



New South Wales

Water Management (Water Supply Authorities) Amendment (Fish River) Regulation 2004

under the

Water Management Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Water Management Act 2000*.

FRANK ERNEST SARTOR, M.P.,
Minister for Energy and Utilities

Explanatory note

The *State Water Corporation Act 2004* included State Water Corporation in Schedule 3 to the *Water Management Act 2000* (the *Act*) as a water supply authority but only in relation to the Fish River water supply scheme.

The object of this Regulation is to prescribe the area of operations for, and to apply Parts 3 (Water supply) and 7 (Finance generally) of the *Water Management (Water Supply Authorities) Regulation 2004* to, State Water Corporation in relation to that scheme.

This Regulation also makes it a requirement that a water supply authority must comply with certain guidelines published under the *Local Government Act 1993*.

This Regulation is made under the *Water Management Act 2000*, including sections 289, 322 and 400 (the general regulation-making power).

2004 No 890

Clause 1 Water Management (Water Supply Authorities) Amendment (Fish River)
Regulation 2004

**Water Management (Water Supply Authorities)
Amendment (Fish River) Regulation 2004**

under the

Water Management Act 2000

1 Name of Regulation

This Regulation is the *Water Management (Water Supply Authorities) Amendment (Fish River) Regulation 2004*.

2 Commencement

This Regulation commences on 1 January 2005.

3 Amendment of Water Management (Water Supply Authorities) Regulation 2004

The *Water Management (Water Supply Authorities) Regulation 2004* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 7A

Insert after clause 7:

7A State Water Corporation—Fish River water supply scheme

- (1) State Water Corporation's area of operations (in relation to the Fish River water supply scheme) is the area of land shown by distinctive marking on the map marked "Area of Operations of Fish River water supply scheme" deposited in the offices of the Department, being all the land owned, occupied or used by State Water Corporation in relation to the Fish River water supply scheme (within the meaning of the *State Water Corporation Act 2004*) in the local government areas of Greater Lithgow City, Oberon and Blue Mountains City, and includes:

- (a) all land on which the following works are situated:
 - (i) the concrete dam on the Fish River at Oberon,
 - (ii) Duckmaloi weir,
 - (iii) Rydal storage, and
- (b) all land on, over, under or in which any water management works incidental or connected to those referred to in paragraph (a) (including tunnels, pipelines, service reservoirs, pumping stations and water treatment works) are situated from time to time, and
- (c) all land on, over, under or in which any access roads and easements in relation to the works referred to in paragraph (a) or (b) are situated from time to time.

Note. Certain land along the route of the pipelines referred to in paragraph (b) is supplied with water by those pipelines. Pursuant to sections 292 (2) and 311 of the Act, water service charges may be levied on that land even though it is not within the area of operations of State Water Corporation (in relation to the Fish River water supply scheme).

- (2) State Water Corporation has and may exercise only the function of providing water services.

[2] Clause 12 Application

Insert after clause 12 (d):

- (d1) State Water Corporation,

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Schedule 1 Amendments

[3] Clause 83 Application

Insert after clause 83 (d):

(d1) State Water Corporation,

[4] Clause 116A

Insert after clause 116:

116A Water supply authority to comply with guidelines

In carrying out its functions, a water supply authority is to comply, as far as is reasonably practicable, with the guidelines published under section 409 (6) (a) of the *Local Government Act 1993*.

BY AUTHORITY
