



New South Wales

# Environmental Planning and Assessment Amendment (Temporary Emergency Facilities) Regulation 2022

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*.

ANTHONY ROBERTS, MP  
Minister for Planning

## Explanatory note

The object of this Regulation is to—

- (a) provide that development for the purposes of temporary emergency early education and care facilities, schools and health services facilities, other than patient transport facilities or hospitals, that is permitted without development consent under *State Environmental Planning Policy (Transport and Infrastructure) 2021* is not an activity for which an environmental impact assessment may otherwise be required under the *Environmental Planning and Assessment Act 1979*, and
- (b) correct incorrect cross-references.

## **Environmental Planning and Assessment Amendment (Temporary Emergency Facilities) Regulation 2022**

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### **1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment Amendment (Temporary Emergency Facilities) Regulation 2022*.

### **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 2021**

#### **(1) Section 169 Development that is not an activity**

Insert after section 169(b)—

- (c) development for the following purposes that is permitted without development consent under *State Environmental Planning Policy (Transport and Infrastructure) 2021*, Chapter 2, Division 27—
  - (i) early education and care facilities,
  - (ii) health services facilities, other than patient transport facilities or hospitals,
  - (iii) schools.

#### **(2) Schedule 5 Penalty notice offences**

Omit “section 2.26(2)” from the table, Column 1. Insert instead “section 3.26(2)”.

#### **(3) Schedule 5, table, Column 1**

Omit “section 2.26(1)”. Insert instead “section 3.26(1)”.