



New South Wales

# **State Environmental Planning Policy (Western Sydney Employment Area) Amendment (Industrial Area) 2016**

under the

Environmental Planning and Assessment Act 1979

His 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*.

ROBERT STOKES, MP  
Minister for Planning

## **State Environmental Planning Policy (Western Sydney Employment Area) Amendment (Industrial Area) 2016**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Western Sydney Employment Area) Amendment (Industrial Area) 2016*.

### **2 Commencement**

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

### **3 Maps**

The maps adopted by *State Environmental Planning Policy (Western Sydney Employment Area) 2009* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

### **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- (1) This Policy is repealed on the day following the day on which this Policy commences.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.

## **Schedule 1      Amendment of State Environmental Planning Policy (Western Sydney Employment Area) 2009**

**[1]    Clause 9 Land use zones**

Insert after paragraph (c):

- (d)    SP2 Infrastructure.

**[2]    Clause 11 Zone objectives and land use table**

Insert at the end of the Land Use Table:

### **Zone SP2 Infrastructure**

**1      Objectives of zone**

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

**2      Permitted without consent**

Nil

**3      Permitted with consent**

Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

**4      Prohibited**

Any development not specified in item 2 or 3

**[3]    Clause 28 Relevant acquisition authority**

Omit the table and note to clause 28 (2). Insert instead:

<b>Type of land shown on Map</b>	<b>Authority of the State</b>
Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services

**[4]    Clause 33A**

Insert after clause 33:

### **33A    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 50 metres.
- (3) This clause does not apply to:
  - (a) land zoned E2 Environmental Conservation, or
  - (b) land within the coastal zone, or

- (c) land proposed to be developed for the purpose of sex services or restricted premises.
- (4) Despite the provisions of this Policy 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.
- (5) The clause does not prescribe a development standard that may be varied under this Policy.