



New South Wales

# Hunter Water (Transitional) Regulation 1999

under the  
Hunter Water Act 1991

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Hunter Water Act 1991*.

JEFFREY WILLIAM SHAW, Q.C., M.L.C.,  
Acting Minister for Western Sydney.

## Explanatory note

Hunter Water Corporation, a statutory State owned corporation (within the meaning of the *State Owned Corporations Act 1989*), was created on 1 January 1999 as a successor to Hunter Water Corporation Limited, a company State owned corporation (within the meaning of the *State Owned Corporations Act 1989*) by the operation of the *Water Legislation Amendment (Drinking Water and Corporate Structure) Act 1998*.

Under section 37A of the *State Owned Corporations Act 1989*, the Minister administering the *Environmental Planning and Assessment Act 1979* is empowered to certify that a development of a company State owned corporation is of State or regional significance. Certification allows the development to be assessed under Part 5 of the *Environmental Planning and Assessment Act 1979* instead of Part 4 of that Act. Section 37A does not apply to statutory State owned corporations.

The object of this Regulation is to ensure that section 37A continues to apply to certain Hunter Water Corporation developments (being those where a proposal to carry out the development existed before the business undertaking of Hunter Water Corporation Limited was transferred to Hunter Water Corporation).

This Regulation is made under the *Hunter Water Act 1991*, including clause 1 of Schedule 2 (savings, transitional and other provisions).

This Regulation comprises matters of a savings and transitional nature.

**1999 No 437**

Hunter Water (Transitional) Regulation 1999

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## Hunter Water (Transitional) Regulation 1999

### 1 Name of Regulation

This Regulation is the *Hunter Water (Transitional) Regulation 1999*.

### 2 Commencement

This Regulation is to be taken to have commenced on 1 January 1999.

### 3 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

### 4 Certain developments to remain subject to section 37A of State Owned Corporations Act 1989

- (1) Despite the business undertaking of Hunter Water Corporation Limited, a company SOC, being transferred to the Corporation by operation of the *Water Legislation Amendment (Drinking Water and Corporate Structure) Act 1998*, section 37A of the *State Owned Corporations Act 1989* continues to apply to the following developments and, for the purposes of that section, the Corporation is to be taken to be a company SOC:

Burwood Beach Wastewater System Upgrade  
Cessnock Wastewater Treatment Works  
Kurri Kurri Wastewater Treatment Works.

- (2) In this clause, *company SOC* has the meaning given it in the *State Owned Corporations Act 1989*.

**Note.** This Regulation does not effect the independent operation of section 30 of the *Interpretation Act 1987*.

BY AUTHORITY