



New South Wales

Environmental Planning and Assessment Amendment (Flood Planning) Regulation 2023

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*.

PAUL SCULLY, MP
Minister for Planning and Public Spaces

Explanatory note

The object of this regulation is to replace references to the *Floodplain Development Manual* published by the NSW Government in April 2005 with references to the *Flood Risk Management Manual* published by the NSW Government in June 2023.

This regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 10.7 and 10.13, the general regulation-making power.

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1 Name of regulation

This regulation is the *Environmental Planning and Assessment Amendment (Flood Planning) Regulation 2023*.

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

Schedule 2 Planning certificates

Omit section 9(3). Insert instead—

(3) In this section—

flood planning area has the same meaning as in the Flood Risk Management Manual.

Flood Risk Management Manual means the *Flood Risk Management Manual*, ISBN 978-1-923076-17-4, published by the NSW Government in June 2023.

probable maximum flood has the same meaning as in the Flood Risk Management Manual.