

State Emergency and Rescue Management Amendment (Botany Emergency Works) Bill 2008

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 *State Emergency and Rescue Management Act 1989* to make special provision for the carrying out of emergency works at a site in Botany Road, Alexandria.

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 proposed Act.

Clause 3 is a formal provision that gives effect to the amendments to the *State Emergency and Rescue Management Act 1989* (the **principal Act**) set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have 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 amendments made by that Act.

Schedule 1 Amendments

Schedule 1 [2] inserts proposed Part 6 (proposed clauses 10–13) into Schedule 4 to the principal Act.

Proposed clause 10 sets out relevant definitions. Proposed clause 11 authorises and requires the Director-General of the Department of Commerce to carry out certain emergency works, including the shoring up of retaining or other walls and other stabilisation work, at a site in Alexandria bounded by and including Botany Road, McEvoy Street, Retreat Street and Wyndham Street. Proposed clause 12 provides for relevant persons to have access to the site and applies relevant provisions of the principal Act relating to access and the carrying out of works in the case of emergencies. Proposed clause 13 provides for the costs of carrying out the emergency works to be borne by BBB Constructions Pty Ltd, which is the owner of the site. Proposed clause 14 enables the Director-General to obtain plans, drawings and other documents relating to works on the site.

Schedule 1 [1] enables regulations of a savings and transitional nature to be made consequent on the enactment of the proposed Act.