

16 September 2022

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Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
Sydney NSW 2000

By email: [budget.estimateds@parliament.nsw.gov.au](mailto:budget.estimateds@parliament.nsw.gov.au)

14 September 2022

Dear Secretariat

**Amendment to Budget Estimates hearing transcript – Lands and Water, Hospitality and Racing – Friday 2 September 2022**

I write to you for the purpose of amending the transcript for the Budget Estimates hearing held on Friday 2 September 2022 conducted by Portfolio Committee No.4 – Customer Service and Natural Resources for the portfolio area of Lands and Water, Hospitality and Racing.

On page 71 of the uncorrected transcript the following testimony was recorded:

**GRANT BARNES:** But to your particular question, when matters are withdrawn it does subject the prosecutor to potential costs, and costs have been incurred by the Crown in some of those instances.

**The Hon. MICK VEITCH:** Are you able to take on notice and let us know how much?

**GRANT BARNES:** To date, costs incurred by the Crown is \$511,502.80.

**Mr JUSTIN FIELD:** That's on those cases you've withdrawn from?

**GRANT BARNES:** Correct. That compares with close to \$2.5 million that has been forthcoming to the Crown through penalties, fines and other cost orders. So the ledger is looking positive in that regard.

The highlighted figure of \$511,502.80 was mis-stated by me and is incorrect. I request that the highlighted statement be replaced with the statement below:

*"To date, costs incurred by the Crown as a result of withdrawn matters is \$446,172.80".*

On page 53 of the uncorrected transcript the following testimony was recorded:

**Mr JUSTIN FIELD:** Can you give us a status of where all the prosecutions initiated as a result of the *Four Corners* "Pumped" program are at?

**GRANT BARNES:** Those matters have largely concluded with two successful convictions by my colleague Mr George of WaterNSW, and one by NRAR against the defendants Harris and the defendants Barlow. Other matters—those that aren't proceeding—have been subsequently withdrawn.

## Natural Resources Access Regulator

The highlighted section of my statement requires amendment to refer to the company rather than the owner (Harris) and a different individual (Barlow). I request replacing the highlighted section with the statement below:

*"...defendants Budvalt Pty Ltd and Tony Thompson."*

I request that the transcript be amended accordingly.

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.