

WATER SUPPLY AUTHORITIES ACT 1987—REGULATION

(Relating to the control of the use of water)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Water Supply Authorities Act 1987, has been pleased to make the Regulation set forth hereunder.

KIM YEADON, MP.,
Minister for Land and Water Conservation.

Commencement

1. This Regulation commences on 1 September 1995.

Repeal

2. The Broken Hill Water Supply Control Regulation 1989 is repealed.

Amendment

3. The Water Supply Authorities (Broken Hill—General) Regulation 1992 is mended:

(a) by inserting in clause 3 after the definition of “the Act” the following definition:

“**water control scheme**” means a scheme referred to in clause 6.

(b) by inserting after clause 3 the following clause:

Board’s area of operations

3A. The Board’s area of operations comprises:

(a) the area of the Broken Hill City Council; and

- (b) the Stephens Creek, Umberumberka and Yancowinna Creek catchment areas, having boundaries as shown by broken lines with hatched borders on the plan catalogued No. J76, and deposited in the Broken Hill office of the Board.
- (c) by omitting clause 6 and by inserting instead the following clauses:

Establishment of scheme to control use of water

6. The Board may, by order published in a newspaper circulating in the Board's area of operations, establish a scheme to control the use of water supplied by the Board.

Board may require compliance with established scheme

7. (1) In the event of drought, accident or other cause adversely affecting the Board's ability to supply water, the Board may serve on a person who is affected by a water control scheme:

- (a) a copy of the scheme, as currently in force; and
- (b) a written notice prohibiting the person from using water supplied by the Board otherwise than in accordance with the scheme.

(2) The documents referred to in subclause (1) may be served personally or by post.

Offence

8. A person who is affected by a water control scheme and on whom a written notice is served in accordance with clause 7 must not use water supplied by the Board otherwise than in accordance with the scheme.

Maximum penalty: 10 penalty units.

Penalty notice

9. For the purposes of section 51 of the Act:

- (a) an offence under clause 8 is a prescribed offence; and
- (b) the penalty for the offence if dealt with under that section is \$200.

Savings and transitional

10. Any act, matter or thing that, immediately before the repeal of the Broken Hill Water Supply Control Regulation 1989, had effect under that Regulation continues to have effect under this Regulation.

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EXPLANATORY NOTE

The objects of this Regulation are to repeal the Broken Hill Water Supply Control Regulation 1989 and to incorporate its provisions within the Water Supply Authorities (Broken Hill—General) Regulation 1992. The provisions being incorporated enable the Broken Hill Water Board to control the use of water during times of drought, accident and other events and allow offences arising from the contravention of such an order to be dealt with by penalty notice. The Regulation also describes the Board's area of operations.

This Regulation is made under the Water Supply Authorities Act 1987, including section 66 (the general regulation making power) and section 13.

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