



New South Wales

Water Management Amendment (Water Property Rights Compensation) 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 amend the *Water Management Act 2000* to provide for compensation under the *Land Acquisition (Just Terms Compensation) Act 1991* for the compulsory acquisition of water access licences and for the reduction in water allocations for the holders of those licences as a consequence of certain variations of bulk access regimes.

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.

Clause 3 is a formal provision that gives effect to the amendments to the *Water Management Act 2000* set out in Schedule 1.

Clause 4 is a formal provision that gives effect to the amendments to the *Land Acquisition (Just Terms Compensation) Act 1991* set out in Schedule 2.

Schedules 1 and 2 give effect to the object set out in the Overview above.



New South Wales

Water Management Amendment (Water Property Rights Compensation) Bill 2006

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Water Management Act 2000 No 92	2
4 Amendment of Land Acquisition (Just Terms Compensation) Act 1991 No 22	2
Schedule 1 Amendment of Water Management Act 2000	3
Schedule 2 Amendment of Land Acquisition (Just Terms Compensation) Act 1991	4



New South Wales

Water Management Amendment (Water Property Rights Compensation) Bill 2006

No. , 2006

A Bill for

An Act to amend the *Water Management Act 2000* to provide for compensation under the *Land Acquisition (Just Terms Compensation) Act 1991* for the compulsory acquisition of water access licences and for the reduction in water allocations for the holders of those licences as a consequence of certain variations of bulk access regimes; and for related purposes.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Water Management Amendment (Water Property Rights Compensation) Act 2006</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6
3 Amendment of Water Management Act 2000 No 92	7
The <i>Water Management Act 2000</i> is amended as set out in Schedule 1.	8
4 Amendment of Land Acquisition (Just Terms Compensation) Act 1991 No 22	9 10
The <i>Land Acquisition (Just Terms Compensation) Act 1991</i> is amended as set out in Schedule 2.	11 12

Schedule 1	Amendment of Water Management Act	1
	2000	2
	(Section 3)	3
[1]	Section 79 Compulsory acquisition of access licences	4
	Omit “from the State for the market value of the licence as at the time it was compulsorily acquired” from section 79 (2).	5 6
	Insert instead “under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> ”.	7 8
[2]	Section 79 (3)–(5) and (7)	9
	Omit the subsections.	10
[3]	Section 87 Compensation payable in certain circumstances for reductions in water allocations arising during initial period for which management plan is in force	11 12 13
	Omit “may claim compensation for loss suffered by the holder as a consequence of that reduction” from section 87 (1).	14 15
	Insert instead “is entitled, under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> , to compensation for loss suffered by the holder as a consequence of that reduction”.	16 17 18
[4]	Section 87 (3)–(7)	19
	Omit the subsections.	20

Schedule 2	Amendment of Land Acquisition (Just Terms Compensation) Act 1991	1
		2
	(Section 4)	3
[1] Section 4 Definitions		4
	Insert at the end of paragraph (c) in the definition of <i>registered interest</i> in section 4 (1):	5
		6
	, or	7
	(d) referred to in subsection (6) (a).	8
[2] Section 4 (6)		9
	Insert after section 4 (5):	10
	(6) For the purposes of this Act:	11
	(a) an <i>interest in land</i> includes an access licence registered under the <i>Water Management Act 2000</i> , and	12
		13
	(b) a variation of a bulk access regime for which compensation is payable under section 87 of that Act is taken to be a compulsory acquisition of an interest in land.	14
		15
		16