



17 December 2013

Court conviction and fines for illegally constructing works in waterway

The NSW Office of Water today welcomed the conviction and fines imposed on a landholder by the Deniliquin Local Court for illegally constructing works, including an earthen embankment, across Forest Creek on his property at Conargo, NSW.

The Magistrate found the owner of the property, Mr Robert Hunter Thomas Landale, guilty of both charges brought against him, imposing two convictions and fines of \$750, as well as ordering Mr Landale to pay professional costs of \$5000.

“The illegal actions of the landholder at ‘Blackwood Park’, Conargo had the potential to impact on licensed water users, stock and domestic users and the environment by stopping the flow of water down Forest Creek and by disturbing the environment at the site,” said NSW Water Commissioner, David Harriss.

Mr Harriss said Mr Landale, who holds numerous licences and approvals under the *Water Management Act 2000*, did not obtain the approvals required before commencing the works.

“While the vast majority of water users do the right thing, some people still think they can illegally undertake works on waterfront land without approval and without considering impacts on other water users and the environment. It is critical that people obtain the correct approvals prior to undertaking any work.”

“This ruling shows that the community will not tolerate illegal water-related activities in New South Wales.”

Mr Harriss said the NSW Office of Water is committed to managing and protecting the State’s water resources in a fair and sensible manner, but would not hesitate to take the appropriate action if people have broken the law including prosecution which could result in substantial fines or even gaol terms.

Fines of up to \$1.1 million, and/or two years gaol can be imposed against individuals for breaches of NSW water legislation.

“The NSW Office of Water takes all allegations of water breaches seriously and will not hesitate to bring cases to court when warranted,” Mr Harriss said.

Anyone wishing to report suspected illegal water activities can do so confidentially on **1800 633 362** or emailing watercompliance@water.nsw.gov.au

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