

[Act 1997 No 138]



New South Wales

Kooragang Coal Terminal (Special Provisions) Bill 1997

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to validate a development consent granted by the Minister for Urban Affairs and Planning on 25 November 1996 for the construction and operation of the Stage Three expansion of the Kooragang Coal Terminal, including coal receipt, stockpiling, blending and shiploading, to the extent of any invalidity. The Terminal is located on Kooragang Island, Newcastle.

The development consent was granted subject to conditions, and was the subject of an unsuccessful challenge in proceedings in the Land and Environment Court. The decision in those proceedings is the subject of appeal proceedings before the Supreme Court.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 validates the development consent granted by the Minister for Urban Affairs and Planning on 25 November 1996, and consequently validates anything done or omitted to be done pursuant to it. Clause 4 (3) provides that the validation is effective despite any pending legal proceedings in any court.