



New South Wales

State Environmental Planning Policy (Major Development) Amendment (Maps) 2010

under the

Environmental Planning and Assessment Act 1979

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*. (S09/01700/PC)

TONY KELLY, MLC
Minister for Planning

State Environmental Planning Policy (Major Development) Amendment (Maps) 2010

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Major Development) Amendment (Maps) 2010*.

2 Commencement

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

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (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.

**Schedule 1 Amendment of State Environmental
Planning Policy (Major Development)
2005****[1] Schedule 3 State significant sites**

Omit the definition of *RRCS site* and the note to the definition from clause 1 of Part 3.

[2] Schedule 3, Part 3, clause 1

Insert in alphabetical order:

Floor Space Ratio Map means the State Environmental Planning Policy (Major Development) 2005 Royal Rehabilitation Centre Sydney Floor Space Ratio Map.

Height of Buildings Map means the State Environmental Planning Policy (Major Development) 2005 Royal Rehabilitation Centre Sydney Height of Buildings Map.

Land Application Map means the State Environmental Planning Policy (Major Development) 2005 Royal Rehabilitation Centre Sydney Land Application Map.

Land Zoning Map means the State Environmental Planning Policy (Major Development) 2005 Royal Rehabilitation Centre Sydney Land Zoning Map.

RRCS site means the land identified on the Land Application Map.

[3] Schedule 3, Part 3, clause 2 (1) (b)

Omit the paragraph. Insert instead:

- (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.

[4] Schedule 3, Part 3, clause 2 (4)

Insert after subclause (3):

- (4) For the purposes of this Part, a map may be in, and may be kept and made available in, electronic or paper form, or both.

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[5] Schedule 3, Part 3, clause 7 (1)

Omit “map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 5)—Zoning Map””.

Insert instead “Land Zoning Map”.

[6] Schedule 3, Part 3, clause 11 (1)

Omit “map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 5)—Building Height Map””.

Insert instead “Height of Buildings Map”.

[7] Schedule 3, Part 3, clause 11 (2)

Omit “map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 5)—Floor Space Ratio Map””.

Insert instead “Floor Space Ratio Map”.

[8] Schedule 3, Part 3, clause 15

Insert after clause 14:

15 Infrastructure development and the use of existing buildings of the Crown

(1) This Part does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development that is permitted to be carried out with or without consent or that is exempt development under *State Environmental Planning Policy (Infrastructure) 2007*.

(2) This Part does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

[9] Schedule 3, Part 4, clause 1

Omit the definition of *Channel 7 site* and the note to the definition.

[10] Schedule 3, Part 4, clause 1

Insert in alphabetical order:

Channel 7 site means the land identified on the Land Application Map.

Height of Buildings Map means the State Environmental Planning Policy (Major Development) 2005 Channel 7 Height of Buildings Map.

Land Application Map means the State Environmental Planning Policy (Major Development) 2005 Channel 7 Land Application Map.

Land Zoning Map means the State Environmental Planning Policy (Major Development) 2005 Channel 7 Land Zoning Map.

[11] Schedule 3, Part 4, clause 2 (1) (b)

Omit the paragraph. Insert instead:

- (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.

[12] Schedule 3, Part 4, clause 2 (4)

Insert after subclause (3):

- (4) For the purposes of this Part, a map may be in, and may be kept and made available in, electronic or paper form, or both.

[13] Schedule 3, Part 4, clause 7 (1)

Omit “map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)—Zoning Map””.

Insert instead “Land Zoning Map”.

[14] Schedule 3, Part 4, clause 10 (1)

Omit “map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)—Building Height Map””.

Insert instead “Height of Buildings Map”.

[15] Schedule 3, Part 4, clause 14

Insert after clause 13:

14 Infrastructure development and the use of existing buildings of the Crown

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

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[16] **Schedule 3, Part 6, clause 11**

Insert after clause 10:

11 Infrastructure development and the use of existing buildings of the Crown

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

[17] **Schedule 3, Part 8, clause 8**

Insert after clause 7:

8 Infrastructure development and the use of existing buildings of the Crown

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

[18] **Schedule 3, Part 9, clause 7**

Omit clause 7. Insert instead:

7 Infrastructure development and the use of existing buildings of the Crown

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

[19] Schedule 3, Part 10, clause 1

Omit “shown edged heavy black on Map 8 to this Schedule”.

Insert instead “identified on the Land Application Map”.

[20] Schedule 3, Part 10, clause 2

Number the existing provision as subclause (2).

[21] Schedule 3, Part 10, clause 2 (1)

Insert before subclause (2), as renumbered by item [15]:

(1) In this Part:

Land Application Map means the State Environmental Planning Policy (Major Development) 2005 Tomago Industrial Land Application Map.

Land Zoning Map means the State Environmental Planning Policy (Major Development) 2005 Tomago Industrial Land Zoning Map.

[22] Schedule 3, Part 10, clause 4 (1) (b)

Omit the paragraph. Insert instead:

(b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.

[23] Schedule 3, Part 10, clause 4 (4)

Insert after subclause (3):

(4) For the purposes of this Part, a map may be in, and may be kept and made available in, electronic or paper form, or both.

[24] Schedule 3, Part 10, clause 7 (1)

Omit “map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 15)—Zoning Map” ”.

Insert instead “Land Zoning Map”.

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[25] Schedule 3, Part 11, clause 8

Omit clause 8. Insert instead:

8 Infrastructure development and the use of existing buildings of the Crown

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

[26] Schedule 3, Part 12, clause 1

Omit “Map 10 to this Schedule”. Insert instead “the Land Application Map”.

[27] Schedule 3, Part 12, clause 2 (1)

Omit the definitions of *Building Height Map*, *Gross Floor Area Map*, *Heritage Conservation Map*, *heritage item* and *Zoning Map*.

Insert instead, in alphabetical order:

Gross Floor Area Map means the State Environmental Planning Policy (Major Development) 2005 Barangaroo Gross Floor Area Map.

Height of Buildings Map means the State Environmental Planning Policy (Major Development) 2005 Barangaroo Height of Buildings Map.

heritage item means a building that is shown as a heritage item on the Heritage Map.

Heritage Map means the State Environmental Planning Policy (Major Development) 2005 Barangaroo Heritage Map.

Land Application Map means the State Environmental Planning Policy (Major Development) 2005 Barangaroo Land Application Map.

Land Zoning Map means the State Environmental Planning Policy (Major Development) 2005 Barangaroo Land Zoning Map.

[28] Schedule 3, Part 12, clause 4 (1) (b)

Omit the paragraph. Insert instead:

- (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.

[29] Schedule 3, Part 12, clause 4 (4)

Insert after subclause (3):

- (4) For the purposes of this Part, a map may be in, and may be kept and made available in, electronic or paper form, or both.

[30] Schedule 3, Part 12, clause 7 (1)

Omit “Zoning Map”. Insert instead “Land Zoning Map”.

[31] Schedule 3, Part 12, clause 17 (1) and (2)

Omit “Building Height Map” wherever occurring.

Insert instead “Height of Buildings Map”.

[32] Schedule 3, Part 13, clause 1

Omit “shown edged heavy black”. Insert instead “identified”.

[33] Schedule 3, Part 13, clause 2 (1)

Omit the definitions of *Height of Buildings Map*, *Land Application Map*, *Land Reservation Acquisition Map* and *Land Zoning Map*.

Insert instead, in alphabetical order:

Height of Buildings Map means the State Environmental Planning Policy (Major Development) 2005 Illawarra Regional Business Park Height of Buildings Map.

Land Application Map means the State Environmental Planning Policy (Major Development) 2005 Illawarra Regional Business Park Land Application Map.

Land Reservation Acquisition Map means the State Environmental Planning Policy (Major Development) 2005 Illawarra Regional Business Park Land Reservation Acquisition Map.

Land Zoning Map means the State Environmental Planning Policy (Major Development) 2005 Illawarra Regional Business Park Land Zoning Map.

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[34] Schedule 3, Part 13, clause 11

Omit clause 11. Insert instead:

11 Infrastructure development and the use of existing buildings of the Crown

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

[35] Schedule 3, Part 14, clause 12

Omit clause 12. Insert instead:

12 Infrastructure development and the use of existing buildings of the Crown

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

[36] Schedule 3, Part 15, clause 1

Omit the clause. Insert instead:

1 Land to which this Part applies

This Part applies to the land identified on the Land Application Map, referred to in this Part as the *Wyong Employment Zone*.

[37] Schedule 3, Part 15, clause 2 (2)

Omit the definitions of *Land Reservation Acquisition Map* and *Zoning Map*.

Insert instead, in alphabetical order:

Land Application Map means the State Environmental Planning Policy (Major Development) 2005 Wyong Employment Zone Land Application Map.

Land Reservation Acquisition Map means the State Environmental Planning Policy (Major Development) 2005 Wyong Employment Zone Land Reservation Acquisition Map.

Land Zoning Map means the State Environmental Planning Policy (Major Development) 2005 Wyong Employment Zone Land Zoning Map.

Warnervale Airport Obstacle Limitation Surface Map means the State Environmental Planning Policy (Major Development) 2005 Wyong Employment Zone Warnervale Obstacle Limitation Surface Map.

Warnervale Airport Operations Map means the State Environmental Planning Policy (Major Development) 2005 Wyong Employment Zone Warnervale Airport Operations Map.

[38] Schedule 3, Part 15, clause 4 (4)

Insert after subclause (3):

- (4) For the purposes of this Part, a map may be in, and may be kept and made available in, electronic or paper form, or both.

[39] Schedule 3, Part 15, clause 6 (1)

Omit “Zoning Map”. Insert instead “Land Zoning Map”.

[40] Schedule 3, Part 15, clause 11

Omit clause 11. Insert instead:

11 Infrastructure development and the use of existing buildings of the Crown

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

[41] Schedule 3, Part 15, clause 15 (1)

Omit “shown edged heavy black on the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 21)—Wyong Employment Zone—Warnervale Airport Operations Map”.

Insert instead “identified on the Warnervale Airport Operations Map”.

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[42] **Schedule 3, Part 15, clause 26**

Omit the clause. Insert instead:

26 Development in the vicinity of Warnervale Airport

- (1) The objectives of this clause are:
 - (a) to provide for the effective and on-going operation of Warnervale Airport, and
 - (b) to ensure that such operation is not compromised by any proposed development.
- (2) Development consent must not be granted for the erection on land of a building, the height of which exceeds the obstacle limitation surface height for that land, unless the consent authority is satisfied that the building will not constitute an obstruction or hazard to aircraft flying in the vicinity.
- (3) In this clause:
obstacle limitation surface height, for land, means the height of the obstacle limitation surface for that land shown on the Warnervale Airport Obstacle Limitation Surface Map.

[43] **Schedule 3, Part 16, clause 21**

Omit clause 21. Insert instead:

21 Infrastructure development and the use of existing buildings of the Crown

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

[44] **Schedule 3, Part 16, clause 29**

Omit the clause. Insert instead:

29 Development in the vicinity of Warnervale Airport

- (1) The objectives of this clause are:
 - (a) to provide for the effective and on-going operation of Warnervale Airport, and

- (b) to ensure that such operation is not compromised by any proposed development.
- (2) Development consent must not be granted for the erection on land of a building, the height of which exceeds the obstacle limitation surface height for that land, unless the consent authority is satisfied that the building will not constitute an obstruction or hazard to aircraft flying in the vicinity.
- (3) In this clause:
obstacle limitation surface height, for land, means the height of the obstacle limitation surface for that land shown on the Warnervale Airport Obstacle Limitation Surface Map.
- [45] Schedule 3, Part 17, clause 2 (1)**
Insert in alphabetical order:
exhibition centre means a building or place, associated with an exhibition village, used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.
- [46] Schedule 3, Part 17, clause 10 (1A)**
Insert after subclause (1):
(1A) Development for any of the following purposes is permitted without development consent on land within Zone R1 General Residential:
home occupations.
- [47] Schedule 3, Part 17, clause 10 (2)**
Insert “exhibition homes; exhibition villages;” after “environmental protection works;”.
- [48] Schedule 3, Part 17, clause 14A**
Insert after clause 14:
14A Interim land use for exhibition centres
(1) Despite any other provision of this Part, development consent may be granted for development on land in Zone RE1 Public Recreation or Zone E3 Environmental Management for an exhibition centre for a maximum period of 8 years.

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- (2) Development consent must not be granted unless the consent authority is satisfied that:
 - (a) the use will not prejudice the subsequent carrying out of development on the land in accordance with this Part and any other applicable environmental planning instrument, and
 - (b) the use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
 - (c) the use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land.

[49] Schedule 3, Part 17, clause 21

Omit clause 21. Insert instead:

21 Infrastructure development and the use of existing buildings of the Crown

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

[50] Schedule 3, Part 18, clause 20

Omit clause 20. Insert instead:

20 Infrastructure development and the use of existing buildings of the Crown

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

[51] Schedule 3, Part 19, clause 18

Omit clause 18. Insert instead:

18 Infrastructure development and the use of existing buildings of the Crown

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

[52] Schedule 3, Part 22, clause 1

Omit “shown edged heavy black”. Insert instead “identified”.

[53] Schedule 3, Part 22, clause 4 (4)

Insert after subclause (3):

- (4) For the purposes of this Part, a map may be in, and may be kept and made available in, electronic or paper form, or both.

[54] Schedule 3, Part 22, clause 12

Omit clause 12. Insert instead:

19 Infrastructure development and the use of existing buildings of the Crown

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

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[55] Schedule 3, Part 23, clause 17

Omit clause 17. Insert instead:

17 Infrastructure development and the use of existing buildings of the Crown

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

[56] Schedule 3, Part 29, clause 1

Omit “shown edged heavy black”. Insert instead “identified”.

[57] Schedule 3, Part 29, clause 2 (1)

Omit the definitions of *Additional Permitted Uses Map*, *Building Height Map*, *Land Application Map*, *Land Reservation Acquisition Map* and *Land Zoning Map*.

Insert instead, in alphabetical order:

Additional Permitted Uses Map means the State Environmental Planning Policy (Major Development) 2005 Vincentia Coastal Village Additional Permitted Uses Map.

Height of Buildings Map means the State Environmental Planning Policy (Major Development) 2005 Vincentia Coastal Village Height of Buildings Map.

Land Application Map means the State Environmental Planning Policy (Major Development) 2005 Vincentia Coastal Village Land Application Map.

Land Reservation Acquisition Map means the State Environmental Planning Policy (Major Development) 2005 Vincentia Coastal Village Land Reservation Acquisition Map.

Land Zoning Map means the State Environmental Planning Policy (Major Development) 2005 Vincentia Coastal Village Land Zoning Map.

[58] Schedule 3, Part 29, clause 13 (1)

Omit “and edged heavy black and hatched”. Insert instead “identified”.

[59] Schedule 3, Part 29, clause 18 (2)

Omit “Building Height Map”. Insert instead “Height of Buildings Map”.

[60] Schedule 3, Part 29, clause 29

Omit clause 29. Insert instead:

29 Infrastructure development and the use of existing buildings of the Crown

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

[61] Schedule 3, Part 30, clause 1

Omit “shown edged heavy red”. Insert instead “identified”.

[62] Schedule 3, Part 30, clause 2 (1)

Omit the definitions of *Building Height Map*, *Heritage Map*, *Land Application Map* and *Land Zoning Map*.

Insert instead, in alphabetical order:

Height of Buildings Map means the State Environmental Planning Policy (Major Development) 2005 UTS Ku-ring-gai Campus Height of Buildings Map.

Heritage Map means the State Environmental Planning Policy (Major Development) 2005 UTS Ku-ring-gai Campus Heritage Map.

Land Application Map means the State Environmental Planning Policy (Major Development) 2005 UTS Ku-ring-gai Campus Land Application Map.

Land Zoning Map means the State Environmental Planning Policy (Major Development) 2005 UTS Ku-ring-gai Campus Land Zoning Map.

[63] Schedule 3, Part 30, clause 17 (2)

Omit “Building Height Map”. Insert instead “Height of Buildings Map”.

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[64] Schedule 3, Part 30, clause 22

Insert after clause 21:

22 Infrastructure development and the use of existing buildings of the Crown

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

[65] Schedule 3, Part 33, clause 1

Omit “shown edged heavy red”. Insert instead “identified”.

[66] Schedule 3, Part 33, clause 12

Omit clause 12. Insert instead:

12 Infrastructure development and the use of existing buildings of the Crown

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

[67] Schedule 3 Maps

Omit maps 8 and 10.

[68] Schedule 6 Minister consent authority for Part 4 development

Omit “Map 10 to Schedule 3” from clause 1 (3) of Part 1.

Insert instead “State Environmental Planning Policy (Major Development) 2005 Barangaroo Land Application Map”.

Schedule 2 Amendment of State Environmental Planning Policy No 14—Coastal Wetlands

Clause 4 Application of policy

Omit subclause (3). Insert instead:

- (3) This policy does not apply to the land identified on the Land Application Map referred to in clause 2 (1) of Part 10 of *State Environmental Planning Policy (Major Development) 2005*.