



New South Wales

State Environmental Planning Policy Amendment (Precincts) 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 Amendment (Precincts) 2021

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Precincts) 2021*.

2 Commencement

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

3 Repeal of Policy

This Policy is repealed on the day following the day on which this Policy commences.

Schedule 1 Amendment of State Environmental Planning Policy (State Significant Precincts) 2005

[1] Clause 2A Application of Policy—transitional Part 3A projects

Insert after clause 2A(2)—

- (3) Particular development is not a transitional Part 3A project if—
 - (a) another provision of this Policy or a provision of another environmental planning instrument, whether made before or after this Policy takes effect, provides that the particular development is exempt or complying development, and
 - (c) the particular development is not carried out as part of or in conjunction with other development that is a transitional Part 3A project.

[2] Clauses 9 and 10

Omit clauses 9A, 10 and 10A. Insert instead—

9 Development for which Minister is consent authority under the Act, Part 4

- (1) The Minister is the consent authority under the Act, Part 4 for development requiring consent under that Part that is of a kind specified in this clause, other than development that is—
 - (a) a transitional Part 3A project, or
 - (b) State significant development, or
 - (c) State significant infrastructure.
- (2) **Redfern–Waterloo Authority sites**

Development with a capital investment value of not more than \$10 million on land to which Appendix 4 applies.

Note— Development controls in relation to the Redfern–Waterloo Authority Sites for development under the Act, Part 4 are contained in Appendix 4.
- (3) **Sydney Olympic Park site**

Development on land to which Appendix 11 applies.

Note— Development controls in relation to the Sydney Olympic Park site for development under the Act, Part 4 are contained in Appendix 11.
- (4) **Sydney Harbour**

Development within the area identified as Glebe Island, White Bay, Rozelle Bay and Blackwattle Bay on the Sydney Harbour Port and Related Employment Lands Map, if the development—

 - (a) has a capital investment value of not more than \$10 million, and
 - (b) is carried out by a person other than a public authority.
- (5) **Luna Park Site**

Development with a capital investment value of not more than \$10 million within the area identified as Luna Park on the State Significant Development Sites Map under *State Environmental Planning Policy (State and Regional Development) 2011*.
- (6) Despite subclause (1), the Minister is not the consent authority for particular development under this clause if—
 - (a) another provision of this Policy or a provision of another environmental planning instrument, whether made before or after this Policy takes

effect, provides that the development is exempt or complying development, and

- (b) the development is not carried out as part of or in conjunction with other development for which the Minister is the consent authority.

10 Development that does not require consent under the Act, Part 4

- (1) Development specified in this clause is development that does not require consent under the Act, Part 4.

Note— Development specified in this clause will be subject to the environmental assessment and approval requirements of the Act, Part 5 if it is not a transitional Part 3A project or State significant infrastructure.

- (2) **Port and related employment lands development by public authority**

Development with a capital investment value of not more than \$10 million carried out by a public authority within the area identified as Glebe Island, White Bay, Rozelle Bay and Blackwattle Bay on the Sydney Harbour Port and Related Employment Lands Map.

[3] Part 4 Miscellaneous

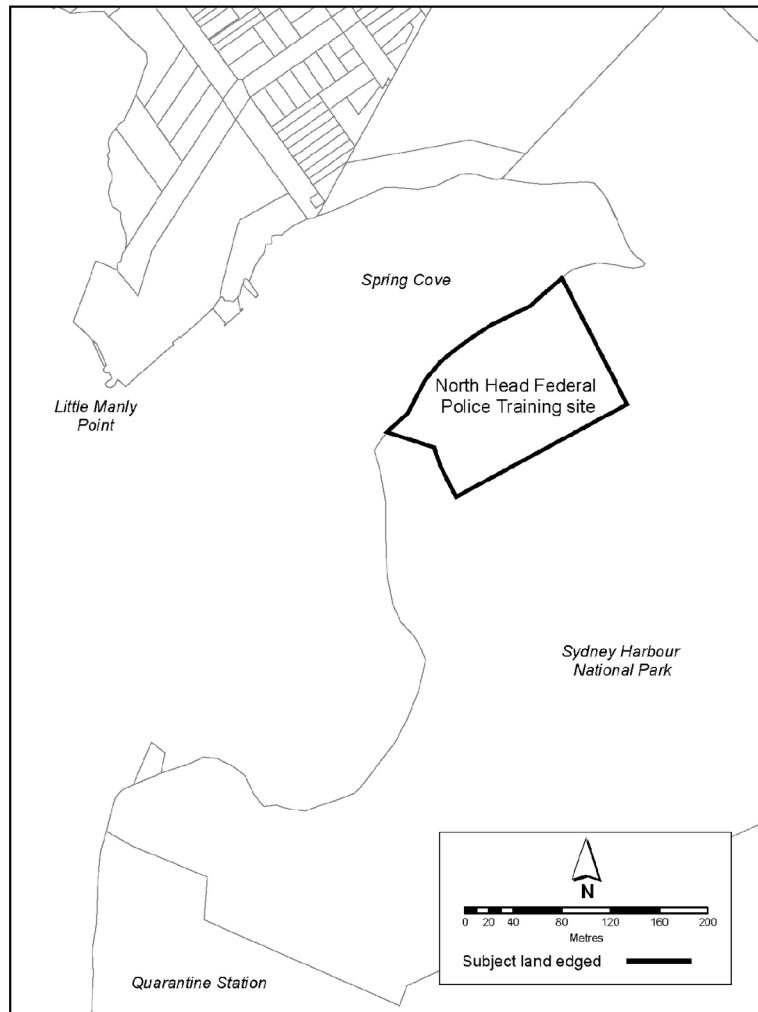
Omit the Part.

[4] Appendix 6 North Head Federal Police Training site

Omit clause 1. Insert instead—

1 Land to which Appendix applies

This Appendix applies to the land identified as the North Head Federal Police Training site on the following map—

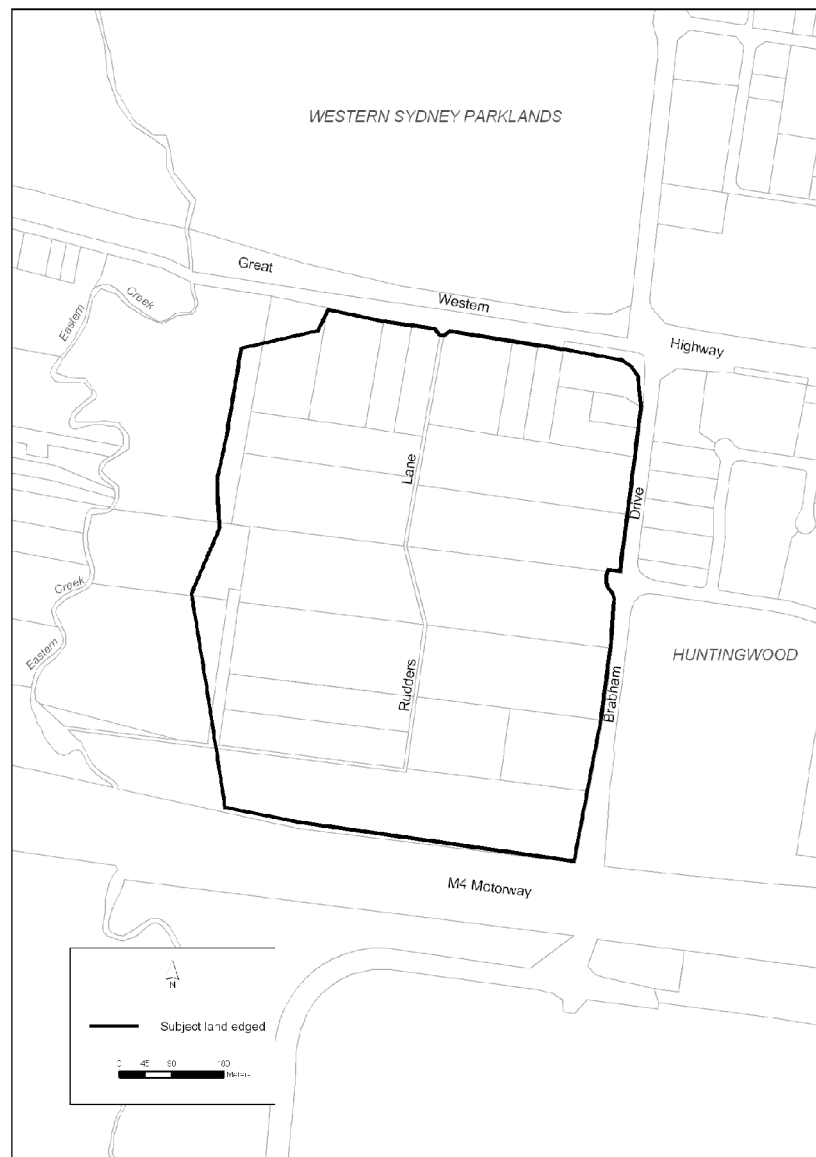


[5] Appendix 7 Huntingwood West Precinct

Omit clause 1. Insert instead—

1 Land to which Appendix applies

This Appendix applies to the land identified on the following map, referred to in this Schedule as the *Huntingwood West Precinct*—



[6] Appendix 7, clause 18

Omit the clause.

[7] Appendix 19 and Schedules 6 and 7

Omit the provisions.

Schedule 2 Amendment of State Environmental Planning Policy (Sydney Region Growth Centres) 2006

[1] Clause 3 Interpretation

Insert in alphabetical order in clause 3(1)—

flood prone and major creeks land means the land in a growth centre precinct shown as flood prone and major creeks land and coloured blue on the North West Growth Centre Development Control Map or on the South West Growth Centre Development Control Map.

Note. The maps are based on information provided by relevant local councils and State agencies. The extent of flooding on the land shown as flood prone and major creeks is an estimate only. Inquiries should be made with relevant local councils to determine the extent of flood affectation. The extent of flooding is subject to review in the precinct planning process relating to the land.

Precinct Plan means an Appendix to this Policy.

special area means land shown as being in a special area on the Special Areas Map.

Standard Instrument means the standard instrument set out in the *Standard Instrument (Local Environmental Plans) Order 2006*.

[2] Clause 3(1), definition of “growth centre precinct”

Insert “or *precinct*” after “*growth centre precinct*”.

[3] Clause 3(1)

Insert at the end of clause 3(1)—

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Policy.

[4] Clause 3(2)

Omit the subclause. Insert instead—

- (2) A reference in this Policy to a particular growth centre precinct is a reference to the area shown as the precinct on the Precinct Boundary Map for the growth centre.

Note— See clause 7 for the growth centre precincts to which a Precinct Plan applies under this Policy.

[5] Clause 3A

Insert after clause 3—

3A Application of Standard Instrument land uses and other terms

- (1) Words used in this Policy have the same meaning as in the Standard Instrument, unless otherwise defined in this Policy.

- (2) In this Policy—

archaeological site means an area of land—

- (a) shown on the Heritage Map as an archaeological site, and
(b) the location and nature of which is described in a Schedule to a Precinct Plan, and
(c) that contains one or more relics.

biosolid waste application means the application of sludge or other semi-solid products of human sewage treatment plants to land for the purpose of

improving land productivity, that is undertaken in accordance with the NSW Environment Protection Authority's guidelines titled *Environmental Guidelines: Use and Disposal of Biosolids Products* (EPA 1997) and *Addendum to Environmental Guidelines: Use and Disposal of Biosolids Products* (EPA 2000a).

boat repair facility means a boat building and repair facility within the meaning of the Standard Instrument.

bulky goods premises means a building or place used primarily for the sale by retail, wholesale or auction of, or for the hire or display of, bulky goods, being goods that are of a size or weight that requires—

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading the goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

funeral chapel means premises used to arrange, conduct and cater for funerals and memorial services, and includes facilities for the short-term storage, dressing and viewing of bodies of deceased persons, but does not include premises with mortuary facilities.

heavy industry means an industry that—

- (a) requires separation from other land uses because of the nature of the processes involved, or the materials used, stored or produced, and
- (b) may consist of or include a hazardous or offensive industry or involve the use of a hazardous or offensive storage establishment.

heritage conservation area means an area of land—

- (a) shown on the Heritage Map as a heritage conservation area or as a place of Aboriginal heritage significance, and
- (b) the location and nature of which is described in a Schedule to a Precinct Plan,

and includes any heritage items situated on or within that area.

heritage item means a building, work, archaeological site, tree, place or Aboriginal object—

- (a) shown on the Heritage Map as a heritage item, and
- (b) the location and nature of which is described in a Schedule to a Precinct Plan, and
- (c) specified in an inventory of heritage items that is available at the office of the Council.

industry means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing or adapting, or the research and development of goods, chemical substances, food, agricultural or beverage products, or articles for commercial purposes, but does not include extractive industry or a mine.

landscape and garden supplies means a building or place where trees, shrubs, plants, bulbs, seeds and propagating material are offered for sale, whether by retail or wholesale and may include—

- (a) the sale of landscape supplies, including earth products or other landscape and horticulture products, and

(b) the carrying out of horticulture.

light industry means an industry, not being a hazardous or offensive industry or involving use of a hazardous or offensive storage establishment, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood by noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.

manor home means a 2-storey building containing 4 dwellings, other than a residential flat building or multi dwelling housing, where—

- (a) each storey contains 2 dwellings, and
- (b) each dwelling is on its own lot that is within a strata scheme or community title scheme, and
- (c) access to each dwelling is provided through a common or individual entry at ground level.

multi dwelling housing does not include a manor home.

Note— Multi dwelling housing is defined in the Standard Instrument.

place of Aboriginal heritage significance means an Aboriginal place of heritage significance within the meaning of the Standard Instrument and that may be shown on the Heritage Map.

remnant native vegetation has the same meaning as in the *Native Vegetation Act 2003*, section 9, immediately before its repeal.

residential accommodation includes manor homes and studio dwellings.

Note— Residential accommodation is defined in the Standard Instrument.

residential flat building does not include a manor home.

Note— Residential flat building is defined in the Standard Instrument.

restaurant means a building or place the principal purpose of which is the provision of food or beverages to people for consumption on the premises, whether or not take away meals and beverages or entertainment are also provided.

studio dwelling means a dwelling that is—

- (a) established in conjunction with another dwelling (the **principal dwelling**), and
- (b) erected above a garage that is on the same lot of land as the principal dwelling, whether the garage is attached to, or is separate from, the principal dwelling.

timber and building supplies means a building or place used for the display, sale, whether by retail or wholesale, or hire of goods or materials that are used in the construction and maintenance of buildings.

waste management facility means a facility used for the storage, treatment, purifying or disposal of waste, whether or not it is also used for the sorting, processing, recycling, recovering, use or reuse of material from the waste, and whether or not the operations are carried out on a commercial basis. It may include but is not limited to—

- (a) an extractive industry ancillary to, required for or associated with the preparation or remediation of the site for the storage, treatment, purifying or disposal, and
- (b) eco-generating works ancillary to or associated with storage, treatment, purifying or disposal.

[6] Clause 6B

Insert after clause 6A—

6B Names of maps adopted by Policy

In this Policy—

Floor Space Ratio Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Floor Space Ratio Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Floor Space Ratio Map.

Greater Macarthur Growth Area Precinct Boundary Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Greater Macarthur Growth Area Precinct Boundary Map.

Height of Buildings Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Height of Buildings Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Height of Buildings Map,
- (c) for a precinct in the Wilton Growth Area—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Wilton Growth Area Height of Buildings Map.

Heritage Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Heritage Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Heritage Map,
- (c) for a precinct in the Wilton Growth Area—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Wilton Growth Area Heritage Map.

Key Sites Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Key Sites Map.

Land Application Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Application Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Land Application Map,
- (c) for a precinct in the Wilton Growth Area—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Wilton Growth Area Land Application Map,

- (d) for a precinct in the Greater Macarthur Growth Area—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Greater Macarthur Growth Area Land Application Map.

Land Reservation Acquisition Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Reservation Acquisition Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Land Reservation Acquisition Map.

Land Zoning Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Land Zoning Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Land Zoning Map,
- (c) for a precinct in the Wilton Growth Area—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Wilton Growth Area Land Zoning Map.

Lot Size Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Lot Size Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Lot Size Map,
- (c) for a precinct in the Wilton Growth Area—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Wilton Growth Area Lot Size Map.

Native Vegetation Protection Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Native Vegetation Protection Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Native Vegetation Protection Map.

North West Growth Centre Development Control Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Development Control Map.

North West Growth Centre Precinct Boundary Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Precinct Boundary Map.

Residential Density Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Residential Density Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Residential Density Map.

Riparian Protection Area Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Riparian Protection Area Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Riparian Protection Area Map.

South West Growth Centre Development Control Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Development Control Map.

South West Growth Centre Precinct Boundary Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Precinct Boundary Map.

Special Areas Map means the following—

- (a) for a precinct in the North West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centres Special Areas Map,
- (b) for a precinct in the South West Growth Centre—the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centres Special Areas Map.

Urban Release Area Map means, for a precinct in the Wilton Growth Area, the State Environmental Planning Policy (Sydney Region Growth Centres) Wilton Growth Area Urban Release Area Map.

Wilton Growth Area Precinct Boundary Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Wilton Growth Area Precinct Boundary Map.

[7] **Clause 7**

Omit the clause. Insert instead—

7 Controls applying to growth centre precincts after finalisation of precinct planning

- (1) The provisions applying to the carrying out of development in a growth centre precinct are specified in the Appendix for the growth centre precinct in the Table to this clause.

Table 1—North West Growth Centre

Column 1	Column 2
Growth centre precinct	Appendix
North Kellyville Precinct	Appendix 2
Riverstone West Precinct	Appendix 3
Alex Avenue and Riverstone Precincts	Appendix 4
Marsden Park Industrial Precinct	Appendix 5
Area 20 Precinct	Appendix 6
Schofields Precinct	Appendix 7
Box Hill and Box Hill Industrial Precincts	Appendix 11

Column 1	Column 2
Growth centre precinct	Appendix
Marsden Park Precinct	Appendix 12, to the extent to which the <i>Blacktown Growth Centres Precinct Plan 2013</i> applies
Riverstone East Precinct	Appendix 12, to the extent to which the <i>Blacktown Growth Centres Precinct Plan 2013</i> applies
West Schofields (Townson Road) Precinct	Appendix 12, to the extent to which the <i>Blacktown Growth Centres Precinct Plan 2013</i> applies
Vineyard Precinct	Appendix 13, to the extent to which the <i>Hawkesbury Growth Centres Precinct Plan 2017</i> applies

Table 2—South West Growth Centre

Column 1	Column 2
Growth centre precinct	Appendix
Oran Park and Turner Road Precincts	Appendix 1
Austral Precinct	Appendix 8
Leppington North Precinct	Appendix 8, to the extent to which the <i>Liverpool Growth Centres Precinct Plan 2013</i> applies, and Appendix 9, to the extent to which the <i>Camden Growth Centres Precinct Plan 2013</i> applies
East Leppington Precinct	Appendix 8 to the extent to which the <i>Liverpool Growth Centres Precinct Plan 2013</i> applies, Appendix 9, to the extent to which the <i>Camden Growth Centres Precinct Plan 2013</i> applies, and Appendix 10, to the extent to which the <i>Campbelltown Growth Centres Precinct Plan 2013</i> applies
Catherine Fields Precinct	Appendix 9, to the extent to which the <i>Camden Growth Centres Precinct Plan 2013</i> applies
Lowes Creek Maryland Precinct	Appendix 9, to the extent to which the <i>Camden Growth Centres Precinct Plan 2013</i> applies
Leppington Precinct	Appendix 9, to the extent to which the <i>Camden Growth Centres Precinct Plan 2013</i> applies

Table 3—Wilton Growth Area

Column 1	Column 2
Growth centre precinct	Appendix
South East Wilton Precinct	Appendix 14
North Wilton Precinct	Appendix 15

[8] Clause 12 Land use table for zones to which Part applies

Insert after clause 12(2), before the land use table—

(3) In the land use table—

public entertainment means entertainment to which admission may ordinarily be gained by members of the public on payment of money or other consideration, whether—

(a) some, but not all, persons are admitted free of charge, or

(b) the money or other consideration is required as a charge—

(i) for a meal or other refreshment before admission is granted, or

(ii) for the entertainment after admission is granted.

[9] Clause 20 Development on or near certain land at Riverstone West

Omit clause 20(2)(a). Insert instead—

(a) will be undertaken in a way that is consistent with the floodplain management strategy in the *Riverstone West Precinct Development Control Plan* published by the Department in August 2009, and

[10] Appendix 1 Oran Park and Turner Road Precinct Plan

Omit clause 1.4, including the note. Insert instead—

1.4 Definitions

In this Precinct Plan—

Council means the Camden Council.

materials recycling or recovery centre means a building or place used for the recycling or recovery of resource materials, excluding sludge-like material, from waste materials, and that involves separating and sorting, processing, such as baling, crushing, shredding and composting, transferring and the sale of recycled or recovered material, but that does not involve the re-manufacture, chemical manufacture or incineration of the material.

Oran Park Precinct Development Control Plan means the *Oran Park Precinct Development Control Plan* published by the Department on 4 December 2007.

Turner Road Precinct Development Control Plan means the *Turner Road Precinct Development Control Plan* published by the Department on 4 December 2007.

utility installation means a building, work or place used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

waste disposal land fill operation means use of land for the purpose of disposing of industrial, trade or domestic waste on that land.

[11] Appendix 2 North Kellyville Precinct Plan

Omit clause 1.4, including the note. Insert instead—

1.4 Definitions

In this Precinct Plan—

Additional Permitted Uses Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Additional Permitted Uses Map.

Council means the Hills Shire Council.

[12] Appendix 2, clause 2.3A, note

Insert “published by the Department in November 2008” after “Plan”.

[13] Appendix 2, clause 6.4(2)(a)

Omit “North Kellyville Precinct Environmental Management Plan”.

Insert instead “environmental management plan in the *North Kellyville Precinct Development Control Plan* published by the Department in November 2008”.

[14] Appendix 3 Riverstone West Precinct Plan

Insert “, published by the Department in August 2009,” after “*Plan*” in the note to clause 2.6A.

[15] Appendix 4 Alex Avenue and Riverstone Precinct Plan 2010

Omit clause 1.4, including the note. Insert instead—

1.4 Definitions

In this Precinct Plan—

Council means the Blacktown City Council.

Riverstone Scheduled Lands means the land within the Riverstone Precinct shown as the Riverstone Scheduled Lands on the Land Zoning Map.

[16] Appendix 6 Area 20 Precinct Plan

Omit clause 1.4, including the note. Insert instead—

1.4 Definitions

In this Precinct Plan—

Active Street Frontages Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Active Street Frontages Map.

Council means Blacktown City Council.

[17] Appendix 9 Camden Growth Centres Precinct Plan

Omit clause 1.4, including the note. Insert instead—

1.4 Definitions

In this Precinct Plan—

Council means Camden Council.

Maximum Dwellings Map means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Maximum Dwellings Map.

[18] Schedule 1 Savings and transitional provisions

Omit the Schedule.

[19] Dictionary

Omit the Dictionary.