



New South Wales

Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2005

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*.

CRAIG KNOWLES, M.P.,
Minister for Infrastructure and Planning

Explanatory note

The object of this Regulation is to amend the *Environmental Planning and Assessment Regulation 2000* so as to exclude certain matters from the requirements for a BASIX certificate when the BASIX certification scheme for limited classes of residential development is extended to the whole of the State on 1 July 2005. That scheme currently applies only in certain local government areas within the Sydney metropolitan area.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including section 157 (the general power to make regulations).

2005 No 306

Clause 1 Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2005

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(Building Sustainability Index: BASIX) Regulation 2005**

under the

Environmental Planning and Assessment Act 1979

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2005*.

2 Commencement

This Regulation commences on 1 July 2005.

3 Amendment of Environmental Planning and Assessment Regulation 2000

The *Environmental Planning and Assessment Regulation 2000* is amended by inserting at the end of clause 286A the following subclause:

- (2) The amendments to this Regulation made by the regulation referred to in subclause (1) do not apply, in relation to land outside the initial BASIX area, to:
 - (a) a development application, or application for a complying development certificate, that has been made before 1 July 2005, or
 - (b) a development consent or complying development certificate arising from an application referred to in paragraph (a), or
 - (c) an application for a construction certificate or occupation certificate that is made in relation to development carried out under the authority of a development consent or complying development certificate arising from an application referred to in paragraph (a).

BY AUTHORITY