



23 July 2014

Heavy fines imposed on Kyogle landowner for failure to protect a water source

The NSW Office of Water today welcomed the recent conviction and fine imposed on a Kyogle landowner in the Kyogle Local Court for failure to protect a water source.

The landowner was found guilty of two charges brought against him by the Office of Water, imposing fines of \$40,000, as well as investigation and professional costs of \$11,000.

The landowner pleaded guilty to failing to comply with a Stop Work Order in relation to work he was undertaking on a crossing in Cob O Corn Creek in Kyogle, as well as a direction to protect the water source and water front land from further harm.

In his comments upon sentencing, Magistrate Heilpern noted that the offences were very serious and the defendant's failure to comply with the directions of the Office of Water caused ongoing and significant harm to the environment which adversely impacted the community at large.

Magistrate Heilpern also indicated there was a very strong need for the sentence to have specific and general deterrence effect to warn other persons who might consider committing similar offences in the future.

In addition to the fines imposed, the Court made a remediation order against the defendant requiring the removal of the water-crossing, repair to the surrounding area and re-planting of vegetation.

Acting Deputy Director General Water, Michael Bullen, said that these deliberate actions were unacceptable to the community and the heavy fines imposed in the case serve as a strong reminder to all landowners that compliance with the State's water management laws is taken seriously by both the NSW Office of Water and NSW Courts.

Mr Bullen said the NSW Office of Water is committed to managing and protecting the State's water resources in a fair and sensible manner and will 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.

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

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