



New South Wales

Environmental Planning and Assessment Amendment (Activation Precincts) 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 make minor amendments in relation to development applications and applications for complying development certificates for development in Activation Precincts under *State Environmental Planning Policy (Precincts—Regional) 2021*, Chapter 3.

The Regulation also makes minor law revision amendments to penalty provisions.

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1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Activation Precincts) Regulation 2022*.

2 Commencement

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

Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2021

- [1] **Section 31 Other documents required for certain development applications**
Insert “that applies to the development” after “certificate” in section 31(4).
- [2] **Section 126 Complying development in certain areas**
Insert “that applies to the development” after “that Chapter” in section 126(1).
- [3] **Section 137 Compliance with Building Code of Australia**
Omit “(subsection (4))” from the penalty to section 137(4).
- [4] **Section 141 Notice of determination of complying development certificate application**
Insert after section 141(3)—
 Maximum penalty—
 (a) for a corporation—300 penalty units, or
 (b) for an individual—150 penalty units.
- [5] **Section 141(4)**
Omit the penalty. Insert instead—
 Maximum penalty—
 (a) for a corporation—300 penalty units, or
 (b) for an individual—150 penalty units.
- [6] **Section 141(5) and (6)**
Insert after section 141(4)—
 (5) Within 2 days after determining an application for a complying development certificate for development in an Activation Precinct under *State Environmental Planning Policy (Precincts—Regional) 2021*, Chapter 3, the registered certifier must also give the documents specified in subsection (4) to the Development Corporation within the meaning of that Chapter.
 Maximum penalty—
 (a) for a corporation—300 penalty units, or
 (b) for an individual—150 penalty units.
 (6) Subsection (5) does not apply to complying development carried out by the Development Corporation.
- [7] **Schedule 5 Penalty notice offences**
Omit “Section 141(3) and (4)” from the matter relating to **Offences under this Regulation**.
Insert instead “Section 141(3)–(5)”.