



New South Wales

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Exclusions and Variations) 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*. (10/18492)

TONY KELLY, MLC
Minister for Planning

2010 No 639

State Environmental Planning Policy (Exempt and Complying Development
Clause 1 Codes) Amendment (Exclusions and Variations) 2010

**State Environmental Planning Policy (Exempt and
Complying Development Codes) Amendment
(Exclusions and Variations) 2010**

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Exclusions and Variations) 2010*.

2 Commencement

This Policy commences 6 weeks after 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- (1) This Policy is repealed on the day following the day on which this Policy commences.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 (Exempt and Complying Development Codes) 2008

[1] Clause 1.12

Omit the clause. Insert instead:

1.12 Variations to certain codes

- (1) The General Exempt Development Code is varied, in relation to the land described or otherwise identified on a map specified in Column 1 of the Table to Schedule 2, in the manner described opposite that land in Column 2.
- (2) The General Housing Code is varied, in relation to the land described or otherwise identified on a map specified in Column 1 of the Table to Schedule 3, in the manner described opposite that land in Column 2.
- (3) If the General Exempt Development Code or the General Housing Code is varied because of the application of subclause (1) or (2) in relation to land, any provision of an existing local environmental plan or development control plan that would have applied to that land, but for clause 1.9, does not apply to that land.

[2] Clause 1.19 Land on which exempt development and complying development may not be carried out

Omit clause 1.19 (1A). Insert instead:

- (1A) Development specified in the General Exempt Development Code is not exempt development under that code if it is carried out on land described or otherwise identified on a map specified in Schedule 4.
- (1B) Development specified in the General Housing Code is not complying development under that code if it is carried out on land described or otherwise identified on a map specified in Schedule 5.
- (1C) Subclause (1B) ceases to have effect on 30 November 2015 in relation to land in the local government area of Mosman identified on any map specified in Schedule 5.

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[3] Schedules 2–5

Omit Schedules 2 and 3. Insert instead:

Schedule 2 Exempt development codes— variations

(Clause 1.12 (1))

Column 1	Column 2
Land to which variation applies	Variation
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Randwick Exempt Development Land Map (SEPP_ECD_6550_LED_001_20101022)	The General Exempt Development Code is varied in its application by omitting Subdivisions 3A, 4, 6, 8A, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 21A, 21B, 24, 28, 29, 30, 32, 33, 35, 40 and 41

Schedule 3 Complying development codes— variations

(Clause 1.12 (2))

Column 1	Column 2
Land to which variation applies	Variation
All of the land in the local government area of Wingecarribee	<p>The General Exempt Development Code is varied in its application by:</p> <p>(a) inserting at the end of clause 3.14 (1) (b): “, or</p> <p>(iv) 15m, if the lot has an area of at least 4,000m²,”</p> <p>(b) omitting from clause 3.16 (2), all words after and including “the following distance” and inserting instead “7.5m”,</p>

Column 1	Column 2
Land to which variation applies	Variation
	(c) omitting from clause 3.16 (3), all words after and including “the sum of” and inserting instead “7.5m”,
	(d) omitting from clause 3.24 (1), all words after and including “the following” and inserting instead “75%”.

Schedule 4 Land excluded from the General Exempt Development Code

(Clause 1.19 (1A))

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Botany Bay Exempt Development Land Map (SEPP_ECD_1100_LED_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Botany Bay Exempt Development Land Map (SEPP_ECD_1100_LED_002_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Botany Bay Exempt Development Land Map (SEPP_ECD_1100_LED_003_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Botany Bay Exempt Development Land Map (SEPP_ECD_1100_LED_004_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Exempt Development Land Map (SEPP_ECD_8550_LED_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Exempt Development Land Map (SEPP_ECD_8550_LED_002_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Exempt Development Land Map (SEPP_ECD_8550_LED_003_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Exempt Development Land Map (SEPP_ECD_8550_LED_004_20101022)

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Schedule 1 Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Exempt Development Land Map
(SEPP_ECD_8550_LED_005_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Exempt Development Land Map
(SEPP_ECD_8550_LED_006_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Exempt Development Land Map
(SEPP_ECD_8550_LED_007_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Exempt Development Land Map
(SEPP_ECD_8550_LED_008_20101022)

Schedule 5 Land excluded from the General Housing Code

(Clause 1.19 (1B))

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Ballina Complying Development Land Map
(SEPP_ECD_0250_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Ballina Complying Development Land Map
(SEPP_ECD_0250_LCD_002_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Botany Bay Complying Development Land Map
(SEPP_ECD_1100_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Botany Bay Complying Development Land Map
(SEPP_ECD_1100_LCD_002_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Botany Bay Complying Development Land Map
(SEPP_ECD_1100_LCD_003_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Botany Bay Complying Development Land Map
(SEPP_ECD_1100_LCD_004_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Clarence Valley Complying Development Land Map
(SEPP_ECD_1730_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Great Lakes Complying Development Land Map (SEPP_ECD_3400_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Kiama Complying Development Land Map (SEPP_ECD_4400_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Marrickville Complying Development Land Map (SEPP_ECD_5200_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Marrickville Complying Development Land Map (SEPP_ECD_5200_LCD_002_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Marrickville Complying Development Land Map (SEPP_ECD_5200_LCD_003_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Marrickville Complying Development Land Map (SEPP_ECD_5200_LCD_004_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Mosman Complying Development Land Map (SEPP_ECD_5350_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Mosman Complying Development Land Map (SEPP_ECD_5350_LCD_002_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Mosman Complying Development Land Map (SEPP_ECD_5350_LCD_003_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Mosman Complying Development Land Map (SEPP_ECD_5350_LCD_004_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Nambucca Complying Development Land Map (SEPP_ECD_5700_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Pittwater Complying Development Land Map (SEPP_ECD_6370_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Pittwater Complying Development Land Map (SEPP_ECD_6370_LCD_002_20101022)

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Schedule 1 Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Pittwater Complying Development Land Map (SEPP_ECD_6370_LCD_003_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Pittwater Complying Development Land Map (SEPP_ECD_6370_LCD_004_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Queanbeyan Complying Development Land Map (SEPP_ECD_1520_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Randwick Complying Development Land Map (SEPP_ECD_6550_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_002_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_003_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_004_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_005_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_006_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_007_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_008_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_009_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_010_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Shoalhaven Complying Development Land Map (SEPP_ECD_6950_LCD_011_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Complying Development Land Map (SEPP_ECD_8550_LCD_001_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Complying Development Land Map (SEPP_ECD_8550_LCD_002_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Complying Development Land Map (SEPP_ECD_8550_LCD_003_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Complying Development Land Map (SEPP_ECD_8550_LCD_004_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Complying Development Land Map (SEPP_ECD_8550_LCD_005_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Complying Development Land Map (SEPP_ECD_8550_LCD_006_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Complying Development Land Map (SEPP_ECD_8550_LCD_007_20101022)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Wyong Complying Development Land Map (SEPP_ECD_8550_LCD_008_20101022)