

1996—No. 155

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

(Excluding Sydney Water Corporation Limited 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.

CRAIG KNOWLES MP  
Minister for Urban Affairs and Planning.

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**Commencement**

1. This Regulation commences on 1 May 1996.

**Amendment**

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

**Exemption of Sydney Water corporation Limited from  
Division 4 of Part 5 of the Act**

91A. Sydney Water Corporation Limited, to the extent to which it is subject to Part 5 of the Act by virtue of clause 15 of Schedule 9 to the Water Board (Corporatisation) Act 1994, is excluded from Division 4 of Part 5 of the Act, but only in relation to activities (other than the construction of works):

- (a) that involve the discharge of sewage from overflow points on the Corporation's sewer mains; and
- (b) that (as at 1 May 1996) are the subject of an application by the Corporation under the Pollution Control Act 1970 for a licence for the pollution of waters within the meaning of the Clean Waters Act 1970.

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**EXPLANATORY NOTE**

By operation of clause 15 of Schedule 9 to the Water Board (Corporatisation) Act 1994, Part 5 of the Environmental Planning and Assessment Act 1979 applies to activities carried out by the Sydney Water Corporation Limited that were the subject of proposed environmental impact statements prior to the commencement of the Water Board (Corporatisation) Act 1994.

The object of this Regulation is to exclude Sydney Water Corporation Limited from the operation of Division 4 of Part 5 of the Environmental Planning and Assessment Act 1979 (which provides that certain activities carried out by a determining authority require the approval of the Minister for Urban Affairs and Planning) in relation to one of those activities, namely, the discharge of sewage from overflow points on its sewer mains. That activity is to be the subject of a licence granted by the Environment Protection Authority.

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

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