

The Hon. Dr. Amanda Cohn MLC
Chair, Portfolio Committee No.2 - Health NSW
Parliament House
6 Macquarie Street
Sydney NSW 2000

BY EMAIL: ATT: Alex Stedman: Director Committees portfoliocommittee2@parliament.nsw.gov.au

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20 September 2024

Dear Chair

Correction to transcript: NRAR Chief Regulatory Officer: Grant Barnes

Portfolio Committee No2: Water, Housing, Homelessness, Mental Health, Youth, the North Coast

I recently gave testimony at the 9 September 2024 Budget Estimates hearing for Portfolio Committee No.2: Water, Housing, Homelessness, Mental Health, Youth and the North Coast on behalf of the Natural Resources Access Regulator (NRAR). I seek to correct a misstatement I made during this testimony. On pp53/4 of the uncorrected transcript for this hearing I answer a question from the Hon. Cate Faehrmann MLC as follows:

Ms CATE FAEHRMANN: I've got a question for NRAR, Mr Barnes. I wanted to get an update on something that took place a couple of years ago in 2020. It was the compliance crackdown on blueberry farms. I've seen the reporting from back then, and my office is contacted a fair bit by people concerned about not just water take, which is your issue, but also pollution, run-off and a range of other things. In terms of water take, the compliance crackdown that you did at that time found that 28 out of the 31 farms you inspected around the Coffs Harbour region were noncompliant. What is the update on that? How regularly do you re-examine an industry like that? Has NRAR been back on the ground and had another look in a comprehensive way?

GRANT BARNES: We look at irrigated agriculture across the State, and intensive horticulture was a campaign from a few years ago. We are due to have a look at a follow-up on that area this financial year and will be in a position to report back. I would speculate, though, Cate, that there are still noncompliances in that area. It is commonly dams that are well in excess of what their maximum harvestable right exemption is. That is a challenging matter to resolve and one that previously had been led by the former Government in terms of changes, first of all, to the harvestable rights exemption policy itself.



Natural Resources Access Regulator

The highlighted statement “*It is commonly dams that are well in excess of what their maximum harvestable right exemption is.*” incorrectly characterises maximum harvestable rights as an exemption to the *Water Management Act 2000*, when in fact they are Basic Landholder Rights under that legislation. The statement is corrected by removing the word ‘exemption’ as below:

“It is commonly dams that are well in excess of what their maximum harvestable right ~~exemption~~ is.”

Many thanks for your assistance correcting this misstatement.

Yours sincerely

Grant Barnes

Chief Regulatory Officer

Natural Resources Access Regulator

NRAR is the NSW water regulator. We are responsible for enforcing water laws throughout the state with targeted compliance programs that ensure water is used lawfully and shared fairly.

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