

1994—No. 630

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT
1979—REGULATION**

(Excluding electricity distributors and Sydney Electricity from Division 4 of Part 5 of the Act)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Environmental Planning and Assessment Act 1979, has been pleased to make the Regulation set forth hereunder.

ROBERT WEBSTER MLC
Minister for Planning.

The Environmental Planning and Assessment Regulation 1994 is amended by inserting after clause 91 the following clause:

Exemption of certain public authorities from Div. 4 of Part 5 of the Act

91A. The following public authorities are excluded from Division 4 of Part 5 of the Act:

- (a) Sydney Electricity, constituted by the Sydney Electricity Act 1990;
- (b) an electricity distributor constituted under the Electricity Act 1945.

EXPLANATORY NOTE

Prior to the commencement of the Electricity (Amendment) Act 1993, electricity supply was provided by county councils in their capacity as electricity supply authorities under the Electricity Act 1945. Those county councils have now been dissolved and their functions transferred to electricity distributors constituted under the Electricity Act 1945.

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As county councils, the electricity supply authorities would have been excluded from Division 4 of Part 5 of the Environmental Planning and Assessment Act 1979. As electricity distributors, they are not. However, they may be excluded from that Division by regulations under that Act.

The objects of this Regulation are:

- (a) to exclude electricity distributors from Division 4 of Part 5 of the Environmental Planning and Assessment Act 1979; and
- (b) to exclude Sydney Electricity (which, although not an electricity distributor, exercises the same functions as an electricity distributor) from that Division.

This Regulation is made under the Environmental Planning and Assessment Act 1979, including section 157 (the general regulation making power) and section 115D.
