



**Natural Resources  
Access Regulator**

# **Lower Namoi and Macquarie s324 operation report**

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## About the Natural Resources Access Regulator

The Natural Resources Access Regulator (NRAR) is an independent government body established under the *Natural Resources Access Regulator Act 2017* (NSW) (NRAR Act). NRAR delivers effective, transparent and accountable enforcement of NSW's natural resources management legislation, helping water users comply with legislation to ensure fair and lawful access to water across the state.

## Monitoring water usage in NSW

NRAR's investigators and compliance officers travel throughout NSW, visiting areas covered by the state's 57 water sharing plans. They inspect properties and assess landholders' compliance with their water access licence, water supply works approval and the provisions of the *Water Management Act 2000* (NSW). Proactive monitoring of water usage allows NRAR to detect instances of non-compliance, track compliance trends and respond appropriately to non-compliance to avoid or mitigate harm.

## High-level findings



**3 alleged breaches investigated**



**52 properties inspected**



**63 water supply works approvals**

## Why we undertook this campaign

Following an extended period of low rainfall, a rain event on 30 March 2019 resulted in inflows to the Peel, Namoi and Macquarie River catchments. To protect inflows for essential needs, a temporary water restriction under Section 324(1) of the *Water Management Act 2000* was applied on 31 March 2019 to the following water sources:

- Lower Namoi regulated river water source
- Lower Namoi unregulated river water sources (including tributaries of the Namoi River)
- Macquarie (lower) unregulated river water source.

With these temporary water restrictions carrying a high level of compliance risk, NRAR launched its Lower Namoi and Macquarie s324 campaign to monitor the compliance of approval holders. The objectives of the operation were to:

- help protect the water entering the Namoi and Macquarie catchments and respond to reports of alleged breaches of the s324 order
- conduct a compliance audit focused on enforcing the s324 order and identifying unauthorised water take and licence compliance breaches along the Namoi and Macquarie river systems
- inform, engage and educate landholders and water users about NRAR's role and function, and new metering regulations that came into effect on 1 April 2019.

## Scope of work

NRAR's field operation ran from 2 to 12 April 2019, during which time teams of field officers inspected 52 properties accounting for 63 work approvals. Officers targeted stretches of rivers as well as sites and approvals based on reports and intelligence (including satellite imagery and local knowledge).

For more information on the selection and inspection criteria for this project, see the Appendix.

## What we found

During the first week of the campaign, field officers from NRAR's Water Regulations West division inspected 16 properties along the Namoi River, comprising 22 work approvals. There were no breaches associated with the flow event and s324 order. However, the inspections highlighted a lack of awareness of new metering regulations. Multiple water users had incorrect or faulty meters.

The officers also inspected 5 properties comprising 6 work approvals along the Macquarie River. There were no breaches associated with the flow event and s324 order.

During the following week, field officers from the Regional Water Operations East division targeted 31 properties comprising 35 work approvals along the Namoi River and tributaries between Narrabri and Walgett. They identified 2 breaches associated with the flow event and s324 order.

No inspections were carried out along the Macquarie River during the second week of the operation due to limited flows and minimal work approvals in the area.

## Action we took

NRAR began 3 investigations into possible infringements of the s324 order. Actions taken in relation to each investigation were as follows:

- **Investigation 1** – no breach was recorded in relation to the s324 order. We issued an advisory letter about failure to keep pumping records as required.
- **Investigation 2** – no breach was recorded in relation to the s324 order. We issued a penalty notice for \$750 for irrigation using water taken under a domestic and stock licence.
- **Investigation 3** – we issued a warning letter about take of water in breach of the restriction. The landholder reported the breach, which happened because of infrastructure failure on the subject property.

## Outcomes

NRAR's work in the community plays an important role in educating landholders and irrigators about their obligations and responsibilities as a holder of a water supply works approval or water access licence. It also allows landholders to raise issues relating to water usage and seek advice. This cooperative and collaborative approach helps to maximise voluntary compliance.

This campaign gave NRAR an opportunity to highlight the importance of compliance with restrictions aimed at protecting water for critical needs. It also demonstrated to water users and the broader community that we will monitor and enforce compliance with such restrictions.

## Recommendations and next steps

Field officers who participated in the s324 operation received an event feedback questionnaire following the inspections, and NRAR also held an operations debrief for staff following the field inspections. Recommendations arising from this process included:

- development of operational procedures for campaign activation

- improved work health and safety planning and field work procedures
- improved intelligence procedures for identifying and targeting properties of interest
- improved communication when restrictions are enacted.

# Appendix

## Selection and inspection criteria

The temporary water restrictions Order affected many licence holders in the Namoi and Macquarie areas. We selected target areas for the campaign because they:

- fell within areas with river flows located at, approaching, or just after peak flows
- allowed NRAR's Tamworth- and Dubbo-based teams to visit multiple sites in a day
- were located at sites with alleged breach notices
- were identified as having irrigated crop or water storage through recent satellite imagery
- had existing case histories, as identified in NRAR's Compliance Incident Reporting and Management system.

In the Namoi, NRAR's officers targeted regulated and unregulated sections of the catchments. This included sections of the Namoi downstream of Tamworth to Pilliga, and the unregulated watercourses that feed into the Namoi River.

In the Macquarie, officers targeted the Marthaguy Creek upstream of Carinda. However, they were limited in what they could accomplish due to the long distances involved and the intermittent phone signal.

Officers inspected properties and extraction sites with the aid of satellite imagery, GPS technology, and electronic and physical maps. They also used real-time data to track the progress of flows and target areas in front of and behind flows.

Compliance inspections focused on ensuring water users were aware of the temporary water restrictions and were not pumping water for purposes other than for stock or domestic use. To do this, NRAR's officers would locate the extraction point or points for the property and approval, inspect the pump and associated meter, inspect supply channels, and look at the water. Officers also kept notes about conversations with landholders, managers and staff, and whether cropping was taking place.