



New South Wales

State Environmental Planning Policy (Major Development) Amendment (Barangaroo) 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*. (09/04793)

TONY KELLY, MLC
Minister for Planning

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

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

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

2 Commencement

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

3 Replacement of 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 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.

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
State Environmental Planning Policy (Major Development) 2005 Barangaroo Land Application Map (SEPP_MD_BAR_LAP_001_20091208)	State Environmental Planning Policy (Major Development) 2005 Barangaroo Land Application Map (SEPP_MD_BAR_LAP_001_20101129)
State Environmental Planning Policy (Major Development) 2005 Barangaroo Land Zoning Map (SEPP_MD_BAR_LZN_001_20091208)	State Environmental Planning Policy (Major Development) 2005 Barangaroo Land Zoning Map (SEPP_MD_BAR_LZN_001_20101129)
State Environmental Planning Policy (Major Development) 2005 Barangaroo Height of Buildings Map (SEPP_MD_BAR_HOB_001_20091215)	State Environmental Planning Policy (Major Development) 2005 Barangaroo Height of Buildings Map (SEPP_MD_BAR_HOB_001_20101129)

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
State Environmental Planning Policy (Major Development) 2005 Barangaroo Heritage Map (SEPP_MD_BAR_HER_001_20091208)	State Environmental Planning Policy (Major Development) 2005 Barangaroo Heritage Map (SEPP_MD_BAR_HER_001_20101129)
State Environmental Planning Policy (Major Development) 2005 Barangaroo Gross Floor Area Map (SEPP_MD_BAR_GFA_001_20091208)	State Environmental Planning Policy (Major Development) 2005 Barangaroo Gross Floor Area Map (SEPP_MD_BAR_GFA_001_20101129)

4 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.

2010 No 692

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

Schedule 1 Amendment of State Environmental Planning Policy (Major Development)
2005

Schedule 1 Amendment of State Environmental Planning Policy (Major Development) 2005

[1] Schedule 3 State significant sites

Omit the note that follows clause 5 (2) (g) of Part 12 of the Schedule.

[2] Schedule 3, Part 12, clause 9 (2)

Insert at the end of the subclause in alphabetical order:

business identification signs;
filming;
flood mitigation works;
moorings;
; water recreation structures; waterbodies (artificial)

[3] Schedule 3, Part 12, clauses 10, 11 and 14

Omit the clauses.

[4] Schedule 3, Part 12, clause 17

Omit the clause. Insert instead:

17 Height of buildings

The height of a building on any land within the Barangaroo site is not to exceed the height for development on the land, expressed as Reduced Level (RL), as shown on the Height of Buildings Map.

[5] Schedule 3, Part 12, clause 18

Omit clause 18. Insert instead:

18 Gross floor area restrictions

The total gross floor area of all buildings on any land within the Barangaroo site is not to exceed the gross floor area shown for the land shown on the Gross Floor Area Map.

[6] Schedule 3, Part 12, clauses 22 and 23

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.

23 Development near zone boundaries

- (1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
- (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 25 metres.
- (3) Despite the provisions of this Part relating to the purposes for which development may be carried out, consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.
- (4) This clause does not prescribe a development standard that may be varied under this Part.

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

Omit clause 1 (3) of Part 1 to the Schedule and the note that follows that subclause.