



New South Wales

# Standard Instrument (Local Environmental Plans) Amendment (SEPPs) Order 2022

under the

Environmental Planning and Assessment Act 1979

MARGARET BEAZLEY, Governor

I, the Honourable Margaret Beazley AC QC, Governor of New South Wales, with the advice of the Executive Council, make the following Order under the *Environmental Planning and Assessment Act 1979*, section 3.20.

Dated, this 2nd day of March 2022.

By Her Excellency's Command,

ANTHONY ROBERTS, MP  
Minister for Planning

## **Standard Instrument (Local Environmental Plans) Amendment (SEPPs) Order 2022**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Order**

This Order is *Standard Instrument (Local Environmental Plans) Amendment (SEPPs) Order 2022*.

### **2 Commencement**

This Order commences on 9 March 2022 and is required to be published on the NSW legislation website.

## Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

**[1] Clause 1.9 Application of SEPPs [compulsory]**

Omit “*State Environmental Planning Policy No 1—Development Standards*” from clause 1.9(2).

**[2] Clause 1.9, direction**

Omit the direction. Insert instead—

**Direction—** If a State environmental planning policy, or a provision of a policy, is not to apply to land to which this Plan applies, this Plan must list the policy or provision in subclause (2). This Plan must not include subclause (2) unless the Plan lists a policy or provision in the subclause.

**[3] Land Use Table**

Omit the note. Insert instead—

**Note—** State environmental planning policies, including the following, may be relevant to development on land to which this Plan applies—

*State Environmental Planning Policy (Housing) 2021*

*State Environmental Planning Policy (Transport and Infrastructure) 2021*, Chapter 2—relating to infrastructure facilities, including air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply systems

*State Environmental Planning Policy (Resources and Energy) 2021*, Chapter 2

*State Environmental Planning Policy (Resilience and Hazards) 2021*, Chapter 3

*State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 7

*State Environmental Planning Policy (Industry and Employment) 2021*, Chapter 3

*State Environmental Planning Policy (Primary Production) 2021*, Chapter 2

**[4] Clause 3.1 Exempt development [compulsory]**

Omit clause 3.1(5), note. Insert instead—

**Note—** See *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 2 and the *Local Land Services Act 2013*, Part 5A.

**[5] Clause 5.12 Infrastructure development and use of existing buildings of the Crown [compulsory]**

Omit “*State Environmental Planning Policy (Infrastructure) 2007*” from clause 5.12(1).

Insert instead “*State Environmental Planning Policy (Transport and Infrastructure) 2021*, Chapter 2”.

**[6] Clause 5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations [compulsory if land to which Plan applies includes land to which clause applies]**

Omit “*State Environmental Planning Policy (Primary Production and Rural Development) 2019*” from clause 5.17(2)(b).

Insert instead “*State Environmental Planning Policy (Primary Production) 2021*, Chapter 2”.

**[7] Clause 5.17(5)(a)**

Omit “Part 2 (Planning Principles) of *Murray Regional Environmental Plan No 2—Riverine Land*”.

Insert instead “*State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Part 5.2”.

**[8] Clause 5.17(5)(a)**

Omit “that Plan”. Insert instead “that Part”.

**[9] Clause 5.17(5)(b)**

Omit “Part 3 (Planning requirements and consultation) of that Plan”.

Insert instead “that Policy, Part 5.3”.

**[10] Dictionary**

Omit “*State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*” from the definition of ***clearing vegetation***.

Insert instead “*State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 2”.

**[11] Dictionary, definition of “coastal lake”**

Omit “Schedule 1 to *State Environmental Planning Policy (Coastal Management) 2018*”.

Insert instead “*State Environmental Planning Policy (Resilience and Hazards) 2021*, Schedule 1”.

**[12] Dictionary, definition of “residential accommodation”, paragraph (faa)**

Omit the paragraph.