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## **SPECIAL SUPPLEMENT**



New South Wales

# **State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)**

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* in accordance with the recommendation made by the Minister for Planning. (9039153)

**FRANK SARTOR, M.P.,**  
Minister for Planning

Clause 1 State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)

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## State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of Policy

This Policy is *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)*.

### 2 Aims of Policy

The aims of this Policy are:

- (a) to provide for the redevelopment, in a manner consistent with the principles in the Sydney Metropolitan Strategy, of a site in Epping that has been the location of Channel 7 television production studios, and
- (b) to identify development on the site that is development to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies, and
- (c) to establish appropriate zoning and other development controls for the site, whether the development is carried out under an approval under Part 3A of the *Environmental Planning and Assessment Act 1979* or a development consent under Part 4 of that Act, and
- (d) to provide for appropriate residential development on the site that includes a range of housing types to accommodate the needs of the community and that satisfies the principles of ecologically sustainable development, and
- (e) to identify and provide land within the site for high quality open space for recreational purposes and for community uses that serve the needs of those who live and work in the surrounding community.

### 3 Land to which Policy applies

This Policy applies to certain land in Epping, as shown edged heavy black on the map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)—Channel 7 Site” that is deposited in the head office of the Department.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)

Clause 4

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**4 Amendment of State Environmental Planning Policy (Major Projects) 2005**

*State Environmental Planning Policy (Major Projects) 2005* is amended as set out in Schedule 1.

**5 Amendment of Parramatta Local Environmental Plan 2001**

*Parramatta Local Environmental Plan 2001* is amended as set out in Schedule 2.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)

Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

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## Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

(Clause 4)

### Schedule 3 State significant sites

Insert (with appropriate numbering) at the end of the Schedule:

## Part Channel 7 site

### Division 1 Preliminary

#### 1 Definition of particular terms

In this Part:

**Channel 7 site** means the land as shown edged heavy black on the map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)”.

**Note.** The land shown on the map is a site in Epping that has been the location of television production studios (with a street address of 61 Mobbs Lane).

**dwelling** and **gross floor area** have the same meanings as they have in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

**storey** means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling above, but does not include:

- (a) a space that contains only a lift shaft, stairway or meter room, or
- (b) a mezzanine.

#### 2 Maps

- (1) A reference in this Part to a named map adopted by this Part is a reference to a map by that name:
  - (a) approved by the Minister when the map is adopted, and
  - (b) as amended from time to time by maps declared by environmental planning instruments to amend that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Part to any such named map is a reference to the relevant part or aspect of the single map.

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Amendment of State Environmental Planning Policy (Major Projects) 2005 Schedule 1

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- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.

### 3 Meaning of development purposes

Words and expressions used to refer to a development purpose in clause 8 or 9 have the same meaning as they have in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

### 4 Application of this Part

Nothing in this Part applies to or with respect to development for the purposes of a public utility undertaking.

**Note.** Development for the purposes of a public utility undertaking may, by operation of another Schedule to this Policy, be a project to which Part 3A of the Act applies.

## Division 2 Part 3A projects

### 5 Part 3A projects

- (1) Such development within the Channel 7 site as has a capital investment value of more than \$5 million.
- (2) Subdivision of land within the Channel 7 site, other than a strata title subdivision, a community title subdivision, or a subdivision for any one or more of the following purposes:
  - (a) widening a public road,
  - (b) making an adjustment to a boundary between lots, being an adjustment that does not involve the creation of a greater number of lots,
  - (c) a minor realignment of boundaries that does not create additional lots or the opportunity for additional dwellings,
  - (d) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
  - (e) rectifying an encroachment on a lot,
  - (f) creating a public reserve,
  - (g) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public conveniences.

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Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

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### **Division 3 Provisions applying to development within Channel 7 site**

#### **6 Application of Division**

This Division applies with respect to any development within the Channel 7 site and so applies whether or not the development is a project to which Part 3A of the Act applies.

#### **7 Land use zones**

- (1) For the purposes of this Policy, land within the Channel 7 site is in a zone as follows if the land is shown on the map marked “State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)—Zoning Map” as being within that zone:
  - (a) General Residential Zone,
  - (b) Public Recreation Zone.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

#### **8 General Residential Zone**

- (1) The objectives of the General Residential Zone are as follows:
  - (a) to provide for the housing needs of the community,
  - (b) to provide for a variety of housing types and densities,
  - (c) to enable other land uses that provide facilities or services to meet the day to day needs of residents.
- (2) Development for any of the following purposes is permitted with consent within the General Residential Zone:

boarding houses; car parks; child care centres; community facilities; dwelling houses; group homes; home-based child care or family day care homes; home businesses; home industries; home occupations; hostels; multi dwelling housing; neighbourhood shops; office premises; places of public worship; recreation areas; residential care facilities; residential flat buildings; roads that are not classified roads; seniors housing; shop top housing; telecommunications facilities.
- (3) Except as otherwise provided by this Policy, development is prohibited within the General Residential Zone unless it is permitted by subclause (2).

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## **9 Public Recreation Zone**

- (1) The objectives of the Public Recreation Zone are as follows:
  - (a) to enable land to be used for open space or recreational purposes,
  - (b) to provide a range of recreational settings and activities and compatible land uses,
  - (c) to protect and enhance the natural environment for recreational purposes,
  - (d) to provide a range of community uses that serve the needs of the people who live and work in the surrounding neighbourhood.
- (2) Development for any of the following purposes is permitted with consent within the Public Recreation Zone:  
car parks; child care centres; community facilities; environmental facilities; environmental protection works; kiosks; recreation areas; recreation facilities (outdoor); roads that are not classified roads.
- (3) Except as otherwise provided by this Policy, development is prohibited within the Public Recreation Zone unless it is permitted by subclause (2).

## **10 Development controls**

- (1) The height of a building on any land is not to exceed the maximum number of storeys shown for the land on the map marked "State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)—Building Height Map".
- (2) Development for the purpose of a dwelling must not be carried out if it would result in:
  - (a) an average density of more than 73 dwellings per hectare on the Channel 7 site, or
  - (b) there being more than 650 dwellings (whether of the same or different types) on the Channel 7 site, or
  - (c) the total of the gross floor areas for dwellings within the Channel 7 site exceeding 80,000 square metres.

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Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

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## **Division 4      Miscellaneous**

### **11    Relationship with other environmental planning instruments**

The only environmental planning instruments that apply, according to their terms, to or in respect of development within the Channel 7 site are as follows:

- (a) in the case of development that is a project to which Part 3A of the Act applies—this Policy and all other State environmental planning policies except *State Environmental Planning Policy No 1—Development Standards*,
- (b) in the case of all other development—all environmental planning instruments except *State Environmental Planning Policy No 1—Development Standards*.

### **12    Exempt and complying development**

Development within the Channel 7 site that satisfies the requirements for exempt development or complying development specified in Parramatta City Council's *Parramatta Development Control Plan 2005*, as in force 14 December 2005, is exempt development or complying development, as appropriate.

### **13    Acquisition of land within Channel 7 site**

- (1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions)*.

**Note.** If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the *Land Acquisition (Just Terms Compensation) Act 1991* requires the authority to acquire the land.

- (2) The authority of the State that will be the relevant authority to acquire land within the Channel 7 site, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to that land (or, if none is specified, the authority designated or determined under those provisions):



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<b>Zone</b>	<b>Authority of the State</b>
Public Recreation Zone	The corporation constituted by section 8 (1) of the Act

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- (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 6)

Schedule 2 Amendment of Parramatta Local Environmental Plan 2001

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## **Schedule 2 Amendment of Parramatta Local Environmental Plan 2001**

(Clause 5)

### **Schedule 4 Sites which require the preparation of a master plan**

Omit from Part 2:

59Z-61 Mobbs Lane and 7A Grimes Lane, Eastwood

Lot 1, DP 732070, Lot 1, DP 570891, Lots 1 and 2, DP 129023, Lot 2, DP 732070, Lot 2, DP 582172