



New South Wales

State Environmental Planning Policy (Precincts—Regional) Amendment (Snowy Mountains Activation Precinct) 2023

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*.

PAUL SCULLY, MP
Minister for Planning and Public Spaces

State Environmental Planning Policy (Precincts—Regional) Amendment (Snowy Mountains Activation Precinct) 2023

under the

Environmental Planning and Assessment Act 1979

1 Name of policy

This policy is *State Environmental Planning Policy (Precincts—Regional) Amendment (Snowy Mountains Activation Precinct) 2023*.

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This policy is repealed at the beginning of the day following the day on which this policy commences.

Schedule 1 Amendment of State Environmental Planning Policy (Precincts—Regional) 2021

[1] Section 3.2 Definitions

Omit section 3.2(1), definition of *major hazard facility*.

[2] Part 3.3 Activation Precinct certificates

Omit the note.

[3] Section 3.12A Requirement for Activation Precinct certificate for development consent

Insert “, other than the Snowy Mountains Activation Precinct,” after “on land in an Activation Precinct” in the note.

[4] Section 3.17

Omit the section. Insert instead—

3.17 Application of Codes SEPP

(1) The Codes SEPP does not apply to land in an Activation Precinct, subject to this part and the schedules made under this chapter.

(2) Despite subsection (1), the Codes SEPP applies to the Snowy Mountains Activation Precinct to the extent it relates to the carrying out of complying development.

Note— See section 3.18(3).

[5] Section 3.18 Complying development

Insert after section 3.18(2)—

(3) This section does not apply to land in the Snowy Mountains Activation Precinct.

Note— See section 3.17(2) for the application of the Codes SEPP to complying development in the Snowy Mountains Activation Precinct.

[6] Section 3.19 General requirements for complying development

Omit section 3.19(2)(b).

[7] Section 3.19(4)

Omit “or Snowy Mountains”.

[8] Section 3.19(5) and (6)

Omit the subsections.

[9] Section 3.20 Complying development in environmentally sensitive areas

Omit section 3.20(1)(a)(iii).

[10] Section 3.20(3)(d)

Omit the paragraph.

[11] Section 3.21 Complying development certificate conditions

Omit section 3.21(b)(i).

[12] Section 3.21(b)(ii)

Omit “for complying development other than in the Snowy Mountains Activation Precinct—”.

[13] Section 5.38 Infrastructure development and use of existing buildings of the Crown

Omit “*State Environmental Planning Policy (Infrastructure) 2007*” from section 5.38(1).

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

[14] Section 5.54 Community infrastructure

Omit “*State Environmental Planning Policy (Infrastructure) 2007*” from section 5.54(2)(b).

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

[15] Appendix 1 State significant precinct—Kings Forest site

Omit “*State Environmental Planning Policy (Infrastructure) 2007*” from section 11(1).

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

[16] Appendix 2 State significant precinct—Tomago Industrial site

Omit “*State Environmental Planning Policy (Infrastructure) 2007*” from section 17(1).

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

[17] Appendix 3 State significant precinct—Sandon Point site

Omit “the *State Environmental Planning Policy (Infrastructure) 2007*” from section 24(1).

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

[18] Appendix 4 State significant precinct—Rise Bilambil Heights site

Omit “the *State Environmental Planning Policy (Infrastructure) 2007*” from section 17(1).

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

[19] Appendix 5 State significant precinct—Calderwood site

Omit “the *State Environmental Planning Policy (Infrastructure) 2007*” from section 31(1).

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

[20] Appendix 6 State significant precinct—Southern Highlands Regional Shooting Complex site

Omit “*State Environmental Planning Policy (Infrastructure) 2007*” from section 12(1).

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

[21] Schedule 1, section 9(1), Schedule 1A, section 9(1) and (2)(a), Schedule 1B, section 9(1) and (2)(a), Schedule 1C, matter relating to “Carport” and Schedule 1D, section 10(1) and (2)(a)

Omit “*State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*” wherever occurring.

Insert instead “the Codes SEPP”.

[22] Schedule 1A Wagga Wagga Activation Precinct

Omit section 3. Insert instead—

3 Consent authority

The Planning Secretary is the consent authority for development on land in the Regional Enterprise Zone and Rural Activity Zone.

[23] Schedule 1A, section 11(3A)

Insert after section 11(3)—

(3A) Development for the purposes of electricity generating works used for electricity storage is permitted with development consent on land in the Rural Activity Zone.

[24] Schedule 1A, section 15(2)(c)

Omit “2.110(2) and 2.112”. Insert instead “2.109 and 2.111”.

[25] Schedule 1B Moree Activation Precinct

Omit section 3. Insert instead—

3 Consent authority

The Planning Secretary is the consent authority for development on land in the Regional Enterprise Zone and Rural Activity Zone.

[26] Schedule 1C Exempt development—Chapter 3

Insert after the heading—

Sch 1, s 9(3), Sch 1A, s 9(3), Sch 1B, s 9(3) and Sch 1D, s 10(3)

[27] Schedule 1D Snowy Mountains Activation Precinct

Omit “2.105, 2.106, 2.108, 2.125 and 2.158(4)” from section 14(2)(b).

Insert instead “2.106, 2.107, 2.109, 2.126 and 2.159(4)”.

[28] Schedule 1D, section 14(2)(c)

Omit “2.158(2)”. Insert instead “2.159(2)”.

[29] Schedule 1D, section 14(3)

Omit “2.125(3)”. Insert instead “2.126(3)”.