

Sydney Regional Environmental Plan No 29—Rhodes Peninsula (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following regional environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/01462/Pt1)

Minister for Urban Affairs and Planning

Sydney Regional Environmental Plan No 29—Rhodes Peninsula (Amendment No 1)

1 Name of plan

This plan is *Sydney Regional Environmental Plan No 29—Rhodes Peninsula (Amendment No 1)*.

2 Principal plan

In this plan, *Sydney Regional Environmental Plan No 29—Rhodes Peninsula* is referred to as the principal plan.

3 Aims of plan

This plan aims to clarify the operation of provisions of the principal plan relating to:

- (a) development on land near zone boundaries and the dedication of land in the Open Space Zone pursuant to the granting of a development consent, and
- (b) bulky goods retailing,

to better achieve the planning principles set out in the principal plan.

4 Land to which plan applies

This plan applies to the land to which the principal plan applies.

5 Amendment of principal plan

The principal plan is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 5)

[1] Clause 14 Floor space restrictions for Precincts

Omit clause 14 (2). Insert instead:

- (2) Subclause (3) applies to the granting of consent for development within Floor Space Precinct A, B or C if:
 - (a) all land in the Floor Space Precinct concerned that is within the Open Space Zone (including any land in that Precinct taken to be within that zone by clause 18 (6), but excluding any land in that Precinct taken not to be within that zone by that subclause) is dedicated in favour of the corporation free of cost as a public reserve, and
 - (b) arrangements are or have been made to the satisfaction of the consent authority for the embellishment and ongoing maintenance of all of that dedicated land in that Precinct as a public reserve.

[2] Clause 15 Floor space restrictions for certain uses

Omit “and restaurants (whether or not in the same building)” from clause 15 (1) (c).

[3] Clause 17

Omit the clause. Insert instead:

17 Bulky goods retailing

After consent has been granted for the use of an amount of floor space within the Mixed Use Zone for bulky goods retailing, none of that floor space may be used for other retailing without a further consent granted in accordance with clause 15 after all relevant matters have been taken into consideration under section 79C of the Act.

Note. This clause prevents the use of floor space for other retailing from being dealt with as exempt or complying development.

[4] Clause 18 Development near zone boundaries

Insert at the end of clause 18 (1) (b):

, or

- (c) shown edged heavy black on the map marked “Sydney Regional Environmental Plan No 29 (Amendment No 1)”.

[5] Clause 18 (5)

Omit “adjoining land”.

Insert instead “land within the same Floor Space Precinct”.

[6] Clause 18 (5)

Omit “foreshore”.

[7] Clause 18 (6)

Insert after clause 18 (5):

- (6) Any land so made available for public open space purposes is taken to be within the Open Space Zone for the purposes of clause 14, but any land within the Open Space Zone on which development is allowed by a consent granted in accordance with this clause is taken not to be within that zone for the purposes of clauses 14 and 19.