



New South Wales

# **Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Amendment (Modifications) Regulation 2022**

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*.

ANTHONY ROBERTS, MP  
Minister for Planning

## **Explanatory note**

The object of this Regulation is to provide that a request to modify a project or concept plan that was originally dealt with under repealed Part 3A of the *Environmental Planning and Assessment Act 1979*, and that may continue to be dealt with as a transitional Part 3A project, may itself be amended prior to being approved, or refused, by the Minister.

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### **1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Amendment (Modifications) Regulation 2022*.

### **2 Commencement**

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

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

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

Insert after clause 3BA(5)—

- (5A) A request made in accordance with this clause to modify an approved project or concept plan may, with the consent of the Minister, be amended at any time before the request for modification is determined by the Minister.
- (5B) The amendment of a request to modify an approved project or concept plan—
  - (a) must be—
    - (i) lodged in the way determined by the Minister, and
    - (ii) accompanied by the information specified by the Minister, and
  - (b) may be consented to by the Minister despite being lodged before the commencement of subclause (5A).