



New South Wales

Environmental Planning and Assessment (Development Certification and Fire Safety) Amendment (Farm Stay Accommodation) 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 amend the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* to make it an offence for a person to use a building to provide farm stay accommodation unless the building complies with the relevant requirements of the *Short-Term Rental Accommodation Fire Safety Standard* approved by the Secretary of the Department of Planning and Environment and published on the Department's website, as in force from time to time.

Environmental Planning and Assessment (Development Certification and Fire Safety) Amendment (Farm Stay Accommodation) Regulation 2022

under the

Environmental Planning and Assessment Act 1979

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment (Development Certification and Fire Safety) Amendment (Farm Stay Accommodation) Regulation 2022*.

2 Commencement

This Regulation commences on 1 December 2022.

Schedule 1 Amendment of Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

[1] Part 13A, heading

Insert “**and farm stay accommodation**” after “**accommodation**”.

[2] Part 13A, Division 1, heading

Insert before section 102A—

Division 1 Preliminary

[3] Part 13A, Division 2, heading

Insert after section 102A—

Division 2 Compliance with fire safety standard

[4] Section 102B

Omit the section. Insert instead—

102B Accommodation must comply with fire safety standard

- (1) A person must not use a dwelling to provide short-term rental accommodation unless the dwelling complies with the relevant requirements of the fire safety standard.
Maximum penalty—
 - (a) for a corporation—300 penalty units, or
 - (b) for an individual—150 penalty units.
- (2) A person must not use a building to provide farm stay accommodation unless the building complies with the relevant requirements of the fire safety standard.
Maximum penalty—
 - (a) for a corporation—300 penalty units, or
 - (b) for an individual—150 penalty units.
- (3) Nothing in this Part authorises development for the purposes of farm stay accommodation or short-term rental accommodation.

[5] Part 13A, Division 3, heading

Insert after section 102B—

Division 3 Registration of short-term rental accommodation