



New South Wales

Environmental Planning Legislation Amendment Act 1995 No 90

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Environmental Planning Legislation Amendment Act 1995 No 90

Act No 90, 1995

An Act to amend the *Miscellaneous Acts (Planning) Repeal and Amendment Act 1979* with respect to the effect of certain consents, approvals and permissions granted before the commencement of the *Environmental Planning and Assessment Act 1979*. [Assented to 21 December 1995]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Environmental Planning Legislation Amendment Act 1995*.

2 Commencement

This Act is taken to have commenced on 1 September 1980.

3 Amendment of Miscellaneous Acts (Planning) Repeal and Amendment Act 1979 No 205

The *Miscellaneous Acts (Planning) Repeal and Amendment Act 1979* is amended by inserting after clause 7 (3) in Schedule 3 the following subclause:

- (4) A consent, approval or permission referred to in subclause (1) is taken to be a development consent within the meaning of the *Environmental Planning and Assessment Act 1979*.

4 Application of amendment

The amendment made by this Act extends to the consents granted by Port Stephens Shire Council on 7 June 1978 and 28 March 1979 to RZM (Newcastle) Limited in respect of mineral sandmining on land comprised in Mining Leases 594, 1226 and 744 despite the decision of the Land and Environment Court in *Paul Winn v Director-General of National Parks and Wildlife and RZM Pty Limited* (No 40209 of 1995).

[Minister's second reading speech made in—
Legislative Assembly on 7 December 1995
Legislative Council on 14 December 1995]