



New South Wales

State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

His 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* in accordance with the recommendation made by the Minister for Urban Affairs and Planning.

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 51

Clause 1 State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries (Amendment No 4)

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1 Name of Policy

This Policy is *State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries (Amendment No 4)*.

2 Principal Policy

In this Policy, *State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries* is referred to as the Principal Policy.

3 Aims, objectives etc

This Policy aims to amend the Principal Policy to declare certain development at Luna Park to be State significant development.

4 Land to which this Policy applies

This Policy applies to the whole of the land to which the Principal Policy applies.

5 Amendment of Principal Policy

The Principal Policy is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 5)

[1] Clauses 9 and 10

Omit the clauses. Insert instead:

9 State significant development

- (1) Pursuant to section 76A (7) of the Act, development on the land described in Schedule 1 is declared to be State significant development unless:
 - (a) it is development specified in subclause (2) that is carried out on the land edged heavy black on the sheet of the map marked “Schedule 1—Map 16—Luna Park” (that land being referred to in this clause as *the Luna Park site*), or
 - (b) under any environmental planning instrument applying to the land, the development is complying development.
- (2) The development specified in this subclause is any of the following:
 - (a) a change in use from:
 - (i) an office to a shop, or
 - (ii) a shop to an office, or
 - (iii) an office of a particular kind to an office of another kind, or
 - (iv) a shop of a particular kind to a shop of another kind,
 - (b) the display of an advertisement, or the erection of an advertising structure, if the advertisement, or advertising structure, is not visible from outside the Luna Park site,
 - (c) the installation of a sign, other than an advertisement, that is not visible from outside the Luna Park site,
 - (d) the installation of an aerial, antenna, microwave dish or satellite dish,
 - (e) the installation of an awning or canopy,

2001 No 51

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Schedule 1 Amendments

- (f) the making of internal alterations (including fitouts) to an existing building,
- (g) the erection of a temporary building that is intended to stand on the Luna Park site for not more than 30 consecutive days,
- (h) the construction of outdoor seating,
- (i) the installation of outdoor bins,
- (j) the laying of pathways or vehicular access ways,
- (k) the installation of a temporary structure (within the meaning of the *Local Government Act 1993*),
- (l) the demolition of a structure referred to in this subclause (except where the demolition relates to a project that comprises, or part of which comprises, State significant development).

10 Consent authority

- (1) Pursuant to section 76A (9) of the Act, the Minister is the consent authority for development on land to which Schedule 1 applies, other than development specified in clause 9 (2) that is carried out on the land edged heavy black on the sheet of the map marked “Schedule 1—Map 16—Luna Park”.
- (2) North Sydney Council is the consent authority for development specified in clause 9 (2) that is carried out on the land edged heavy black on the sheet of the map marked “Schedule 1—Map 16—Luna Park”.

[2] Schedule 1 State significant development

Insert in appropriate order:

Schedule 1—Map 16—Luna Park

[3] Schedule 2 Sites of strategic significance

Omit:

Schedule 2—Map 3—Luna Park

BY AUTHORITY