



New South Wales

# **State Environmental Planning Policy (Infrastructure) Amendment (Solar and Wind Energy) 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

## **State Environmental Planning Policy (Infrastructure) Amendment (Solar and Wind Energy) 2021**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Infrastructure) Amendment (Solar and Wind Energy) 2021*.

### **2 Commencement**

This Policy commences on the day on which it is published on the NSW legislation website.

### **3 Repeal of Policy**

This Policy is repealed on the day following the day on which this Policy commences.

## Schedule 1      **Amendment of State Environmental Planning Policy (Infrastructure) 2007**

### Part 3, Division 4

Insert at the end of the Division, with appropriate clause numbering—

#### **Determination of development applications for solar or wind electricity generating works on certain land**

- (1) This clause applies to development in a regional city for the purposes of electricity generating works using a solar or wind energy source that is—
  - (a) State significant development, or
  - (b) regionally significant development.
- (2) Development consent must not be granted unless the consent authority is satisfied that the development—
  - (a) is located to avoid significant conflict with existing or approved residential or commercial uses of land surrounding the development, and
  - (b) is unlikely to have a significant adverse impact on the regional city's—
    - (i) capacity for growth, or
    - (ii) scenic quality and landscape character.
- (3) In determining whether to grant development consent, the consent authority must consider measures proposed to be included in the development to avoid or mitigate conflicts referred to in subclause (2)(a) or adverse impacts referred to in subclause (2)(b).
- (4) In this clause—

**Regional Cities Map** means the State Environmental Planning Policy (Infrastructure) 2007 Regional Cities Map.

**regional city** means an area of land identified as “subject land” on the Regional Cities Map.