



New South Wales

# Environmental Planning and Assessment Amendment (Flood Planning) Regulation 2021

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*.

ROB STOKES, MP  
Minister for Planning and Public Spaces

## **Explanatory note**

The object of this Regulation is to amend the *Environmental Planning and Assessment Regulation 2000* to require a planning certificate to specify whether the land or part of the land to which it relates is within the flood planning area, or between the flood planning area and the probable maximum flood, and subject to flood related development controls.

## Environmental Planning and Assessment Amendment (Flood Planning) Regulation 2021

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### 1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Flood Planning) Regulation 2021*.

### 2 Commencement

This Regulation commences on 14 July 2021 and is required to be published on the NSW legislation website.

### 3 Amendment of Environmental Planning and Assessment Regulation 2000

#### Schedule 4 Planning certificates

Omit clause 7A. Insert instead—

#### 7A Flood related development controls

- (1) If the land or part of the land is within the flood planning area and subject to flood related development controls.
- (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.
- (3) In this clause—

***flood planning area*** has the same meaning as in the Floodplain Development Manual.

***Floodplain Development Manual*** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

***probable maximum flood*** has the same meaning as in the Floodplain Development Manual.