



New South Wales

Environmental Planning and Assessment Amendment 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 to—

- (a) remove the requirement for a consent authority that receives a development application for designated development to provide a copy of the development application and the environmental impact statement to the Secretary of the Department of Planning, Industry and Environment (the *Department*), and
- (b) replace references to the *Medium Density Design Guide* with references to—
 - (i) for complying development—the *Low Rise Housing Diversity Design Guide* published by the Department on 1 July 2020, and
 - (ii) for development applications—the *Low Rise Housing Diversity Design Guide for Development Applications* published by the Department in July 2020.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 4.15(1)(a)(iv), 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 Regulation 2020*.

2 Commencement

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

3 Amendment of Environmental Planning and Assessment Regulation 2000

(1) Clause 50 How must a development application be made?

Omit “to the Planning Secretary (where the Minister or the Planning Secretary is not the consent authority) and” from clause 50(6).

(2) Clause 92 Additional matters that consent authority must consider

Omit “*Medium Density Design Guide for Development Applications* published by the Department of Planning and Environment on 6 July 2018” from clause 92(1)(e).

Insert instead “*Low Rise Housing Diversity Design Guide for Development Applications* published by the Department in July 2020”.

(3) Schedule 1 Forms

Omit “Medium Density Design Guide” from clause 4(1)(n)(ii).

Insert instead “*Low Rise Housing Diversity Design Guide*”.