



New South Wales

Environmental Planning and Assessment Amendment (Wagga Wagga Activation Precinct) Regulation 2021

under the

Environmental Planning and Assessment Act 1979

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

ROB STOKES, MP
Minister for Planning and Public Spaces

Explanatory note

The object of this Regulation is to require a consent authority, when determining a development application for development on land to which *Wagga Wagga Local Environmental Plan 2010* applies, to consider whether or not the development is consistent with the *Wagga Wagga Special Activation Precinct Master Plan*, published by the Department of Planning, Industry and Environment in April 2021. This applies until 31 December 2021 when the Wagga Wagga Activation Precinct is declared under *State Environmental Planning Policy (Activation Precincts) 2020*.

The Regulation also provides that certain development on land within the Regional Enterprise Zone in the Wagga Wagga Activation Precinct is not designated development.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 4.10, 4.15 and 10.13 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Wagga Wagga Activation Precinct) Regulation 2021*.

2 Commencement

- (1) This Regulation commences on the day on which it is published on the NSW legislation website, except as provided by subclause (2).
- (2) Schedule 1[2] commences on 31 December 2021.

Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2000

[1] Clause 92A

Insert after clause 92—

92A Additional matters that consent authority must consider for Wagga Wagga

- (1) In determining a development application for development on land to which *Wagga Wagga Local Environmental Plan 2010* applies, the consent authority must take into consideration whether the development is consistent with the *Wagga Wagga Special Activation Precinct Master Plan* published by the Department in April 2021.

Note. The Master Plan is available on the NSW planning portal.

- (2) This clause does not apply to a development application made on or after 31 December 2021.
- (3) This clause prescribes matters for the purposes of section 4.15(1)(a)(iv) of the Act.

[2] Schedule 3 Designated development

Omit clause 37B. Insert instead—

37B Development in Activation Precincts

- (1) The following development is not designated development if it is carried out on land within the Regional Enterprise Zone in the Parkes Activation Precinct under *State Environmental Planning Policy (Activation Precincts) 2020*—
 - (a) development for the purposes of thermal electricity generating works,
 - (b) development of a kind specified in clause 4, 6, 8, 13, 16, 21, 22, 26 or 28.
- (2) Development of a kind specified in clause 1, 6, 10, 13, 14, 16, 21, 22(a), (b)(ii) or (iii), (c) or (d), 26 or 28 is not designated development if it is carried out on land within the Regional Enterprise Zone in the Wagga Wagga Activation Precinct under *State Environmental Planning Policy (Activation Precincts) 2020*.