



New South Wales

# **Environmental Planning and Assessment Amendment (Moorebank Freight Intermodal Precinct) Regulation 2022**

under the

Environmental Planning and Assessment Act 1979

His Honour the Administrator, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

ANTHONY ROBERTS, MP  
Minister for Planning

## **Explanatory note**

The object of this Regulation is to provide for complying development in the Moorebank Freight Intermodal Facility under *State Environmental Planning Policy (Transport and Infrastructure) 2021*, Chapter 6.

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### **1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment Amendment (Moorebank Freight Intermodal Precinct) Regulation 2022*.

### **2 Commencement**

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

## **Schedule 1      Amendment of Environmental Planning and Assessment Regulation 2021**

### **[1]    Section 126**

Omit sections 126 and 127. Insert instead—

#### **126    Complying development in certain areas**

- (1) An application for a complying development certificate for development on land in an Activation Precinct under *State Environmental Planning Policy (Precincts—Regional) 2021*, Chapter 3 must be accompanied by a current Activation Precinct certificate issued under that Chapter.
- (2) Subsection (1) does not apply to an application made by a public authority, except the Development Corporation within the meaning of *State Environmental Planning Policy (Precincts—Regional) 2021*, Chapter 3.
- (3) An application for a complying development certificate for development on land in the Western Sydney Aerotropolis under *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, Chapter 4 must be accompanied by a current Aerotropolis certificate issued under that Chapter.
- (4) An application for a complying development certificate for development on land in the Moorebank Freight Intermodal Precinct under *State Environmental Planning Policy (Transport and Infrastructure) 2021*, Schedule 13, sections 1–3 must be accompanied by a current traffic certificate issued under that Policy, Chapter 6.

### **[2]    Section 129 Complying development on contaminated land**

Omit section 129(1). Insert instead—

- (1) This section applies to an application for a complying development certificate for complying development under—
  - (a) *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Part 5A, and
  - (b) *State Environmental Planning Policy (Transport and Infrastructure) 2021*, Schedule 13, sections 1–3.

### **[3]    Schedule 4 Fees**

Omit the heading to Part 8. Insert instead—

## **Part 8      Fees for certificates under SEPPs**

### **[4]    Schedule 4, item 8.5**

Insert after item 8.4—

- |     |  |                |
|-----|--|----------------|
| 8.5 | Application for traffic certificate under <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , Chapter 6 | 4.38 fee units |
|-----|--|----------------|

## **Schedule 2      Amendment of Environmental Planning and Assessment (Savings, Transitional and other Provisions) Regulation 2017**

### **Schedule 2 Transferred transitional arrangements on repeal of Part 3A—former Schedule 6A to the Act**

Insert after clause 3B(5)—

- (5A) Subclause (2)(f) does not apply to the provisions of *State and Environmental Planning Policy (Transport and Infrastructure) 2021*, Chapter 6.