



New South Wales

Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Environmental Planning and Assessment Act 1979* to enable *State Environmental Planning Policy (Housing) Amendment (Transport Oriented Development) 2024*, which commenced on 13 May 2024, to be disallowed by Parliament.

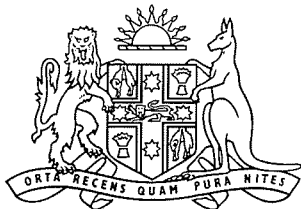
Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Environmental Planning and Assessment Act 1979 No 203

Schedule 1 gives effect to the overview of the proposed Act.



New South Wales

Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024

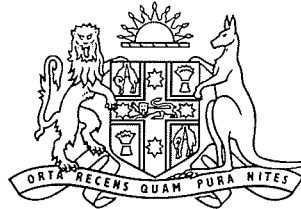
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This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Bill 2024

No , 2024

A Bill for

An Act to amend the *Environmental Planning and Assessment Act 1979* to enable *State Environmental Planning Policy (Housing) Amendment (Transport Oriented Development) 2024* to be disallowed by Parliament.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

Tabling copy

| | |
|---|---|
| The Legislature of New South Wales enacts— | 1 |
| 1 Name of Act | 2 |
| This Act is the <i>Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Act 2024</i> . | 3 |
| | 4 |
| 2 Commencement | 5 |
| This Act commences on the date of assent to this Act. | 6 |

| | | |
|--|---|----|
| Schedule 1 | Amendment of Environmental Planning and Assessment Act 1979 No 203 | 1 |
| | | 2 |
| Schedule 4 Savings, transitional and other provisions | | 3 |
| Insert at the end of the schedule, with appropriate part and clause numbering— | | 4 |
| Part | Provision consequent on enactment of Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Act 2024 | 5 |
| | | 6 |
| | | 7 |
| | | 8 |
| | Disallowance of State Environmental Planning Policy (Housing) Amendment (Transport Oriented Development) 2024 | 9 |
| | | 10 |
| (1) | The <i>Interpretation Act 1987</i> , sections 40 and 41 apply to the TOD SEPP, as if the TOD SEPP had not been repealed on 14 May 2024, in the same way the sections apply to a statutory rule. | 11 |
| | | 12 |
| | | 13 |
| (2) | Despite the <i>Interpretation Act 1987</i> , section 41(1)(b), either House of Parliament may pass a resolution disallowing the TOD SEPP, as if the TOD SEPP had not been repealed on 14 May 2024, at any time after the relevant written notice is laid before the House, if notice of the resolution is given within 15 sitting days of the House after the commencement of the amending Act. | 14 |
| | | 15 |
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| | | 17 |
| | | 18 |
| | | 19 |
| (3) | To avoid doubt, the <i>Interpretation Act 1987</i> , section 41(4) and (5) apply, if the TOD SEPP is disallowed, as follows— | 20 |
| | | 21 |
| (a) | the disallowance of the TOD SEPP has the effect of restoring the Housing SEPP, as it was immediately before it was amended by the TOD SEPP, as if the TOD SEPP had not been made, | 22 |
| | | 23 |
| | | 24 |
| (b) | the restoration of the Housing SEPP takes effect on the day on which the TOD SEPP is disallowed. | 25 |
| | | 26 |
| (4) | This clause applies despite the <i>Interpretation Act 1987</i> , section 41(7). | 27 |
| (5) | In this clause— | 28 |
| | amending Act means the <i>Environmental Planning and Assessment Amendment (Disallowance of Transport Oriented Development SEPP) Act 2024</i> . | 29 |
| | | 30 |
| | | 31 |
| | Housing SEPP means <i>State Environmental Planning Policy (Housing) 2021</i> . | 32 |
| | TOD SEPP means <i>State Environmental Planning Policy (Housing) Amendment (Transport Oriented Development) 2024</i> . | 33 |
| | | 34 |