



New South Wales

Environmental Planning and Assessment Amendment (Development Consents) Act 2010 No 25

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Environmental Planning and Assessment Amendment (Development Consents) Act 2010 No 25

Act No 25, 2010

An Act to amend the *Environmental Planning and Assessment Act 1979* in relation to the lapsing of development consents. [Assented to 26 May 2010]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Environmental Planning and Assessment Amendment (Development Consents) Act 2010*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Environmental Planning and Assessment Act 1979 No 203

(1) Section 95 Lapsing of consent

Insert after section 95 (3):

(3A) A reduction that has been made under subsection (2) is to be disregarded if:

- (a) the development consent operated before, and lapses after, the commencement of this subsection (or the development consent lapsed during the period commencing on 22 April 2010 and ending on the commencement of this subsection), or
- (b) the development consent operated before, and lapses after, a date after 1 July 2011 prescribed by the regulations.

A reduction may not be made under subsection (2) during the period commencing on the commencement of this subsection and ending on 1 July 2011 or during any subsequent period prescribed by the regulations.

(2) Section 95 (7)

Insert after section 95 (6):

- (7) The regulations may set out circumstances in which work is or is not taken to be physically commenced for the purposes of this section.

**4 Amendment of Environmental Planning and Assessment Amendment
Act 2008 No 36**

Omit Schedule 2.1 [28] and [29] and clause 126 (2) in
Schedule 2.2 [75].

[Agreement in principle speech made in Legislative Assembly on 22 April 2010
Second reading speech made in Legislative Council on 18 May 2010]

BY AUTHORITY