



New South Wales

State Environmental Planning Policy (Transport and Infrastructure) Amendment (Intertrade Industrial Park) 2022

under the

Environmental Planning and Assessment Act 1979

His Honour the Administrator, 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

State Environmental Planning Policy (Transport and Infrastructure) Amendment (Intertrade Industrial Park) 2022

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1 Name of Policy

This Policy is *State Environmental Planning Policy (Transport and Infrastructure) Amendment (Intertrade Industrial Park) 2022*.

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 (Transport and Infrastructure) 2021*, Chapter 5 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

This Policy is repealed at the beginning of the day following the day on which this Policy commences.

Schedule 1 Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021

- [1] **Sections 2.4(1)(a) and (5)(b), Part 2.2, Division 2, note, 2.18(1)(e), (3)(b) and (4)(c), 2.19(1)–(6), 2.60(3), 2.98(2)(b)(ii), 2.99(2)(b)(ii), 2.100(2), 2.120(2), 2.121(2)(b)(ii), 2.141(2)(c) and 2.143(2) and Schedule 1**
Omit “Secretary” wherever occurring. Insert instead “Planning Secretary”.
- [2] **Sections 2.15(2)(b), 2.18(7)(b), 2.75(3), 2.107 and 3.15(8), definition of “prescribed State land”, paragraph (a)(ii).**
Omit “E1” wherever occurring. Insert instead “C1”.
- [3] **Sections 2.18(7)(c), 2.131(1)(i) and 3.15(8), definition of “prescribed State land”, paragraph (a)(iii)**
Omit “E2” wherever occurring. Insert instead “C2”.
- [4] **Sections 2.23, note and 3.21, note**
Omit “*Protection of the Environment Operations (Noise Control) Regulation 2008*” wherever occurring.
Insert instead “*Protection of the Environment Operations (Noise Control) Regulation 2017*”.
- [5] **Section 2.60 Development permitted with consent**
Omit “Secretary’s” from section 2.60(3). Insert instead “Planning Secretary’s”.
- [6] **Sections 2.61(3)(b)(ii), 3.34(1), definition of “prescribed zone”, paragraph (t), 3.44(1), definition of “prescribed zone”, paragraph (b)(xx) and 3.51(1), definition of “prescribed zone”, paragraph (b)(xxiii)**
Omit “E4” wherever occurring. Insert instead “C4”.
- [7] **Section 2.82(c)(i) and Schedules 1, 5 and 10, section 1(1)(a)**
Omit “external combustible cladding (within the meaning of the *Environmental Planning and Assessment Regulation 2000*)” wherever occurring.
Insert instead “external combustible cladding within the meaning of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*”.
- [8] **Section 2.131 Exempt development**
Omit “E3” from section 2.131(1)(j). Insert instead “C3”.
- [9] **Section 5.2 Definitions**
Insert in alphabetical order in section 5.2(1)—
Intertrade Industrial Park means the land identified on the Intertrade Industrial Park Map.
Intertrade Industrial Park Map means the State Environmental Planning Policy (Transport and Infrastructure) 2021 Three Ports Intertrade Industrial Park Map.
- [10] **Section 5.2, definition of “port facilities”**
Insert “, or the Intertrade Industrial Park,” after “Lease Area”.

[11] Section 5.3 Land to which Chapter applies

Omit section 5.3(2).

[12] Section 5.4 Relationship with other environmental planning instruments

Omit “section 74(1) of the Act and” from section 5.4(1).

[13] Section 5.4(2A)

Insert after section 5.4(2)—

(2A) The following provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* do not apply to the Intertrade Industrial Park—

(a) Part 2, Division 1, Subdivision 10A,

(b) Parts 5A and 6.

[14] Section 5.4(3)

Omit “subsection (2)”. Insert instead “subsections (2) and (2A)”.

[15] Section 5.4(3)(a)

Omit “*State Environmental Planning Policy (Infrastructure) 2007*”.

Insert instead “Chapter 2”.

[16] Section 5.6 Consent authority

Omit section 5.6(a)(iii). Insert instead—

(iii) land within the Intertrade Industrial Park, and

[17] Section 5.9 Savings provision relating to development applications and Part 5 activities

Omit section 5.9(3).

[18] Section 5.16 Development by public authorities (including Port Operator)

Insert after section 5.16(4)—

(5) This section does not apply to the Intertrade Industrial Park.

[19] Section 5.31 Heritage conservation

Insert at the end of section 5.31(8)(e)—

, and

(f) the proposed development would not be carried out in the Intertrade Industrial Park.

[20] Section 5.31(9), table

Insert in appropriate order—

Mayfield North	BHP Administration Building	99 Selwyn Street	Part Lot 332, DP 1176879
Mayfield North	Quality Control Laboratory	99 Selwyn Street	Part Lot 332, DP 1176879

[21] Schedule 4 Exempt and complying development in relation to telecommunications facilities—Chapter 2

Omit “E1” from Part 1, item 19A.2. Insert instead “C1”.

[22] Schedule 6 Complying development in schools—Chapter 3

Omit “environmental” wherever occurring in section 3. Insert instead “conservation”.

[23] Schedule 7 Complying development in universities and TAFEs—Chapter 3

Omit “environmental” wherever occurring in section 4. Insert instead “conservation”.