

1993—No. 284

CATCHMENT MANAGEMENT ACT 1989—REGULATION

(Hawkesbury-Nepean Catchment Management Trust Regulation 1993)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Catchment Management Act 1989, has been pleased to make the Regulation set forth hereunder.

GEORGE SOURIS, M.P.,
Minister for Land and Water Conservation.

Citation

1. This Regulation may be cited as the Hawkesbury-Nepean Catchment Management Trust Regulation 1993.

Commencement

2. This Regulation commences on 1st July, 1993.

Definitions

3. In this Regulation:

“**the Act**” means the Catchment Management Act 1989;

“**the EPA Act**” means the Environmental Planning and Assessment Act 1979;

“**Trust**” means the Hawkesbury-Nepean Catchment Management Trust.

Total catchment management purpose of Trust

4. For the purposes of section 26 of the Act, the total catchment management purpose of the Trust is to achieve, within its Trust area, a healthy and productive Hawkesbury and Nepean River system by:

- (a) encouraging the protection, and where appropriate, the restoration, of the Hawkesbury and Nepean River system; and
- (b) facilitating the ecologically sustainable use, development and management of natural resources, the flood plain and the built environment; and
- (c) fostering orderly and proper physical, environmental and socio-economic planning and management as the basis for the well-being of the people and all life within the Trust area.

Trust area

5. (1) The Trust area in respect of which the Trust is established is:

- (a) the whole of the Nepean River system and catchment; and
- (b) that part of the Hawkesbury River system and catchment below the wall of the Warragamba Dam (excluding Brisbane Water and Pittwater),

being the area depicted on the map (catalogue GIS 20926) held in the office of the Trust.

(2) The map may be inspected by any person free of charge at any time when the office is open.

Additional functions of Trust

6. For the purposes of section 27 (1) (h) of the Act (and without limiting section 27 (3) of the Act), the following functions are prescribed:

- (a) the Trust may give advice, to such persons and bodies as it thinks appropriate, on the preparation, review and operation of any environmental planning instrument made under the EPA Act relating to or affecting the Trust area;
- (b) the Trust may give advice, to such persons and bodies as it thinks appropriate, as to the matters that should be addressed in any environmental study being prepared under Part 3 of the EPA Act relating to or affecting the Trust area;
- (c) the Trust may give advice to the Director of Planning as to the matters that should be addressed in any environmental impact statement being prepared under Part 4 or 5 of the EPA Act relating to or affecting the Trust area;

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- (d) the Trust may, if an environmental planning instrument made under the EPA Act so provides, exercise functions relating to the granting of its concurrence to such development as may be specified in the instrument;
- (e) the Trust may, in accordance with the EPA Act, make representations to consent authorities (within the meaning of the EPA Act) in relation to the development of land in the Trust area;
- (f) the Trust may, after consultation with such persons and bodies as it thinks appropriate, formulate and issue guidelines to assist developers, consent authorities (within the meaning of the EPA Act) and determining authorities (within the meaning of Part 5 of that Act) in carrying out development or activities, or in granting approvals in relation to development or activities to be carried out, in the Trust area;
- (g) the Trust may, in relation to its total catchment management purpose, engage in such educational, marketing, conflict mediation and management planning activities as are described in its corporate plan;
- (h) the Trust may prepare and maintain a reference inventory containing data relevant to the Trust area and make it available to any person or body on such arrangements as the Trust decides;
- (i) the Trust may facilitate research into the possible cause, and the effect and resolution, of natural resources issues relevant to the Trust area (as well as other matters relevant to the achievement of its total catchment management purpose);
- (j) the Trust may conduct an annual public forum to be held in accordance with its corporate plan;
- (k) the Trust may seek advice from any government department and any authority which is undertaking or proposing to undertake any natural resources management programs in the Trust area or which are likely to affect the Trust area.

EXPLANATORY NOTE

The object of this Regulation is to prescribe matters ancillary to the operation of the Catchment Management Act 1989 in so far as that Act affects land within the catchment area of the Hawkesbury and Nepean River system. In particular, the Regulation:

- prescribes the total catchment management purpose of the Hawkesbury-Nepean Catchment Management Trust
- prescribes the area in respect of which the Trust is established
- prescribes additional functions that may be exercised by the Trust.

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The Trust is to be established by proclamation under section 21 of the Act.

This Regulation is made under the Catchment Management Act 1989, including sections 21 (3), 26, 27 (1) (h) and 63 (the general regulation-making power).

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