

1992—No. 115

IRRIGATION ACT 1912—REGULATION

(Irrigation (General) Regulation 1992)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Irrigation Act 1912, has been pleased to make the Regulation set forth hereunder.

I. R. CAUSLEY
Minister for Natural Resources.

Citation

1. This Regulation may be cited as the Irrigation (General) Regulation 1992.

Definitions

2. In this Regulation:

“prescribed work or creek” means any work or creek that is used by the Ministerial Corporation for the conservation, conveyance or distribution of water in an irrigation area;

“work” includes any reservoir, dam, weir, tank, canal, channel, drain, conduit, pipe, bridge, culvert, box or structure under the control of the Ministerial Corporation.

Pollution of prescribed work or creek

3. A person must not:

(a) by act or omission, pollute any water in a prescribed work or creek by placing in or on, or by otherwise introducing into or onto, the water any solid, liquid or gaseous matter so that the physical, chemical or biological condition of the water is changed: or

(b) in the vicinity of any water in a prescribed work or creek, carry on any operation of a kind, or in a manner, that is likely to so pollute the water.

Maximum penalty: \$10,000.

Swimming in prescribed work or creek

4. A person must not enter, bathe or swim in, or allow any other person or any animal in the person's control to enter, bathe or swim in, any water in a prescribed work or creek.

Maximum penalty: \$1,000.

Animals not permitted on water supply works

5. A person must not, without the written approval of the Ministerial Corporation, allow any animal in the person's control to be on land (including the banks of channels, drains, or other such works) used or reserved for use by the Ministerial Corporation for works of water supply or drainage.

Maximum penalty: \$1,000.

Traffic over bridges or culverts

6. (1) The Ministerial Corporation may erect signs on the approaches to any bridge or culvert under its control.

(2) The signs may stipulate the conditions (including the stipulation of a maximum permissible weight) under which it is permissible for any vehicle, farm machinery or road plant to cross the bridge or culvert.

(3) A driver of any vehicle, farm machinery or road plant, or of a vehicle towing any vehicle, farm machinery or road plant, must comply with the conditions stipulated.

Maximum penalty: \$1,000.

Prevention of nuisances etc.

7. A person must not, on any land under the control of the Ministerial Corporation:

(a) cast away, throw or deposit, or allow any other person in the person's control to cast away, throw or deposit, any rubbish of any kind; or

(b) carry on any operation, do any act or omit to do any act which creates a nuisance on the land.

Maximum penalty: \$2,000.

Advertisements

8. A person must not, without the written approval of the Ministerial Corporation, exhibit any notice, sign or advertisement on any reserve, tree, bridge, culvert, drain, fence, post, monument or other work or property under the control of the Ministerial Corporation.

Maximum penalty: \$500.

TABLE OF PROVISIONS

1. Citation
2. Definitions
3. Pollution of prescribed work or creek
4. Swimming in prescribed work or creek
5. Animals not permitted on water supply works
6. Traffic over bridges or culverts
7. Prevention of nuisances etc.
8. Advertisements

EXPLANATORY NOTE

The object of this Regulation is to remake, without any major changes, the provisions of the Irrigation (General) Regulations (as published in Gazette No, 71 of 13 June 1930 and subsequently amended). Those Regulations were repealed on 1 September 1991 by operation of section 10 of the Subordinate Legislation Act 1989. The new Regulation deals with:

- (a) the prevention of pollution and other nuisances on waters and lands under the control of the Water Administration Ministerial Corporation in irrigation areas; and
- (b) the protection from injury of Corporation works.

This Regulation is made in connection with the staged repeal of subordinate legislation under Part 3 of the Subordinate Legislation Act 1989.
