

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to reduce in size an area of land at Warragamba that is a special area under the Sydney Water Catchment Management Act 1998 as that part of the special area no longer requires special measures to protect the quality of stored water. The area concerned is downstream of the Warragamba Dam, is bounded by the eastern boundary of the Warragamba hydrological catchment, Silverdale Road, Megarritys Creek and fire trail W5F, includes the townships of Warragamba and Silverdale and has an area of approximately 494 hectares.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the Act.

Clause 3 is a formal provision that gives effect to the amendment to the Sydney Water Catchment Management Act 1998 set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after the amendment made by the proposed Act has commenced. Once the amendment has commenced the

Explanatory note page 2

Sydney Water Catchment Management Amendment (Warragamba) Bill 2006

Explanatory note

proposed Act will be spent and section 30 of the Interpretation Act 1987 provides that the repeal of an amending Act does not affect the amendment made by that Act.

Schedule 1 Amendment

Section 44 of the Sydney Water Catchment Management Act 1998 (the Act) provides that the Governor may, on the recommendation of the Minister for the Environment and by order published in the Gazette, declare an area of land specified in the order to be a special area. Such an order cannot be made unless the Minister is satisfied that the making of the order is necessary to protect the quality of stored waters, whether intended for use for drinking or other purposes, or for maintaining the ecological integrity of an area of land in a manner that is consistent with the Sydney Catchment Authority's objectives, or for both of those purposes. Division 2 of Part 5 of the Act imposes restrictions on the alienation of land in special areas, the taking of actions in special areas and the exercise of functions by public agencies in special areas. Also, certain provisions of the Sydney Water Catchment Management (General)

Regulation 2000 regulate conduct in special areas so as to protect water quality.

Section 44 (4) of the Act provides that a special area must not be reduced in size, and an order declaring an area of land to be a special area must not be repealed, unless authorised by an Act of Parliament.

Certain land at Warragamba was declared to be a special area in the 1940s.

Schedule 1 amends the Act to reduce the size of that special area as referred to in the Overview.