



New South Wales

Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Amendment (Greater Sydney Commission) 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 provide for transitional matters relating to the making of local environmental plans following the removal of plan-making powers for the Greater Sydney Region from the Greater Sydney Commission.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 10.13 (the general regulation-making power) and 10.15.

Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Amendment (Greater Sydney Commission) Regulation 2018

under the

Environmental Planning and Assessment Act 1979

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Amendment (Greater Sydney Commission) Regulation 2018*.

2 Commencement

This Regulation commences on 10 December 2018 and is required to be published on the NSW legislation website.

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

[1] Part 3 Provisions consequent on enactment of Planning Legislation Amendment (Greater Sydney Commission) Act 2018

Insert at the end of the Part with appropriate clause numbering:

Delegation of plan-making powers

- (1) Any delegation by the Greater Sydney Commission of any of the Commission's functions under Part 3 of the Act (as in force before 10 December 2018) relating to the making of local environmental plans that apply to local government areas in the Greater Sydney Region, being a delegation in force immediately before that day, is taken to be a delegation by the Minister of those functions.
- (2) Accordingly a reference to the Greater Sydney Commission in the instrument of any such existing delegation is taken to be a reference to the Minister.

Consultation about proposed instruments and planning proposals in Greater Sydney Region

- (1) Section 3.30 (2) of the Act, as inserted by the *Planning Legislation Amendment (Greater Sydney Commission) Act 2018*, does not apply to an environmental planning instrument made by the Governor before 1 January 2019.
- (2) Section 3.34 (3A) and (3B) of the Act, as inserted by the *Planning Legislation Amendment (Greater Sydney Commission) Act 2018*, do not apply in respect of the determination of a planning proposal by the Minister until on and after 1 January 2019.

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

Insert at the end of clause 49:

- (3) Subclause (2) does not affect the validity of anything done by the Greater Sydney Commission or a delegate of the Greater Sydney Commission under this clause before that commencement.