



New South Wales

# Sydney Water Catchment Management Amendment (Warragamba) Bill 2006

## Explanatory note

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

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.

First print



New South Wales

# Sydney Water Catchment Management Amendment (Warragamba) Bill 2006

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New South Wales

# Sydney Water Catchment Management Amendment (Warragamba) Bill 2006

No. , 2006

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## **A Bill for**

An Act to amend the *Sydney Water Catchment Management Act 1998* so as to reduce in size an area of land at Warragamba that is a special area for the purposes of that Act.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Sydney Water Catchment Management Amendment (Warragamba) Act 2006</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6
<b>3 Amendment of Sydney Water Catchment Management Act 1998 No 171</b>	7
The <i>Sydney Water Catchment Management Act 1998</i> is amended as set out in Schedule 1.	8 9
<b>4 Repeal of Act</b>	10
(1) This Act is repealed on the day following the day on which this Act commences.	11 12
(2) The repeal of this Act does not, because of the operation of section 30 of the <i>Interpretation Act 1987</i> , affect any amendment made by this Act.	13 14

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**Schedule 1      Amendment**

1

(Section 3)

2

**Section 44 Special areas**

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Insert after section 44 (4):

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- (5) The area of land at Warragamba declared to be a special area by the order published in Gazette No 122 of 4 September 1942 at page 2499, and amended by orders published in Gazette No 1 of 7 January 1944 at page 1 and Gazette No 77 of 4 August 1944 at page 1365, is reduced in size by the excision from that area of the land shown hatched as the area for deproclamation on Map 687\_1.2 entitled “Area outside of Warragamba Catchment for Deproclamation”, a copy of which is deposited in the head office of the Authority.

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