



New South Wales

# Environmental Planning and Assessment Amendment (Consent Authority) Regulation 2024

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 provide, for development applications to which design excellence requirements apply, that certain functions of the consent authority may be exercised by the council on behalf of a district or regional planning panel or by the Secretary of the Department of Planning, Housing and Infrastructure on behalf of the Independent Planning Commission.

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### **1 Name of regulation**

This regulation is the *Environmental Planning and Assessment Amendment (Consent Authority) Regulation 2024*.

### **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 275 Functions exercisable by council on behalf of Sydney district or regional planning panel—the Act, s 4.7(2)(h)**

Insert after section 275(2)—

- (3) The following functions in relation to a development application to which a design excellence provision applies are prescribed as functions of a Sydney district or regional planning panel that must be exercised on behalf of the panel by the council of the area—
  - (a) the certification that a competitive design process is not required,
  - (b) the establishment of a design review panel, other than a design review panel constituted under Division 4A.
- (4) In this section—

*design excellence provision* means a provision that provides that development consent must not be granted unless the consent authority is satisfied the development exhibits design excellence.

**[2] Section 288E**

Insert before section 289—

**288E Functions exercisable by Planning Secretary on behalf of Independent Planning Commission—the Act, s 4.6(h)**

- (1) The following functions in relation to a development application to which a design excellence provision applies are prescribed—
  - (a) the certification that a competitive design process is not required,
  - (b) the establishment of a design review panel, other than a design review panel constituted under Division 4A.
- (2) In this section—

*design excellence provision* means a provision that provides that development consent must not be granted unless the consent authority is satisfied the development exhibits design excellence.