



New South Wales

State Environmental Planning Policy (Three Ports) Amendment 2018

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*.

ANTHONY ROBERTS, MP
Minister for Planning

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1 Name of Policy

This Policy is *State Environmental Planning Policy (Three Ports) Amendment 2018*.

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 (Three Ports) 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Policy.

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- (1) This Policy is repealed on the day following the day on which this Policy commences.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 (Three Ports) 2013

[1] Clause 23 Additional permitted uses

Insert after clause 23 (2):

- (3) Despite any other provision of this Policy, development for the following purposes may be carried out with development consent:
 - (a) on land marked “A” on the Additional Permitted Uses Map—community facilities, being community facilities for persons to gather to undertake activities and projects for the promotion of health and well-being,
 - (b) on land marked “B” on the Additional Permitted Uses Map—car parks,
 - (c) on land marked “C” on the Additional Permitted Uses Map—warehouse or distribution centres,
 - (d) on land marked “D” on the Additional Permitted Uses Map—general industries, light industries, office premises or warehouse or distribution centres,
 - (e) on land marked “E” on the Additional Permitted Uses Map—general industries, light industries or office premises,
 - (f) on land marked “F” on the Additional Permitted Uses Map—general industries, office premises or warehouse or distribution centres,
 - (g) on land marked “G” on the Additional Permitted Uses Map—office premises.
- (4) Development consent may only be granted to development under subclause (3) (c)–(g) if:
 - (a) the development is a temporary use, for a period expiring not more than 5 years after the commencement of that subclause, and
 - (b) the consent authority is satisfied that the use will be terminated on or before the sale, transfer or other disposal of the land on which the development is carried out.

[2] Clause 31 Heritage conservation

Omit clause 31 (8). Insert instead:

- (8) In this clause:

heritage item means a building, work, tree or place listed in the Table to this clause.

Heritage Map means the State Environmental Planning Policy (Three Ports) 2013 Heritage Map.

[3] Clause 31, Table

Omit “Lot 4, DP 114693” from the matter relating to the Mobile Block Setting Steam Crane.

Insert instead “That part of Lot 4, DP 114693 identified as “4” on the Heritage Map”.

[4] Clause 31, Table

Omit the matter relating to the Garden around Former House and Adjacent Driveway at Lot 51, DP 1002696.

[5] Clause 31, Table

Omit “Lot 3, DP 1146913 and Lot 1, DP 825951” from the matter relating to Hill 60, Illowra Battery.

Insert instead “That part of Lot 3, DP 1146913 and Lot 1, DP 825951 identified as “5” on the Heritage Map”.

[6] Clause 31, Table

Omit “Lot 21, DP 546139” from the matter relating to Brick Chimney, Port Kembla Copper.

Insert instead “That part of Lot 21, DP 546139 identified as “3” on the Heritage Map”.

[7] Clause 31, Table

Omit “Lot 21, DP 546139” from the matter relating to Office and House, Port Kembla Copper.

Insert instead “That part of Lot 21, DP 546139 identified as “2” on the Heritage Map”.

[8] Clause 31, Table

Omit “Lot 1, DP 190251” from the matter relating to Commonwealth Rolling Mill Plant and Gardens.

Insert instead “That part of Lots 2 and 3, DP 190251 identified as “1” on the Heritage Map”.