



New South Wales

State Environmental Planning Policy (Major Development) Amendment (Port Botany) 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*.

TONY KELLY, MLC
Minister for Planning

State Environmental Planning Policy (Major Development) Amendment (Port Botany) 2010

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1 Name of Policy

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- (1) This Policy is repealed on the day following the day on which this Policy commences.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

4 Maps

Each map adopted by *State Environmental Planning Policy (Major Development) 2005* that is specified in Column 1 of the following table is declared by this Policy to be replaced by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Policy.

Column 1	Column 2
Name of map being replaced	Name of replacement map
State Environmental Planning Policy (Major Projects) Amendment (Three Ports) 2009 Port Botany Site Land Application Map (SEPP_MP_3PT_LAP_002_20090522)	State Environmental Planning Policy (Major Development) 2005 (Three Ports) Port Botany Site Land Application Map (SEPP_MD_3PT_LAP_002_20101015)

Column 1	Column 2
Name of map being replaced	Name of replacement map
State Environmental Planning Policy (Major Development) Amendment (Three Ports) 2010 Port Botany Site Land Zoning Map (SEPP_MD_3PT_LZN_002_020_20100413)	State Environmental Planning Policy (Major Development) 2005 (Three Ports) Port Botany Site Land Zoning Map (SEPP_MD_3PT_LZN_002_20101015)
State Environmental Planning Policy (Major Projects) Amendment (Three Ports) 2009 Port Botany Site Additional Permitted Uses Map (SEPP_MD_3PT_APU_002_20090522)	State Environmental Planning Policy (Major Development) 2005 (Three Ports) Port Botany Site Additional Permitted Uses Map (SEPP_MD_3PT_APU_002_20101015)

2010 No 615

State Environmental Planning Policy (Major Development) Amendment
(Port Botany) 2010

Schedule 1 Amendments

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1.1 State Environmental Planning Policy (Major Development) 2005

[1] Clause 16 Savings and transitional provisions

Insert in appropriate order in clause 16 (2):

*State Environmental Planning Policy (Major Development)
Amendment (Port Botany) 2010*

[2] Schedule 3 State significant sites

Omit paragraph (b) of the definition of *Additional Permitted Uses Map* in clause 2 (1) of Part 20.

Insert instead:

- (b) the State Environmental Planning Policy (Major Development) 2005 (Three Ports) Port Botany Site Additional Permitted Uses Map.

[3] Schedule 3, Part 20, clause 2 (1), definition of “Land Application Map”

Omit the paragraph (b) of the definition. Insert instead:

- (b) the State Environmental Planning Policy (Major Development) 2005 (Three Ports) Port Botany Site Land Application Map, and

[4] Schedule 3, Part 20, clause 2 (1), definition of “Land Zoning Map”

Omit the paragraph (b) of the definition. Insert instead:

- (b) the State Environmental Planning Policy (Major Development) 2005 (Three Ports) Port Botany Site Land Zoning Map, and

[5] Schedule 3, Part 20, clause 13A (1)

Omit “State Environmental Planning Policy (Major Development) Amendment (Three Ports) 2010 Port Botany Site Land Zoning Map”.

Insert instead “State Environmental Planning Policy (Major Development) 2005 (Three Ports) Port Botany Site Land Zoning Map”.

[6] Schedule 3, Part 20, clause 20 (2)

Omit “State Environmental Planning Policy (Major Projects) Amendment (Three Ports) 2009 Port Botany Site Additional Permitted Uses Map”.

Insert instead “State Environmental Planning Policy (Major Development) 2005 (Three Ports) Port Botany Site Additional Permitted Uses Map”.

1.2 Botany Local Environmental Plan 1995

[1] Schedule 1 Definitions

Insert in alphabetical order:

hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods and materials, including household fixtures, timber, tools, paint, wallpaper, plumbing supplies, landscaping supplies or the like, that are used in the construction and maintenance of buildings (and adjacent outdoor areas).

[2] Schedule 2 Development for certain additional purposes

Insert at the end of the Schedule:

- Land at Hillsdale, being Lot B, DP 406437 and Lot 7, DP 24380, known as 148 Denison Street; Lots 6 and 7, DP 22617, known as 45 Smith Street; Lot A, DP 24380, Lots 1–6, DP 24380, Lot B, DP 323369 and Lots 1–4, DP 373787, known as 49 Smith Street; Lots 3–5, DP 22617, known as 51–55 Smith Street; Lot 2, DP 22617, Lot 9, DP 24380 and Lot 1, DP 660951, known as 57 Smith Street—hardware and building supplies, with a maximum building height of 19 metres from natural ground level and all access to and from the site restricted to Denison Street, Hillsdale.