



Natural Resources Access Regulator

Parramatta NSW 2124
T 1800 633 362
www.industry.nsw.gov.au/nrar
Natural Resources Access Regulator
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Down to Earth (Victoria) Co-Operative Society
LTD
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Our ref 00202 -2020
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31 July 2020

To the Proper Officer:

ATTN: Mr. Troy REID

SUBJECT:

- **Penalty infringement notices – Carry out controlled Activity without activity approval – Corporation**
- **Draft s333 Direction to Protect the Water Source**

The Natural Resources Access Regulator (**NRAR**) has responsibility for the enforcement of the Water Management Act 2000 (**WM Act**), the Water Act 1912 and associated Regulations in accordance with the Natural Resources Access Regulator Act 2017 (**NRAR Act**).

The NRAR Act confers certain compliance functions on the NRAR, including the function of issuing Directions under section 333(2) of the WM Act.

NRAR have conducted an investigation into the unauthorised Control Activities, and have determined that a contravention of section 91E of the *Water Management Act* 2000 has occurred. The controlled activities are located within the property at “Wooroomah” 7599 Pretty Pine Road, Moulamein 2733 - Lots 1//756511, 51//756511.

As a result, NRAR find it appropriate that a section 333 of the WM Act applies, where the Minister is of the opinion that the Controlled Activity is having, has had, or is likely to have an adverse effect on the water source or waterfront land. The Minister can by a Direction in writing to the person who has carried out the Controlled Activity, direct the person to take specified measures to prevent, minimise or mitigate any adverse effect on the water source or water front land as a consequence of the construction or use of the work or the carrying out of the activity. The section 333(2) Direction is issued to you in Draft for comment by 15 August 2020.



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NRAR would like to thank you for your co-operation and assistance with the investigator in relation to the above mentioned contraventions.

Please find attached Penalty Notices 3148990580 and 3148990599 in relation to these offences that have occurred at the locations referred to as Arts Village and Mud Village.

Please also find attached the Draft s333 Direction to Protect a Water Source. If no comment is received a Final Direction will be issued.

It is imperative that you comply with legislation as set out in the WATER MANAGEMENT ACT 2000. Should you have any queries in the future, please contact the Natural Resources Access Regulator or Water NSW for further information.

If you have any queries in relation to this matter I can be contacted by telephone on 0447657248

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tanya Eade-Smith'.

Tanya Eade-Smith
Team Leader- Investigations South West
Natural Resources Access Regulator
(By Delegation)