

1990—No. 804

CLEAN WATERS ACT 1970—REGULATION

(Relatng to evidentiary matters and fees)

NEW SOUTH WALES



[Published in Gazette No. 174 of 21 December 1990]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Clean Waters Act 1970, has been pleased to make the Regulation set forth hereunder.

TIM MOORE
Minister for Environment.

Commencement

1. This Regulation commences on 1 January 1991.

Amendments

2. The Clean Waters Regulations 1972 are amended:
 - (a) by omitting Regulation 4;
 - (b) by omitng from Regulation 21 (3) (a) the matter "\$2,000" and by inserting instead the matter "\$4,000";
 - (c) by omitting from Regulations 21 (3) (a) and (b) and 22 (2) the matter "\$500" wherever occurring and by insertng instead the matter "\$1,000";
 - (d) by omitting from Regulation 21 (3) (b) the matter "\$100" and by inserting instead the matter "\$200".

EXPLANATORY NOTE

The objects of this Regulation are to amend the Clean Waters Regulations 1972 so as:

- (a) to repeal the provision which provides that a determination (made in accordance with the Regulations by a prescribed officer) as to the extent of pollution of waters is conclusive evidence that the waters are polluted to the extent set out in the determination; and
- (b) to increase (by 100 per cent) the maximum penalties that may be imposed for the offence of failing to comply with the requirements of a notice (issued under the Regulations by the State Pollution Control Commission) in relation to the measures that an occupier of premises must take to prevent the discharge of pollutants from the premises; and
- (c) to increase (by 100 per cent) the maximum penalties that may be imposed for the offence of failing to comply with the requirements of a notice (published under the Regulations by the State Pollution Control Commission) in relation to the carrying on of certain water sports in waters forming part of a public water supply.
