



New South Wales

State Environmental Planning Policy Amendment (Sydney Regional Environmental Plan No 26—City West) 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

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1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Sydney Regional Environmental Plan No 26—City West) 2016*.

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- (1) This Policy is repealed on the day following the day on which this Policy commences.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

Schedule 1 Amendment of Sydney Regional Environmental Plan No 26—City West

[1] Part 3A

Insert after Part 3:

Part 3A Temporary use of land for the purpose of a school at Wentworth Park

54A Temporary use of land for the purpose of a school at Wentworth Park

- (1) Despite any other provision of this or any other environmental planning instrument, development is permitted without development consent if the development:
 - (a) is on land identified as “Subject Land” on the Temporary use of Land for the Purpose of a School at Wentworth Park Map, and
 - (b) is a temporary use of land for the purpose of a school (within the meaning of the Standard Instrument), and
 - (c) is carried out by or on behalf of a public authority, and
 - (d) does not result in a building with a building height (within the meaning of the Standard Instrument) greater than 12 metres, and
 - (e) does not continue after 31 December 2019.
- (2) Part 3 does not apply to development referred to in subclause (1).
- (3) Division 1 (Consultation) of Part 2 of *State Environmental Planning Policy (Infrastructure) 2007* applies to development referred to in subclause (1) as if it were development that that Policy provides is development that may be carried out without consent.
- (4) A public authority, or a person acting on behalf of a public authority, must not carry out development referred to in subclause (1) unless the authority or person has:
 - (a) given written notice of the intention to carry out the development to RMS, and
 - (b) taken into consideration any response to the notice that is received from RMS within 21 days after the notice is given.
- (5) In this clause:

RMS means Roads and Maritime Services constituted under the *Transport Administration Act 1988*.

Standard Instrument means the standard local environmental planning instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

[2] Schedule 1 Definitions

Insert in alphabetical order:

Temporary use of Land for the Purpose of a School at Wentworth Park Map means the map marked “Sydney Regional Environmental Plan No 26—City West Temporary use of Land for the Purpose of a School at Wentworth Park Map”.