

State Environmental Planning Policy (Industry and Employment) 2021

This document provides information regarding the new Industry and Employment SEPP, which is as part of the NSW SEPP consolidation project.

State environmental planning policies (SEPPs) have been consolidated to align with theme-based focus areas to make the planning system more accessible and user-friendly.

Overview

The *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP) consolidates, transfers and repeals the provisions of the following 2 SEPPs:

1. *SEPP (Western Sydney Employment Area) 2009* (Western Sydney Employment SEPP)
2. *SEPP 64 – Advertising and Signage* (SEPP 64)

These changes are part of a broader administrative consolidation of SEPPs. Planning Circular PS-21-007 gives an overview of all changes made as part of the SEPP consolidation initiative.

Key changes

No policy changes have been made. The SEPP consolidation does not change the legal effect of the existing SEPPs, with section 30A of the *Interpretation Act 1987* applying to the transferred provisions. The SEPP consolidation is administrative. It has been undertaken in accordance with section 3.22 of the *Environmental Planning and Assessment Act 1979*.

The Industry and Employment SEPP:

- transfers most existing provisions from the 2 SEPPs being consolidated into chapters 2 and 3. Chapter 1 contains the preliminary information and commencement details
- repeals the 2 SEPPs being consolidated.

Benefits of these changes

Aligning SEPPs with the planning principles focus areas

The SEPP changes are part of a package of reforms to consolidate 45 existing SEPPs into 11 new SEPPs based on the following themed focus areas:

- housing
- transport and infrastructure
- primary production
- biodiversity and conservation
- resilience and hazards
- industry and employment
- resources and energy
- planning systems.

Simplifying the planning system

The SEPP consolidation builds on previous work to simplify, consolidate and reduce the number of SEPPs. The consolidation reflects the NSW Government's commitment to reduce the complexity of the NSW planning system. The changes will simplify and improve the effectiveness and usability of current policies by reducing the number of separate planning instruments.

Provisions of the Industry and Employment SEPP

The Industry and Employment SEPP incorporates provisions from the SEPPs being consolidated as follows:

- 'Chapter 2 – Western Sydney employment area' contains planning rules and controls for the employment land within the Western Sydney Employment SEPP.
- 'Chapter 3 – Advertising and signage' contains planning provisions from SEPP 64 for advertising and signage in NSW.

Commencement and impacts

The Industry and Employment SEPP begin on 1 March 2022. The 2 SEPPs being consolidated will be repealed on the same day.

References in planning legislation and policies to the 2 consolidated SEPPs will be taken as references to the equivalent provisions in the Industry and Employment SEPP.

The provisions within the repealed SEPPs have been transferred to the new SEPP and the intent and provisions remain largely unchanged. The changes should not impact development application assessment. The Industry and Employment SEPP should be used for new development and rezoning applications.

Savings and transitional provisions from the consolidated SEPPs will not be transferred to the Industry and Employment SEPP. However, all savings and transitional provisions of the repealed SEPPs continue to have effect due to sections 5(6) and 30(2)(d) of the *Interpretation Act 1987*.

© State of New South Wales through Department of Planning and Environment 2022. The information contained in this publication is based on knowledge and understanding at the time of writing March 2022. However, because of advances in knowledge, users should ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate departmental officer or the user's independent adviser.