



New South Wales

# Environmental Planning and Assessment Amendment Regulation 2018

under the

Environmental Planning and Assessment Act 1979

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

ANTHONY ROBERTS, MP  
Minister for Planning

## Explanatory note

The object of this Regulation is to make savings, transitional and other provisions consequent on the enactment of the *Environmental Planning and Assessment Amendment Act 2017*, including provisions relating to the cut off date for modifications of Part 3A transitional projects and the date by which the first community participation plans and local strategic planning statements are required to be made.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 10.13 and 10.15.

## **Environmental Planning and Assessment Amendment Regulation 2018**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment Amendment Regulation 2018*.

### **2 Commencement**

This Regulation commences on 1 March 2018.

## **Schedule 1      Amendment of Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017**

### **[1]    Part 2 Provisions consequent on enactment of Environmental Planning and Assessment Amendment Act 2017**

Insert after clause 4:

#### **4A    Interpretation—renumbered or relocated provisions of Act**

- (1) In this clause:  
*document* means any Act or statutory or other instrument or any contract or agreement, and includes any document issued or made under or for the purposes of any Act or statutory or other instrument.
- (2) A reference in any document (whether enacted, issued or made before or after the commencement of this clause) to a provision of the Act that has been renumbered or relocated by the *Environmental Planning and Assessment Amendment Act 2017* is taken to be a reference to the renumbered or relocated provision. Anything done or omitted to be done under any such provision of the Act before it was renumbered or relocated is taken to have been done or omitted under the provision as renumbered or relocated.
- (3) A reference in any document (whether enacted, issued or made before or after the commencement of this clause) to any such renumbered or relocated provision of the Act is taken to include a reference to the provision before it was renumbered or relocated.
- (4) This clause is subject to any contrary intention in the provision in which a relevant reference occurs.

**Note.** See the concordance table of renumbered and relocated provisions at the end of historical notes to the in-force version of the *Environmental Planning and Assessment Act 1979* on the NSW legislation website.

### **[2]    Clause 10A**

Insert after clause 10:

#### **10A    Mining and Petroleum Gateway Panel**

- (1) The Mining and Petroleum Gateway Panel constituted by the Minister under clause 17N of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* immediately before the substitution of that clause by Schedule 11.7 to the amending Act is taken to have been constituted under that clause, as so substituted, as a subcommittee of the Independent Planning Commission.
- (2) A person holding office as a member of the Panel immediately before the substitution of clause 17N is taken to have been appointed as a member of the Panel (as constituted in accordance with this clause) for the balance of the person's term of office.

**[3] Clauses 11A and 11B**

Insert after clause 11:

**11A First local strategic planning statements prepared by councils**

The council of an area is required to prepare and make its first local strategic planning statement under section 3.9 of the Act (as inserted by the amending Act):

- (a) in the case of an area within the Greater Sydney Region—before 1 July 2019, or
- (b) in any other case—before 1 July 2020.

**11B Planning instruments—local plan-making authority for pending proposals**

- (1) A gateway determination may authorise a council to make a local environmental plan in accordance with section 3.34 (2) (g) of the Act, as inserted by the amending Act, even if it relates to a planning proposal made before the commencement of section 3.34 (2) (g) of the Act.
- (2) A delegation under the Act to a council to make a local environmental plan in relation to a planning proposal that was the subject of a gateway determination made before that commencement is taken to be an authorisation under section 3.34 (2) (g) of the Act.

**[4] Clause 13 Construction of references to Part 5 or 5.1 of the Act**

Omit “A” from clause 13 (1). Insert instead “Without limiting clause 4A, a”.

**[5] Clause 14 Existing building and other Part 4A certificates etc**

Insert after clause 14 (2):

- (3) A subdivision works certificate is not required under section 6.13 of the Act (as inserted by the amending Act) for the carrying out of subdivision work in accordance with a development consent granted before the commencement of that section.

**[6] Clauses 15–18**

Insert after clause 14:

**15 Proceedings to declare CDC’s and certificates under Part 6 invalid**

- (1) Section 4.31 of the Act (as inserted by the amending Act) does not apply to any proceedings commenced in the Court before the commencement of that section.
- (2) Section 6.32 of the Act (as inserted by the amending Act) does not apply to any proceedings commenced in the Court before the commencement of that section.

**16 Community participation plans**

- (1) A planning authority is required to prepare its first community participation plan under section 2.23 of the Act (as inserted by the amending Act) before 1 July 2019.
- (2) Until the first community participation plan of a planning authority is prepared and published, mandatory community participation requirements under Schedule 1 to the Act that are to be determined by reference to the community participation plan of the planning authority are required to be determined by

reference to the requirements of or made under the Act that would have applied but for the enactment of the amending Act.

**17 Public notification of reasons for planning decisions and how community views taken into account**

The mandatory notification requirements under clause 20 (2) (c) and (d) of Schedule 1 to the Act to not apply to a decision made before 1 July 2018.

**18 Postponement of revised building and subdivision certification provisions**

(1) In this clause, the *former building and subdivision provisions* means:

- (a) sections 81A (2)–(6) and 86 of the Act, as in force immediately before the substitution of those provisions by the amending Act, and
- (b) Part 4A of the Act, as in force immediately before the repeal of that Part by the amending Act, and the regulations made under that Part as so in force.

(2) Until 1 September 2018, Part 6 of the Act (as inserted by the amending Act) does not apply and the former building and subdivision provisions continue to apply in respect of a matter (whether or not the matter was pending on the repeal of those provisions).

**[7] Schedule 1 Transferred savings, transitional and other provisions—former Schedule 6 to the Act**

Omit clause 1. Insert instead:

**1 Interpretation—renumbered or relocated provisions of Act**

After the commencement of Schedule 13 to the *Environmental Planning and Assessment Amendment Act 2017*, a reference in this Schedule to a provision of the Act that has been renumbered or relocated by that Act is taken to be a reference to the renumbered or relocated provision (unless the context or subject-matter otherwise indicates or requires).

**[8] Schedule 2 Transferred transitional arrangements on repeal of Part 3A—former Schedule 6A to the Act**

Insert at the end of clause 1:

- (4) After the commencement of Schedule 13 to the *Environmental Planning and Assessment Amendment Act 2017*, a reference in this Schedule to a provision of the Act that has been renumbered or relocated by that Act is taken to be a reference to the renumbered or relocated provision (unless the context or subject-matter otherwise indicates or requires).

**[9] Schedule 2, clause 3BA**

Insert after clause 3B:

**3BA Winding-up of transitional Part 3A modification provisions on cut-off date of 1 March 2018 and other provisions relating to modifications**

- (1) For the purposes of this clause, the *cut-off date* is 1 March 2018.
- (2) An approved project or a concept plan cannot be modified under section 75W on or after the cut-off date, except as provided by this clause.
- (3) Subclause (2) does not apply if the request to modify the approved project or concept plan under section 75W was lodged before the cut-off date.

Accordingly, the provisions of this Schedule relating to a modification made pursuant to such a request continue to apply.

- (4) A request to modify an approved project or concept plan under section 75W that may be dealt with because of subclause (3) cannot be dealt with under section 75W if:
  - (a) the request has not been determined by 1 September 2018, and
  - (b) the Secretary is of the opinion that insufficient information has been provided to deal with the request and notifies the person who made the request that it will not be dealt with under section 75W.
- (5) A concept plan may continue to be modified under section 75W pursuant to a request lodged on or after the cut-off date (whether or not the project is or has ceased to be a transitional Part 3A project), but only if the Minister is satisfied that:
  - (a) the proposed modification is to correct a minor error, misdescription or miscalculation, or
  - (b) the proposed modification is of minimal environmental impact, or
  - (c) the project to which the concept plan as modified relates is substantially the same as the project to which the concept plan currently relates (including any modifications previously made under section 75W).
- (6) In the application of section 4.55 (2) of the Act (formerly section 96 (2)) to the following development, the consent authority need only be satisfied that the development to which the consent as modified relates is substantially the same development as the development authorised by the consent (as last modified under section 75W):
  - (a) development that was previously a transitional Part 3A project and whose approval was modified under section 75W,
  - (b) development that was taken to be an approved project pursuant to clause 8J of the *Environmental Planning and Assessment Regulation 2000* and whose consent was modified under section 75W.
- (7) To avoid doubt, subclause (2):
  - (a) applies whether the project remains or has ceased to be a transitional Part 3A project, and
  - (b) extends to a modification under section 75W in relation to a development consent that is taken to be an approved project pursuant to clause 8J of the *Environmental Planning and Assessment Regulation 2000*.

**[10] Schedule 2, clause 3C Modification of concept plans**

Insert “(subject to clause 3BA)” after “Section 75W continues to apply”.

**[11] Schedule 2, clause 5 Part 3A projects that become State significant infrastructure**

Insert “(or a specified class of development that were projects)” after “Specified development on specified land that was a project” in clause 5 (1).

**[12] Schedule 2, clause 6 Part 3A projects that become State significant development**

Insert “(or a specified class of development that were projects)” after “Specified development on specified land that was a project” in clause 6 (1).

- [13] **Schedule 2, clause 7 Regulations relating to projects ceasing to be Part 3A**  
Omit the clause.
- [14] **Schedule 2, clause 10 Savings and transitional regulations**  
Omit the clause.
- [15] **Schedule 2, clause 12 Continuing application of Part 3A to modifications of certain development consents**  
Insert “(subject to clause 3BA)” after “Section 75W of Part 3A continues to apply”.
- [16] **Schedule 4**  
Insert at the end of the Regulation:

**Schedule 4 Transferred savings, transitional and other provisions—former provisions of Environmental Planning and Assessment Regulation 2000**

**Part 1A Preliminary**

**1 Interpretation of transferred provisions not affected by transfer**

The provisions of this Schedule are, to the extent that as a result of the *Environmental Planning and Assessment Amendment Regulation 2018* they re-enact provisions of the *Environmental Planning and Assessment Regulation 2000*, transferred provisions to which section 30A of the *Interpretation Act 1987* applies.

**Part 1B Miscellaneous provisions**

## **Schedule 2 Amendment of Environmental Planning and Assessment Regulation 2000**

- [1] **Clause 3 (1), definition of “regional panel”**  
Omit the definition. Insert instead:  
*regional panel* means a Sydney district or regional planning panel.
- [2] **Clause 3 (1)**  
Insert in alphabetical order:  
*Planning Assessment Commission* or *Commission* means the Independent Planning Commission.
- [3] **Clause 5 Advertised development**  
Omit the clause.
- [4] **Part 1A Transitional Part 3A projects**  
Omit the Part and transfer its clauses to Part 1B of Schedule 4 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* as clauses 8A to 8P (with references to “this Part” changed to “this Schedule”).
- [5] **Clause 9 Joint regional planning panel—eligible relevant planning authority**  
Omit the clause.
- [6] **Clause 11 Fee payable for costs and expenses of studies etc by relevant planning authority**  
Omit “a regional panel” from clause 11 (4).  
Insert instead “a Sydney district or regional planning panel”.
- [7] **Clause 12 Continuation of former provisions for making LEPs**  
Omit the clause and transfer it to Part 1B of Schedule 4 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* as clause 12.
- [8] **Clause 12A Operation of 2010 amending Regulation**  
Omit the clause and transfer it to Part 1B of Schedule 4 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* as clause 12A.
- [9] **Clause 14 Saving of actions taken for preparation of SEPP**  
Omit the clause and transfer it to Part 1B of Schedule 4 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* as clause 14.
- [10] **Clause 15 REPs deemed to be SEPPs—interpretation**  
Omit the clause and transfer it to Part 1B of Schedule 4 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* as clause 15.
- [11] **Clause 15A Transitional provision relating to affordable housing**  
Omit the clause and transfer it to Part 1B of Schedule 4 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* as clause 15A.



**[12] Clause 96A**

Insert after clause 96:

**96A Imposition of conditions—conditions limited to State significant development**

A development consent may only be granted subject to a condition referred to in section 4.17 (4A) or (4B) of the Act if the development is State significant development.

**[13] Clause 123A Effect of amendments made by Land and Environment Court Amendment Act 2002**

Omit the clause and transfer it to Part 1B of Schedule 4 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* as clause 123A.

**[14] Clause 263A**

Insert after clause 263:

**263A Charge by way of re-imbursement for certain local planning panel costs paid by Department**

- (1) This clause applies where the Minister, under section 2.17 (5) of the Act, constitutes a local planning panel because the council has failed to do so and the costs of the panel are paid from the funds of the Department.
- (2) The Planning Secretary may, from time to time, impose a charge under section 7.44 of the Act on the council in connection with the constitution and operation of the panel not exceeding the amount of the costs of the panel that have been paid from the funds of the Department.
- (3) For the purposes of this clause, the costs of a local planning panel are the amounts paid in connection with the appointment and remuneration of members of the panel and for other expenses reasonable incurred by the panel in connection with its operation.

**[15] Part 16B Planning bodies**

Omit the Part.

**[16] Clause 283A**

Insert before clause 284:

**283A Offences against this Regulation**

- (1) In this clause:  
*offence provision* means a provision of this Regulation that is prescribed in Schedule 5 as a penalty notice offence in relation to an offence under this clause.
- (2) A person who contravenes an offence provision is guilty of an offence.  
Maximum penalty: \$110,000.

**[17] Clause 284 Penalty notice offences**

Omit clause 284 (4) and (5). Insert instead:

- (4) Despite subclause (3), only the persons referred to in subclause (3) (a) and (b) are declared to be authorised persons for the purposes of section 9.58 of the Act for the following offences:

- (a) an offence under the Act in relation to a contravention of section 109D (2) or (3), 109E (3) (d), 109F (1) (b), 109H (3) (a) or (b), (4) (a), (5) (a) or (b) or (6) (a), 109J (1) (a), (b), (e), (f) or (g), or (2) (a), 5.14 (1) or (2) or 10.4 (11), or
  - (b) an offence under clause 283A in relation to a contravention of clause 126 (2), 130 (3) or (4), 134 (1), (2) or (2A), 138 (1), (2) or (3), 142 (1) or (2), 143A (2), 144 (2), (5), (6) or (7), 146, 147 (1) or (2), 151 (1) or (2), 152 (3), 153 (1) or (2), 154A (2), 154B (2), 154C (1), 155 (1) or (2), 157 (5), 160 (1) or (2), 162 (1), 162B (1) or (2), 162C (4) or (5) (a) or (b), 227A (2) or 244P (1) (d).
- (5) Despite subclause (3), an authorised fire officer is declared to be an authorised person for the purposes of section 9.58 of the Act only in respect of the following:
- (a) an offence under section 9.37 of the Act in relation to a contravention of an order under Part 2 of Schedule 5 to the Act, where the order was given by an authorised fire officer,
  - (b) an offence under clause 283A in relation to a contravention of clause 183 (1), 184 (a) (b) or (c), 185 (b) or 186 (a) (b) or (c),
  - (c) an offence referred to in section 6.34 of the Act in relation to a contravention of clause 186A (2), (3), (4), (5) or (6), 186AA (2) or 186C (1) or (1A).

**[18] Clause 292 Savings and transitional provisions**

Omit the clause.

**[19] Schedule 5 Penalty notice offences**

Omit the words specified in Column 1 of the following Table from Schedule 5 and insert instead the words specified opposite in Column 2:

<b>Column 1</b>	<b>Column 2</b>
<b>Omit</b>	<b>Insert instead</b>
<b>Section 125 (1) of the Act in relation to contravention of the</b>	<b>The</b>
section 76A (1)	section 4.2
section 76B	section 4.3
section 115W (1)	section 5.14 (1)
section 115W (2)	section 5.14 (2)
section 119M (1)	section 9.25 (1)
section 122E (3)	section 9.42 (3)
section 147 (3), (4) or (5)	section 10.4 (11)
section 148B (1)	section 10.6 (1)
<b>Section 125 (2) of the Act</b>	<b>Clause 283A of this Regulation</b>
<b>Section 146A (3)</b>	<b>Section 6.34</b>

**[20] Schedule 5, Table**

Omit the matters relating to “order No 1 in the Table to section 121B”, “order No 2 in the Table to section 121B given in relation to an unlawfully erected building” and “order No 3, 4, 6, 7, 8, 9, 10, 11, 13, 15, 18 or 19 in the Table to section 121B”.

Insert instead:

section 9.37 or failure to comply with order under Part 1 of Schedule 5 (except items 6, 10, 12 and 13) or under Part 2 of Schedule 5      3,000      6,000

**[21] Schedule 7 Savings and transitional provisions**

Omit the Schedule and transfer its Parts to Schedule 4 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* after Part 1B (with references to “this Regulation” changed to “the *Environmental Planning and Assessment Regulation 2000*”).

**[22] Law revision—decimal re-numbering**

Each provision of the Regulation specified in Column 1 of the following Table is amended by omitting the matter specified opposite that provision in Column 2 and by inserting instead the matter specified opposite that provision in Column 3:

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 3 (1), definition of <i>approval body</i>	section 90A	section 4.45
clause 3 (1), definition of <i>capital investment value</i>	Division 6 or 6A of Part 4	Division 7.1 or 7.2
clause 3 (1), definition of <i>contributions plan</i>	section 94EA	section 7.18
clause 3 (1), definition of <i>environmental impact statement</i>	section 78A, 112 or 115Y	section 4.12, 5.7 or 5.16
clause 3 (1), definition of <i>existing use right</i>	Division 10 of Part 4	Division 4.11
clause 3 (1), definition of <i>planning agreement</i>	section 93F	section 7.4
paragraph (a) (i) of the definition of <i>relevant BASIX certificate</i> in clause 3 (1)	section 96	section 4.55
paragraph (b) of the definition of <i>relevant BASIX certificate</i> in clause 3 (1)	section 87	section 4.30
clause 3 (1), definition of <i>section 94 condition</i>	<i>section 94 condition</i>	<i>section 7.11 condition</i>
clause 3 (1), definition of <i>section 94 condition</i>	section 94 of the Act	section 7.11 of the Act
clause 3 (1), definition of <i>section 94 contribution</i>	<i>section 94 contribution</i>	<i>section 7.11 contribution</i>

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 3 (1), definition of <i>section 94 contribution</i>	section 94 of the Act	section 7.11 of the Act
clause 3 (1), definition of <i>section 94A condition</i>	<i>section 94A condition</i>	<i>section 7.12 condition</i>
clause 3 (1), definition of <i>section 94A condition</i>	section 94A of the Act	section 7.12 of the Act
clause 3 (1), definition of <i>section 94A levy</i>	<i>section 94A levy</i>	<i>section 7.12 levy</i>
clause 3 (1), definition of <i>section 94A levy</i>	section 94A of the Act	section 7.12 of the Act
clause 3A	section 4 (1)	section 1.5
clause 7 (1)	section 4 (1)	section 1.4
clause 10	section 26 (1) (c)	section 3.14 (1) (c)
clause 10	section 27	section 3.15
clause 25A	section 93C	section 7.1
clause 25A	Division 6 of Part 4	Division 7.1
clause 25B (1), note	Section 93F (10)	Section 7.4 (10)
clause 25B (2), note	section 93K	section 7.9
clause 25C (1), note	section 93G	section 7.5
clause 25D (2A)	section 93G	section 7.5
clause 25D, note	Section 93G	Section 7.5
clause 25E (6)	section 93G (4)	section 7.5 (4)
clause 25I, heading	<b>section 94</b>	<b>section 7.11</b>
clause 25I	section 94 (3)	section 7.11 (3)
clause 25J, heading	<b>Section 94A</b>	<b>Section 7.12</b>
clause 25J (1)	section 94A	section 7.12
clause 25K, heading	<b>Section 94A</b>	<b>Section 7.12</b>
clause 25K (1)	section 94A	section 7.12
clause 25K (2)	section 94E (1) (d)	section 7.17 (1) (d)
clause 26 (2A)	section 94CA	section 7.15
clause 26 (3)	section 94E	section 7.17
clause 27 (1) (d)	section 94	section 7.11
clause 27 (1) (e)	section 94	section 7.11
clause 27 (1) (f)	section 94A	section 7.12
clause 27 (1) (f) (i)	section 94A	section 7.12
clause 27 (1) (g)	section 94	section 7.11
clause 27 (1) (g)	section 94A	section 7.12
clause 27 (1) (i)	section 94	section 7.11

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 27 (1) (i)	section 94A	section 7.12
clause 27 (1A)	section 94 or 94A	section 7.11 or 7.12
clause 27 (1A)	section 94	section 7.11
clause 27 (1A)	section 94A	section 7.12
clause 27 (1A), note	section 94	section 7.11
clause 27 (1A), note	section 94A	section 7.12
clause 27 (2)	section 94	section 7.11
clause 27 (2)	section 94A	section 7.12
clause 27 (2)	section 80A (6) (b)	section 4.17 (6) (b)
clause 27 (3)	section 94	section 7.11
clause 27 (3)	section 94A	section 7.12
clause 32 (3)	section 94	section 7.11
clause 34 (1)	section 94	section 7.11
clause 34 (1)	section 94A	section 7.12
clause 34 (2) (b)	section 94	section 7.11
clause 34 (2) (b)	section 94A	section 7.12
clause 34 (2) (d)	section 94	section 7.11
clause 34 (2) (d)	section 94A	section 7.12
clause 35 (1)	section 94	section 7.11
clause 35 (1)	section 94A	section 7.12
clause 35 (2) (b)	section 94	section 7.11
clause 35 (2) (b)	section 94A	section 7.12
clause 35 (2) (ba)	section 94	section 7.11
clause 35 (2) (ba)	section 94A	section 7.12
clause 35 (2) (ba)	Division 6 of Part 4	Division 7.1
clause 35 (3) (b)	section 94	section 7.11
clause 35 (3) (b)	section 94A	section 7.12
clause 35 (3) (d)	section 94	section 7.11
clause 35 (3) (d)	section 94A	section 7.12
clause 38, note	section 150	section 10.8
paragraph (a) of the definition of <i>relevant date</i> in clause 39	section 106 (a)	section 4.65 (a)
paragraph (b) of the definition of <i>relevant date</i> in clause 39	section 106 (b)	section 4.65 (b)
clause 40	section 108 (1)	section 4.67 (1)
clause 47, note	section 4 (1)	section 1.4
clause 50 (4)	section 78A (3)	section 4.12 (3)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 51 (2) (a)	section 91	section 4.46
clause 52 (2)	section 79 (6) and 89F (4)	Schedule 1 to the Act
clause 54 (3)	section 79C (1) (b)–(e)	section 4.15 (1) (b)–(e)
clause 55 (3) (a)	section 79B	section 4.13
clause 81	section 80 (9) (b)	section 4.16 (9) (b)
clause 81, note	section 80 (10) (b)	section 4.16 (10) (b)
clause 85B	section 89G (d)	section 4.39 (d)
clause 90	section 81	section 4.18
clause 92 (1)	section 79C (1) (a) (iv)	section 4.15 (1) (a) (iv)
clause 92 (1) (c)	Schedule 5	Schedule 7
clause 93 (5)	section 79C (1) (a) (iv)	section 4.15 (1) (a) (iv)
clause 94 (3)	section 79C (1) (a) (iv)	section 4.15 (1) (a) (iv)
clause 94A (3)	section 79C (1) (a) (iv)	section 4.15 (1) (a) (iv)
clause 95 (1)	section 80 (3)	section 4.16 (3)
clause 95 (6)	section 97	section 8.7
clause 95, note	section 109O	section 6.29
clause 96 (1)	section 80A (2)	section 4.17 (2)
clause 96 (3)	section 80A (3)	section 4.17 (3)
clause 97 (1)	section 80A (5)	section 4.17 (5)
clause 97A (2)	section 80A (11)	section 4.17 (11)
clause 98 (1)	section 80A (11)	section 4.17 (11)
clause 98 (1A)	section 80A (11)	section 4.17 (11)
clause 98A (1)	section 80A (11)	section 4.17 (11)
clause 98A (5)	section 109R	section 6.28
clause 98B (1)	section 80A (11)	section 4.17 (11)
clause 98B (4)	section 109R	section 6.28
clause 98C	section 80A (11)	section 4.17 (11)
clause 98D	section 80A (11)	section 4.17 (11)
clause 98E	section 80A (11)	section 4.17 (11)
clause 100 (1)	section 81 (1)	section 4.18 (1)
clause 100 (1) (b)	section 80A (11)	section 4.17 (11)
clause 100 (1) (c)	section 80A (11)	section 4.17 (11)
clause 100 (1) (c1)	section 82A	section 8.3
clause 100 (1) (i)	section 93	section 4.50
clause 100 (7)	section 81 (1)	section 4.18 (1)
clause 100 (8)	section 81 (1)	section 4.18 (1)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 101, heading	<b>section 94 and 94A</b>	<b>section 7.11 and 7.12</b>
clause 101 (1)	section 94	section 7.11
clause 101 (2)	section 94A	section 7.12
clause 102 (1)	section 81 (1)	section 4.18 (1)
clause 102 (2)	section 81 (1) (c)	section 4.18 (1) (c)
clause 103, heading	<b>section 81A</b>	<b>sections 6.6 and 6.12</b>
clause 103	section 81A (2) (b1) (i) or (4) (b1) (i)	section 6.6 (2) (a) or 6.12 (2) (a)
clause 103A, heading	<b>section 81A</b>	<b>section 6.6</b>
clause 103A	section 81A (2) (b1) (ii)	section 6.6 (2) (b)
clause 104, heading	<b>section 81A</b>	<b>sections 6.6 and 6.12</b>
clause 104	section 81A (2) (c) or (4) (c)	section 6.6 (2) (e) or 6.12 (2) (c)
clause 105, heading	<b>section 91A (6) or section 92 (7)</b>	<b>section 4.47 (6)</b>
clause 105 (1)	section 91A (6) or section 92 (7)	section 4.47 (6)
clause 113 (1)	section 82 (1)	section 8.11 (1)
clause 113 (2) (b)	section 97	section 8.7
clause 113 (4)	section 82	section 8.11
clause 113 (6)	section 82	section 8.11
clause 113, note	section 97	section 8.7
clause 113A, heading	<b>section 82A</b>	<b>section 8.3</b>
clause 113A (1)	section 82A	section 8.3
clause 113A (5) (b)	section 82A (4) (b)	section 8.5 (1) (b)
clause 113A (6)	section 82A (4) (b)	section 8.5 (1) (b)
clause 113B (1)	section 89 (2)	section 4.33 (2)
clause 113B (2)	section 89 (5)	section 4.33 (5)
clause 114	section 95A	section 4.54
clause 115 (1)	section 96 (1), (1A) or (2) or 96AA (1)	section 4.55 (1), (1A) or (2) or 4.56 (1)
clause 115 (1) (i)	section 96	section 4.55
clause 115 (1) (i)	section 96AA	section 4.56
clause 115 (3)	section 96 (2)	section 4.55 (2)
clause 115 (3)	section 96AA (1)	section 4.56 (1)
clause 115 (6)	section 96 (1A) or (2)	section 4.55 (1A) or (2)
clause 115 (8)	section 96 (1), (1A) or (2) or 96AA (1)	section 4.55 (1), (1A) or (2) or 4.56 (1)
clause 115 (10)	section 96	section 4.55

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 115 (10)	section 96AA	section 4.56
clause 117 (1)	section 96 (1A)	section 4.55 (1A)
clause 117 (1)	section 96AA	section 4.56
clause 117 (3)	section 96AA	section 4.56
clause 118, heading	<b>sections 96 (2) and 96AA</b>	<b>sections 4.55 (2) and 4.56</b>
clause 118 (1)	section 96 (2)	section 4.55 (2)
clause 118 (1)	section 96AA (1)	section 4.56 (1)
clause 118 (4)	section 96AA	section 4.56
clause 118 (6)	sections 96 (2) (d) and 96AA (1) (d)	sections 4.55 (2) (d) and 4.56 (1) (d)
clause 119 (1)	section 96 (2)	section 4.55 (2)
clause 119 (1)	section 96AA (1)	section 4.56 (1)
clause 119 (5)	section 96AA	section 4.56
clause 119A, heading	<b>sections 96 (2)</b>	<b>section 4.55 (2)</b>
clause 119A (1)	section 96 (2)	section 4.55 (2)
clause 119A (5)	section 96 (2)	section 4.55 (2)
clause 119A (5A)	section 96 (2)	section 4.55 (2)
clause 122A (1)	sections 96 (6) and 96AA (3)	sections 4.55 (6) and 4.56 (3)
clause 122A (1) (b)	section 97AA	section 8.9
clause 122A (2)	section 97AA	section 8.9
clause 123, heading	<b>section 96A (3)</b>	<b>section 4.57 (3)</b>
clause 123 (1)	section 96A (3) (a) (ii)	section 4.57 (3) (a) (ii)
clause 123G	section 82A	section 8.3
clause 123H (1)	section 82B	section 8.3
clause 123I (1)	section 96AB	section 8.9
clause 124, heading	<b>section 101</b>	<b>section 4.59</b>
clause 124 (1)	section 101	section 4.59
clause 124D, note	section 80A (10B)	section 4.17 (10B)
clause 124E (1)	section 89C (3)	section 4.36 (3)
clause 124E (3)	section 89C	section 4.36
clause 124F (1)	section 89C (3)	section 4.36 (3)
clause 124G, heading	<b>section 89C (3)</b>	<b>section 4.36 (3)</b>
clause 124G	section 89C (3)	section 4.36 (3)
clause 124I (2)	section 80 (3) or 80A (2)	section 4.16 (3) or 4.17 (2)
clause 124J	section 96 (2) (b)	section 4.55 (2) (b)
clause 129AB (b), note	section 149 (2)	section 10.7 (2)
clause 130AA	section 85A (8)	section 4.28 (8)



<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 130 (4)	section 85A (11) (b)	section 4.28 (11) (b)
clause 134 (1A) (b)	section 33A (2)	section 3.20 (2)
clause 136A (2)	section 85A (6) (a)	section 4.28 (6) (a)
clause 136AA (2) (c) (i)	section 109C (1) (a)	section 6.4 (e)
clause 136B (5)	section 109R	section 6.28
clause 136C (4)	section 109R	section 6.28
clause 136K, heading	<b>section 85A (9)</b>	<b>section 4.28 (9)</b>
clause 136K (1)	section 94	section 7.11
clause 136K (1)	section 94A	section 7.12
clause 136K (2)	section 85A (9)	section 4.28 (9)
clause 136L, heading	<b>section 85A (9)</b>	<b>section 4.28 (9)</b>
clause 136L (1)	section 85A (9)	section 4.28 (9)
clause 137, heading	<b>section 101</b>	<b>section 4.59</b>
clause 137 (1)	section 101	section 4.59
clause 186O (4)	Part 4A	Part 6
clause 189	section 119T (1) (b)	section 9.32 (1) (b)
clause 191	Part 5.1	Division 5.2
clause 191	section 115T	section 5.11
clause 192 (1) (a)	section 115ZG	section 5.23
clause 192 (1) (b)	section 115ZH	section 5.24
clause 193 (5), definition of <i>modification request</i>	section 115ZI	section 5.25
clause 193A	section 115ZM (e)	section 5.29 (e)
clause 195 (1)	section 115ZA	section 5.18
clause 195 (2)	section 115Z (6)	section 5.17 (6)
clause 196 (1)	section 115ZL (1)	section 5.28 (1)
clause 196 (2)	section 115ZL (1) (i)	section 5.28 (1) (i)
clause 196 (2)	section 115Z	section 5.17
clause 196 (2)	section 115Z (5)	section 5.17 (5)
clause 197 (1)	section 115ZL (4)	section 5.28 (4)
clause 198 (1)	section 81A, section 109M	section 6.6, 6.12 or 6.9
clause 198 (2)	section 115ZF (5)	section 5.22 (5)
clause 198 (2)	section 81A	section 6.6, section 6.12
clause 198 (2)	Part 4A	Part 6
clause 198 (2)	Part 5.1	Division 5.2
clause 198 (3) (b)	Part 5.1	Division 5.2
clause 224 (1)	sections 79C (4) and 85A (4)	sections 4.15 (4) and 4.28 (4)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 224 (1), note	section 109F (2)	section 6.8 (2)
clause 226, heading	<b>section 88</b>	<b>section 4.32</b>
clause 226 (1)	section 88 (2) (a)	section 4.32 (2) (a)
clause 226 (2)	section 88 (2) (a)	section 4.32 (2) (a)
clause 226 (2)	section 109R	section 6.28
clause 226 (3)	section 88 (2) (a)	section 4.32 (2) (a)
clause 226 (3)	section 109R (1)	section 6.28 (1)
clause 226 (3)	section 109R	section 6.28
clause 227	section 109R	section 6.28
clause 227AA	section 110	section 5.1
clause 233, heading	<b>section 113</b>	<b>section 5.8</b>
clause 233	section 113	section 5.8
clause 233	section 113 (1)	section 5.8 (1)
clause 234, heading	<b>section 113</b>	<b>section 5.8</b>
clause 234 (1)	section 113	section 5.8
clause 234 (2)	section 113 (1)	section 5.8 (1)
clause 235	section 113 (1)	section 5.8 (1)
clause 243 (3) (e) (i)	section 113	section 5.8
clause 243 (3) (e) (ii)	section 114	section 5.9
clause 244B (1)	section 110 (1)	section 5.1 (1)
clause 244B (2)	section 110 (1)	section 5.1 (1)
clause 244K (1)	section 111	section 5.5
clause 244K (3)	section 111A (2)	section 5.6 (2)
clause 244N (1)	section 111	section 5.5
clause 244N (3)	section 111A (2)	section 5.6 (2)
clause 246A (2) (d)	section 79C	section 4.15
clause 256A (1A)	section 105 (6)	section 4.64 (6)
clause 256C, definition of <i>staged application</i> , note	Section 83B	Section 4.22
clause 256C, definition of <i>staged infrastructure application</i>	section 115ZD	section 5.20
clause 256K	section 89F (1) or 115Z (3) of the Act	the Act
clause 256M (2) (a)	section 96 (1)	section 4.55 (1)
clause 256M (2) (b)	section 115ZI	section 5.25
clause 256M (3) (a)	section 96 (1A)	section 4.55 (1A)
clause 256M (3) (b)	section 115ZI	section 5.25

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 256N (1)	section 23D (1) (b) (iii)	section 2.9 (1) (d)
clause 256O	section 89E (5)	section 4.38 (5)
clause 257A	section 82B	section 8.2 (1) (c)
clause 258 (1)	section 96 (1)	section 4.55 (1)
clause 258 (1A)	section 96 (1A)	section 4.55 (1A)
clause 258 (1A)	section 96AA (1)	section 4.56 (1)
clause 258 (2)	section 96 (2)	section 4.55 (2)
clause 258 (2)	section 96AA (1)	section 4.56 (1)
clause 258 (2)	section 96 (2) or 96AA (1)	section 4.55 (2) or 4.56 (1)
clause 258 (3)	section 96 (2) or 96AA (1)	section 4.55 (2) or 4.56 (1)
clause 258A	section 96AB	section 8.9
clause 259 (1)	section 149 (2)	section 10.7 (2)
clause 259 (2)	section 149 (5)	section 10.7 (5)
clause 260 (1)	section 149B (2)	section 6.23 (2)
clause 260 (3A) (b)	section 76A (1)	section 4.2 (1)
clause 260 (3A) (c)	No 2, 12, 13, 15, 18 or 19 in the Table to section 121B (1) of the Act	No 2, 3, 10, 11 or 14 in Part 1 of Schedule 5 to the Act
clause 261	section 149G (3)	section 6.26 (10)
clause 262	section 150 (2)	section 10.8 (2)
clause 263 (1)	section 137 (1)	section 7.44 (1)
clause 263 (2)	Part 4A	Part 6
clause 263 (3)	section 137 (1A)	section 7.44 (1A)
clause 263 (3)	section 89C (3)	section 4.36 (3)
clause 263 (4)	section 137 (1A)	section 7.44 (1A)
clause 263 (4), note	sections 23D (1) (b) (i) and 23G (2) (c)	sections 2.9 (1) (c) and 2.15 (c)
clause 263 (5)	section 137 (1A)	section 7.44 (1A)
clause 264 (2) (i)	section 101	section 4.59
clause 264 (2) (ma)	section 80A (10B)	section 4.17 (10B)
clause 264 (2) (o)	section 78A	section 4.12
clause 264 (4)	section 100	section 4.58
clause 265 (1) (j)	section 101	section 4.59
clause 265 (4)	section 100	section 4.58
clause 266 (1) (b)	section 81	section 4.18
clause 266 (1) (h)	section 101	section 4.59
clause 268A (1)	sections 81A (2), 86 (1) and 109H (3) (b) and (5) (b)	sections 6.6 (2) and 6.10 (2) (b)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 268A (2)	Sections 81A (2) (b) (i), (b1) (i) and (c) and 86 (1) (a) (i), (a1) (i) and (b)	Sections 6.6 (1), (2) (a) and (e)
clause 268Y (2)	Schedule 5	Schedule 7
clause 268YA (1)	Schedule 5	Schedule 7
clause 268Z	Schedule 5	Schedule 7
clause 268ZD (4), note	Schedule 5	Schedule 7
clause 268ZJ (2)	Schedule 5	Schedule 7
clause 268ZJ (3)	Schedule 5	Schedule 7
clause 268ZM (1)	Schedule 5	Schedule 7
clause 268ZM (2)	Schedule 5	Schedule 7
clause 268ZN (1)	Schedule 5	Schedule 7
clause 269	section 132 (4)	section 7.38 (4)
clause 270 (1)	section 80 (11)	section 4.16 (11)
clause 270 (1)	section 94EA	section 7.18
clause 272	section 79BA (1) (a)	section 4.14 (1) (a)
clause 273 (1)	section 79BA	section 4.14
clause 273A (1)	section 146 (2A)	section 10.3 (2A)
clause 274 (1)	section 78A (1)	section 4.12 (1)
clause 275 (2)	section 78A (1)	section 4.12 (1)
clause 277 (1)	section 4 (1)	section 1.4 (1)
clause 277 (2)	section 4 (1)	section 1.4 (1)
clause 277 (3)	section 4 (1)	section 1.4 (1)
clause 277 (4)	section 4 (1)	section 1.4 (1)
clause 277 (5)	section 4 (1)	section 1.4 (1)
clause 277 (6)	section 4 (1)	section 1.4 (1)
clause 277 (10)	section 4 (1)	section 1.4 (1)
clause 277 (10)	section 30 (2)	section 3.18 (2)
clause 277 (10), note	section 30 (2)	section 3.18 (2)
clause 278 (1)	section 143 (1)	section 7.42 (1)
clause 278 (1), definition of <b>Total assessment</b>	section 143 (1)	section 7.42 (1)
clause 278 (4)	section 143 (4)	section 7.42 (4)
clause 279 (1)	section 149 (2)	section 10.7 (2)
clause 279 (2)	section 149 (2)	section 10.7 (2)
clause 281 (c)	section 149D (1)	section 6.25 (1)
clause 281 (d)	section 149E	section 6.25

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
clause 281A, heading	<b>Division 2A of Part 6 of the Act</b>	<b>Schedule 5 to the Act</b>
clause 281A (2)	section 121H (5) of the Act	clause 9 (2) of Schedule 5 to the Act
clause 281B (1)	section 121CA (5) (b) of the Act	clause 37 (6) (b) of Schedule 5 to the Act
clause 281B (1) (h)	section 121ZKA	section 8.24
clause 282	section 150 (1)	section 10.8 (1)
clause 284 (1)	section 127A	section 9.58
clause 284 (3)	section 121ZC	section 9.35 (1) (d)
clause 284 (3)	section 127A	section 9.58
clause 285 (1)	section 121ZS (1) (b) of the Act	clause 35 (1) (b) of Schedule 5 to the Act
clause 285 (2)	section 121ZS (10) of the Act	clause 35 (10) of Schedule 5 to the Act
clause 285A	section 126 (2A)	section 9.56 (2A)
clause 285B	section 148B (3) (d)	section 10.6 (3) (d)
clause 285B	section 122C	section 9.40
clause 285B	section 148B	section 10.6
clause 285B (c)	Part 5.1	Division 5.2
clause 288 (1)	section 79C (1) (a) (iv)	section 4.15 (1) (a) (iv)
Schedule 1, clause 1 (1) (f)	section 79B (2A) or 89J	section 4.13 (2A) or 4.41
Schedule 1, clause 1 (1) (g)	section 91 (1)	section 4.46 (1)
Schedule 1, clause 1 (1) (g1)	section 89K	section 4.42
Schedule 1, clause 2 (1) (n) (iv)	section 79C (4)	section 4.15 (4)
Schedule 1, clause 4 (1) (i) (iv)	section 85A (4)	section 4.28 (4)
Schedule 1, clause 4 (5) (d)	section 85A (4)	section 4.28 (4)
Schedule 1, clause 6 (3) (d)	section 79C (4)	section 4.15 (4)
Schedule 2, clause 2	section 78A (8) or 112	section 4.12 (8) or 5.7
Schedule 2, clause 3 (9) (b)	section 89J	section 4.41
Schedule 2, clause 3 (9) (c)	section 89K	section 4.42
Schedule 2, clause 5	section 78A (8), 112 or 115Y (2)	section 4.12 (8), 5.7 or 5.16 (2)
Schedule 2, clause 11	Division 2 of Part 5.1	Division 5.2
Schedule 2, clause 13	section 115Y	section 5.16
Schedule 2, clause 14	section 115Z	section 5.17
Schedule 2, clause 14	section 115Y (4)	section 5.16 (4)
Schedule 3, clause 35, note	section 77A	section 4.10
Schedule 3, clause 35, note	section 98	section 8.8

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision to be amended</b>	<b>Omit</b>	<b>Insert instead</b>
Schedule 4, clause 8	section 27	section 3.15
Schedule 6, clause 2 (2)	section 80 (3)	section 4.16 (3)
Schedule 6, clause 2 (2)	section 80 (5)	section 4.16 (5)
Schedule 6, clause 2 (5)	section 81A (1)	section 4.19
Schedule 6, clause 11 (2)	Section 81 (2)	Section 4.18 (2)
Schedule 6, clause 11 (3)	Section 81A (2) (b) (ii)	Section 6.6 (2) (c)
Schedule 6, clause 11 (4)	section 81A (2) (c) or (4) (c) and 100 (1)	section 6.6 (2) (e) or 6.12 (2) (c) and 4.58 (1)
Schedule 6, clause 11 (6)	section 100 (1)	section 4.58 (1)
Schedule 6, clause 11 (7)	section 100 (2)	section 4.58 (2)
Schedule 6, clause 11 (8)	Section 109L (3)	Section 6.31 (3)
Schedule 6, clause 11 (14)	Section 121B	Section 9.34
Schedule 6, clause 11 (15)	Division 2A of Part 6 (other than section 121B)	Schedule 5 (other than Parts 1, 2, and 3)
Schedule 6, clause 11 (21)	sections 149A–149G	sections 6.22–6.26 and 8.25
Schedule 6, clause 11 (22)	Sections 149D (1) (a) (iii) and 149E (1) (b) and (2) (b)	Section 6.25 (1) (a) (iii), (3) (b) and (4) (b)