



New South Wales

State Environmental Planning Policy Amendment (Miscellaneous) 2019

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*.

ROBERT STOKES, MP
Minister for Planning and Public Spaces

State Environmental Planning Policy Amendment (Miscellaneous) 2019

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Miscellaneous) 2019*.

2 Commencement

- (1) This Policy commences on 15 January 2020, except as provided by subclause (2).
- (2) Schedules 2.19, 2.21, 2.28 and 6 commence on the day on which this Policy is published on the NSW legislation website.

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which all of the provisions of this Policy have commenced.
- (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 Amendments consequential on commencement of Environmental Planning and Assessment Amendment Act 2017

1.1 Auburn Local Environmental Plan 2010

Clause 6.8 Arrangements for contributions to designated State public infrastructure (Carter Street Priority Precinct)

Omit “section 93C” from clause 6.8(4)(b). Insert instead “section 7.1”.

1.2 Bathurst Regional Local Environmental Plan 2014

[1] Clause 6.1 Arrangements for designated State public infrastructure

Omit “section 93C” from clause 6.1(4). Insert instead “section 7.1”.

[2] Schedule 2 Exempt development

Omit “section 106” from clause 18.2(3). Insert instead “section 4.65”.

1.3 Gloucester Local Environmental Plan 2010

Clause 6.3 Industrial release area—satisfactory arrangements for the provision of State and regional roads

Omit “section 93C” from clause 6.3(1). Insert instead “section 7.1”.

1.4 Goulburn Mulwaree Local Environmental Plan 2009

Clause 6.1 Arrangements for designated State public infrastructure

Omit “section 93C” from clause 6.1(1). Insert instead “section 7.1”.

1.5 Hawkesbury Local Environmental Plan 2012

[1] Clause 5.13A Arrangements for certain designated State public infrastructure

Omit “section 93C” from clause 5.13A(4). Insert instead “section 7.1”.

[2] Clause 6.8 Arrangements for designated State public infrastructure

Omit “section 93C” from clause 6.8(3)(b). Insert instead “section 7.1”.

1.6 Lake Macquarie Local Environmental Plan 2014

[1] Clause 5.1A Development on land intended to be acquired for public purposes

Omit “section 8” from the table to the clause. Insert instead “section 2.5”.

[2] Clause 6.1 Arrangements for designated State public infrastructure

Omit “section 93C” from clause 6.1(4). Insert instead “section 7.1”.

1.7 Liverpool Local Environmental Plan 2008

[1] Clause 5.1A Development on land intended to be acquired for a public purpose

Omit “section 8” from the table to the clause. Insert instead “section 2.5”.

[2] Clause 6.3 Application of Part

Omit “section 93C”. Insert instead “section 7.1”.

[3] Clause 7.36 Arrangements for infrastructure arising out of development of intermodal terminal at Casula and Moorebank

Omit “section 93C” from clause 7.36(3). Insert instead “section 7.1”.

1.8 Liverpool Plains Local Environmental Plan 2011

[1] Clause 5.10 Heritage conservation

Omit “section 79C” from note 2 to the clause. Insert instead “section 4.15”.

[2] Clause 6.1 Arrangements for designated State public infrastructure

Omit “section 93C” from clause 6.1(4). Insert instead “section 7.1”.

1.9 Marrickville Local Environmental Plan 2011

Clause 6.18 Arrangements for designated State public infrastructure in relation to development on certain land at Victoria Road, Marrickville

Omit “section 93C” from clause 6.18(4)(a). Insert instead “section 7.1”.

1.10 Newcastle Local Environmental Plan 2012

Clause 8.1 Arrangements for designated State public infrastructure

Omit “section 93C” from clause 8.1(4). Insert instead “section 7.1”.

1.11 Ryde Local Environmental Plan 2010

[1] Clause 1.9A Suspension of covenants, agreements and instruments

Omit “section 28” from clause 1.9A(5). Insert instead “section 3.16”.

[2] Clause 5.1A Development on land intended to be acquired for a public purpose

Omit “section 8” from the table to the clause. Insert instead “section 2.5”.

1.12 Ryde Local Environmental Plan 2014

Clause 6.10 Arrangements for contributions to designated State public infrastructure

Omit “section 93C” from clause 6.10(4)(b). Insert instead “section 7.1”.

1.13 Wagga Wagga Local Environmental Plan 2010

Clause 6.1 Arrangements for designated State public infrastructure

Omit “section 93C” from clause 6.1(5). Insert instead “section 7.1”.

1.14 Willoughby Local Environmental Plan 2012

[1] Clause 6.8 Affordable housing

Omit “Section 94F” and “section 94G” from the note to clause 6.8(4).

Insert instead “Section 7.32” and “section 7.33”, respectively.

[2] Clause 6.14 Willoughby Market Gardens

Omit “section 74D” from clause 6.14(2). Insert instead “section 3.44”.

1.15 Wyong Local Environmental Plan 2013

Clause 6.1 Arrangements for designated State public infrastructure

Omit “section 93C” from clause 6.1(5). Insert instead “section 7.1”.

Schedule 2 Amendments consequential on commencement of Crown Land Management Act 2016

2.1 Ballina Local Environmental Plan 1987

Clause 38 Classification and reclassification of public land

Omit “*Crown Lands Act 1989*” from clause 38(5)(c).

Insert instead “*Crown Land Management Act 2016*”.

2.2 Bega Valley Local Environmental Plan 2002

[1] Clause 42 Parks plan of management

Omit “*Crown Lands Act 1989*”. Insert instead “*Crown Land Management Act 2016*”.

[2] Clause 68 Reclassification of public land as operational land

Omit “*Crown Lands Act 1989*” from clause 68(2)(b).

Insert instead “*Crown Land Management Act 2016*”.

2.3 Blue Mountains Local Environmental Plan 2005

[1] Clause 107 Access to public buildings and public land

Omit “a Crown reserve under the *Crown Lands Act 1989*”.

Insert instead “dedicated or reserved Crown land under the *Crown Land Management Act 2016*”.

[2] Dictionary

Omit “*Crown Lands Act 1989*” from the definition of *plan of management*.

Insert instead “*Crown Land Management Act 2016*”.

[3] Dictionary, definition of “public land”

Omit paragraphs (b)–(d). Insert instead—

(b) land to which the *Crown Land Management Act 2016* applies, or

2.4 Botany Local Environmental Plan 1995

Clause 39 Classification and reclassification of public land

Omit “*Crown Lands Act 1989*” from clause 39(5)(c).

Insert instead “*Crown Land Management Act 2016*”.

2.5 Byron Local Environmental Plan 1988

Clause 96 Suspension of covenants, agreements and instruments

Omit clause 96(2)(b). Insert instead—

(b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

2.6 Campbelltown Local Environmental Plan 1995—Classification of Public Land

Clause 4 Classification and reclassification of public land as operational

Omit “*Crown Lands Act 1989*” from clause 4(2)(b).

Insert instead “*Crown Land Management Act 2016*”.

2.7 Canada Bay Local Environmental Plan 2013

Schedule 2 Exempt development

Omit “Part 4 of the *Crown Lands Act 1989*” wherever occurring.

Insert instead “Part 5 of the *Crown Land Management Act 2016*”.

2.8 Coffs Harbour City Local Environmental Plan 2000

[1] Clause 9 How does the development control table work?

Omit “*Crown Lands Act 1989*” from item 2 under the heading “**Open Space 6A Public Recreation Zone**”.

Insert instead “*Crown Land Management Act 2016*”.

[2] Clause 19A Land zoned Special Uses 5A Community Purposes

Omit “*Crown Lands Act 1989*” from clause 19A(a)(ii).

Insert instead “*Crown Land Management Act 2016*”.

2.9 Fairfield Local Environmental Plan 1994

Clause 27 Classification or reclassification of public land

Omit “*Crown Lands Act 1989*” from clause 27(3)(b).

Insert instead “*Crown Land Management Act 2016*”.

2.10 Forbes Local Environmental Plan 1986

Clause 24 Classification and reclassification of public land

Omit “*Crown Lands Act 1989*” from clause 24(5)(c).

Insert instead “*Crown Land Management Act 2016*”.

2.11 Lake Macquarie Local Environmental Plan 2004

[1] Clause 61 Classification and reclassification of public land as operational land

Omit “*Crown Lands Act 1989*” from clause 61(2)(c).

Insert instead “*Crown Land Management Act 2016*”.

[2] Clause 84 Suspension of covenants, agreements and instruments

Omit clause 84(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[3] Clause 105 Suspension of covenants, agreements and instruments

Omit clause 105(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[4] Clause 130 Suspension of covenants, agreements and instruments

Omit clause 130(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[5] Clause 154 Suspension of covenants, agreements and instruments

Omit clause 154(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

2.12 Murray Regional Environmental Plan No 2—Riverine Land

Clause 13 Planning Control and Consultation Table

Omit “the *Western Lands Act 1901*” wherever occurring in the matter relating to “DESTRUCTION OF NATIVE VEGETATION” and “WETLAND FILLING, DREDGING, DRAINING OR CLEARING”.

Insert instead “Schedule 3 to the *Crown Land Management Act 2016*”.

2.13 Penrith Local Environmental Plan No 255—Exempt and Complying Development

Clause 2 Area covered by this plan

Omit “*Crown Lands Act 1989*” from clause 2(2)(h).

Insert instead “*Crown Land Management Act 2016*”.

2.14 Shellharbour Local Environmental Plan 2000

Clause 81 Classification or reclassification of public land as operational land

Omit “*Crown Lands Act 1989*” from clause 81(2)(b).

Insert instead “*Crown Land Management Act 2016*”.

2.15 Shellharbour Rural Local Environmental Plan 2004

Clause 82 Suspension of covenants, agreements and instruments

Omit clause 82(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

2.16 Singleton Local Environmental Plan 1996

[1] Clause 9 How are terms defined in this plan?

Omit the note to the definition of *public land* in clause 9(1).

[2] Clause 39 Classification and reclassification of public land

Omit “*Crown Lands Act 1989*” from clause 39(5)(c).

Insert instead “*Crown Land Management Act 2016*”.

2.17 South Sydney Local Environmental Plan 1998

Clause 56A Classification and reclassification of public land

Omit “*Crown Lands Act 1989*” from clause 56A(5)(c).

Insert instead “*Crown Land Management Act 2016*”.

2.18 State Environmental Planning Policy No 21—Caravan Parks

Clause 9 Subdivision of caravan parks for lease purposes

Omit “*Crown Lands Act 1989*” from clause 9(4).

Insert instead “*Crown Land Management Act 2016*”.

2.19 State Environmental Planning Policy No 33—Hazardous and Offensive Development

[1] Clause 10 Western Division—development consent required

Omit “Western Lands Commissioner” from clause 10(2)(b). Insert instead “Minister”.

[2] Clause 10(4)

Omit “*Western Lands Act 1901*”. Insert instead “*Crown Land Management Act 2016*”.

2.20 State Environmental Planning Policy No 36—Manufactured Home Estates

Dictionary

Omit the definition of *Crown reserve*. Insert instead—

Crown reserve has the same meaning as it has in Division 12.5 of the *Crown Land Management Act 2016*.

2.21 State Environmental Planning Policy No 55—Remediation of Land

Clauses 9(f), 10(1)(b)(ii), 16(1) and 17(2)

Omit “Western Lands Commissioner” wherever occurring. Insert instead “Minister”.

2.22 State Environmental Planning Policy (Affordable Rental Housing) 2009

Clause 9 Suspension of covenants, agreements and instruments

Omit clause 9(2)(b). Insert instead—

(b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

2.23 State Environmental Planning Policy (Coastal Management) 2018

Clause 10 Development on certain land within coastal wetlands and littoral rainforests area

Omit “approved and in force under Division 6 of Part 5 of the *Crown Lands Act 1989*” from clause 10(3)(c).

Insert instead “under Division 3.6 of the *Crown Land Management Act 2016*”.

2.24 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

[1] Clause 5 Interpretation

Omit “*Crown Lands Act 1989*” from paragraph (a) of the definition of *State land* in clause 5(2).

Insert instead “*Crown Land Management Act 2016*”.

[2] Clause 16 Additional uses of certain State land permitted

Omit “*Crown Lands Act 1989*” from clause 16(1)(d) and (4)(c) wherever occurring.

Insert instead “*Crown Land Management Act 2016*”.

2.25 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

[1] Clause 1.5 Interpretation—general

Omit “*Crown Lands Act 1989*” from paragraph (i) of the definition of *environmentally sensitive area* in clause 1.5(1).

Insert instead “*Crown Land Management Act 2016*”.

[2] Clause 1.20 Suspension of covenants, agreements and instruments

Omit clause 1.20(2)(d). Insert instead—

(d) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[3] Clause 2.117 Specified development

Omit “*Crown Lands Act 1989*” from clause 2.117(c).

Insert instead “*Crown Land Management Act 2016*”.

[4] Clause 2.121 Specified development

Omit “*Crown Lands Act 1989*” from clause 2.121(c).

Insert instead “*Crown Land Management Act 2016*”.

2.26 State Environmental Planning Policy (Gosford City Centre) 2018

[1] Clause 1.9A Suspension of covenants, agreements and instruments

Omit clause 1.9A(2)(d). Insert instead—

(d) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[2] Clause 3.3 Environmentally sensitive areas excluded

Omit “*Crown Lands Act 1989*” from paragraph (i) of the definition of *environmentally sensitive area for exempt or complying development* in clause 3.3(2).

Insert instead “*Crown Land Management Act 2016*”.

[3] Clause 5.2 Classification and reclassification of public land

Omit “*Crown Lands Act 1989*” from clause 5.2(5)(c).

Insert instead “*Crown Land Management Act 2016*”.

[4] Dictionary

Omit the definition of *Crown reserve*.

2.27 State Environmental Planning Policy (Kurnell Peninsula) 1989

[1] Clause 32A Suspension of covenants, agreements and instruments on land within Zones RE1, E2 and E4

Omit clause 32A(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[2] Clause 35 What is exempt development?

Omit “*Crown Lands Act 1989*” from clause 35(3)(c).

Insert instead “*Crown Land Management Act 2016*”.

[3] Clause 36 What is complying development?

Omit “*Crown Lands Act 1989*” from clause 36(3)(d).

Insert instead “*Crown Land Management Act 2016*”.

2.28 State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

[1] Clause 3 Interpretation

Omit the definition of *Commissioner* from clause 3(2).

[2] Clause 3(2), definition of “environmentally sensitive area of State significance”

Omit “*Crown Lands Act 1989*” from paragraph (h).

Insert instead “*Crown Land Management Act 2016*”.

[3] Clause 3(2), definition of “Western Division”

Omit “*Crown Lands Act 1989*”. Insert instead “*Crown Land Management Act 2016*”.

[4] Clause 3A Consent authority

Omit “Commissioner” from clause 3A(b). Insert instead “Minister”.

2.29 State Environmental Planning Policy (Penrith Lakes Scheme) 1989

Clause 6B Suspension of covenants, agreements and instruments

Omit clause 6B(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

2.30 State Environmental Planning Policy (State and Regional Development) 2011

Clause 4 Definitions

Omit “*Crown Lands Act 1989*” from paragraph (i) of the definition of *environmentally sensitive area of State significance* in clause 4(1).

Insert instead “*Crown Land Management Act 2016*”.

2.31 State Environmental Planning Policy (State Significant Precincts) 2005

[1] Schedule 3 State significant precincts

Omit clause 27(2)(b) from Part 22. Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[2] Schedule 3, Part 24, clause 26(2)(b)

Omit the paragraph. Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[3] Schedule 3, Part 26, clause 19(2)(b)

Omit the paragraph. Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[4] Schedule 3, Part 31, clause 38(2)(b)

Omit the paragraph. Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

2.32 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

[1] Appendices 1–12

Omit clause 1.9A(2)(b), wherever occurring. Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[2] Appendices 1–14

Omit “roads, Crown reserves and commons” from the note to clause 5.2(1).

Insert instead “roads and certain Crown land”.

[3] Appendices 1–15

Omit “*Crown Lands Act 1989*” from clause 5.2(5)(c), wherever occurring.

Insert instead “*Crown Land Management Act 2016*”.

[4] Appendices 13 and 14

Omit clause 1.9A(2)(d), wherever occurring. Insert instead—

- (d) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[5] Dictionary

Omit the definition of *Crown reserve*.

[6] Dictionary, definition of “public land”

Omit the note.

2.33 State Environmental Planning Policy (Three Ports) 2013

Clause 10 Suspension of covenants, agreements and instruments

Omit clause 10(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

2.34 Sutherland Shire Local Environmental Plan 2006

[1] Clause 9 Suspension of covenants and agreements

Omit clause 9(3)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

[2] Clause 13A Environmentally sensitive areas excluded

Omit “*Crown Lands Act 1989*” from paragraph (i) of the definition of *environmentally sensitive area for exempt or complying development* in clause 13A(2).

Insert instead “*Crown Land Management Act 2016*”.

[3] Clause 25 Classification and reclassification of public land

Omit “*Crown Lands Act 1989*” from clause 25(5)(c).

Insert instead “*Crown Land Management Act 2016*”.

[4] Clause 82 Suspension of covenants, agreements and instruments

Omit clause 82(2)(b). Insert instead—

- (b) to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or

2.35 Sutherland Shire Local Environmental Plan 2015

Schedule 1 Additional permitted uses

Insert “former” before “*Crown Lands (Continued Tenures) Act 1989*” in clause 2(1).

2.36 Sydney Local Environmental Plan 2005

Dictionary

Omit “*Crown Lands Act 1989*” from the definition of *plan of management*.

Insert instead “*Crown Land Management Act 2016*”.

2.37 Sydney Regional Environmental Plan No 33—Cooks Cove

Clause 20 Management of open space

Omit “*Crown Lands Act 1989*”. Insert instead “*Crown Land Management Act 2016*”.

2.38 Tweed Local Environmental Plan 2000

[1] Clause 9 Exempt development

Omit “*Crown Lands Act 1989*” from clause 9(2)(c)(iv).

Insert instead “*Crown Land Management Act 2016*”.

[2] Clause 10 Complying development

Omit “*Crown Lands Act 1989*” from clause 10(2)(c)(xi).

Insert instead “*Crown Land Management Act 2016*”.

2.39 Walgett Local Environmental Plan 2013

Schedule 1 Additional permitted uses

Omit “lease under the *Western Lands Act 1901*” from paragraph (c) of the definition of *residential mineral claim* in clause 12(3).

Insert instead “Western lands lease within the meaning of Schedule 3 to the *Crown Land Management Act 2016*”.

2.40 Warringah Local Environmental Plan 2000

Dictionary

Omit “*Crown Lands Act 1989*” from the definition of *plan of management*.

Insert instead “*Crown Land Management Act 2016*”.

2.41 Warringah Local Environmental Plan 2011

Schedule 2 Exempt development

Omit subclause (3) of the matter relating to “**Outdoor eating areas (associated with an approved restaurant)**”.

2.42 Wollongong Local Environmental Plan 1990

Clause 37B Classification and reclassification of public land as operational land

Omit “*Crown Lands Act 1989*” from clause 37B(4)(c).

Insert instead “*Crown Land Management Act 2016*”.

2.43 Yarrawluma Local Environmental Plan 2002

Clauses 13(3)(c)(v) and 14(3)(g) and Dictionary, definition of “1995 holding”

Omit “*Crown Lands Act 1989*” wherever occurring.

Insert instead “*Crown Land Management Act 2016*”.

Schedule 3 Amendments consequential on commencement of Standard Instrument (Local Environmental Plans) Amendment (Primary Production and Rural Development) Order 2019

Land Use Table amendments

For each local environmental plan specified in the table below, omit “Any development” and insert instead “Any other development” wherever occurring in the parts of the Land Use Table specified opposite each local environmental plan.

Name of local environmental plan	Parts of Land Use Table to be amended
<i>Ballina Local Environmental Plan 2012</i>	item 4—Zones B5 and B6
<i>Bankstown Local Environmental Plan 2015</i>	item 4—Zones R3, R4 and B1
<i>Bega Valley Local Environmental Plan 2013</i>	item 4—Zone B5
<i>Blacktown Local Environmental Plan 2015</i>	item 4—Zones R3 and R4
<i>Blue Mountains Local Environmental Plan 2015</i>	item 4—Zones R3, B1, B2, B7, IN1 and IN2
<i>Campbelltown Local Environmental Plan 2015</i>	item 4—Zones RU5, RU6, R3, R4, B1, B2, B3, B4, B5, B7, IN1 and IN2
<i>Canada Bay Local Environmental Plan 2013</i>	item 4—Zone R4
<i>Canterbury Local Environmental Plan 2012</i>	item 4—Zones R3 and R4
<i>Cessnock Local Environmental Plan 2011</i>	item 4—Zone RU5
<i>Cowra Local Environmental Plan 2012</i>	item 4—Zones IN1 and IN2
<i>Eurobodalla Local Environmental Plan 2012</i>	item 4—Zones RU5 and R3
<i>Fairfield Local Environmental Plan 2013</i>	item 4—Zone RU5
<i>Glen Innes Severn Local Environmental Plan 2012</i>	item 4—Zone IN2
<i>Gloucester Local Environmental Plan 2010</i>	item 4—Zones RU5, R3, B4 and IN3
<i>Gosford Local Environmental Plan 2014</i>	item 4—Zone RU5
<i>Great Lakes Local Environmental Plan 2014</i>	item 4—Zones IN1 and IN2
<i>Griffith Local Environmental Plan 2014</i>	item 4—Zones RU6 and B1
<i>Hawkesbury Local Environmental Plan 2012</i>	item 4—Zones RU5 and R3
<i>Holroyd Local Environmental Plan 2013</i>	item 4—Zones R3, R4 and B1
<i>Hornsby Local Environmental Plan 2013</i>	item 4—Zones R3 and R4
<i>Hunters Hill Local Environmental Plan 2012</i>	item 4—Zones R3, B1 and B4
<i>Hurstville Local Environmental Plan 2012</i>	item 4—Zone R3
<i>Kogarah Local Environmental Plan 2012</i>	item 4—Zones R3 and R4
<i>Ku-ring-gai Local Environmental Plan 2015</i>	item 4—Zones R3, R4 and B4
<i>Ku-ring-gai Local Environmental Plan (Local Centres) 2012</i>	item 4—Zones R3 and R4
<i>Lake Macquarie Local Environmental Plan 2014</i>	item 4—Zone RU6
<i>Lane Cove Local Environmental Plan 2009</i>	item 4—Zones R3, R4, B1, B2, B3, B4 and IN2

Name of local environmental plan	Parts of Land Use Table to be amended
<i>Lithgow Local Environmental Plan 2014</i>	item 4—Zones RU5, B1, B6, B7, IN1, IN2 and IN3
<i>Liverpool Local Environmental Plan 2008</i>	item 4—Zones R3, R4, B1, B2, B3, B4, B5, B6, IN1, IN2 and IN3
<i>Mosman Local Environmental Plan 2012</i>	item 4—Zones R3, B2 and B6
<i>Muswellbrook Local Environmental Plan 2009</i>	item 4—Zones B2, B5, IN1 and IN2
<i>Newcastle Local Environmental Plan 2012</i>	item 4—Zones R3, R4, B3 and IN2
<i>North Sydney Local Environmental Plan 2013</i>	item 4—Zones R3, R4, B1, B3, B4 and IN2
<i>Oberon Local Environmental Plan 2013</i>	item 4—Zone RU6
<i>Orange Local Environmental Plan 2011</i>	item 4—Zones RU5 and B1
<i>Palerang Local Environmental Plan 2014</i>	item 4—Zone B2
<i>Parramatta Local Environmental Plan 2011</i>	item 4—Zones R3, R4 and B3
<i>Penrith Local Environmental Plan 2010</i>	item 4—Zones R3, B2, B6 and B7
<i>Pittwater Local Environmental Plan 2014</i>	item 4—Zones R3, B1, B2, B4, B6, B7 and IN2
<i>Port Stephens Local Environmental Plan 2013</i>	item 4—Zones RU5, R3, B2, B7, IN1 and IN2
<i>Queanbeyan Local Environmental Plan 2012</i>	item 4—Zones R3, R4, B1, B2, B4, B5 and IN2
<i>Queanbeyan Local Environmental Plan (Poplars) 2013</i>	item 4—Zones B1 and B7
<i>Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012</i>	item 4—Zone B4
<i>Ryde Local Environmental Plan 2010</i>	item 4—Zones R3, R4, B3, B7 and IN2
<i>Ryde Local Environmental Plan 2014</i>	item 4—Zones R3 and R4
<i>Singleton Local Environmental Plan 2013</i>	item 4—Zone RU5
<i>Snowy River Local Environmental Plan 2013</i>	item 4—Zones B1, B2 and IN1
<i>Strathfield Local Environmental Plan 2012</i>	item 4—Zones R3, IN1 and IN2
<i>Sutherland Shire Local Environmental Plan 2015</i>	item 4—Zones R3 and R4
<i>Tamworth Regional Local Environmental Plan 2010</i>	item 4—Zone RU6
<i>Temora Local Environmental Plan 2010</i>	item 4—Zones RU5, B2, B4, B6 and IN1
<i>The Hills Local Environmental Plan 2012</i>	item 4—Zone RU6
<i>Tumut Local Environmental Plan 2012</i>	item 4—Zone B1
<i>Upper Hunter Local Environmental Plan 2013</i>	item 4—Zones B2, IN1 and IN2
<i>Warren Local Environmental Plan 2012</i>	item 4—Zone RU6
<i>Warrindah Local Environmental Plan 2011</i>	item 4—Zone R3
<i>Willoughby Local Environmental Plan 2012</i>	item 4—Zones R3 and R4
<i>Wollongong Local Environmental Plan 2009</i>	item 4—Zones R3, R4, B2, B3, B4, B6, B7, IN1, IN2 and IN3

Name of local environmental plan	Parts of Land Use Table to be amended
<i>Woollahra Local Environmental Plan 2014</i>	item 4—Zones R3, B1, B2 and B4
<i>Wyong Local Environmental Plan 2013</i>	item 4—Zones RU5 and RU6
<i>Yass Valley Local Environmental Plan 2013</i>	item 4—Zones R3, B2, B5, B6, IN1 and IN2

Schedule 4 Miscellaneous amendments to instruments that are generally in accordance with standard instrument

4.1 Sydney Local Environmental Plan (Glebe Affordable Housing Project) 2011

[1] Clause 1.2 Aims of Plan

Omit “section 33A” from clause 1.2(1). Insert instead “section 3.20”.

[2] Clause 1.7 Maps

Omit “Minister” wherever occurring in clause 1.7(1)(a) and (b).

Insert instead “local plan-making authority”.

[3] Clause 1.9 Application of SEPPs

Omit “section 36” from clause 1.9(1). Insert instead “section 3.28”.

[4] Clause 2.3 Zone objectives and Land Use Table

Omit “or, if applicable, Part 3A of the Act” from note 2.

[5] Clause 3.1 Exempt development

Omit the note to the clause.

[6] Clause 3.2 Complying development

Omit “section 76A” from the note to the clause. Insert instead “section 4.2”.

[7] Clause 4.6(4)(b) and (5)

Omit “Director-General” wherever occurring. Insert instead “Planning Secretary”.

[8] Clause 3.3 Environmentally sensitive areas excluded

Omit “*Crown Lands Act 1989*” from paragraph (i) of the definition of *environmentally sensitive area for exempt or complying development* in clause 3.3(2).

Insert instead “*Crown Land Management Act 2016*”.

[9] Clause 5.1 Relevant acquisition authority

Omit “section 27” from clause 5.1(1). Insert instead “section 3.15”.

[10] Clause 5.1(2), table

Omit “section 8”. Insert instead “section 2.5”.

[11] Clause 5.2 Classification and reclassification of public land

Omit “, Crown reserves and commons” from the note to clause 5.2(1).

Insert instead “and certain Crown land”.

[12] Clause 5.2(5)(c)

Omit “*Crown Lands Act 1989*”. Insert instead “*Crown Land Management Act 2016*”.

[13] Dictionary

Omit “section 146(2)” from the note to the definition of *bush fire prone land*.

Insert instead “section 10.3(2)”.

[14] Dictionary, definition of “Crown reserve”

Omit the definition.

[15] Dictionary, definition of “public land”, note

Omit the note.

4.2 Sydney Local Environmental Plan (Green Square Town Centre) 2013

[1] Clause 1.2 Aims of Plan

Omit “section 33A” from clause 1.2(1). Insert instead “section 3.20”.

[2] Clause 1.7 Maps

Omit “Minister” wherever occurring in clause 1.7(1)(a) and (b).

Insert instead “local plan-making authority”.

[3] Clause 1.9 Application of SEPPs

Omit “section 36” from clause 1.9(1). Insert instead “section 3.28”.

[4] Clause 2.3 Zone objectives and Land Use Table

Omit “or, if applicable, Part 3A of the Act” from note 2.

[5] Clause 3.1 Exempt development

Omit the note to the clause.

[6] Clause 3.2 Complying development

Omit “section 76A” from the note to the clause. Insert instead “section 4.2”.

[7] Clause 4.6(4)(b) and (5)

Omit “Director-General” wherever occurring. Insert instead “Planning Secretary”.

[8] Clause 3.3 Environmentally sensitive areas excluded

Omit “*Crown Lands Act 1989*” from paragraph (i) of the definition of *environmentally sensitive area for exempt or complying development* in clause 3.3(2).

Insert instead “*Crown Land Management Act 2016*”.

[9] Clause 5.1 Relevant acquisition authority

Omit “section 27” from clause 5.1(1). Insert instead “section 3.15”.

[10] Clause 5.1(2), table

Omit “section 8”. Insert instead “section 2.5”.

[11] Clause 5.2 Classification and reclassification of public land

Omit “, Crown reserves and commons” from the note to clause 5.2(1).

Insert instead “and certain Crown land”.

[12] Clause 5.2(5)(c)

Omit “*Crown Lands Act 1989*”. Insert instead “*Crown Land Management Act 2016*”.

[13] Dictionary

Omit “section 146(2)” from the note to the definition of *bush fire prone land*.
Insert instead “section 10.3(2)”.

[14] Dictionary, definition of “Crown reserve”

Omit the definition.

[15] Dictionary, definition of “public land”, note

Omit the note.

4.3 Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013

[1] Clause 1.2 Aims of Plan

Omit “section 33A” from clause 1.2(1). Insert instead “section 3.20”.

[2] Clause 1.7 Maps

Omit “Minister” wherever occurring in clause 1.7(1)(a) and (b).
Insert instead “local plan-making authority”.

[3] Clause 1.9 Application of SEPPs

Omit “section 36” from clause 1.9(1). Insert instead “section 3.28”.

[4] Clause 2.3 Zone objectives and Land Use Table

Omit “or, if applicable, Part 3A of the Act” from note 2.

[5] Clause 3.1 Exempt development

Omit the note to the clause.

[6] Clause 3.2 Complying development

Omit “section 76A” from the note to the clause. Insert instead “section 4.2”.

[7] Clause 4.6(4)(b) and (5)

Omit “Director-General” wherever occurring. Insert instead “Planning Secretary”.

[8] Clause 3.3 Environmentally sensitive areas excluded

Omit “*Crown Lands Act 1989*” from paragraph (i) of the definition of *environmentally sensitive area for exempt or complying development* in clause 3.3(2).
Insert instead “*Crown Land Management Act 2016*”.

[9] Clause 5.1 Relevant acquisition authority

Omit “section 27” from clause 5.1(1). Insert instead “section 3.15”.

[10] Clause 5.1(2), table

Omit “section 8”. Insert instead “section 2.5”.

[11] Clause 5.2 Classification and reclassification of public land

Omit “, Crown reserves and commons” from the note to clause 5.2(1).
Insert instead “and certain Crown land”.

[12] Clause 5.2(5)(c)

Omit “*Crown Lands Act 1989*”. Insert instead “*Crown Land Management Act 2016*”.

[13] Dictionary

Omit “section 146(2)” from the note to the definition of *bush fire prone land*.

Insert instead “section 10.3(2)”.

[14] Dictionary, definition of “Crown reserve”

Omit the definition.

[15] Dictionary, definition of “public land”, note

Omit the note.

Schedule 5 Miscellaneous amendments to standardised provisions of environmental planning instruments

[1] Amendment of note to clause 1.8A(1)

Omit “Division 4B of Part 3” wherever occurring in the note to clause 1.8A(1) in each of the following and insert instead “Division 3.5”—

each prescribed local environmental plan,

Sydney Local Environmental Plan (Glebe Affordable Housing Project) 2011.

[2] Amendment of clause 1.9A(2)(b)

Omit “to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or” wherever occurring in clause 1.9A(2)(b) in each of the following and insert instead “to any relevant instrument within the meaning of section 13.4 of the *Crown Land Management Act 2016*, or”—

each prescribed local environmental plan,

Forbes Local Environmental Plan 2013,

Goulburn Mulwaree Environmental Plan 2009,

Greater Hume Local Environmental Plan 2012,

Greater Taree Local Environmental Plan 2010,

Lake Macquarie Local Environmental Plan 2014,

Lane Cove Local Environmental Plan 2009,

Liverpool Local Environmental Plan 2008,

Muswellbrook Local Environmental Plan 2009,

Ryde Local Environmental Plan 2010,

Shoalhaven Local Environmental Plan (Jerberra Estate) 2014,

Sydney Local Environmental Plan 2012,

Sydney Local Environmental Plan (Harold Park) 2011,

Wagga Wagga Local Environmental Plan 2010,

Wollongong Local Environmental Plan 2009,

Wyang Local Environmental Plan 2013.

[3] Amendment of clause 1.9A(2)(g)

Omit “Division 6 of Part 4” wherever occurring in clause 1.9A(2)(g) in each of the following and insert instead “Subdivision 2 of Division 7.1”—

each prescribed local environmental plan,

Forbes Local Environmental Plan 2013,

Greater Hume Local Environmental Plan 2012,

Greater Taree Local Environmental Plan 2010,

Lake Macquarie Local Environmental Plan 2014,

Lane Cove Local Environmental Plan 2009,

Muswellbrook Local Environmental Plan 2009,

Ryde Local Environmental Plan 2010,

Shoalhaven Local Environmental Plan 2014,

Shoalhaven Local Environmental Plan (Jerberra Estate) 2014,
Sydney Local Environmental Plan 2012,
Sydney Local Environmental Plan (Harold Park) 2011,
Wagga Wagga Local Environmental Plan 2010,
Wollongong Local Environmental Plan 2009,
Wyang Local Environmental Plan 2013.

[4] Amendment of clause 1.9A(4)

Omit “section 28” wherever occurring in clause 1.9A(4) in each of the following and insert instead “section 3.16”—

each prescribed local environmental plan,

Forbes Local Environmental Plan 2013,
Goulburn Mulwaree Environmental Plan 2009,
Greater Hume Local Environmental Plan 2012,
Greater Taree Local Environmental Plan 2010,
Lake Macquarie Local Environmental Plan 2014,
Lane Cove Local Environmental Plan 2009,
Liverpool Local Environmental Plan 2008,
Muswellbrook Local Environmental Plan 2009,
Shoalhaven Local Environmental Plan 2014,
Shoalhaven Local Environmental Plan (Jerberra Estate) 2014,
Sydney Local Environmental Plan 2012,
Sydney Local Environmental Plan (Harold Park) 2011,
Wagga Wagga Local Environmental Plan 2010,
Wollongong Local Environmental Plan 2009,
Wyang Local Environmental Plan 2013.

[5] Amendment of clause 6.1(4)

Omit “section 93C” wherever occurring in clause 6.1(4) in each of the following and insert instead “section 7.1”—

Albury Local Environmental Plan 2010,
Ballina Local Environmental Plan 2012,
Bellingen Local Environmental Plan 2010,
Blacktown Local Environmental Plan 2015,
Bogan Local Environmental Plan 2011,
Camden Local Environmental Plan 2010,
Campbelltown Local Environmental Plan 2015,
Cessnock Local Environmental Plan 2011,
Clarence Valley Local Environmental Plan 2011,
Coffs Harbour Local Environmental Plan 2013,
Corowa Local Environmental Plan 2012,
Cowra Local Environmental Plan 2012,
Dubbo Local Environmental Plan 2011,

Forbes Local Environmental Plan 2013,
Gilgandra Local Environmental Plan 2011,
Glen Innes Severn Local Environmental Plan 2012,
Gosford Local Environmental Plan 2014,
Great Lakes Local Environmental Plan 2014,
Greater Taree Local Environmental Plan 2010,
Griffith Local Environmental Plan 2014,
Kempsey Local Environmental Plan 2013,
Lithgow Local Environmental Plan 2014,
Maitland Local Environmental Plan 2011,
Moree Plains Local Environmental Plan 2011,
Murray Local Environmental Plan 2011,
Muswellbrook Local Environmental Plan 2009,
Nambucca Local Environmental Plan 2010,
Orange Local Environmental Plan 2011,
Penrith Local Environmental Plan 2010,
Port Macquarie-Hastings Local Environmental Plan 2011,
Port Stephens Local Environmental Plan 2013,
Queanbeyan Local Environmental Plan 2012,
Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012,
Shoalhaven Local Environmental Plan 2014,
Singleton Local Environmental Plan 2013,
Tamworth Regional Local Environmental Plan 2010,
The Hills Local Environmental Plan 2012,
Tweed Local Environmental Plan 2014,
Wentworth Local Environmental Plan 2011,
Wingecarribee Local Environmental Plan 2010,
Wollondilly Local Environmental Plan 2011,
Wollongong Local Environmental Plan 2009.

[6] Definition of “prescribed local environmental plan”

In this Schedule, ***prescribed local environmental plan*** means the following—

Albury Local Environmental Plan 2010,
Armidale Dumaresq Local Environmental Plan 2012,
Ashfield Local Environmental Plan 2013,
Auburn Local Environmental Plan 2010,
Ballina Local Environmental Plan 2012,
Balranald Local Environmental Plan 2010,
Bankstown Local Environmental Plan 2015,
Bathurst Regional Local Environmental Plan 2014,
Bega Valley Local Environmental Plan 2013,
Bellingen Local Environmental Plan 2010,

Berrigan Local Environmental Plan 2013,
Blacktown Local Environmental Plan 2015,
Bland Local Environmental Plan 2011,
Blayney Local Environmental Plan 2012,
Blue Mountains Local Environmental Plan 2015,
Bogan Local Environmental Plan 2011,
Bombala Local Environmental Plan 2012,
Boorowa Local Environmental Plan 2012,
Botany Bay Local Environmental Plan 2013,
Bourke Local Environmental Plan 2012,
Brewarrina Local Environmental Plan 2012,
Broken Hill Local Environmental Plan 2013,
Burwood Local Environmental Plan 2012,
Byron Local Environmental Plan 2014,
Cabonne Local Environmental Plan 2012,
Camden Local Environmental Plan 2010,
Campbelltown Local Environmental Plan 2015,
Canada Bay Local Environmental Plan 2013,
Canterbury Local Environmental Plan 2012,
Carrathool Local Environmental Plan 2012,
Central Darling Local Environmental Plan 2012,
Cessnock Local Environmental Plan 2011,
Clarence Valley Local Environmental Plan 2011,
Cobar Local Environmental Plan 2012,
Coffs Harbour Local Environmental Plan 2013,
Conargo Local Environmental Plan 2013,
Coolamon Local Environmental Plan 2011,
Cooma-Monaro Local Environmental Plan 2013,
Coonamble Local Environmental Plan 2011,
Cootamundra Local Environmental Plan 2013,
Corowa Local Environmental Plan 2012,
Cowra Local Environmental Plan 2012,
Deniliquin Local Environmental Plan 2013,
Dubbo Local Environmental Plan 2011,
Dungog Local Environmental Plan 2014,
Eurobodalla Local Environmental Plan 2012,
Fairfield Local Environmental Plan 2013,
Gilgandra Local Environmental Plan 2011,
Glen Innes Severn Local Environmental Plan 2012,
Gloucester Local Environmental Plan 2010,
Gosford Local Environmental Plan 2014,

Great Lakes Local Environmental Plan 2014,
Griffith Local Environmental Plan 2014,
Gundagai Local Environmental Plan 2011,
Gunnedah Local Environmental Plan 2012,
Guyra Local Environmental Plan 2012,
Gwydir Local Environmental Plan 2013,
Harden Local Environmental Plan 2011,
Hawkesbury Local Environmental Plan 2012,
Hay Local Environmental Plan 2011,
Holroyd Local Environmental Plan 2013,
Hornsby Local Environmental Plan 2013,
Hunters Hill Local Environmental Plan 2012,
Hurstville Local Environmental Plan 2012,
Inverell Local Environmental Plan 2012,
Jerilderie Local Environmental Plan 2012,
Junee Local Environmental Plan 2012,
Kempsey Local Environmental Plan 2013,
Kiama Local Environmental Plan 2011,
Kogarah Local Environmental Plan 2012,
Ku-ring-gai Local Environmental Plan 2015,
Ku-ring-gai Local Environmental Plan (Local Centres) 2012,
Kyogle Local Environmental Plan 2012,
Lachlan Local Environmental Plan 2013,
Leeton Local Environmental Plan 2014,
Leichhardt Local Environmental Plan 2013,
Lismore Local Environmental Plan 2012,
Lithgow Local Environmental Plan 2014,
Liverpool Plains Local Environmental Plan 2011,
Lockhart Local Environmental Plan 2012,
Maitland Local Environmental Plan 2011,
Manly Local Environmental Plan 2013,
Marrickville Local Environmental Plan 2011,
Mid-Western Regional Local Environmental Plan 2012,
Moree Plains Local Environmental Plan 2011,
Mosman Local Environmental Plan 2012,
Murray Local Environmental Plan 2011,
Murrumbidgee Local Environmental Plan 2013,
Nambucca Local Environmental Plan 2010,
Narrabri Local Environmental Plan 2012,
Narrandera Local Environmental Plan 2013,
Narromine Local Environmental Plan 2011,

Newcastle Local Environmental Plan 2012,
North Sydney Local Environmental Plan 2013,
Oberon Local Environmental Plan 2013,
Orange Local Environmental Plan 2011,
Palerang Local Environmental Plan 2014,
Parkes Local Environmental Plan 2012,
Parramatta Local Environmental Plan 2011,
Penrith Local Environmental Plan 2010,
Pittwater Local Environmental Plan 2014,
Port Macquarie-Hastings Local Environmental Plan 2011,
Port Stephens Local Environmental Plan 2013,
Queanbeyan Local Environmental Plan 2012,
Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012,
Randwick Local Environmental Plan 2012,
Richmond Valley Local Environmental Plan 2012,
Rockdale Local Environmental Plan 2011,
Ryde Local Environmental Plan 2014,
Shellharbour Local Environmental Plan 2013,
Singleton Local Environmental Plan 2013,
Snowy River Local Environmental Plan 2013,
Strathfield Local Environmental Plan 2012,
Sutherland Shire Local Environmental Plan 2015,
Sydney Local Environmental Plan (Green Square Town Centre) 2013,
Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013,
Tamworth Regional Local Environmental Plan 2010,
Temora Local Environmental Plan 2010,
Tenterfield Local Environmental Plan 2013,
The Hills Local Environmental Plan 2012,
Tumbarumba Local Environmental Plan 2010,
Tumut Local Environmental Plan 2012,
Tweed City Centre Local Environmental Plan 2012,
Tweed Local Environmental Plan 2014,
Upper Hunter Local Environmental Plan 2013,
Upper Lachlan Local Environmental Plan 2010,
Uralla Local Environmental Plan 2012,
Urana Local Environmental Plan 2011,
Wakool Local Environmental Plan 2013,
Walcha Local Environmental Plan 2012,
Walgett Local Environmental Plan 2013,
Warren Local Environmental Plan 2012,
Warringah Local Environmental Plan 2011,

Warrumbungle Local Environmental Plan 2013,
Waverley Local Environmental Plan 2012,
Weddin Local Environmental Plan 2011,
Wellington Local Environmental Plan 2012,
Wentworth Local Environmental Plan 2011,
Willoughby Local Environmental Plan 2012,
Wingecarribee Local Environmental Plan 2010,
Wollondilly Local Environmental Plan 2011,
Woollahra Local Environmental Plan 2014,
Yass Valley Local Environmental Plan 2013,
Young Local Environmental Plan 2010.

Schedule 6 Miscellaneous amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

[1] Clause 1.5 Interpretation—general

Omit the definition of *alternative solution* (including the note) from clause 1.5(1).

Insert in alphabetical order—

performance solution has the same meaning as in the *Building Code of Australia*.

Note. The term is defined as follows—

performance solution means a *building solution* which complies with the *performance requirements* other than by reason of satisfying the *deemed-to-satisfy provisions* (where each of those terms is also defined in that document).

[2] Clause 1.19 Land on which complying development may not be carried out

Insert after clause 1.19(1)(c)—

- (c1) land that is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*, or

[3] Clause 2.18 Development standards

Insert at the end of clause 2.18(1)(m)—

, and

- (n) in relation to a cabana—not be connected to water supply or sewerage services.

[4] Clause 2.20B Development standards

Insert at the end of clause 2.20B(j)—

, and

- (k) the new use must not be carried out under an awning unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[5] Clause 2.32A Specified development

Insert at the end of clause 2.32A(1)(d)—

, and

- (e) is not constructed or installed on or in a heritage item or a draft heritage item or in an environmentally sensitive area.

[6] Clause 2.32C Specified development

Insert at the end of clause 2.32C(1)(d)—

, and

- (e) not constructed or installed on or in a heritage item or a draft heritage item or in an environmentally sensitive area.

[7] Clause 2.40B Development standards

Insert at the end of clause 2.40B(c)—

, and

- (d) not be under an awning, unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[8] Clause 2.52 Development standards

Insert at the end of clause 2.52(f)—

, and

- (g) not affect an existing awning, or more than 25% of the gross floor area of an existing building to which an awning is attached, unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[9] Clause 2.54 Development standards

Insert at the end of clause 2.54(f)(ii)(B)—

, and

- (g) not be under an awning, unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[10] Part 2, Division 1, Subdivisions 37A and 37B

Insert after Subdivision 37—

Subdivision 37A Stairway

2.74A Specified development

The construction or installation of a stairway, or a series or flight of steps, is development specified for this code if it is not constructed or installed—

- (a) in a heritage item or a draft heritage item, or
- (b) on land identified in a foreshore area, or
- (c) on land identified as having Aboriginal cultural significance.

2.74B Development standards

The standards specified for that development are—

- (a) the development must be constructed adjacent to a balcony, deck, patio, pergola, terrace or verandah or be located so as to provide external access to a dwelling, and
- (b) no part of the stairway (excluding handrails) may be more than 1m above the ground level (existing), and
- (c) the development must be located at least 450mm from each lot boundary, and
- (d) the development must not interfere with the functioning of existing drainage fixtures or the natural surface flow of water, and
- (e) if it is located on bush fire prone land and is less than 5m from a dwelling—the development must be constructed of non-combustible material, and
- (f) if it is constructed or installed in a heritage conservation area or a draft heritage conservation area—the development must be located in the rear yard, and

- (g) the development must be constructed in accordance with AS 1657:2018, *Fixed platforms, walkways, stairways and ladders—Design, construction and installation*.

Subdivision 37B Street library

2.74C Specified development

The construction or installation of a street library is development specified for this code if it is not constructed or installed—

- (a) on or in a heritage item or a draft heritage item, or
- (b) in a heritage conservation area or a draft heritage conservation area, or
- (c) on a road reserve (including footpath and nature strip).

2.74D Development standards

The standards specified for that development are—

- (a) the development must be structurally sound and securely fixed with any moveable parts securely attached, and
- (b) the area of the ground surface occupied by the street library (as measured at the perimeter of the street library) must not exceed 1.5m², and
- (c) the footings must not be more than 600mm below ground level (existing), and
- (d) the development must not obstruct the operation of, or access to, any utility services (including underground utility services) on the land or on adjacent land, and
- (e) the development must not be higher than 1.5m above ground level (existing).

[11] Clause 2.83 General requirements

Insert at the end of clause 2.83(1)(h)—

, and

- (i) not be under or attached to an awning, unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[12] Clause 2.131B Specified development—extended trading hours on new year’s eve for licensed premises across the State

Omit “2018” from the definition of *new year’s eve trading period* in clause 2.131B(3).

Insert instead “in any year”.

[13] Clause 3C.1 Land to which this code applies

Omit clause 3C.1(2).

[14] Clause 3C.1(3)

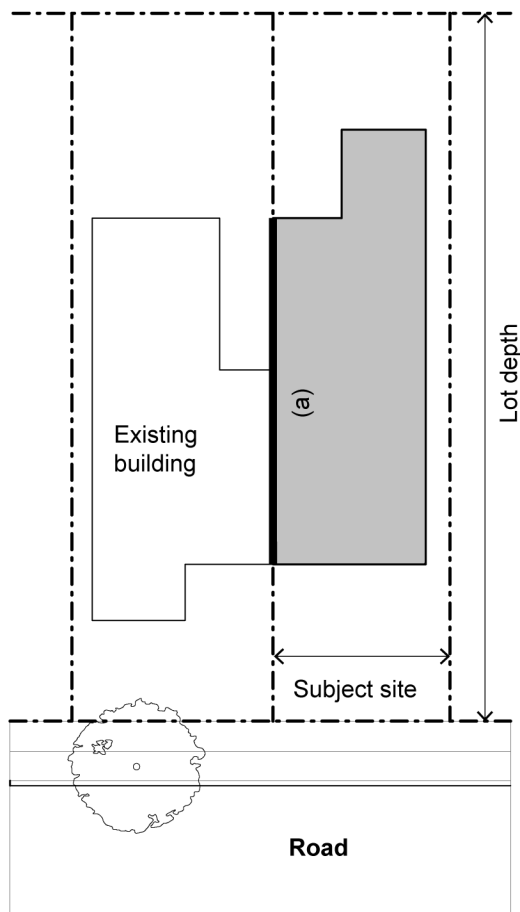
Omit “Despite subclause (2), complying”. Insert instead “Complying”.

[15] Clause 3C.1(4)(b)

Omit “15 December 2019”. Insert instead “6 July 2021”.

[16] Clause 3C.11 Minimum setbacks and maximum height and length of boundary walls

Omit the diagram to clause 3C.11(6). Insert instead—



(a) Maximum length of built to boundary walls:

≥6m >7m wide lots must not be longer than 20m or 50% of the depth of the lot, whichever is the lesser

≥7m >10m wide lots must not be longer than 15m or 50% of the depth of the lot, whichever is the lesser

≥10m >15m wide lots must not be longer than 11m or 50% of the depth of the lot, whichever is the lesser

≥15m - no maximum length

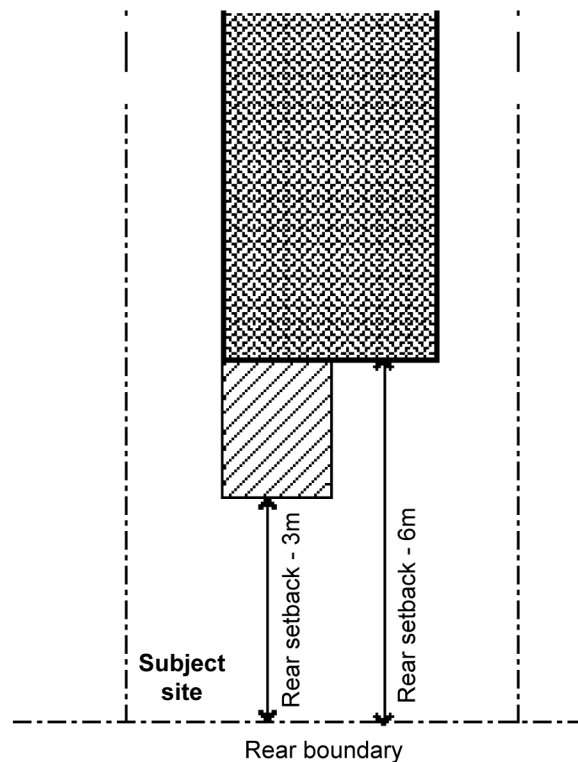
[17] Clause 3C.11(7)

Omit the subclause. Insert instead—


(7) Rear setbacks

A dwelling house and any attached development must have a setback from the rear boundary as shown in the following table—

Height of dwelling or attached development	Minimum setback from rear
4.5m or less	3m
more than 4.5m	6m



 Height 4.5m or less

 Height greater than 4.5m

[18] Clause 3C.12 Exceptions to setbacks

Omit “for a lot width measured at the building line of 10m or more but less than 15m or of 15m or more” wherever occurring in clause 3C.12(1) and (2).

[19] Clause 3C.13 Other development standards for attached garages

Omit clause 3C.13(3).

[20] Clause 3C.13(5)

Omit the subclause. Insert instead—

- (5) The total floor area of all attached rear garages that are within 6m of a side or rear boundary (after the completion of the development) must not exceed 18m².

[21] Clause 3C.19 Car parking and vehicle access requirements

Omit “>4.5” from the table to clause 3C.19(5). Insert instead “4.5m or more”.

[22] Clause 3C.19(7)

Omit “3m” from the table to the subclause. Insert instead “3.2m”.

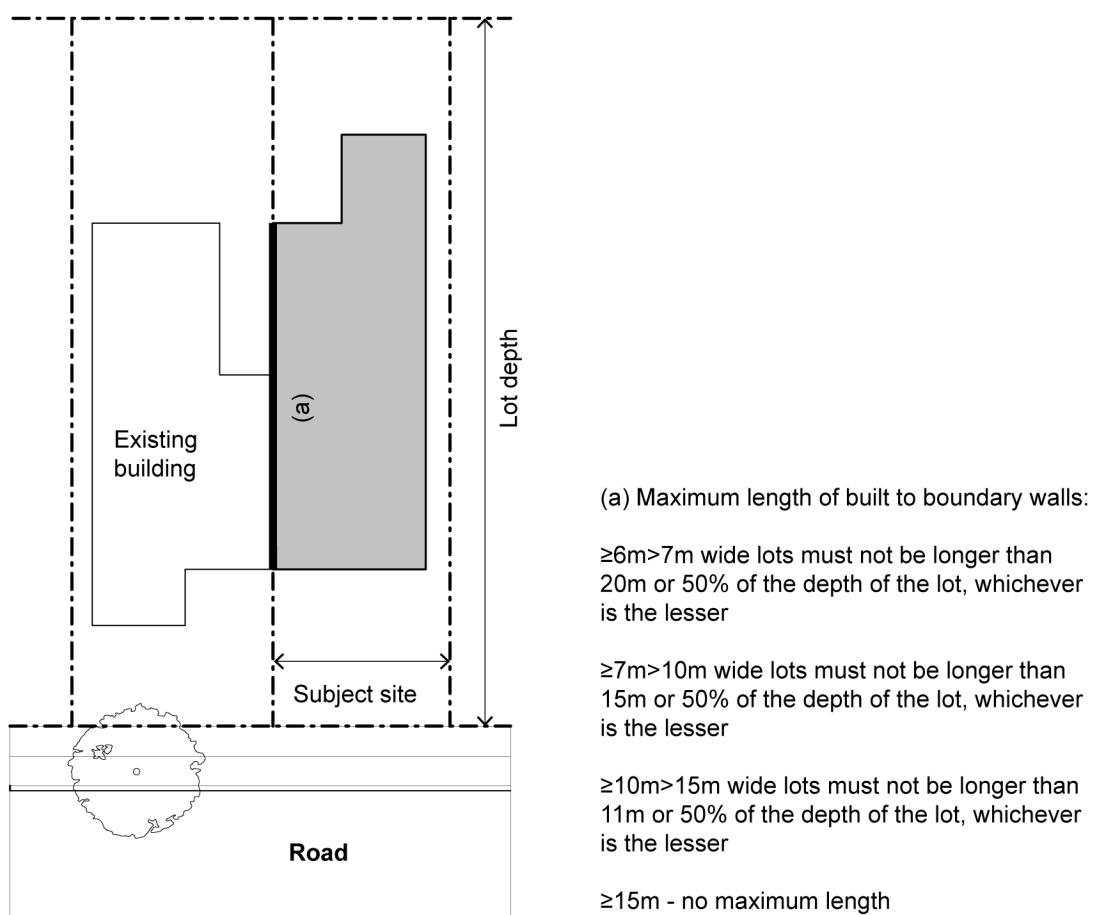
[23] Clause 3C.24 Minimum setbacks and maximum height and length of built to boundary walls

Omit the table to clause 3C.24(6). Insert instead—

Lot width at the building line	Maximum length of built to boundary wall
6m or more, but less than 7m	20m or 50% of the depth of the lot, whichever is the lesser
7m or more, but less than 10m	15m or 50% of the depth of the lot, whichever is the lesser
10m or more, but less than 15m	11m or 50% of the depth of the lot, whichever is the lesser
15m or more	No maximum length

[24] Clause 3C.24(6)

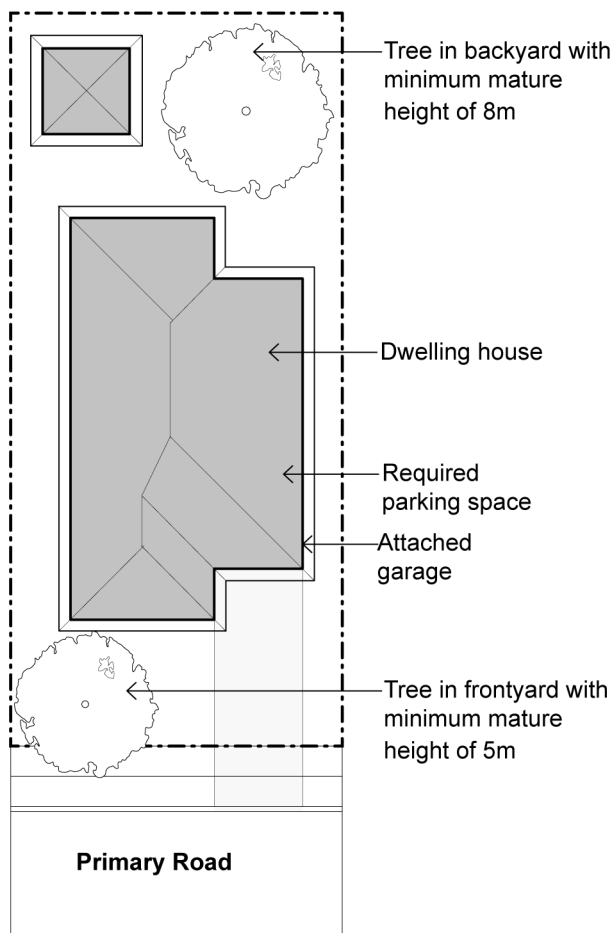
Omit the diagram to the subclause. Insert instead—



[25] Clause 3C.26 Other development standards for detached garages and carports

Omit “>200m²–900m²” from the table to clause 3C.26(8). Insert instead “200m²–900m²”.

- [26] Clause 3C.27 Other development standards for detached decks, patios, pergolas, terraces and verandahs**
Omit “>200m²–900m²” from the table to clause 3C.27(2). Insert instead “200m²–900m²”.
- [27] Clause 3C.28 Other development standards for detached studios**
Omit “Not more than 350m²” from the table to clause 3C.28(3).
Insert instead “200m²–350m²”.
- [28] Clause 3C.37 Conditions specified in this clause and Schedule 6 apply**
Omit “A species of tree” from clause 3C.37(4).
Insert instead “If the work relates to the erection of a new dwelling, a species of tree”.
- [29] Clause 3C.37(4)**
Insert at the end of the subclause—



[30] Clause 3D.6 Complying development on bush fire prone land

Omit “(other than farm buildings)” from clause 3D.6(1)(a).

[31] Clause 3D.31 Maximum gross floor area of all buildings

Insert “on a lot with an area less than or equal to 4,000m²” after “(other than farm buildings)” in clause 3D.31(1).

[32] Clause 3D.33 Exceptions to setbacks

Insert before clause 3D.33(1)—

(1A) Development to which side and rear setbacks do not apply

The setback standards specified in clause 3D.32(10) and (11) do not apply to the following—

- (a) downpipes,
- (b) driveways,
- (c) electricity or gas meters,
- (d) fascias,
- (e) gutters,
- (f) light fittings,
- (g) pathways and paving.

(1B) Development to which side and rear setbacks do not apply if 450mm from boundary

The setback standards specified in clause 3D.32(10) and (11) do not apply to the following if they are at least 450mm from the relevant boundary—

- (a) aerials,
- (b) antennae,
- (c) awnings,
- (d) chimneys,
- (e) cooling or heating appliances,
- (f) eaves,
- (g) flues,
- (h) pipes,
- (i) privacy screens,
- (j) rainwater tanks greater than 1.8m in height,
- (k) structures associated with the provision of a utility service.

[33] Clause 4.2 Development standards

Insert at the end of clause 4.2(c)—

, and

- (d) must not result in a change in the number of bedrooms in the building, unless the building is a class 1a building.

[34] Clause 5.2 Development standards

Insert after clause 5.2(1)(i)—

- (j) the alteration must not affect an existing awning, or more than 25% of the gross floor area of an existing building to which an awning is

attached, unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[35] Clauses 5.2(2)(a) and 8.3(b)

Omit “an alternative solution” and “that alternative solution” wherever occurring.

Insert instead “a performance solution” and “that performance solution”, respectively.

[36] Clause 5.4 Development standards

Insert after clause 5.4(1)(i)—

- (j) if the new use is proposed to be carried out under an awning—the awning must be structurally sound.

[37] Clause 5.4(2)(c)

Insert after clause 5.4(2)(b)—

- (c) if the new use is proposed to be carried out under an awning—the awning must comply with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[38] Clause 5.6 Development standards

Insert at the end of clause 5.6(1)(c)(ii)(B)—

, and

- (d) must not be carried out under an awning unless the awning is structurally sound.

[39] Clause 5.6(2)(c)

Insert after clause 5.6(2)(b)—

- (c) the development must not be carried out under an awning unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[40] Clause 5.10 Development standards

Insert at the end of clause 5.10(k)—

, and

- (l) in the case of the alteration to, or the repair of, an awning—not be carried out unless the awning complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*.

[41] Clause 5.18 Development standards

Insert at the end of clause 5.18(m)—

, and

- (n) not be carried out under an awning unless the awning—
 - (i) complies with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*, and
 - (ii) is structurally sound.

[42] Clause 5A.30B

Insert after clause 5A.30A—

5A.30B Development standard for development involving awnings

- (1) This clause applies to development to which this code applies that—
 - (a) includes the construction or installation of an awning, or
 - (b) includes the replacement or alteration of, or otherwise affects, an existing awning, or
 - (c) is carried out under an existing awning.
- (2) The awning must—
 - (a) comply with the requirements set out in BP1.1 and BP1.2 of Volume 1 of the *Building Code of Australia*, and
 - (b) be structurally sound.