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Commissioner warns of severe penalties for constructing levees without approval

NSW Water Commissioner, David Harriss, today warned landowners that constructing unauthorised levees or banks in advance of floodwaters could incur very severe penalties.

Mr Harriss said that while he understood landowners desire to protect crops and potential income, the construction of banks and levees might redirect floodwaters and make flooding in adjacent areas or downstream potentially worse.

“Over the past few days the Office of Water has received reports of the construction of several allegedly unauthorised levees around crops and expressed concern that these may potentially channel floodwaters to other properties, farmhouses and townships,” said Mr Harriss.

“It is generally an offence to construct levees or banks without an approval.”

“Obstructing reasonable passage of floodwaters may also be in breach of water supply work and water use approvals, typically issued to irrigation enterprises.”

Mr Harriss said that the approval of levees and banks required hydraulic assessment to determine where floodwaters would be re-directed or banked up.

“This is not a process that can be done overnight and is particularly difficult on the riverine plains in western NSW.”

“Where unauthorised levees and banks are detected, landowners may be directed to undertake works to make these ineffective so as not to impede the passage of floodwaters until they can be assessed properly.”

“Penalties for offences associated with these kinds of works can be as high as \$1.1 million and \$132,000 for each day the offence continues for corporations and \$247,500 and \$66,000 for each day the offence continues for individuals.”

“The loss of crops and income because of flooding is particularly heart breaking, but to increase the inundation and damage to other property or to put towns at a higher risk, is not an acceptable alternative,” Mr Harriss said.

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