



New South Wales

State Environmental Planning Policy (Major Development) Amendment (Channel 7) 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*. (09/01931)

TONY KELLY, MLC
Minister for Planning

State Environmental Planning Policy (Major Development) Amendment (Channel 7) 2010

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Major Development) Amendment (Channel 7) 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- (1) This Policy is repealed on the day following the day on which this Policy commences.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

Insert in alphabetical order in clause 1 of Part 4:

basement means the space of a building where the floor level of that space is predominantly below ground level (finished) and where the floor level of the storey immediately above is less than 1.2 metres above ground level (finished).

ground level (finished) means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which development consent or an approval under Part 3A of the Act has been granted, or that is exempt development.

[2] Schedule 3, Part 4, clause 1

Insert “, *earthworks, excavation*” after “*dwelling*”.

[3] Schedule 3, Part 4, clause 1, definition of “storey”

Insert at the end of paragraph (b):

, or

(c) a basement.