



New South Wales

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Low Rise Housing Diversity Code) 2021

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*.

ROB STOKES, MP
Minister for Planning and Public Spaces

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Low Rise Housing Diversity Code) 2021

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Low Rise Housing Diversity Code) 2021*.

2 Commencement

- (1) This Policy commences on the day on which it is published on the NSW legislation website, except as provided by subclause (2).
- (2) Schedule 1[4] commences on 2 October 2021.

3 Repeal of Policy

This Policy is repealed at the beginning of 3 October 2021.

4 Maps

The maps adopted by *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Policy.

Schedule 1 Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

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

Omit “30 November 2021” from clause 1.19(3)(b). Insert instead “30 May 2022”.

[2] Clause 2.30 Development standards

Insert “or an environmental zone” after “rural zone” in clause 2.30(i).

[3] Clause 5A.4 Application of development standards

Insert at the end of clause 5A.4(c)—

, or

- (d) the construction of storage premises, other than storage premises used for the storage of data and related information technology hardware.

[4] Schedule 3 Complying development codes—variations

Insert in appropriate order—

City of Blue Mountains

Every lot in the local government area of City of Blue Mountains

that is in Zone R2 Low Density Residential

The Low Rise Housing Diversity Code is varied in its application by omitting clause 3B.10 and inserting the following instead—

3B.10 Floor space ratio

- (1) The maximum floor space ratio for a building on a lot is the maximum floor space ratio for the building under *Blue Mountains Local Environmental Plan 2015*.
- (2) To avoid doubt, the definition of **gross floor area** in *Blue Mountains Local Environmental Plan 2015* applies for the purpose of calculating a maximum floor space ratio under this clause.

This variation to the Low Rise Housing Diversity Code ceases to have effect at the end of 2 October 2023.

The Low Rise Housing Diversity Code is varied in its application by inserting the following after clause 3B.23—

3B.23AFloor space ratio

- (1) Despite clause 3B.23, the maximum floor space ratio for a building on a lot is the maximum floor space ratio for the building under *Blue Mountains Local Environmental Plan 2015*.
- (2) To avoid doubt, the definition of **gross floor area** in *Blue Mountains Local Environmental Plan 2015* applies for the purpose of calculating a maximum floor space ratio under this clause.
- (3) This clause does not apply to the following development—
 - (a) the erection or alteration of, or an addition to, a manor house,
 - (b) the erection or alteration of, or addition to, attached development that is related to a manor house.

This variation to the Low Rise Housing Diversity Code ceases to have effect at the end of 2 October 2023.

Sutherland Shire

Every lot in the local government area of Sutherland Shire that is in Zone R2 Low Density Residential

The Low Rise Housing Diversity Code is varied in its application by omitting clause 3B.10 and inserting the following instead—

3B.10 Floor space ratio

- (1) The maximum floor space ratio for a building on a lot is the maximum floor space ratio for the building under *Sutherland Shire Local Environmental Plan 2015*.
- (2) To avoid doubt, the definition of **gross floor area** in *Sutherland Shire Local Environmental Plan 2015* applies for the purpose of calculating a maximum floor space ratio under this clause.

This variation to the Low Rise Housing Diversity Code ceases to have effect at the end of 2 October 2023.

The Low Rise Housing Diversity Code is varied in its application by inserting the following after clause 3B.23—

3B.23AFloor space ratio

- (1) Despite clause 3B.23, the maximum floor space ratio for a building on a lot is the maximum floor space ratio for the building under *Sutherland Shire Local Environmental Plan 2015*.
- (2) To avoid doubt, the definition of **gross floor area** in *Sutherland Shire Local Environmental Plan 2015* applies for the purpose of calculating a maximum floor space ratio under this clause.
- (3) This clause does not apply to the following development—
 - (a) the erection or alteration of, or an addition to, a manor house,
 - (b) the erection or alteration of, or addition to, attached development that is related to a manor house.

This variation to the Low Rise Housing Diversity Code ceases to have effect at the end of 2 October 2023.