



New South Wales

Water Supply Authorities (Finance) Amendment Regulation 1998

under the

Water Supply Authorities Act 1987

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Water Supply Authorities Act 1987*.

RICHARD AMERY, M.P.,

Minister for Agriculture, and

Minister for Land and Water Conservation

Explanatory note

The object of this Regulation is to amend the *Water Supply Authorities (Finance) Regulation 1996* as a consequence of the amendment of the *Water Supply Authorities Act 1987* (*the Principal Act*) by the *Environmental Planning and Assessment Act 1997* (*the 1997 amending Act*). The matters dealt with by the Regulation are:

- (a) the information to accompany an application for a certificate of compliance under new Division 2 of Part 3 of the Principal Act (proposed clause 58A), and
- (b) the kinds of development that may become subject to the requirements of new section 24 of the Principal Act for the payment of developer contributions or the construction of water works (proposed clause 58B), and
- (c) matters of a savings and transitional nature consequent on the amendments made to the Principal Act by the 1997 amending Act (proposed clause 58C).

This Regulation is made under the *Water Supply Authorities Act 1987*, including section 66 (the general regulation-making power).

1998 No 343

Clause 1 Water Supply Authorities (Finance) Amendment Regulation 1998

Water Supply Authorities (Finance) Amendment Regulation 1998

1 Name of Regulation

This Regulation is the *Water Supply Authorities (Finance) Amendment Regulation 1998*.

2 Commencement

This Regulation commences on the commencement of the *Environmental Planning and Assessment Amendment Act 1997*.

3 Amendment of Water Supply Authorities (Finance) Regulation 1996

The *Water Supply Authorities (Finance) Regulation 1996* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Clauses 58A, 58B and 58C

Insert after clause 58:

58A Information to accompany applications under section 24

For the purposes of section 24 (2) of the Act, an application for a certificate of compliance for development must be accompanied by information as to whether or not the development is the subject of development consent or a complying development certificate under the *Environmental Planning and Assessment Act 1979* and, if so, must also be accompanied by a copy of the development consent or complying development certificate.

58B Development that may be subject to section 25 requirements

For the purposes of section 25 of the Act, the following kinds of development are prescribed as development to which that section applies:

- (a) the erection, enlargement or extension of a building or the placing or relocating of a building on land,
- (b) the subdivision of land,
- (c) the change of use of land.

58C Savings and transitional provisions consequent on enactment of Environmental Planning and Assessment Amendment Act 1997

- (1) Any agreement that, immediately before the appointed day, was in force under section 25 of the unamended Act continues to have effect as if the amending Act had not been enacted.

1998 No 343

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Schedule 1 Amendment

- (2) Any application that was made under section 26 of the unamended Act before the appointed day, but was not determined before that day, is taken to be an application under section 24 of the amended Act.
- (3) Any notice that, immediately before the appointed day, was in force under section 27 of the unamended Act is taken to be a notice in force under section 25 of the amended Act.
- (4) Any compliance certificate that was issued under section 27 of the unamended Act before the appointed day is taken to be a certificate of compliance issued under section 26 of the amended Act.
- (5) Any security that was lodged for the purposes of section 27 of the unamended Act before the appointed day is taken to be security lodged for the purposes of section 25 of the amended Act.
- (6) Any determination that, immediately before the appointed day, was in force under section 27A of the unamended Act is taken to be a determination in force under section 25 of the amended Act.
- (7) In this clause:

amended Act means the *Water Supply Authorities Act 1987*, as amended by the amending Act.

amending Act means the *Environmental Planning and Assessment Amendment Act 1997*.

appointed day means the day appointed under section 2 of the amending Act for the commencement of that Act.

unamended Act means the *Water Supply Authorities Act 1987*, as in force immediately before the appointed day.