

1995—No. 53

## LOCAL GOVERNMENT ACT 1993—REGULATION

(Relating to water use)

NEW SOUTH WALES



*[Published in Gazette No. 16 of 17 February 1995]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1993, has been pleased to make the Regulation set forth hereunder.

EDWARD PICKERING, M.L.C.,  
Minister for Local Government and Co-operatives.

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### **Amendment of Local Government (Water, Sewerage and Drainage) Regulation 1993**

1. The Local Government (Water, Sewerage and Drainage) Regulation 1993 is amended:

- (a) by inserting at the end of clause 26 (1) (b) the following word and paragraph:
  - ; or
  - (c) uses water contrary to a notice under clause 27.
- (b) by inserting at the end of clause 27 (1) (c) the following word and paragraph:
  - ; or
  - (d) the quantities of the water that can be used.
- (c) by omitting from clause 27 (2) the word “restrict” and by inserting instead the words “place the same sort of restrictions as are referred to in subclause (1) on”.

### **Amendment of Local Government (General) Regulation 1993**

2. The Local Government (General) Regulation 1993 is amended by inserting in Schedule 1 after the matter relating to section 633 (2) the following matter:

Section 637 (1)—wilfully or negligently misusing water from a public water supply (where the offence involves using water contrary to a council notice restricting water use).....	200
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### EXPLANATORY NOTE

The object of this Regulation is to provide that a person who uses water contrary to a local council's water restriction notice is taken to be misusing water for the purposes of section 637 of the Local Government Act 1993. That section creates the offence of wilfully or negligently misusing water from a public water supply (maximum penalty is currently \$2,000). The Local Government (Water, Sewerage and Drainage) Regulation 1993 is also amended to extend the sort of restrictions on water usage that can be imposed by councils (i.e. a council will be able to impose restrictions on the quantity of water that can be used).

This Regulation also provides that an offence under section 637 of the Local Government Act 1993 may be dealt with by way of penalty notice (i.e. an "on the spot" fine of \$200 will be able to be imposed if a person uses water contrary to a notice by a council restricting the use of water).

This Regulation is made under the Local Government Act 1993, including sections 679 and 748 (the general regulation making power).

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