



New South Wales

# **Standard Instrument (Local Environmental Plans) Amendment (Miscellaneous) Order 2011**

under the

Environmental Planning and Assessment Act 1979

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 33A of the *Environmental Planning and Assessment Act 1979*, make the following Order.

Dated, this 13th day of July 2011.

By Her Excellency's Command,

BRAD HAZZARD, MP  
Minister for Planning and Infrastructure

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### **1 Name of Plan**

This Order is *Standard Instrument (Local Environmental Plans) Amendment (Miscellaneous) Order 2011*.

### **2 Commencement**

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

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## Schedule 1      **Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006**

**[1] Clause 1.7 Maps**

Omit “Department of Planning’s website” from the note.

Insert instead “website of the Department of Planning and Infrastructure”.

**[2] Clause 2.5 Additional permitted uses for particular land**

Renumber the first direction at the end of the clause as Direction 1.

**[3] Clause 2.5**

Insert after the first direction:

**Direction 2.** A type of development may be included in Schedule 1 only if it is a type of development listed in Direction 5 at the beginning of the Land Use Table.

**[4] Clause 2.6 Subdivision—consent requirements**

Omit the note to clause 2.6 (1). Insert instead:

**Notes.**

- 1 If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, such as this Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Act enables it to be carried out without development consent.
- 2 Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* provides that the strata subdivision of a building in certain circumstances is **complying development**.

**[5] Part 2, Land Use Table**

Omit the matter relating to *State Environmental Planning Policy (Infrastructure) 2007* from the note at the beginning of the Land Use Table.

Insert instead:

*State Environmental Planning Policy (Infrastructure) 2007*—relating to infrastructure facilities such as those that comprise, or are for, air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply systems

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**[6] Part 2, Land Use Table (Zone RU1)**

Omit “Mining” from item 3 of the matter relating to Zone RU1 Primary Production.

Insert instead “Open cut mining”.

**[7] Part 2, Land Use Table (Zone B6)**

Renumber the first direction in the matter relating to Zone B6 Enterprise Corridor as Direction 1.

**[8] Part 2, Land Use Table (Zone B8)**

Omit the following from item 3 of the matter relating to Zone B8 Metropolitan Centre:

Business premises;

Office premises;

Retail premises;

Insert instead in alphabetical order:

Commercial premises;

Respite day care centres;

Restricted premises;

**[9] Part 2, Land Use Table (Zone IN4)**

Re-insert “Boat building and repair facilities;” in alphabetical order in item 3 of the matter relating to Zone IN4 Working Waterfront.

**[10] Clause 4.1AA Minimum subdivision lot size for community title schemes**

Omit clause 4.1AA (2) (including the note). Insert instead:

(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 1989* of land in any of the following zones:

(a) [list relevant zones]

**[11] Clause 5.10 Heritage conservation**

Omit the note at the beginning of the clause. Insert instead:

**Note.** Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

**Direction.** Heritage items as identified in Schedule 5 must be shown on the Heritage Map.

The location and nature of Aboriginal objects and Aboriginal places of heritage significance may be described in Schedule 5 and shown on the Heritage Map (see the direction to Schedule 5).

**[12] Dictionary, definition of “Aboriginal place of heritage significance”**

Omit “on the sheet of the Heritage Map marked “Aboriginal Heritage Map””.

Insert instead “on the Heritage Map”.

**[13] Dictionary, definition of “garden centre”**

Omit “barbeques”. Insert instead “barbecues”.

**[14] Dictionary, definition of “heritage conservation management plan”**

Omit “Department of Planning”.

Insert instead “Division of the Government Service responsible to the Minister administering the *Heritage Act 1977*”.

**[15] Dictionary, definition of “heritage item”**

Omit “Heritage items may be shown on the Heritage Map.” from the note.

**[16] Dictionary, definition of “heritage item”**

Insert after the note to the definition:

**Direction.** Heritage items must be shown on the Heritage Map.

**[17] Dictionary, definition of “light industry”**

Omit “(see” from the note to the definition. Insert instead “see”.

**[18] Dictionary, definition of “residential accommodation”**

Omit paragraph (i). Insert instead:

(i) rural workers’ dwellings,

**[19] Dictionary, definition of “rural worker’s dwelling”**

Omit “Rural worker’s dwellings” from the note to the definition.

Insert instead “Rural workers’ dwellings”.

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**[20] Dictionary, definition of “storage premises”**

Omit “heavy industrial storage premises”.

Insert instead “a heavy industrial storage establishment”.