

# State Environmental Planning Policy No 11—Traffic Generating Developments (1985 EPI 11)

[1985-11]



New South Wales

## Status Information

### Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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# State Environmental Planning Policy No 11—Traffic Generating Developments (1985 EPI 11)



New South Wales

## 1 Name of Policy

This State environmental planning policy may be cited as *State Environmental Planning Policy No 11—Traffic Generating Developments*.

## 2 Aims, objectives etc

The aims, objectives, policies and strategies of this Policy are to ensure that the Traffic Authority:

- (a) is made aware of, and
- (b) is given an opportunity to make representations in respect of, development referred to in Schedule 1 or 2.

## 3 Interpretation

- (1) In this Policy, except in so far as the context or subject-matter otherwise indicates or requires:

**arterial road** means:

- (a) a road shown on a map referred to in an environmental planning instrument by:
  - (i) a continuous or intermittent red line on white between firm black lines, or
  - (ii) a broken red band on white between intermittent black lines,
- (b) a road proclaimed to be a main road under the *Main Roads Act 1924*, and
- (c) a road declared to be a secondary road under the *Main Roads Act 1924*.

**roadside stall** means a building or place where only primary products produced on the property on which the building or place is situated are exposed or offered for sale.

**Traffic Authority** means the Traffic Authority of New South Wales.

- (2) A reference in Schedule 1 or 2 to the erection of a building does not include a reference to the making of structural alterations to the building, except where the structural alterations have the effect of increasing the gross floor area beyond the figure specified in Schedule 1 or 2 in relation to the building.

#### **4 Application of Policy**

This policy applies to the State.

#### **5 Certain provisions in environmental planning instruments to be of no force or effect**

A provision contained in any other environmental planning instrument requiring a consent authority, before determining a development application, to consult with and to take into consideration in determining that application any representations of the Department of Main Roads, the Police Department (Traffic Branch) or the Traffic Authority shall, to the extent only of the requirement, be of no force or effect.

#### **6 Model Provisions**

The definitions in clause 4 (1) of the *Environmental Planning and Assessment Model Provisions 1980* (except for the definitions of **arterial road**, **general store**, **main road** and **roadside stall**) are adopted for the purposes of this Policy.

#### **7 Development applications to be referred to the Traffic Authority**

- (1) Subject to subclause (2), this clause applies to applications for development consent to carry out development specified in Schedule 1 or 2.
- (2) Where the Traffic Authority has notified a consent authority that this clause does not apply to a development application (whether by reference to the type, purpose or location of the development the subject of the application or otherwise) this clause shall not apply to that development application.
- (3) Where a consent authority receives a development application to carry out development specified in Schedule 1, the consent authority shall, within 7 days of its receipt of the application, forward a copy of the application to the Traffic Authority.
- (4) Where a consent authority receives a development application (other than a development application to which subclause (3) relates) to carry out development specified in Schedule 2, being development on or of land that has direct vehicular or pedestrian access to:
- (a) an arterial road, or
  - (b) a road connecting with an arterial road, if the access is within 90 metres (measured along the road alignment of the connecting road) of the alignment of

the arterial road,

the consent authority shall, within 7 days of its receipt of the application, forward a copy of the application to the Traffic Authority.

- (5) Where a copy of a development application has been forwarded to the Traffic Authority pursuant to subclause (3) or (4), the consent authority shall not determine the application until:
- (a) it has received a representation with respect to the application from the Traffic Authority, or
  - (b) the Traffic Authority has informed the consent authority that it does not wish to make any representation with respect to the application, or
  - (c) 21 days have elapsed after the date on which the copy of the application was forwarded to the Traffic Authority,
- whichever first occurs.
- (6) The consent authority shall forward to the Traffic Authority a copy of any determination of a development application referred to in subclause (3) or (4) when giving notice of that determination to the applicant pursuant to section 92 of the Act.

## Schedule 1

(Clause 7 (3))

Development for the purpose of or being:

- (a) the erection of, or conversion of a building into, a residential flat building comprising 300 or more dwellings or the enlargement or extension of a residential flat building by the addition of 300 or more dwellings,
- (b) the erection of a building for the purposes of shops where the gross floor area of the building is or exceeds 2 000 square metres or the enlargement or extension of a building used for the purposes of shops where the gross floor area of that enlargement or extension is or exceeds 2 000 square metres,
- (c) the erection of a building for the purposes of shops and commercial premises where the gross floor area of the building is or exceeds 4 000 square metres or the enlargement or extension of a building used for the purposes of shops and commercial premises where the gross floor area of that enlargement or extension is or exceeds 4 000 square metres,
- (d) the erection of a building for the purposes of commercial premises where the gross floor area of the building is or exceeds 10 000 square metres or the enlargement or extension of a building used for the purposes of commercial premises where the gross floor area of that enlargement or extension is or exceeds 10 000 square metres,
- (e) the erection of a building for the purposes of commercial premises and industry where the gross

floor area of the building is or exceeds 15 000 square metres or the enlargement or extension of a building used for the purposes of commercial premises and industry where the gross floor area of that enlargement or extension is or exceeds 15 000 square metres,

- (f) the erection of a building for the purposes of industry where the gross floor area of the building is or exceeds 20 000 square metres or the enlargement or extension of a building used for the purposes of industry where the gross floor area of that enlargement or extension is or exceeds 20 000 square metres,
- (g) subdivision of land into 200 or more allotments where the subdivision includes the opening of a public road,
- (h) drive-in theatres or the enlargement or extension of existing drive-in theatres so as to enable the accommodation of more than 200 motor vehicles,
- (i) educational establishments accommodating 50 or more students or the enlargement or extension of existing educational establishments to accommodate an additional 50 or more students,
- (j) transport terminals, bulk stores, container depots or liquid fuel depots or the enlargement or extension of any existing transport terminal, bulk store, container depot or liquid fuel depot by increasing by more than 8 000 square metres the area of land or the gross floor area of buildings used for that purpose,
- (k) junk yards or depots or regional depots, within the meaning of the *Waste Disposal Act 1970*,
- (l) heliports, airports or aerodromes,
- (m) extractive industry or mining,
- (n) areas used exclusively for parking or any other development having ancillary accommodation for 200 or more motor vehicles, or the enlargement or extension of a parking area where the enlargement or extension accommodates 200 or more motor vehicles.

## Schedule 2

(Clause 7 (4))

Development for the purposes of or being:

- (a) the erection of, or the conversion of a building into, a residential flat building comprising 75 or more dwellings or the enlargement or extension of a residential flat building by the addition of 75 or more dwellings,
- (b) the erection of a building for the purposes of shops where the gross floor area of the building is or exceeds 500 square metres or the enlargement or extension of a building used for the purposes of shops where the gross floor area of that enlargement or extension is or exceeds 500 square metres,
- (c) the erection of a building for the purposes of shops and commercial premises where the gross floor area of the building is or exceeds 1 000 square metres or the enlargement or extension of a building used for the purposes of shops and commercial premises where the gross floor area of that enlargement or extension is or exceeds 1 000 square metres,

- (d) the erection of a building for the purposes of commercial premises where the gross floor area of the building is or exceeds 2 500 square metres or the enlargement or extension of a building used for the purposes of commercial premises where the gross floor area of that enlargement or extension is or exceeds 2 500 square metres,
- (e) the erection of a building for the purposes of commercial premises and industry where the gross floor area of the building is or exceeds 4 000 square metres or the enlargement or extension of a building used for the purposes of commercial premises and industry where the gross floor area of that enlargement or extension is or exceeds 4 000 square metres,
- (f) the erection of a building for the purposes of industry where the gross floor area of the building is or exceeds 5 000 square metres, or the enlargement or extension of a building used for the purposes of industry where the gross floor area of that enlargement or extension is or exceeds 5 000 square metres,
- (g) subdivision of land into 50 or more allotments,
- (h) tourist facilities, recreation facilities, showgrounds or sportsgrounds, in each case having accommodation for 50 or more motor vehicles or the enlargement or extension of any existing tourist facilities, recreation facilities, showgrounds or sportsgrounds where that enlargement or extension includes accommodation for 50 or more motor vehicles,
- (i) premises licensed under the *Liquor Act 1982*, or the *Registered Clubs Act 1976*, in each case having accommodation for 50 or more motor vehicles or the enlargement or extension of any such premises where the enlargement or extension includes accommodation for 50 or more vehicles,
- (j) places of assembly or places of public worship, in each case having accommodation for 50 or more motor vehicles, or the enlargement or extension of any existing places of assembly or places of public worship where that enlargement or extension includes accommodation for 50 or more motor vehicles,
- (k) the erection of a building for the purposes of refreshment rooms where the gross floor area of that building is or exceeds 300 square metres or the enlargement or extension of a building used for the purposes of refreshment rooms where the gross floor area of that enlargement or extension is or exceeds 300 square metres,
- (l) drive-in take-away food outlets,
- (m) service stations (including service stations which have retail outlets),
- (n) motor showrooms having accommodation for 50 or more motor vehicles, the enlargement or extension of any existing motor showrooms where that enlargement or extension includes accommodation for 50 or more motor vehicles,
- (o) the erection of a building for the purposes of a hospital with accommodation for 100 or more beds or the enlargement or extension of a building for the purposes of a hospital where that enlargement or extension provides accommodation for 100 or more beds,
- (p) roadside stalls,
- (q) areas used exclusively for parking or any other development, in each case having ancillary

accommodation for 50 or more motor vehicles, or the enlargement or extension of a parking area where the enlargement or extension accommodates 50 or more motor vehicles.