



New South Wales

Environmental Planning and Assessment Amendment (Activation Precincts) Regulation 2020

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*.

ROBERT STOKES, MP
Minister for Planning and Public Spaces

Explanatory note

The objects of this Regulation are—

- (a) to require a development application and a complying development certificate application that relate to proposed development on land within an Activation Precinct under *State Environmental Planning Policy (Activation Precincts) 2020* to be accompanied by a current Activation Precinct certificate issued by the Regional Growth NSW Development Corporation or the Secretary of the Department of Planning, Industry and Environment under that Policy, and
- (b) to provide that development for certain purposes on land within the Regional Enterprise Zone in the Parkes Activation Precinct under *State Environmental Planning Policy (Activation Precincts) 2020* is not designated development.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 4.10, 4.12, 4.28, 4.64 and 10.13 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Activation Precincts) Regulation 2020*.

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 50C

Insert after clause 50B—

50C Special provision relating to development applications for land within Activation Precincts

- (1) A development application that relates to proposed development on land within an Activation Precinct under *State Environmental Planning Policy (Activation Precincts) 2020* must be accompanied by a current Activation Precinct certificate.
- (2) This clause does not apply to or with respect to a development application made by a public authority (other than the Development Corporation within the meaning of that Policy).

[2] Clause 129

Insert after clause 128—

129 Special provision relating to complying development certificates for development on land within Activation Precincts

- (1) An application for a complying development certificate for proposed development on land within an Activation Precinct under *State Environmental Planning Policy (Activation Precincts) 2020* must be accompanied by a current Activation Precinct certificate.
- (2) This clause does not apply to or with respect to an application for a complying development certificate made by a public authority (other than the Development Corporation within the meaning of that Policy).

[3] Schedule 3 Designated development

Insert after clause 37A—

37B Development in Parkes Activation Precinct

The following development is not designated development if it is carried out on land within the Regional Enterprise Zone in the Parkes Activation Precinct under *State Environmental Planning Policy (Activation Precincts) 2020*—

- (a) development for the purposes of thermal electricity generating works,
- (b) development of a kind specified in clause 4, 6, 8, 13, 16, 21, 22, 26 or 28.