



New South Wales

State Environmental Planning Policy (Precincts—Regional) 2021

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ROB STOKES, MP
Minister for Planning and Public Spaces

Contents

| | Page |
|--|-----------|
| Chapter 1 Preliminary | |
| 1.1 Name of Policy | 3 |
| 1.2 Commencement | 3 |
| 1.3 Definitions | 3 |
| 1.4 Transferred provisions | 3 |
| Chapter 2 State significant precincts | 4 |
| Chapter 3 Activation Precincts | 5 |
| Chapter 4 Kosciuszko National Park and alpine resorts | 6 |
| Chapter 5 Gosford city centre | 7 |
| Appendices 1–6 | 8 |
| Schedules 1–10 | 9 |
| Schedule 11 Transfer of provisions | 10 |

State Environmental Planning Policy (Precincts—Regional) 2021

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Chapter 1 Preliminary

1.1 Name of Policy

This Policy is *State Environmental Planning Policy (Precincts—Regional) 2021*.

1.2 Commencement

This Policy commences on 1 March 2022 and is required to be published on the NSW legislation website.

1.3 Definitions

In this Policy—

the Act means the *Environmental Planning and Assessment Act 1979*.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Policy.

1.4 Transferred provisions

The *Interpretation Act 1987*, section 30A is taken to apply to the provisions transferred to this Policy on the commencement of this Policy in the same way as it applies to provisions transferred from a statutory rule to another statutory rule.

Note— The *Interpretation Act 1987*, section 30A provides—

- (a) the transfer of a provision does not affect the operation or meaning of the provision, and
- (b) a transferred provision is to be construed as if it had not been transferred.

Chapter 2 State significant precincts

Editorial note— *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021* transfers certain provisions of *State Environmental Planning Policy (State Significant Precincts) 2005* to this Chapter. The provisions will be incorporated into this Policy on the NSW legislation website when this Policy commences.

Chapter 3 Activation Precincts

Editorial note— Schedule 11 transfers certain provisions of *State Environmental Planning Policy (Activation Precincts) 2020* to this Chapter. The provisions will be incorporated into this Policy on the NSW legislation website when this Policy commences.

Chapter 4 Kosciuszko National Park and alpine resorts

Editorial note— Schedule 11 transfers certain provisions of *State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007* to this Chapter. The provisions will be incorporated into this Policy on the NSW legislation website when this Policy commences.

Chapter 5 Gosford city centre

Editorial note— Schedule 11 transfers certain provisions of *State Environmental Planning Policy (Gosford City Centre) 2018* to this Chapter. The provisions will be incorporated into this Policy on the NSW legislation website when this Policy commences.

Appendices 1–6

Editorial note— *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021* transfers certain Appendices from *State Environmental Planning Policy (State Significant Precincts) 2005* to this Policy. The Appendices will be incorporated into this Policy on the NSW legislation website when this Policy commences.

Schedules 1–10

Editorial note— Schedule 11 transfers certain Schedules from the following instruments to this Policy—

- (a) *State Environmental Planning Policy (Activation Precincts) 2020*,
- (b) *State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007*,
- (c) *State Environmental Planning Policy (Gosford City Centre) 2018*.

The Schedules will be incorporated into this Policy on the NSW legislation website when this Policy commences.

Schedule 11 Transfer of provisions

1 State Environmental Planning Policy (Activation Precincts) 2020

- (1) Transfer *State Environmental Planning Policy (Activation Precincts) 2020*, Parts 1–3, other than clauses 1 and 2, to this Policy as Chapter 3, Parts 3.1–3.3.
- (2) Renumber the clauses in Chapter 3 as sections with decimal numbering, commencing with section 3.1.
- (3) Transfer *State Environmental Planning Policy (Activation Precincts) 2020*, Schedule 1 to this Policy as Schedule 1.

2 State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007

- (1) Transfer the following provisions of *State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007* to this Policy as Chapter 4, Parts 4.1–4.4—
 - (a) Parts 1 and 2, including the Land Use Table, other than clauses 1 and 9,
 - (b) Parts 4 and 5, other than clause 28.
- (2) Renumber the clauses in Chapter 4 as sections with decimal numbering, commencing with section 4.1.
- (3) Omit the heading to the Dictionary. Insert instead—

Schedule 4 Dictionary for Chapter 4

- (4) Transfer *State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007*, Schedules 2–4, as amended by subsection (3), to this Policy as Schedules 2–4.

3 State Environmental Planning Policy (Gosford City Centre) 2018

- (1) Transfer *State Environmental Planning Policy (Gosford City Centre) 2018*, Parts 1–8, other than clauses 1.1 and 1.1AA, to this Policy as Chapter 5, Parts 5.1–5.8.
- (2) Renumber the clauses in Chapter 5 as sections with decimal numbering, commencing with section 5.1.
- (4) Omit the heading to the Dictionary. Insert instead—

Schedule 6 Dictionary for Chapter 5

- (5) Transfer *State Environmental Planning Policy (Gosford City Centre) 2018*, Schedules 1–6, as amended by subsection (4) and not including Schedule 3 Amendment of environmental planning instruments, to this Policy as Schedules 5–10.

4 Consequential amendments

- (1) Update all cross-references and provision numbering below the section level in this Policy as required by the transfer of provisions to this Policy.
- (2) Omit each expression specified in Column 1 of the following table wherever occurring in this Policy, other than in Chapter 1 and this Schedule, including definitions, headings and notes and regardless of capitalisation.

Insert instead the expression specified opposite in Column 2, with appropriate capitalisation—

| Column 1 | Column 2 |
|---|-------------------------------|
| this Policy | this Chapter |
| the Policy | this Chapter |
| this plan | this Chapter |
| Aims of Policy | Aims of Chapter |
| Aim of Policy | Aim of Chapter |
| Aims of plan | Aims of Chapter |
| Land to which Policy applies | Land to which Chapter applies |
| Land to which plan applies | Land to which Chapter applies |
| clause | section |
| clauses | sections |
| subclause | subsection |
| subclauses | subsections |
| Note— Omit the expressions “clause”, “clauses”, “subclause” and “subclauses” only for a reference to clauses or subclauses of this Policy. | |

- (3) Despite subsection (2), a reference to “this Policy” or “this plan” in an Appendix or a Schedule of this Policy should be omitted and replaced with a reference to the relevant Chapter of this Policy.
- (4) Subsection (2) does not apply to provisions of a savings or transitional nature.

5 Repeal of environmental planning instruments

The following environmental planning instruments, as amended by this Schedule, are repealed—

State Environmental Planning Policy (Activation Precincts) 2020

State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007

State Environmental Planning Policy (Gosford City Centre) 2018

Note 1— Savings and transitional provisions in the instruments repealed by this section are not transferred to this Policy. They continue to have effect because of the *interpretation Act 1987*, sections 5(6) and 30(2)(d).

Note 2— *State Environmental Planning Policy (State Significant Precincts) 2005* is repealed by *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021*.

6 Repeal of Schedule

This Schedule is repealed at the beginning of the day after this Policy commences.