

Sydney Water Regulation remake

We seek your views on any changes required for the Sydney Water Regulation to remain useful and relevant.

The *Sydney Water Act 1994* establishes Sydney Water as a statutory state-owned corporation. Sydney Water's role is to provide drinking water, wastewater, recycled water and some stormwater services for over 5 million people across the Greater Sydney, Illawarra and the Blue Mountains region.

The Sydney Water Regulation 2017 is a statutory instrument under the *Sydney Water Act 1994* and is used to regulate activities in controlled areas, such as Prospect Reservoir, ensure compliance with plumbing and drainage standards, protect Sydney Water works and assets, and enforce implementation of water restrictions. The Regulation supports Sydney Water to deliver essential services to the community.

The Sydney Water Regulation 2017 is due for repeal on 1 September 2025 unless it is remade. The Department and Sydney Water propose to remake the existing regulation with minor amendments as the Sydney Water Regulation 2025.

Key changes

Clause/part	2017 Regulation	2025 Regulation
Part 3 plumbing and drainage, clause 23 (directions) 2025 Regulation, clause 22 and 33	Sydney Water can direct a person who carried out defective plumbing works to conduct repairs, and/or impose a fine/penalty for failing to comply with the direction. The direction is valid for two years.	The direction will be extended to six years, so that directions do not expire before works are identified and fixed.
Schedule 1, s50, penalty notice offences 2025 Regulation, Schedule 1, s34(3)	The penalty notice amount for failing to comply with water restrictions is \$220 for	Retain and increase the penalty notice amount for the offence under clause 34(3) related to water restrictions,

	individuals and \$550 for corporations.	from \$220 to \$450 for individuals, and from \$550 to \$900 for corporations.
New offences and penalties (19(3), 20(6), (31 (3), 32(6))	Penalties for failing to comply with the conditions of permits are: -100 penalty units for an individual - 200 penalty units for a corporation).	New penalty offences have been included for failing to comply with the conditions of a suspension or cancellation of an authorisation or permit (20(6), 32(6)). They are consistent with amounts for failing to comply with conditions of authorisations or permits (19(3),31(3)). Maximum penalties a court can impose are 100 penalty units for an individual (\$11,000) or 200 penalty units for a corporation (\$22,000). Penalty amounts of \$750 for individuals and \$1500 for corporations have been added for all four offences. This is to allow Sydney Water non-court options to enforce compliance with conditions.
Part 3 Plumbing and Drainage – Restructure	This part sets out requirements for performance of plumbing and drainage works, including the requirement for a permit to do plumbing or drainage work, conditions around the permits, exemptions, the remedying of defective work and the giving of directions.	The proposed Regulation is restructured to set out powers for Sydney Water to authorise connections to its assets (Part 3) and works for water supply, sewerage or drainage (Part 4). This change is to align more clearly with powers in the Act and is consistent with changes made to the Hunter Water Regulation in 2024.