



New South Wales

State Environmental Planning Policy No 58—Protecting Sydney’s Water Supply (Amendment No 2)

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* in accordance with the recommendation made by the Minister for Planning.

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 53

Clause 1 State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 2)

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1 Name of Policy

This Policy is *State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 2)*.

2 Principal Policy

In this Policy, *State Environmental Planning Policy No 58—Protecting Sydney's Water Supply* is referred to as the Principal Policy.

3 Aims and objectives

This Policy aims to amend the Principal Policy:

- (a) to increase the area where the concurrence of the Chief Executive of the Sydney Catchment Authority (the *Chief Executive*) is required for proposed development to include the whole of the Kangaroo Valley Area, and
- (b) to provide that the requirement for the concurrence of the Chief Executive for proposed development within the Kangaroo Valley Area applies to development specified in Schedule 1 or 2 to the Principal Policy, and
- (c) to provide that the requirement for a consent authority to notify the Chief Executive of a development application does not apply to the Kangaroo Valley Area.

The Kangaroo Valley Area is part of the Shoalhaven Catchment but does not include the Shoalhaven Special Area.

4 Amendment of Principal Policy

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

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Definitions

Insert at the end of the definition of *the maps* in clause 4 (1):

State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 2)

[2] Clause 11 Concurrence of Chief Executive

Omit clause 11 (1). Insert instead:

- (1) This clause applies to:
 - (a) development (other than State significant development) specified in Schedule 1 that is proposed to be carried out on any land to which this Policy applies, other than that part of the Shoalhaven Catchment as shown on the maps that is not within:
 - (i) the Kangaroo Valley Area as shown on the maps, or
 - (ii) a special area, and
 - (b) development (other than State significant development) specified in Schedule 2 that is proposed to be carried out on land within:
 - (i) the Kangaroo Valley Area as shown on the maps, or
 - (ii) a special area.

[3] Clause 12 Notification of Chief Executive

Omit clause 12 (1). Insert instead:

- (1) This clause applies to:
 - (a) development (other than State significant development) specified in Schedule 1 that is proposed to be carried out within that part of the Shoalhaven Catchment as shown on the maps that is not within:

2002 No 53

State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 2)

Schedule 1 Amendments

- (i) the Kangaroo Valley Area as shown on the maps, or
- (ii) a special area, and
- (b) development (other than State significant development) specified in Schedule 2 that is proposed to be carried out on any land to which this Policy applies, other than:
 - (i) the Kangaroo Valley Area as shown on the maps, or
 - (ii) a special area.

[4] Clause 12A

Omit the clause. Insert instead:

12A Copies of determinations of development applications to Chief Executive

A consent authority is to forward a copy of its determination of a development application for development to which clause 11 or 12 applies to the Chief Executive within 10 days after the determination is made.

[5] Schedule 2

Omit paragraph (b) of the matter relating to unsewered development for any residential purpose in a rural zone. Insert instead:

- (b) the erection of a dwelling on an allotment of rural land that is unsewered, including alterations and additions that will create or increase the need for on-site effluent management, except where the subdivision of the land has been the subject of concurrence under clause 11 or notification under clause 12.

BY AUTHORITY