

1990 - No. 593

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979  
STATE ENVIRONMENTAL PLANNING POLICY No. 31 -  
SYDNEY (KINGSFORD SMITH) AIRPORT**

NEW SOUTH WALES



*[Published in Gazette No. 111 of 7 September 1990]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Environmental Planning and Assessment Act 1979, has been pleased to make the State Environmental Planning Policy set forth hereunder in accordance with the recommendation made by the Minister for Planning.

DAVID HAY  
Minister for Planning.

Sydney, 15 August 1990.

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**Citation**

1. This Policy may be cited as State Environmental Planning Policy No. 31 - Sydney (Kingsford Smith) Airport.

**Aims, objectives etc.**

2. The aims of this Policy are:

- (a) to ensure that the environmental assessment of any proposal to construct a third runway at Sydney (Kingsford Smith) Airport is carried out in accordance with Part 5 of the Act; and

- (b) to ensure that the environmental assessment of certain related development is also carried out in accordance with Part 5 of the Act; and
- (c) to co-ordinate and rationalise the decision-making process connected with the environmental assessment of any such proposal.

### Definitions

#### 3. In this Policy

"**extractive material**" means sand, gravel, clay, rock or similar substance;

"**public utility undertaking**" means any of the following undertakings carried on, or permitted or suffered to be carried on by or by authority of any public authority or under the authority of or in pursuance of any Commonwealth or State Act;

- (a) railway, road transport, water transport or air transport undertakings;
- (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services;

"**the Act**" means the Environmental Planning and Assessment Act 1979;

"**the map**" means the map marked "State Environmental Planning Policy No. 31 - Sydney (Kingsford Smith) Airport" deposited in the office of the Department and copies of which are deposited in the offices of the Councils of the Municipalities of Botany and Rockdale.

### Application of Policy

#### 4. (1) Except as provided by this clause, this Policy applies to:

- (a) land within the Municipality of Botany and land within the Municipality of Rockdale as shown edged heavy black on the map; and
- (b) Botany Bay.

#### (2) This Policy does not apply to:

- (a) land shown hatched on the map; and
- (b) land declared to be the Towra Point Aquatic Reserve under section 16A of the Fisheries and Oyster Farms Act 1935.

**Relationship to other environmental planning instruments**

5. (1) This Policy amends the environmental planning instruments specified in Schedule 1 in the manner indicated in that Schedule.

(2) Interim Development Order No. 12 - Municipality of Botany is repealed.

(3) In the event of an inconsistency between this Policy and another environmental planning instrument (whether made before, on or after the date on which this Policy takes effect) this Policy prevails to the extent of the inconsistency.

**Airport development without consent**

6. On land shown edged heavy black on the map, development for the purpose of an airport may be carried out without the necessity for obtaining development consent.

**Public utility undertakings without consent**

7. On land shown edged heavy black on the map, development for the purpose of public utility undertakings may be carried out without the necessity for obtaining development consent.

**Winning of extractive material without consent**

8. On land to which this Policy applies, development for the purpose of winning extractive material may be carried out without the necessity for obtaining development consent if the extractive material is to be used for the purposes of Sydney (Kingsford Smith) Airport.

**SCHEDULE 1 - AMENDMENT OF OTHER ENVIRONMENTAL PLANNING INSTRUMENTS**

(Cl. 5 (1))

1. The Rockdale Planning Scheme Ordinance is amended by inserting at the end of clause 5 the following subclause:

(2) This Ordinance does not apply to land shown edged heavy black on the map marked "State Environmental Planning Policy No. 31 - Sydney (Kingsford Smith) Airport"

2. The County of Cumberland Planning Scheme Ordinance is amended by inserting at the end of clause 4 the following subclause:

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(2) This Ordinance does not apply to land shown edged heavy black on the map marked "State Environmental Planning Policy No. 31 - Sydney (Kingsford Smith) Airport".

3. Interim Development Order No. 19 - Municipality of Botany is amended by inserting at the end of clause 1A the following words:

Land shown edged heavy black on the map marked "State Environmental Planning Policy No. 31 - Sydney (Kingsford Smith) Airport".

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**NOTE**

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**SCHEDULE 1 - AMENDMENT OF OTHER ENVIRONMENTAL PLANNING INSTRUMENTS**

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