



New South Wales

Environmental Planning and Assessment Amendment (Kosciuszko Alpine Region) 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 to the *Environmental Planning and Assessment Regulation 2021* and the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* as a consequence of *State Environmental Planning Policy (Precincts—Regional) Amendment (Kosciuszko Alpine Region) 2022*.

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1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Kosciuszko Alpine Region) 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

Section 23 Persons who may make development applications

Insert after section 23(7)—

(7A) The consent of the owner of the land is not required for a development application for development on land identified as “Consolidated Mountain Licence Area” or “Thredbo Alpine Resort Licence Area” on the Major Resorts Licence Area Map published by the Department from time to time.

(7B) Subsection (7A) applies despite *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*, Schedule 5.

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

Section 89 Duties of building owners in relation to annual fire safety statements

Omit “in a ski resort area to which *State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007* applies” from section 89(6).

Insert instead “in the Alpine Region under *State Environmental Planning Policy (Precincts—Regional) 2021*, Chapter 4”.