



New South Wales

# Environmental Planning and Assessment Amendment (Stage 1 Bays West Precinct) 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 objects of this Regulation are—

- (a) to require a development application involving land in the Stage 1 Bays West Precinct under *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021*, Chapter 2 to be accompanied by an assessment of the consistency of the development with certain documents published by the Department of Planning and Environment, and
- (b) to make it clear that the removal of sandstone for certain purposes in the Stage 1 Bays West Precinct is not designated development.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 4.10(1), 4.64(1)(e) and 10.13, the general regulation-making power.

## **Environmental Planning and Assessment Amendment (Stage 1 Bays West Precinct) Regulation 2022**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment Amendment (Stage 1 Bays West Precinct) 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 35 Additional requirements for development applications in certain areas of Sydney**

Insert after section 35(2)(h)—

- (i) land in the Stage 1 Bays West Precinct under *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021*, Chapter 2.

#### **(2) Section 35(4), definition of “relevant plan”**

Insert after paragraph (h)—

- (i) for land in the Stage 1 Bays West Precinct—the following, available on the NSW Planning Portal—
  - (i) the *Bays West Place Strategy*, as in force from time to time,
  - (ii) the *Design Guide for Bays West Stage 1—White Bay Power Station (and Metro)*, as in force from time to time.

#### **(3) Schedule 3 Designated development**

Insert after section 26(4)(h)—

- (i) the removal of sandstone, whether or not the extracted material is reused or resold, for the provision of car parking or plant or storage associated with development on land in the Stage 1 Bays West Precinct within the meaning of *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021*, Appendix 8.