

Sydney Regional Environmental Plan No 18—Public Transport Corridors (1989 EPI 609)

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New South Wales

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New South Wales

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Sydney Regional Environmental Plan No 18—Public Transport Corridors (1989 EPI 609)



New South Wales

1 Name of plan

This plan may be cited as *Sydney Regional Plan No 18—Public Transport Corridors*.

2 Aims, objectives etc

This plan aims:

- (a) to make provision for future public transport facilities which will:
 - (i) improve accessibility by public transport to centres of commerce, recreation, education, culture and employment,
 - (ii) improve and extend the existing regional public transport network, and
 - (iii) increase the range of public transport facilities available to residents of the region,
- (b) to identify certain pieces of land as public transport corridors,
- (c) to provide for the acquisition of certain land for the purposes of the public transport corridors so identified,
- (d) to control the carrying out of development within the public transport corridors so identified, and
- (e) to require consent authorities, when considering development applications in respect of land in the vicinity of a public transport corridor, to take into account the effect of the proposed development on the development of the public transport corridor.

3 Land to which plan applies

This plan applies to land within the areas specified in Schedule 1.

4 Relationship to other environmental planning instruments

- (1) This plan amends each environmental planning instrument specified in Schedule 2 in

the manner indicated in that Schedule in respect of each instrument so specified.

- (2) In the event of an inconsistency between this plan and another environmental planning instrument (other than a State environmental planning policy) applying to the land to which this plan applies, whether made before or after the date on which this plan takes effect, this plan shall prevail to the extent of the inconsistency.

5 Definitions

- (1) In this plan:

activity has the same meaning as in Part 5 of the Act.

council, in relation to land within an area to which this plan applies, means the council of the area.

development for public transport purposes includes the construction, reconstruction, realignment, relocation and widening of any road and any other development carried out in relation thereto.

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “Sydney Regional Environmental Plan No 18—Public Transport Corridors”.

reserved land means land which is within a public transport corridor and which is shown in some distinctive manner on an inset on the public transport corridor map.

the Act means the [Environmental Planning and Assessment Act 1979](#).

- (2) In this plan, a reference to a map is a reference to a map deposited in the office of the Department, a copy of which is deposited in the office of the council of each area specified in Schedule 1.

6 Development on land within a public transport corridor

- (1) Subject to clause 7, development:

- (a) for public transport purposes, or

- (b) for a purpose specified in item 8 of Schedule 1 to the [Environmental Planning and Assessment Model Provisions 1980](#),

may be carried out on land within a public transport corridor without the necessity for development consent being obtained.

- (2) Except as provided by clause 9, the carrying out of development for any other purpose is prohibited on land within a public transport corridor.

7 Consultation

(1) Except as provided by subclause (2), where a public authority:

- (a) proposes to carry out an activity on land within a public transport corridor, or
- (b) proposes to grant an approval in relation to an activity on that land,

the public authority shall not carry out the activity or grant the approval unless it has first consulted with the Director in accordance with clause 8 and has taken into account any comment or statement made or report prepared by or on behalf of the Director within the period specified in the notice served on the Director under that clause.

(2) Subclause (1) does not apply to an activity or an approval in relation to an activity proposed to be carried out on land within a public transport corridor if the activity constitutes the maintenance or repair of a road.

8 Procedure for consultation

A public authority required by clause 7 to consult with the Director shall serve or cause to be served on the Director a notice:

- (a) stating that the public authority proposes to carry out the activity, or grant approval in relation to the activity, specified in the notice,
- (b) containing a description or plan of the land on which the activity is proposed to be carried out,
- (c) containing a brief description of the activity proposed to be carried out, and
- (d) stating that a comment, statement or report including any suggestions with respect to modifications to, or conditions to be imposed on, the approval or consent, may be made within the period specified in the notice.

9 Development of reserved land pending acquisition

- (1) Until reserved land is acquired by the corporation constituted under section 8 (1) of the Act, development for any purpose for which development could be carried out on the land (whether with or without development consent) immediately before this plan took effect may, with the consent of the council, be carried out on the land.
- (2) The council shall not grant consent as referred to in subclause (1) unless it obtains the concurrence of the Director.
- (3) In deciding whether to grant concurrence under subclause (2), the Director shall take into consideration the likely effect of the proposed development on:
 - (a) the practicability and cost of carrying out development for public transport

purposes on the land in the future, and

(b) the cost of acquiring the land.

10 Development of land in the vicinity of a public transport corridor

- (1) This clause applies to land adjoining or adjacent to land within a public transport corridor.
- (2) The consent authority shall not grant consent to an application to carry out development on land to which this clause applies unless it has taken into consideration the likely effect that the development will have on the practicability and cost of the future development of the adjoining or adjacent public transport corridor.
- (3) Nothing in subclause (2) operates so as to require development consent to be obtained for the carrying out of development on land to which this clause applies if, under any other environmental planning instrument applying to that land, the development may be carried out without the necessity for development consent being obtained.

Schedule 1 Land to which plan applies

(Clause 3)

City of Fairfield
City of Parramatta
Municipality of Holroyd
Shire of Baulkham Hills

Schedule 2 Amendment of certain environmental planning instruments

(Clause 4)

1 Amendment of Shire of Baulkham Hills P.S.O.

The *Shire of Baulkham Hills Planning Scheme Ordinance* is amended:

- (a) by inserting at the end of the definition of **Scheme map** in clause 4 the following words:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

- (a) to the extent only to which that map applies to land to which this Ordinance applies, and
- (b) in respect only of the land shown on insets 4, 5, 6 and 7 on Sheet 1, and on inset 2 on Sheet 2, of that map by a broken red band between a firm black line and a broken black line.

- (b) by inserting in clause 6 (1) (a) after the words “existing county roads” the words “and other public transport purposes”,
- (c) by inserting at the end of clause 7 the following words:

All land coloured yellow and stippled black.

- (d) by inserting at the end of the Table to clause 9 in Columns 1 and 2, respectively, the following matter:

All land coloured yellow and stippled black.	Public transport purposes.
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- (e) by inserting after clause 60G the following clause:

60H Development along public transport corridors

- (1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the council.

- (2) Notwithstanding any other provision of this Ordinance:

- (a) a person shall not carry out development on land within a public transport corridor, and
- (b) the council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,

otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

2 Amendment of I.D.O. No 67—Shire of Baulkham Hills

Interim Development Order No 67—Shire of Baulkham Hills is amended:

- (a) by omitting clause 2 and by inserting instead the following clause:

2 Definitions

- (1) In this Order:

Council means the Council of the Shire of Baulkham Hills.

I.D.C. Map means the map marked “Map referred to in *Interim Development Order No 67—Shire of Baulkham Hills*”, as amended by the maps marked as follows:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

- (a) to the extent only to which that map applies to land to which this Order applies, and
- (b) in respect only of the land shown on inset 5 on Sheet 1 of that map by a broken red band between a firm black line and a broken black line.

(2) In this Order, a reference to a map is a reference to a map deposited in the office of the Council.

(b) by omitting from clause 4 the word “Interim” and by inserting instead the words “Except as otherwise provided by this Order, interim”,

(c) by inserting after clause 5 the following clauses:

6 Development along public transport corridors

(1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the Council.

(2) Notwithstanding any other provision of this Order:

- (a) a person shall not carry out development on land within a public transport corridor, and
- (b) the Council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,

otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

7 Reservation and acquisition of certain land

(1) This clause applies to land shown on the I.D.C. Map by a broken red band between a firm black line and a broken black line.

- (2) The land to which this clause applies is reserved for public transport purposes.
- (3) The owner of land to which this clause applies may, by notice in writing, require the corporation constituted under section 8 (1) of the *Environmental Planning and Assessment Act 1979* to acquire the land.
- (4) Upon receipt of a notice referred to in subclause (3), the corporation shall acquire the land to which the notice relates.

3 Amendment of I.D.O. No 118—Shire of Baulkham Hills

Interim Development Order No 118—Shire of Baulkham Hills is amended:

- (a) by inserting at the end of the definition of **I.D.C. Map** in clause 2 (1) the following words:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

- (a) to the extent only to which that map applies to land to which this Order applies, and
 - (b) in respect only of the land shown on insets 1, 2 and 3 on Sheet 1 of that map coloured yellow and stippled black.
- (b) by inserting after clause 47A the following clauses:

47B Development along public transport corridors

- (1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the Council.

- (2) Notwithstanding any other provision of this Order:

- (a) a person shall not carry out development on land within a public transport corridor, and

- (b) the Council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,

otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

47C Reservation and acquisition of certain land

- (1) This clause applies to land shown on the I.D.C. Map coloured yellow and stippled black.
- (2) The land to which this clause applies is reserved for public transport purposes.
- (3) The owner of land to which this clause applies may, by notice in writing, require the corporation constituted under section 8 (1) of the *Environmental Planning and Assessment Act 1979* to acquire the land.
- (4) Upon receipt of a notice referred to in subclause (3), the corporation shall acquire the land to which the notice relates.

4 Amendment of Baulkham Hills L.E.P. No 49

Baulkham Hills Local Environmental Plan No 49 is amended:

- (a) by omitting clause 5 and by inserting instead the following clause:

5 Definitions

- (1) In this plan:

council means the Council of the Shire of Baulkham Hills.

the map means the map marked “*Baulkham Hills Local Environmental Plan No 49*”, as amended by the maps marked as follows:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

- (a) to the extent only to which that map applies to land to which this Plan applies, and
- (b) in respect only of the land shown on inset 5 on Sheet 1 of that map by a broken red band between a firm black line and a broken black line.

- (2) In this plan, a reference to a map is a reference to a map deposited in the office of the council.

- (b) by inserting in clause 6 after the matter “1980” the words “(other than the definition of **map** in clause 4 (1))”,
- (c) by inserting after clause 8 the following clauses:

8A Development along public transport corridors

(1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the council.

(2) Notwithstanding any other provision of this Plan:

(a) a person shall not carry out development on land within a public transport corridor, and

(b) the Council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,

otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

8B Reservation and acquisition of certain land

(1) This clause applies to land shown on the map by a broken red band between a firm black line and a broken black line.

(2) The land to which this clause applies is reserved for public transport purposes.

(3) The owner of land to which this clause applies may, by notice in writing, require the corporation constituted under section 8 (1) of the Act to acquire the land.

(4) Upon receipt of a notice referred to in subclause (3), the corporation shall acquire the land to which the notice relates.

5 Amendment of Parramatta P.S.O.

The *Parramatta Planning Scheme Ordinance* is amended:

(a) by inserting at the end of paragraph (b) of the definition of **scheme map** in clause 5 (1) the following words:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

(a) to the extent only to which that map applies to the land to which this Ordinance applies, and

- (b) in respect only of the land shown on insets 1, 2, 3 and 4 on Sheet 2 of that map by a broken red band between a firm black line and a broken black line or shown on insets 2 and 3 of Sheet 2 of that map coloured yellow and stippled black.
- (b) by inserting in clause 7 (1) (a) after the words “existing county roads” the words “and other public transport purposes”,
- (c) by inserting after clause 8 (a) the following paragraph:
 - (a1) land coloured yellow and stippled black,
- (d) by inserting at the end of the Table to clause 10 in Columns 1 and 2, respectively, the following matter:

All land coloured yellow and stippled black.	Public transport purposes.
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- (e) by inserting after clause 77H the following clause:

77I Development along public transport corridors

- (1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the Council.

- (2) Notwithstanding any other provision of this Ordinance:

- (a) a person shall not carry out development on land within a public transport corridor, and

- (b) the Council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,

otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

6 Amendment of Parramatta Local Environmental Plan 1989 (City Centre)

Parramatta Local Environmental Plan 1989 (City Centre) is amended:

- (a) by inserting at the end of the definition **the map** in clause 5 (1) the following words:

as amended by maps marked as follows:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

(b) by inserting after clause 30 the following clauses:

30A Development along public transport corridors

(1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”.

(2) Notwithstanding any other provision of this Plan:

(a) a person shall not carry out development on land within a public transport corridor, and

(b) the council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,

otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

30B Reservation and acquisition of certain land

(1) This clause applies to land shown on the map coloured yellow and stippled black.

(2) The land to which this clause applies is reserved for public transport purposes.

(3) The owner of land to which this clause applies may, by notice in writing, require the corporation to acquire the land.

(4) Upon receipt of a notice referred to in subclause (3), the corporation shall acquire the land to which the notice relates.

7 Amendment of Holroyd P.S.O.

The *Holroyd Planning Scheme Ordinance* is amended:

(a) by inserting at the end of the definition of **Scheme map** in clause 4 (1) the following words:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

- (a) to the extent only to which that map applies to land to which this Ordinance applies, and
- (b) in respect only of the land shown on insets 1, 2, 3 and 4 on Sheet 4 of that map coloured yellow and stippled black.
- (b) by inserting in clause 6 (1) (a) after the words “existing county roads” the words “and other public transport purposes”,
- (c) by inserting at the end of clause 7 the following words:

All land coloured yellow and stippled black.

- (d) by inserting at the end of the Table to clause 9 in Columns 1 and 2, respectively, the following matter:

All land coloured yellow and stippled black.

Public transport purposes.

- (e) by inserting after clause 72B the following clause:

72C Development along public transport corridors

- (1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the council.

- (2) Notwithstanding any other provision of this Ordinance:

- (a) a person shall not carry out development on land within a public transport corridor, and

- (b) the council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,

otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

8 Amendment of Fairfield P.S.O.

The *Fairfield Planning Scheme Ordinance* is amended:

- (a) by inserting at the end of the definition of **Scheme map** in clause 4 the following words:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

- (a) to the extent only to which that map applies to land to which this Ordinance applies, and
- (b) in respect only of the land:
- (i) shown on inset 5 on Sheet 4, and on inset 1 on Sheet 5, of that map by a broken red band between a firm black line and a broken black line, and
 - (ii) shown on insets 4 and 5 on Sheet 4, and on insets 1 and 2 on Sheet 5 of that map coloured yellow and stippled black.
- (b) by inserting in clause 6 (1) (a) after the words “existing county roads” the words “and other public transport purposes”,
- (c) by inserting at the end of clause 7 the following words:

All land coloured yellow and stippled black.

- (d) by inserting at the end of the Table to clause 9 in Columns 1 and 2, respectively, the following matter:

All land coloured yellow and stippled black.	Public transport purposes
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- (e) by inserting after clause 72D the following clause:

72E Development along public transport corridors

- (1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the council.

- (2) Notwithstanding any other provision of this Ordinance:
- (a) a person shall not carry out development on land within a public transport corridor, and
 - (b) the council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor, otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

9 Amendment of I.D.O. No 10—City of Fairfield

Interim Development Order No 10—City of Fairfield is amended:

- (a) by inserting at the end of the definition of **I.D.C. Map** in clause 2 (1) the following words:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

- (a) to the extent only to which that map applies to land to which this Order applies, and
 - (b) in respect only of the land:
 - (i) shown on insets 2 and 3 on Sheet 5, of that map coloured yellow with the word “Communications” superimposed thereon in scarlet lettering, and
 - (ii) shown on insets 3 and 4 on Sheet 5, and on inset 1 on Sheet 6, of that map coloured yellow and stippled black.
- (b) by inserting after clause 23A the following clauses:

23B Development along public transport corridors

- (1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the council.

- (2) Notwithstanding any other provision of this Order:
- (a) a person shall not carry out development on land within a public transport corridor, and

(b) the council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,

otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

23C Reservations and acquisition of certain land

- (1) This clause applies to the land shown on the I.D.C. Map coloured yellow and stippled black or coloured yellow with the word “Communications” superimposed thereon in scarlet lettering.
- (2) The land to which this clause applies is reserved for public transport purposes.
- (3) The owner of land to which this clause applies may, by notice in writing, require the corporation constituted under section 8 (1) of the *Environmental Planning and Assessment Act 1979* to acquire the land.
- (4) Upon receipt of a notice referred to in subclause (3), the corporation shall acquire the land to which the notice relates.

10 Amendment of I.D.O. No 25—Fairfield

Interim Development Order No 25—Fairfield is amended:

- (a) by inserting in the definition of **I.D.C. Map** in clause 2 (1) after the last word occurring in that definition the words, “as amended by the map marked ‘*Sydney Regional Environmental Plan No 18—Public Transport Corridors*’ deposited in the office of the Council (to the extent only to which that map applies to land to which this Order applies and in respect only of the land shown on inset 2 on Sheet 6 of that map coloured yellow and stippled black)”,
- (b) by inserting after clause 19A the following clauses:

19B Development along public transport corridors

- (1) In this clause:

public transport corridor means land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the Council.

- (2) Notwithstanding any other provision this Order:

- (a) a person not carry out development on land within a public transport corridor, and
- (b) the Council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor, otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

19C Reservation and acquisition of certain land

- (1) This clause applies to the land shown on the I.D.C. Map coloured yellow and stippled black.
- (2) The land to which this clause applies is reserved for public transport purposes.
- (3) The owner of land to which this clause applies may, by notice in writing, require the corporation constituted under section 8 (1) of the *Environmental Planning and Assessment Act 1979* to acquire the land.
- (4) Upon receipt of a notice referred to in subclause (3), the corporation shall acquire the land to which the notice relates.

11 Amendment of Fairfield L.E.P. No 37

Fairfield Local Environmental Plan No 37 is amended:

- (a) by inserting at the end of the definition of **the map** in clause 6 (1) the following words:

Sydney Regional Environmental Plan No 18—Public Transport Corridors:

- (a) to the extent only to which that map applies to land to which this plan applies, and
 - (b) in respect only of the land shown on insets 1 and 2 on Sheet 7 of that map coloured yellow and stippled black.
- (b) by inserting after clause 29 the following clauses:

30 Development along public transport corridors

- (1) In this clause:

public transport corridor means land land shown stippled black on the public transport corridor map.

public transport corridor map means the map marked “*Sydney Regional Environmental Plan No 18—Public Transport Corridors*”, a copy of which is deposited in the office of the council.

- (2) Notwithstanding any other provision of this plan:
- (a) a person shall not carry out development on land within a public transport corridor, and
 - (b) the council shall not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,
- otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

31 Reservation and acquisition of certain land

- (1) This clause applies to the land shown on the map coloured yellow and stippled black.
- (2) The land to which this clause applies is reserved for public transport purposes.
- (3) The owner of land to which this clause applies may, by notice in writing, require the corporation constituted under section 8 (1) of the Act to acquire the land.
- (4) Upon receipt of a notice referred to in subclause (3), the corporation shall acquire the land to which the notice relates.

12, 14 (Repealed)