



New South Wales

# **State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Miscellaneous) 2010**

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*. (S09/00350-1)

TONY KELLY, MLC  
Minister for Planning

## **State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Miscellaneous) 2010**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Miscellaneous) 2010*.

### **2 Commencement**

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

### **3 Maps**

Each map adopted by *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* that is specified in Column 1 of the following Table is declared by this Policy to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the Table as approved by the Minister on the making of this Policy.

<b>Column 1</b>	<b>Column 2</b>
<b>Name of map being amended or replaced</b>	<b>Name of amending or replacement map</b>
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Development Control Map (SEPP_SRGC_NW_DVC_008_020_20090701)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Development Control Map (SEPP_SRGC_NW_DVC_008_020_20100118)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Floor Space Ratio Map (SEPP_SRGC_NW_FSR_008_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Floor Space Ratio Map (SEPP_SRGC_NW_FSR_008_020_20100118)

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<b>Name of map being amended or replaced</b>	<b>Name of amending or replacement map</b>
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Heritage Map (SEPP_SRGC_NW_HER_008_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Heritage Map (SEPP_SRGC_NW_HER_008_020_20100118)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Height of Buildings Map (SEPP_SRGC_NW_HOB_008_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Height of Buildings Map (SEPP_SRGC_NW_HOB_008_020_20100118)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_008_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_008_020_20100118)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Lot Size Map (SEPP_SRGC_NW_LSZ_008_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Lot Size Map (SEPP_SRGC_NW_LSZ_008_020_20100317)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_008_020_20090723)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_008_020_20100118)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_008A_010_20090723)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_008A_010_20100118)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_009_020_20090723)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_009_020_20100118)

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 Clause 3 Amendment (Miscellaneous) 2010

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State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_009A_010_20090723)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_009A_010_20100118)
Nil	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_009B_005_20100118)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_012A_010_20090731)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_012A_010_20100118)
Nil	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_012B_005_20100118)
Nil	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_012C_005_20100118)
Nil	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_012D_005_20100118)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Precinct Boundary Map (SEPP_SRGC_NW_PCB_008_020_20090701)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Precinct Boundary Map (SEPP_SRGC_NW_PCB_008_020_20100118)

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State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Riparian Protection Area Map (SEPP_SRGC_NW_RPN_008_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Riparian Protection Area Map (SEPP_SRGC_NW_RPN_008_020_20100118)
North West Growth Centre Structure Plan (Edition 2)	North West Growth Centre Structure Plan (Edition 3)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Height of Buildings Map (SEPP_SRGC_SW_HOB_003_20071204)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Height of Buildings Map (SEPP_SRGC_SW_HOB_003_020_20100118)
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South West Growth Centre Structure Plan (Edition 2)	South West Growth Centre Structure Plan (Edition 3)

**4 Repeal of Policy**

- (1) This Policy is repealed on the day following the day on which all of the provisions of the Policy have commenced.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

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## Schedule 1      Amendment of State Environmental Planning Policy (Sydney Region Growth Centres) 2006

**[1] Clause 3 Interpretation**

Omit the definition of *growth centre structure plan* from clause 3 (1).

Insert instead:

*growth centre structure plan* means:

- (a) in relation to the North West Growth Centre, the structure plan for the growth centre, being the explanatory notes and the map identified by the Minister on the commencement of *State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Miscellaneous) 2010*, and
- (b) in relation to the South West Growth Centre, the structure plan for the growth centre, being the explanatory notes and the map identified by the Minister on the commencement of *State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Miscellaneous) 2010*.

**[2] Clause 13 Additional permitted uses**

Omit the note to the table. Insert instead:

Property description	Additional use	Type of consent
Rouse Hill Regional Park	Information and education facilities	With development consent

**[3] Appendix 1, heading**

Omit the heading. Insert instead:

### Appendix 1 Oran Park and Turner Road Precinct Plan

**[4] Appendix 1, clause 4 Definitions**

Omit “Council of the City of Camden”. Insert instead “Camden Council”.

**[5] Appendix 1, clause 9 Application of SEPPs and REPs**

Omit “*State Environmental Planning Policy No 9—Group Homes*” from clause 9 (2).

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### [6] Appendix 1, clause 9A

Omit the clause. Insert instead:

#### 9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Precinct Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
  - (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
  - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
  - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
  - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
  - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
  - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
  - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

### [7] Appendix 1, clause 10 Land use zones

Insert the following in appropriate order under the heading “**Environment Protection Zones**”:

E2 Environmental Conservation



**[8] Appendix 1, clause 15A**

Insert after clause 15:

**15A Demolition**

The demolition of a building or work may be carried out only with consent.

**Note.** The demolition of certain buildings and works is identified in the *Oran Park Precinct Development Control Plan*, the *Turner Road Precinct Development Control Plan* and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* as exempt or complying development.

**[9] Appendix 1, Land Use Table (Zone R1)**

Insert “Car parks;” after “Business premises;” in item 4 of the matter relating to Zone R1 General Residential.

**[10] Appendix 1, Land Use Table (Zone R1)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone R1 General Residential.

**[11] Appendix 1, Land Use Table (Zone R3)**

Insert “Crematoria;” after “Correctional centres;” in item 4 of the matter relating to Zone R3 Medium Density Residential.

**[12] Appendix 1, Land Use Table (Zone R3)**

Insert “Exhibition homes;” after “Entertainment facilities;” in item 4 of the matter relating to Zone R3 Medium Density Residential.

**[13] Appendix 1, Land Use Table (Zone R3)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone R3 Medium Density Residential.

**[14] Appendix 1, Land Use Table (Zone B1)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone B1 Neighbourhood Centre.

**[15] Appendix 1, Land Use Table (Zone B2)**

Insert “Industrial retail outlets;” before “Industries;” in item 4 of the matter relating to Zone B2 Local Centre.

**[16] Appendix 1, Land Use Table (Zone B2)**

Omit “Moveable dwellings;” from item 4 of the matter relating to Zone B2 Local Centre.

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**[17] Appendix 1, Land Use Table (Zone B4)**

Omit “Moveable dwellings;” from item 4 of the matter relating to Zone B4 Mixed Use.

**[18] Appendix 1, Land Use Table (Zone B5)**

Insert “Light industries; Vehicle body repair workshops; Vehicle repair stations;” before “Any other development” in item 3 of the matter relating to Zone B5 Business Development.

**[19] Appendix 1, Land Use Table (Zone B5)**

Insert “Industries;” after “Hostels;” in item 4 of the matter relating to Zone B5 Business Development.

**[20] Appendix 1, Land Use Table (Zone B5)**

Omit “Moveable Dwellings;”, “Nightclubs;” and “Storage premises;” from item 4 of the matter relating to Zone B5 Business Development.

**[21] Appendix 1, Land Use Table (Zone IN1)**

Omit “Helipads;”, “Moveable dwellings;”, “Nightclubs;” and “Vehicle sales or hire premises;” from item 4 of the matter relating to Zone IN1 General Industrial.

**[22] Appendix 1, Land Use Table (Zone SP2)**

Omit “Demolition;” from item 3 of the matter relating to Zone SP2 Infrastructure.

**[23] Appendix 1, Land Use Table (Zone RE1)**

Omit “Demolition;” from item 3 of the matter relating to Zone RE1 Public Recreation.

**[24] Appendix 1, Land Use Table (Zone RE2)**

Omit “Demolition;” from item 3 of the matter relating to Zone RE2 Private Recreation.

**[25] Appendix 1, Land Use Table (Zone E2)**

Insert before the matter relating to Zone E4 Environmental Living:

### **Zone E2 Environmental Conservation**

#### **1 Objectives of zone**

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.

- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Drainage; Earthworks; Environmental facilities; Environmental protection works; Flood mitigation works; Recreation areas; Roads; Sewage reticulation systems; Water recycling facilities; Water supply systems; Waterbodies (natural)

**4 Prohibited**

Any development not specified in item 2 or 3

**[26] Appendix 1, Land Use Table (Zone E4)**

Omit “Demolition;” from item 3 of the matter relating to Zone E4 Environmental Living.

**[27] Appendix 1, clause 19A Minimum lot sizes for other development**

Omit “multi dwelling housing” from clause 19A (1) (c).

Insert instead “attached dwelling”.

**[28] Appendix 1, clause 19A (3)**

Insert after subclause (2):

- (3) Development for the purposes of multi dwelling housing must not be carried out on a lot in the following zones if the area provided for each dwelling is less than 125m<sup>2</sup>:
  - (a) Zone R1 General Residential,
  - (b) Zone R3 Medium Density Residential,
  - (c) Zone B1 Neighbourhood Centre,
  - (d) Zone B2 Local Centre,
  - (e) Zone B4 Mixed Use.

**[29] Appendix 1, clause 19E Shops—Turner Road Precinct**

Omit “retail premises” from subclause (1). Insert instead “shops”.

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**[30] Appendix 1, clause 19E (2)**

Omit “retail premises (other than bulky goods premises or timber and building supplies)”.

Insert instead “shops”.

**[31] Appendix 1, clause 28 Development near zone boundaries**

Insert “, E2 Environmental Conservation” after “Recreation” in subclause (3).

**[32] Appendix 1, clauses 29 and 30**

Omit the clauses.

**[33] Appendix 1, clause 38**

Omit the clause. Insert instead:

**38 Infrastructure development and use of existing buildings of the Crown**

- (1) This Precinct Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without consent, or that is exempt development, under the *State Environmental Planning Policy (Infrastructure) 2007*.
- (2) This Precinct Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

**[34] Appendix 1, Part 6, heading**

Insert after clause 38:

### **Part 6 Additional local provisions**

**[35] Appendix 1, clause 41 Environment protection works in Zones RE1 Public Recreation and RE2 Private Recreation**

Omit “a riparian strategy endorsed by the Director-General of the Department of Water and Energy”.

Insert instead “the *Oran Park and Turner Road Waterfront Land Strategy 2009*, published in the Gazette on 17 July 2009.

**[36] Appendix 1, Schedule 1 Additional permitted uses**

Insert after “(Clause 14)”:

**1 Use of particular land adjacent to Oran Park Town Centre**

- (1) This clause applies to land in Zone R3 Medium Density Residential adjacent to Oran Park Town Centre and shown hatched red on Sheet LZN 004 of the Land Zoning Map.
- (2) Development that is dwelling houses or exhibition homes is permitted with consent.

**[37] Appendix 1 and Dictionary**

Renumber each clause of Appendix 1, or reference to a clause in Appendix 1 and the Dictionary (wherever occurring), as shown in Column 1 of the following Table with the clause number shown opposite in Column 2 of the Table:

<b>Column 1</b>	<b>Column 2</b>
Clause 1	Clause 1.1
Clause 2	Clause 1.2
Clause 3	Clause 1.3
Clause 4	Clause 1.4
Clause 6	Clause 1.6
Clause 8	Clause 1.8
Clause 9	Clause 1.9
Clause 9A	Clause 1.9A
Clause 10	Clause 2.1
Clause 11	Clause 2.2
Clause 12	Clause 2.3
Clause 14	Clause 2.5
Clause 15	Clause 2.6
Clause 15A	Clause 2.6A
Clause 16	Clause 3.1
Clause 17	Clause 3.2
Clause 18	Clause 3.3
Clause 19	Clause 4.1

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<b>Column 1</b>	<b>Column 2</b>
Clause 19A	Clause 4.1A
Clause 19B	Clause 4.1B
Clause 19C	Clause 4.1C
Clause 19D	Clause 4.1D
Clause 19E	Clause 4.1E
Clause 21	Clause 4.3
Clause 24	Clause 4.6
Clause 25	Clause 5.1
Clause 27	Clause 5.2
Clause 28	Clause 5.3
Clause 28AA	Clause 5.4
Clause 33AA	Clause 5.8
Clause 34	Clause 5.9
Clause 35	Clause 5.10
Clause 36	Clause 5.11
Clause 37	Clause 5.11A
Clause 38 (as substituted)	Clause 5.12
Clause 39	Clause 6.1
Clause 40	Clause 6.2
Clause 41	Clause 6.3
Clause 42	Clause 6.4
Clause 43	Clause 6.5
Clause 44	Clause 6.6

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**[38] Appendix 2, heading**

Omit the heading. Insert instead:

### **Appendix 2 North Kellyville Precinct Plan**

**[39] Appendix 2, clause 1.4 Definitions**

Omit “Council of the Shire of Baulkham Hills”.

Insert instead “Hills Shire Council”.

**[40] Appendix 2, clause 1.9A**

Omit the clause. Insert instead:

**1.9A Suspension of covenants, agreements and instruments**

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Precinct Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
  - (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
  - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
  - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
  - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
  - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
  - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
  - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

**[41] Appendix 2, Land Use Table (Zone R1)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone R1 General Residential.

**[42] Appendix 2, Land Use Table (Zone R3)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone R3 Medium Density Residential.

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**[43] Appendix 2, Land Use Table (Zone B1)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone B1 Neighbourhood Centre.

**[44] Appendix 2, Land Use Table (Zone B2)**

Insert “Industrial retail outlets;” before “Industries;” in item 4 of the matter relating to Zone B2 Local Centre.

**[45] Appendix 2, Land Use Table (Zone B2)**

Omit “Moveable dwellings;” and “Nightclubs;” from item 4 of the matter relating to Zone B2 Local Centre.

**[46] Appendix 3, Land Use Table (Zone B7)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone B7 Business Park.

**[47] Appendix 3, Land Use Table (Zone IN1)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone IN1 General Industrial.

**[48] Appendix 3, Land Use Table (Zone IN2)**

Omit “Moveable dwellings; Nightclubs;” from item 4 of the matter relating to Zone IN2 Light Industrial.

**[49] Dictionary**

Omit the definitions of *nightclub* and *place of public entertainment*.

**[50] Dictionary, definition of “child care centre”**

Omit “NSW Office of the” from paragraph (d).

**[51] Dictionary, definition of “entertainment facility”**

Omit “, nightclub”.

**[52] Dictionary, definitions of “Floor Space Ratio Map”, “Height of Buildings Map”, “Heritage Map”, “Land Reservation Acquisition Map”, “Land Zoning Map”, “Lot Size Map”, “Native Vegetation Protection Map”, “North West Growth Centre Development Control Map”, “North West Growth Centre Precinct Boundary Map”, “Riparian Protection Area Map”, “South West Growth Centre Development Control Map”, “South West Growth Centre Precinct Boundary Map” and “Special Areas Map”**

Omit “2006—” wherever occurring. Insert instead “2006”.



**[53] Dictionary, definition of “home-based child care”**

Omit “appropriately” from paragraph (a).

**[54] Dictionary, definition of “home industry”, note**

Omit “light”. Insert instead “home”.

**[55] Dictionary, definition of “pub”**

Insert “or entertainment is provided” after “sold”.

**[56] Dictionary, definition of “registered club”**

Omit the definition. Insert instead:

*registered club* has the same meaning as in the *Registered Clubs Act 1976*, whether or not entertainment is provided at the club.

**[57] Dictionary, definition of “restaurant”**

Omit “and that may also provide takeaway meals and beverages”.

Insert instead “, whether or not take away meals and beverages or entertainment are also provided”.