

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

[1989-609]



New South Wales

Status Information

Currency of version

Repealed version for 18 December 2015 to 4 August 2016 (accessed 19 December 2024 at 5:08)

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.

Notes—

- **Repeal**

This plan was repealed by cl 3 (o) of the [State Environmental Planning Policy \(Integration and Repeals\) 2016 \(310\)](#) (LW 10.6.2016) with effect from 5.8.2016.

- **Deemed SEPP**

From 1 July 2009 this plan is taken to be a State environmental planning policy (see clause 120 of Schedule 6 to the [Environmental Planning and Assessment Act 1979](#)).

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](#).

File last modified 5 August 2016

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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- (1) (Repealed)

- (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

Schedule 2 (Repealed)