

Coastal Protection (Non-Local Government Areas) Regulation 1994

As at 1 September 2003

1 Name of Regulation

This Regulation may be cited as the *Coastal Protection (Non-Local Government Areas) Regulation 1994*.

2 Commencement

This Regulation commences on 1 September 1994.

3 Definitions

(1) In this Regulation:

the Act means the *Coastal Protection Act 1979*.

(2) The expressions **coastal zone** and **public authority** are defined in section 4 (1) of the Act and the expressions **consent** and **development** are defined in section 37 (1) of the Act.

4 Notes to clauses

Notes to clauses do not form part of this Regulation.

5 Application of Regulation

This Regulation applies to land within such part of the coastal zone:

- (a) as is not within a local government area, and
- (b) as is not subject to an environmental planning instrument within the meaning of the *Environmental Planning and Assessment Act 1979*, other than a State environmental planning policy.

6 Regulation of development generally

A person (including a public authority) must not, without the concurrence of the Minister, carry out development on land to which this Regulation applies.

Note: Contravention of this clause (otherwise than by the Crown) constitutes an offence for which the maximum penalty under section 58 of the Act is 2 penalty units.

7 Granting of rights and consents by public authorities

A public authority must not, without the concurrence of the Minister, grant any right or consent to a person:

- (a) to use or occupy land to which this Regulation applies, or
- (b) to carry out development on land to which this Regulation applies.

Note: Contravention of this clause (otherwise than by the Crown) constitutes an offence for which the maximum penalty under section 58 of the Act is 2 penalty units.

8 Repeal

- (1) The *Coastal Protection (Non-Local Government Areas) Regulation 1979* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Coastal Protection (Non-Local Government Areas) Regulation 1979*, had effect under that Regulation is taken to have effect under this Regulation.

Historical notes

Table of amending instruments *Coastal Protection (Non-Local Government Areas) Regulation 1994* published in Gazette No 111 of 31.8.1994, p 5335.