



# **State Environmental Planning Policy No 58—Protecting Sydney’s Water Supply (Amendment No 3)**

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 Infrastructure and Planning.

CRAIG JOHN KNOWLES, M.P.,  
Minister for Infrastructure and Planning

## **State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 3)**

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### **1 Name of Policy**

This Policy is *State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 3)*.

### **2 Aims of Policy**

The aims of this Policy are:

- (a) to exclude certain road works from the requirement for development consent under *State Environmental Planning Policy No 58—Protecting Sydney's Water Supply*, and
- (b) to make a consequential amendment to a provision of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development* that deals with development for the purposes of certain road works.

### **3 Land to which Policy applies**

This Policy applies to the whole of the State.

### **4 Amendment of State Environmental Planning Policy No 58—Protecting Sydney's Water Supply**

*State Environmental Planning Policy No 58—Protecting Sydney's Water Supply* is amended as set out in Schedule 1.

### **5 Amendment of State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development**

*State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development* is amended as set out in Schedule 2.

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**Schedule 1 Amendment of State Environmental Planning Policy No 58—Protecting Sydney's Water Supply**

(Clause 4)

**[1] Clause 6 Relationship to other environmental planning instruments**

Insert “*and Miscellaneous Exempt and Complying Development*” after “*Development Without Consent*” in clause 6 (1A).

**[2] Clause 6 (1AA)**

Insert after clause 6 (1A):

(1AA) This Policy applies despite clause 11C of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development*.

**[3] Schedule 2**

Insert after the matter relating to irrigated agriculture:

Road work on classified roads or proposed classified roads within the meaning of the *Roads Act 1993*, other than:

- (a) road work comprising the repair or maintenance of any such classified road or proposed classified road, or
- (b) road work on such part of Main Road 92 as lies between its intersection with Hames Road, near Nowra, and the village of Nerriga.

**[4] Schedule 2**

Omit “, major rail works and major road works” from the matter relating to transport facilities.

Insert instead “and major rail works”.

**2004 No 480**

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Schedule 2

Amendment of State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development

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**Schedule 2 Amendment of State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development**

(Clause 5)

**Clause 11C**

Omit the clause. Insert instead:

**11C Road work with respect to classified roads**

- (1) This clause applies to road work on classified roads or proposed classified roads that, in the absence of this clause, may be carried out only with development consent.
- (2) Road work to which this clause applies may be carried out without development consent.
- (3) In this clause, *classified road* and *road work* have the same meanings as they have in the *Roads Act 1993*.

BY AUTHORITY

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