



New South Wales

Water Management (General) Amendment (Fire Fighting Exemptions) Regulation 2024

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*.

ROSE JACKSON, MLC
Minister for Water

Explanatory note

The object of this regulation is to make provision in relation to exemptions from the *Water Management Act 2000* for taking water and using works for fire fighting activities.

This regulation is made under the *Water Management Act 2000*, section 400(2), which is a Henry VIII provision because it permits exemptions from the Act.

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1 Name of regulation

This regulation is the *Water Management (General) Amendment (Fire Fighting Exemptions) Regulation 2024*.

2 Commencement

This regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Water Management (General) Regulation 2018

[1] Clause 38 Exemptions relating only to use of water supply works

Omit “clause 37(2)(a)–(j).” from clause 38(e)(ii). Insert instead—

clause 37(2)(a)–(j),

- (f) a mobile water tank or pump used for taking water under Schedule 4, clause 17D.

[2] Schedule 4 Exemptions

Insert after clause 17C—

17D Fire fighting and related activities

- (1) A landholder, but only if—
 - (a) the water is taken from—
 - (i) the landholder’s land, or
 - (ii) a water source abutting the landholder’s land, and
 - (b) the water is used on the landholder’s land or adjacent land for the following activities—
 - (i) controlling, suppressing or extinguishing a fire,
 - (ii) protecting persons, animals or property under threat from a fire,
 - (iii) fire fighting training carried out by or under the authority of a fire fighting authority,
 - (iv) controlled burning carried out by or under the authority of a fire fighting authority,
 - (v) testing or maintenance of fire fighting equipment.
- (2) The amount of water taken in a water year under this clause must be reasonably proportionate to the fire or the threat of fire.
- (3) The amount of water taken in a water year under this clause and stored must be not more than 100,000L.
- (4) In this clause—
fire fighting authority has the same meaning as in the *Rural Fires Act 1997*.