



New South Wales

State Environmental Planning Policy Amendment (Temporary Emergency Facilities) 2022

under the

Environmental Planning and Assessment Act 1979

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

ANTHONY ROBERTS, MP
Minister for Planning

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1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Temporary Emergency Facilities) 2022*.

2 Commencement

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

3 Repeal of Policy

This Policy is repealed on the day following the day on which this Policy commences.

Schedule 1 Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2, Part 2.3, Division 27

Insert after Division 26—

Division 27 Temporary health services facilities, early education and care facilities and schools

2.170 Development permitted without consent

- (1) This section applies to the following land at Wardell—
 - (a) Lot 74, DP 1005240, 50 Bath Street,
 - (b) Lot 75, DP 1005240, Pine Street.
- (2) Development for the purposes of health services facilities, early education and care facilities and schools is permitted without development consent if all of the following apply—
 - (a) the development will only be used temporarily in relation to persons displaced as a result of a natural disaster,
 - (b) the development is carried out by or on behalf of a public authority,
 - (c) the development is carried out within 5 years of the natural disaster occurring,
 - (d) the development is carried out on land that—
 - (i) is supplied with water and electricity, and
 - (ii) is provided with sewerage and drainage services, and
 - (iii) has access to communal amenities,
 - (e) each building is—
 - (i) erected in a way that does not adversely affect the amenity of the land or the health and safety of persons, including by mitigating the risk of fire, and
 - (ii) removed within 5 years of being erected or as soon as possible after a permanent building is erected to replace the temporary building, whichever occurs first.
- (3) To avoid doubt, a reference to an existing health services facility in Division 10 or an existing school in Part 3.4 extends to a health services facility or school erected under this section.
- (4) In this section—

health services facility does not include—

 - (a) patient transport facilities, including helipads and ambulance facilities, or
 - (b) a hospital.

Schedule 2 Amendment of State Environmental Planning Policy (Housing) 2021

Section 135 Development consent not required for temporary emergency accommodation

Omit section 135(1)(a). Insert instead—

- (a) the caravan park or camping ground will only be used to provide temporary emergency accommodation to persons—
 - (i) who have been displaced as a result of a natural disaster, or
 - (ii) carrying out construction work on behalf of the public authority, or
 - (iii) providing services to persons specified in subparagraph (i) with the consent of the public authority referred to in paragraph (b),