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ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Order under clause 6 of Schedule 2 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*

Under delegation from the Minister for Planning and Public Spaces, I declare:

the specified classes of development identified in Schedule 1 to this Order to be State significant development (**SSD**) under clause 6 of Schedule 2 to the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017 (**the Regulation**), for the purposes of the Environmental planning and Assessment Act 1979 (**the Act**).

This Order takes effect upon publication in the *New South Wales Government Gazette*.

Dated: 27 October 2021



Alan Bright

Director, State Significant Acceleration

The power to make these orders has been delegated to:

- the Planning Secretary;
- the Group Deputy Secretary Planning and Assessment (or any other Deputy Secretary having responsibility for supporting the administration of the Act);
- Executive Directors who report directly to any of the above roles and have responsibility for supporting the administration of the Act; and
- Directors who report directly to any of the above roles and have responsibility for supporting the administration of the Act.

SCHEDULE 1

1. Subject to item 2, all project applications approved under the now repealed s75J of the Act and any project approval granted under the now repealed section 75J and 75P(1)(c) of the Act in respect of development the subject of an approved concept plan (and that may have been subsequently modified under the now repealed s75W of the Act) that were declared under clause 6 of the former *State Environmental Planning Policy (Major Development) 2005* (**formerly named Major Development SEPP**) to be a project to which Part 3A of the Act applied based on the following class of development in Schedule 1 of the formerly named Major Development SEPP:
 - (i) **'Agriculture, timber, food and related industries'** in accordance with the provisions of Group 1;
 - (ii) **'Mining, Petroleum production, extractive industries and related industries'** in accordance with the provisions of Group 2;
 - (iii) **'Chemical, manufacturing and related industries'** in accordance with the provisions of Group 3;
 - (iv) **'Other manufacturing industries, distribution and storage facilities'** in accordance with the provisions of Group 4;
 - (v) **'Residential, commercial and retail projects'** in accordance with the provisions of Group 5;
 - (vi) **'Tourism and recreational facilities'** in accordance with the provisions of Group 6; and
 - (vii) **'Health and public service facilities'** in accordance with the provisions of Group 7.

2. Item 1 does not apply to:
 - a. development that was the subject of an approval under the now repealed s75J of the Act where the approval has lapsed or any rights to operate or use the development have expired;
 - b. development that has already been transitioned to SSD by an order made under clause 6 of Schedule 2 of the Regulation; or
 - c. development that is the subject of a modification application under the now repealed s75W of the Act which remains undetermined.