



Environmental Planning and Assessment Amendment (North West Rail Link) Regulation 2012

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

BRAD HAZZARD, MP
Minister for Planning and Infrastructure

Explanatory note

The object of this Regulation is to amend the *Environmental Planning and Assessment Act 1979* to make additional savings and transitional provisions relating to the North West Rail Link development, consequent on the declaration of that development as State significant infrastructure. The amendment enables existing and new requests for modifications to the deemed approval for the staged infrastructure application relating to that project to be made and dealt with.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including section 157 (the general regulation-making power) of, and clause 1 of Schedule 6 and clause 10 of Schedule 6A to, that Act.

2012 No 100

Clause 1

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1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (North West Rail Link) Regulation 2012*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Environmental Planning and Assessment Act 1979 No 203

Schedule 6A Transitional arrangements—repeal of Part 3A

Insert after clause 5:

5A Additional provision relating to modification of approvals for North West Rail Link development

- (1) This clause applies to modification request no MP06_0157 MOD 1 to modify the staged infrastructure approval (dated 6 May 2008) relating to the North West Rail Link development and to any subsequent modification requests to modify that approval.

Note. The North West Rail Link development is declared to be State significant infrastructure by the operation of clause 5 of this Schedule and Schedule 4 to the *State Environmental Planning Policy (State and Regional Development) 2011*. The concept plan approved under Part 3A in relation to the development is taken to be an approval for a staged infrastructure application (see clause 5 (4) (a) of this Schedule).

- (2) Section 115ZI applies to a modification request to which this clause applies as if that request were a request to modify a Minister's approval within the meaning of that section.
- (3) Any actions taken before the commencement of this clause with respect to any modification request to which this clause applies have effect for the purposes of the application of section 115ZI to the request.
- (4) This clause is in addition to clause 5.