



New South Wales

# Environmental Planning and Assessment Amendment (Complying Development Certificates) 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 amend the *Environmental Planning and Assessment Regulation 2000* to modify the requirement that written notice of a determination to issue a complying development certificate is to be given to the owner or occupier of land within 40 metres of the boundary of land to which the certificate relates. Notice will not be required to be given to the owner or occupier of land on which no dwelling is situated.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 85A and 157 (the general regulation-making power).

**2009 No 220**

Environmental Planning and Assessment Amendment (Complying  
Clause 1 Development Certificates) Regulation 2009

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**Environmental Planning and Assessment Amendment  
(Complying Development Certificates) Regulation 2009**

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Environmental Planning and Assessment Act 1979

**1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment Amendment (Complying Development Certificates) Regulation 2009*.

**2 Commencement**

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

## **Schedule 1      Amendment of Environmental Planning and Assessment Regulation 2000**

**[1] Clause 130 Procedure for determining application for complying  
development certificate and notification requirements**

Insert “(other than land on which no dwelling is situated)” after “land” where  
firstly occurring in clause 130 (5).

**[2] Schedule 7 Savings and transitional provisions**

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

**Notification of determination of complying development  
certificates**

On and from the commencement of the *Environmental Planning  
and Assessment Amendment (Complying Development  
Certificates) Regulation 2009*, notice is not required to be issued  
under clause 130 to the owner or occupier of land on which no  
dwelling is situated in relation to a determination to issue a  
complying development certificate that was made before that  
commencement.