



New South Wales

Sydney Regional Environmental Plan No 30—St Marys (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following regional environmental plan under the *Environmental Planning and Assessment Act 1979*. (9038059/PC-1)

FRANK SARTOR, M.P.,
Minister for Planning

2006 No 173

Clause 1 Sydney Regional Environmental Plan No 30—St Marys (Amendment No 1)

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1 Name of plan

This plan is *Sydney Regional Environmental Plan No 30—St Marys (Amendment No 1)*.

2 Aims of plan

The aims of this plan are:

- (a) to identify land to which *Sydney Regional Environmental Plan No 30—St Marys (the Principal Plan)* applies that is listed on the Register of the National Estate, kept under the *Australian Heritage Council Act 2003* of the Commonwealth, as being within the Regional Park zone of the Principal Plan, and
- (b) to amend the Structure Plan and Zoning Map (within the meaning of the Principal Plan) as a consequence of the aim identified in paragraph (a), and
- (c) to ensure that retail or commercial development, proposed in a precinct plan, will not undermine the regional and district retail and commercial centre hierarchy of the land to which the Principal Plan applies, and
- (d) to permit development enabling direct vehicular access from Ninth Avenue.

3 Land to which plan applies

This plan applies to the land to which the Principal Plan applies.

4 Amendment of Sydney Regional Environmental Plan No 30—St Marys

Sydney Regional Environmental Plan No 30—St Marys is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 11 Matters to be considered in assessing precinct plans

Insert at the end of clause 11 (e):

, and

- (f) is satisfied that any proposal for retail or commercial development included in the plan will not undermine the regional and district retail and commercial centre hierarchy.

[2] Clause 11A

Insert after clause 11:

11A Additional matters to be considered in relation to Ninth Avenue

The relevant council is not to approve a precinct plan that contains any proposal for development, other than for the purpose of a public road, that would enable direct vehicular access to Ninth Avenue unless it has considered the following matters:

- (a) the capacity of Ninth Avenue to accommodate any vehicular traffic resulting from the proposed development,
- (b) the effect any such vehicular traffic may have on the existing road hierarchy in the vicinity of the proposed development,
- (c) any adverse impact of the proposed development on the rural character of Ninth Avenue or its surrounds.

[3] Clause 57 Access

Omit “Ninth Avenue,” from clause 57 (1).

[4] Clause 57 (1A)

Insert after clause 57 (1):

- (1A) The consent authority must not grant development consent for development, other than for the purpose of a public road, that would enable direct vehicular access to Ninth Avenue unless it has considered the following matters:

- (a) the capacity of Ninth Avenue to accommodate any vehicular traffic resulting from the proposed development,

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Schedule 1 Amendments

- (b) the effect any such vehicular traffic may have on the existing road hierarchy in the vicinity of the proposed development,
- (c) any adverse impact of the proposed development on the rural character of Ninth Avenue or its surrounds.

[5] Schedule 1 Definitions

Omit the definition of *the Structure Plan*. Insert instead:

the Structure Plan means the map marked “Sydney Regional Environmental Plan No 30—St Marys—Structure Plan”, as amended by the maps, or sheets of maps, marked as follows:

Sydney Regional Environmental Plan No 30—St Marys—Structure Plan (Amendment No 1)

[6] Schedule 1, definition of “the Zoning Map”

Omit the definition. Insert instead:

the Zoning Map means the map marked “Sydney Regional Environmental Plan No 30—St Marys—Zoning”, as amended by the maps, or sheets of maps, marked as follows:

Sydney Regional Environmental Plan No 30—St Marys—Zoning (Amendment No 1)

BY AUTHORITY
