



Public Sector Employment and Management (Town Water) Order 2003

under the

Public Sector Employment and Management Act 2002

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this 26th day of November 2003.

By Her Excellency's Command,

BOB CARR, M.P.,

Premier

2003 No 880

Clause 1 Public Sector Employment and Management (Town Water) Order 2003

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Public Sector Employment and Management Act 2002

1 Name of Order

This Order is the *Public Sector Employment and Management (Town Water) Order 2003*.

2 Construction of certain references to Minister for Land and Water Conservation

- (1) A reference in any of the following provisions (and in any instrument of any kind, or in any contract or agreement, made pursuant to any such provision) to the Minister for Land and Water Conservation is to be construed as a reference to the Minister for Energy and Utilities, except as provided by subclause (2):
 - (a) sections 57–66 of the *Local Government Act 1993*,
 - (b) clauses 7 and 16 of the *Local Government (Water Services) Regulation 1999*,
 - (c) clause 21 of the *Local Government (Approvals) Regulation 1999*.
- (2) A reference in section 57, 58 or 59 of the *Local Government Act 1993* (and in any instrument of any kind, or in any contract or agreement, made pursuant to any such provision) to the Minister for Land and Water Conservation is to be construed as a reference to the Minister for Natural Resources if the reference is used in relation to any works of water supply, sewerage or drainage that are, or are being, constructed on land within the area of operations of any of the following water supply authorities (as constituted under the *Water Management Act 2000*):
 - (a) Benerembah Irrigation District Environment Protection Trust,
 - (b) Upper Parramatta River Catchment Trust.

3 Consequential provisions

- (1) The Minister for Energy and Utilities is authorised to carry on or complete any works of water supply, sewerage or stormwater drainage referred to in section 57 of the *Local Government Act 1993* that were commenced, but not completed, before the commencement of this Order.
- (2) The Minister for Energy and Utilities has all right, title and interest in any works of water supply, sewerage or stormwater drainage (and in any land acquired for the purposes of any such works) as referred to in section 57 of the *Local Government Act 1993*, being works or land that has not been vested in a council under section 59 of that Act. Accordingly, the Minister for Energy and Utilities may vest in a council all right, title and interest in any such works or land.
- (3) This clause does not apply to or in respect of any works of water supply, sewerage or drainage that are, or are being, constructed on land within the area of operations of a water supply authority referred to in clause 2 (2).