological assessments, and community reports of potential non-compliance.

We review and update our regulatory priorities on an ongoing basis to include new developments and improvements in our data and analytical tools.

Read about our regulatory priorities for 2019–21 at www.industry.nsw.gov.au/natural-resources-access-regulator/policies-and-guidelines.

How to help stop illegal water activities

While most water users follow the rules and comply with NSW water laws, some people carry out illegal water activities. Sometimes these alleged breaches of water law are deliberate and sometimes they happen out of ignorance of the law.

Unlawful water take and harming a water source can threaten water supplies for legitimate water users and harm the environment.

You can play a role in water compliance and help stop illegal water activities by reporting any suspicious activities or circumstances to NRAR, such as:

- pumping from a stream during periods when pumping is not permitted
- water flow in a river suddenly stopping
- a dam or earthworks being constructed in a creek or river
- water being diverted from a creek or river
- healthy looking crops when pumping is banned
- water carriers replenishing from rivers or creeks.

Reporting a suspected breach of water laws

To make a confidential report of a suspected breach of water laws:

- use NRAR's online reporting form at www.industry.nsw.gov.au/natural-resources-access-regulator/report-suspicious-water-activities
- phone 1800 633 362.

More information

This fact sheet is one in a series explaining water management, compliance and associated issues. You can find this series and more information about licensing, approvals and compliance on the NRAR website at www.industry.nsw.gov.au/nrar

Copies of the Acts and associated Regulations are available on the NSW Government legislation site at www.legislation.nsw.gov.au

For enquiries call NRAR on 1800 633 362 or email at nrar.enquiries@nrar.nsw.gov.au.



For more information about the Natural Resources Access Regulator visit industry.nsw.gov.au/nrar

© State of New South Wales through Department of Planning, Industry and Environment 2020. You may copy, distribute and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. PUB20/117

The information contained in this publication is based on knowledge and understanding at the time of writing (March 2020) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.