



New South Wales

# Environmental Planning and Assessment Amendment (60 Day Deemed Approval) Bill 2025

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Environmental Planning and Assessment Act 1979* to provide that certain development applications, modification applications and certificates are deemed to have been approved if the consent authority or certifier has not determined the application within 60 days of it being made.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

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

**Schedule 1[1]** inserts proposed section 4.16A which provides that certain development applications for residential accommodation are taken to have been determined by the granting of development consent if the application has not been determined within 60 days of the date on which the application is made. The proposed section also requires the Minister to review the operation of the section as soon as possible after the period of 3 years from the date the section commences and every 3 years thereafter.

**Schedule 1[2]** inserts proposed section 4.55A which provides that certain modification applications for residential accommodation are taken to have been determined by the granting of

consent to the modification if the application has not been determined within 60 days of the date on which the application is made. The proposed section also requires the Minister to review the operation of the section as soon as possible after the period of 3 years from the date the section commences and every 3 years thereafter.

**Schedule 1[3]** inserts proposed section 6.36 which provides that applications for certain certificates issued under the Act, Part 6 are taken to have been issued by the relevant council if the council has failed to issue the certificate to the applicant within 60 days of the date on which the application is made. The proposed section also requires the Minister to review the operation of the section as soon as possible after the period of 3 years from the date the section commences and every 3 years thereafter.