



New South Wales

Irrigation (General) Regulation 1997

under the
Irrigation Act 1912

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Irrigation Act 1912*.

KIM YEADON, M.P.,
Minister for Land and Water Conservation

Explanatory note

The object of this Regulation is to repeal and remake, with no changes in substance, the provisions of the *Irrigation (General) Regulation 1992*. The new Regulation deals with the prevention of pollution and other nuisances within irrigation areas and the protection of certain irrigation works.

This Regulation is made under the *Irrigation Act 1912*, including sections 26 and 27 (the general regulation making powers).

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

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Irrigation (General) Regulation 1997

1 Name of Regulation

This Regulation is the *Irrigation (General) Regulation 1997*.

2 Commencement

This Regulation commences on 1 September 1997.

3 Definitions

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.

4 Notes

The explanatory note and table of contents do not form part of this Regulation.

5 Pollution of prescribed work or creek

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: 100 penalty units.

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6 Swimming and boating

A person must not, without the consent of the Ministerial Corporation:

- (a) enter, bathe, swim or use a boat or any other water craft in any water conserved or distributed in a prescribed work or creek, or
- (b) allow any other person, or any animal in the person's control, to enter, bathe or swim in any such water, or
- (c) allow any other person to use a boat or any other water craft in any such water.

Maximum penalty: 10 penalty units.

7 Animals not permitted on water supply works

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: 10 penalty units.

8 Traffic over bridges or culverts

- (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 (subclause (3)): 100 penalty units.

9 Prevention of nuisances

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 that creates a nuisance on the land.

Maximum penalty: 20 penalty units.

10 Advertisements

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

Maximum penalty: 5 penalty units.

11 Repeal

- (1) The *Irrigation (General) Regulation 1992* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Irrigation (General) Regulation 1992*, had effect under that Regulation continues to have effect under this Regulation.