



New South Wales

# Environmental Planning and Assessment Amendment (Planning Certificates) Regulation 2010

under the

Environmental Planning and Assessment Act 1979

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

TONY KELLY, MLC  
Minister for Planning

## Explanatory note

The object of this Regulation is to require councils to include the following matters in planning certificates:

- (a) information about biobanking agreements under the *Threatened Species Conservation Act 1995*, and
- (b) whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 149 (2) and 157 (the general regulation-making power).

## 2010 No 151

Clause 1

Environmental Planning and Assessment Amendment (Planning Certificates) Regulation 2010

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## 1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Planning Certificates) Regulation 2010*.

## 2 Commencement

This Regulation commences on 4 June 2010 and is required to be published on the NSW legislation website.

## 3 Amendment of Environmental Planning and Assessment Regulation 2000

### (1) Schedule 4 Planning certificates

Omit “in” from clause 3 (1).

Insert instead “because of the provisions of clause 1.19 of”.

### (2) Schedule 4, clause 3 (2)

Omit “one or more of the requirements under clause 1.19 of that Policy, why it may not be carried out”.

Insert instead “the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause”.

### (3) Schedule 4, clause 10

Insert after clause 9:

#### 10 Biobanking agreements

If the land is land to which a biobanking agreement under Part 7A of the *Threatened Species Conservation Act 1995* relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).