



New South Wales

Environmental Planning and Assessment Amendment (Building Code of Australia) Regulation 2009

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*.

KRISTINA KENEALLY, MP
Minister for Planning

Explanatory note

The object of this Regulation is to delay the implementation of any amendment or variation to the *Building Code of Australia* that replaces references to places of public entertainment with references to entertainment venues until such time as the *Environmental Planning and Assessment Regulation 2000* is amended to make provision for entertainment venues. Until that time, the *Building Code of Australia* will continue to apply as if any such amendment or variation to it had not been made.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including section 105 (4) and section 157 (the general regulation-making power).

2009 No 146

Environmental Planning and Assessment Amendment (Building Code of
Clause 1 Australia) Regulation 2009

**Environmental Planning and Assessment Amendment
(Building Code of Australia) Regulation 2009**

under the

Environmental Planning and Assessment Act 1979

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Building Code of Australia) Regulation 2009*.

2 Commencement

This Regulation commences on 1 May 2009 and is required to be published on the NSW legislation website.

3 Amendment of Environmental Planning and Assessment Regulation 2000

Clause 7 Building Code of Australia

Insert after clause 7 (2):

- (2A) Despite subclause (2), any amendment or variation to that Code that replaces references to places of public entertainment with references to entertainment venues comes into effect on the date on which this Regulation is amended to make provision for entertainment venues, and until that date, that Code continues to apply as if the amendment or variation had not been made.