

Department of Planning, Housing and Infrastructure

Interim Uses in a Future Infrastructure Corridor

Guidance for applying interim uses under Chapter 4 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*

July 2026



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

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First published: July 2026

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Contents

What is Corridor Protection?	2
Future Infrastructure Corridors	2
Purpose of this document	2
Short to long term temporary use of land prior to infrastructure delivery	4
Application of interim use provisions	5
Permissible land uses	5
Development which is temporary	6
Matters of consideration for consent authorities	6
Consistency with the objectives for development in the area	6
Compatibility	6
Generally consistent with development standards and controls	6
Interim use must not adversely impact or prevent the land being used for future infrastructure	7
Interim use does not prevent access to land for future infrastructure investigations	7
Planning Certificates	7
Matters of consideration for relevant infrastructure agency	7
Duration of interim use	7
Timing for future infrastructure delivery	8
Impacts of proposed interim development on delivery of future infrastructure	8
Mitigation of impacts of interim development on delivery of future infrastructure	8
Access arrangements for future infrastructure investigations	8
Removal of interim development	8
Restoration of land prior to interim development	9

What is Corridor Protection?

The purpose of corridor protection is to manage development on land that may otherwise be incompatible with the delivery of future major infrastructure. Corridor protection seeks to mitigate against scenarios where the optimal location for infrastructure is 'built out', or where land around the optimal location for infrastructure is developed for uses that are incompatible with the future operation of the infrastructure. These scenarios may significantly delay or, in some cases, prevent delivery of infrastructure due to the cost prohibitive nature of acquiring corridor land that is built up or more impactful due to incompatible development. The consequences of not securing the optimal corridor can result in infrastructure demand going unmet.

Corridor protection involves identifying the optimal location for future infrastructure early. In some cases, protection can occur 10 to 20 years before the intended delivery timeframe. An important aspect of corridor protection is facilitating the continued use and development of a corridor in the interim, prior to infrastructure delivery. The intent of corridor protection is not to sterilise land, but to manage it so that the nature and scale of temporary development will not contribute considerably to the cost or constructability of infrastructure.

Future Infrastructure Corridors

Future infrastructure corridors are identified and zoned SP2 Infrastructure under Chapter 4 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP). Provisions under the Transport and Infrastructure SEPP provide for certain development applications to be made for uses that were permissible under the former zoning that applied to the land immediately before it was rezoned for a future infrastructure corridor.

The Transport and Infrastructure SEPP establishes a framework for assessing development applications under these provisions. Where development has a capital investment value of more than \$200,000, Transport for NSW are to provide concurrence before the consent authority can determine the application. In deciding whether to grant concurrence, Transport for NSW must consider the matters set out in section 4.7A(5) of the SEPP, including the proposed duration of the interim use, the timing of infrastructure delivery, potential impacts on future infrastructure, proposed mitigation measures, access requirements, arrangements for removal of interim development, and restoration of the land.

The provisions for previously permissible uses are useful in locations that will retain a consistent land use character during the period of protection. However, an adaptive response is required where land surrounding a corridor is likely to undergo changes prior to infrastructure delivery. A flexible approach is required for considering the temporary use of a corridor in response to a change in land use character of a broader area.

Purpose of this document

This document provides guidance to both consent authorities and developers as to what interim uses may be considered appropriate in Future Infrastructure Corridors.

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This document is not intended to prescribe a fixed set of rules for interim uses, but rather to provide guidance on how short to long term temporary development can be considered.

Not all uses and timeframes will be appropriate throughout an entire future infrastructure corridor and each development must be considered within the context of its location, surrounding land uses and development, proposed future infrastructure and the extent to which the development may affect the land.

Short to long term temporary use of land prior to infrastructure delivery

Chapter four of the Transport and Infrastructure SEPP provides for the consideration of short to long term temporary development to be considered on land identified as a Future Infrastructure Corridor, where also identified through the Interim Uses Map.

In areas where land surrounding a future infrastructure corridor is changing in character due to new zoning and development provisions, the provisions under section 4.7 of the Transport and Infrastructure SEPP can fall short of facilitating interim outcomes for corridor land. This is because the land uses facilitated under section 4.7 of the Transport and Infrastructure SEPP are reflective of the zoning prior to protection. Depending on the time of protection, these provisions may not always reflect the changing character and vision for land surrounding the corridor. Section 4.7A of the Transport and Infrastructure SEPP seeks to address this issue by establishing additional provisions to facilitate the temporary use of corridor land whilst still meeting the protection objectives of the future infrastructure corridor. A scenario of changing land use character surrounding a corridor is depicted in **Figure 1**.

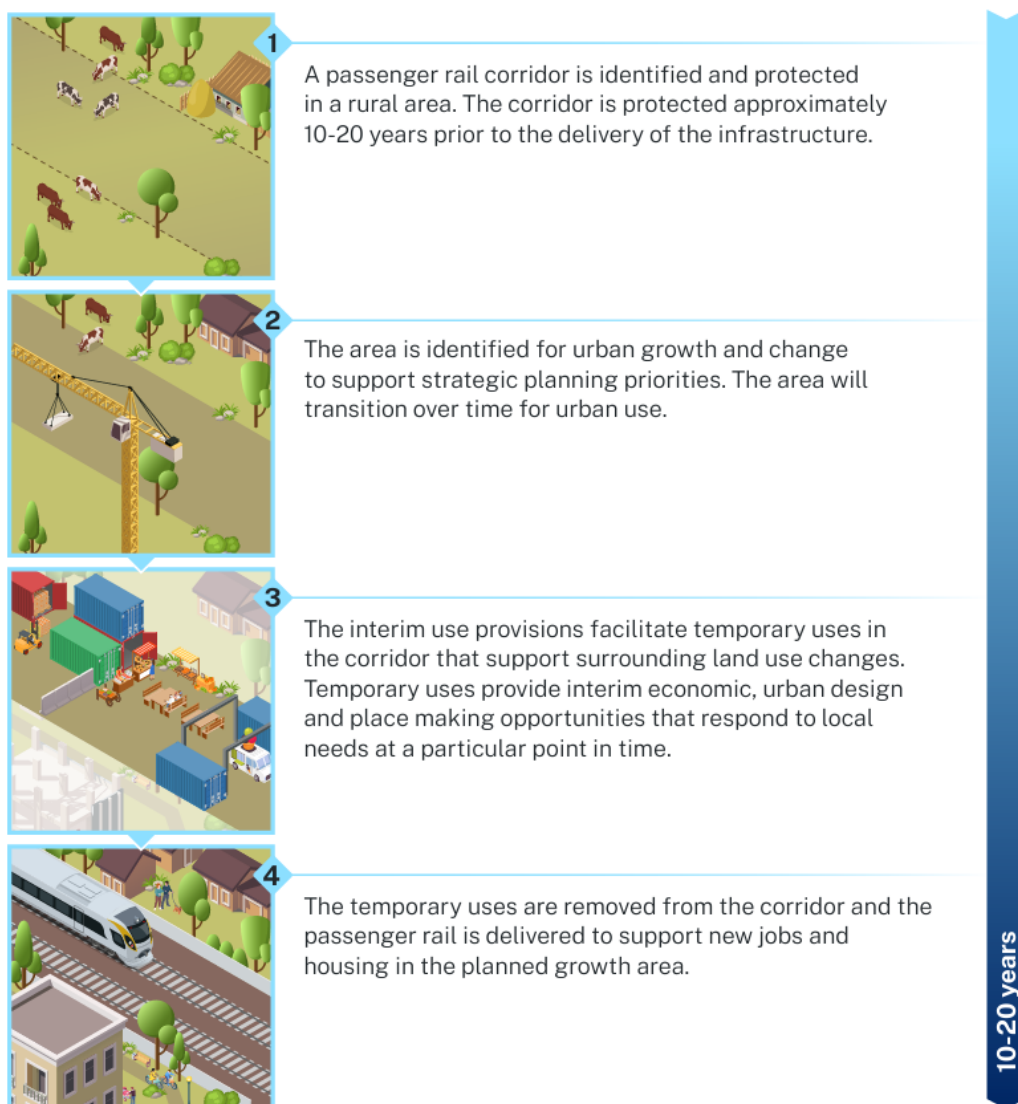


Figure 1: Example scenario depicting changing land use character around a corridor

The objectives of enabling interim uses are to enable temporary uses beyond those permitted under section 4.7 of the Transport and Infrastructure SEPP and provide flexibility to enable appropriate development within a future infrastructure corridor that enables use of the land that is also compatible with the future infrastructure.

Section 4.7A provides a merit-based pathway to address land use permissibility constraints by enabling consideration of interim uses beyond those otherwise permitted under section 4.7. To support the ongoing protection of the corridor, appropriate timeframes for the use should be informed by the relevant infrastructure agency. Responsibility for removing temporary structures or addressing any land disturbance is typically managed through conditions of consent imposed on the development, including requirements to restore the corridor land to an appropriate condition prior to the delivery of the infrastructure.

It should be noted that section 4.7A does not apply to land that has been designated as a biodiversity stewardship site.

Application of interim use provisions

To be considered for approval under section 4.7A of the Transport and Infrastructure SEPP, the land must be zoned SP2 Infrastructure (Future Infrastructure Corridor) under the Future Infrastructure Corridor map of the Transport and Infrastructure SEPP as well as being included in the Interim Uses Map. A development application should also address the matters of consideration to be assessed by the consent authority.

Development applications will be assessed in accordance with the requirements of section 4.15 of the *Environmental Planning and Assessment Act 1979*. It is noted that this includes an evaluation of the likely impacts of the development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

It is recommended, but not mandated, that the proponent discuss the proposed interim use development with the relevant consent authority and infrastructure agency prior to commencing the development approvals process.

Permissible land uses

Section 4.7A of the Transport and Infrastructure SEPP does not specify whether a specific land use is permissible or prohibited in the corridor, as each section of a corridor is likely to have a different land use context.

Temporary uses that are appropriate in one section of a corridor may not be appropriate in another. The appropriateness of a use may also change over time in response to changes in a local area. In determining the appropriateness of a use, consideration should be given to the objectives of surrounding land use zones and the broader planning context.

The purpose of this approach is to facilitate temporary uses that are complementary and considerate of neighbourhood character and amenity. This approach also provides flexibility for scenarios where land use zones immediately surrounding a future infrastructure change over time, prior to infrastructure delivery.

Development which is temporary

Any structures proposed under section 4.7A of the Transport and Infrastructure SEPP should be suitable for interim use and capable of being removed or modified prior to infrastructure delivery, at the proponent's cost. Through the development application process, the proponent is to demonstrate the removal arrangements for any built form or structures.

The proposed temporary use is not to be relied upon to meet permanent or long-term site or building requirements for development adjacent to the future infrastructure corridor.

Matters of consideration for consent authorities

Section 4.7A of the Transport and Infrastructure SEPP provides matters for consideration by the consent authority when assessing interim use development.

Consistency with the objectives for development in the area

The primary purpose of this consideration is to avoid the introduction of land uses that are inconsistent with surrounding development and may result in environmental impacts and disrupt the future vision for the surrounding area.

As land uses change surrounding the future infrastructure corridor, appropriate land uses for the corridor land may change from what was permitted at the time of protection. It is desirable that any interim use be considerate of the development objectives of the area as it evolves. Interim uses should complement and align with surrounding development.

Applications under section 4.7A of the Transport and Infrastructure SEPP should provide clear and thorough justification for the change in land use beyond the permissible land use already available on the land. This should include consideration of surrounding land use planning, objectives and outcomes at local, regional and state levels.

Compatibility

Any interim use must take into consideration the compatibility of the proposed use with regard to the surrounding land uses and infrastructure provision to ensure the temporary use does not unreasonably disrupt the surrounding land uses. For example, putting a noise generating land use next to residential development or a land use heavily reliant on car movements (for example, local shopping or fast-food restaurant) in areas with limited road capacity, may be incompatible.

In assessing compatibility, consideration should be given to surrounding land uses, as well as potential environmental, social and transport impacts arising from the proposed interim use, consistent with standard development assessment considerations.

Generally consistent with development standards and controls

Proposed interim uses must be assessed against relevant development standards and controls already established for the area. The proposed interim use must demonstrate its consistency with the environmental planning instruments and development control plans that apply to similar uses located nearby to the proposed interim use. The proposed interim use should be assessed against the relevant development standards and controls as if it were a permanent land use.

Interim use must not adversely impact or prevent the land being used for future infrastructure

This consideration focuses on the ability of the land to be used in the future for the intended future infrastructure. Consent authorities should consider advice from the relevant infrastructure agency on potential impacts of the development on consideration to any business requirements, concept designs or known specifications of the future infrastructure.

The intent of permitting interim uses on land identified for future infrastructure is to enable economic development of the land but in a manner that that does not unreasonably impact or constrain future infrastructure delivery. The proposed interim use will need to demonstrate its ability to function and develop without impacting on future infrastructure delivery.

Interim use does not prevent access to land for future infrastructure investigations

Access to the land must be retained to enable required investigations in relation to future infrastructure delivery to be undertaken in a timely manner. The relevant infrastructure agency will be able to provide advice regarding this consideration that can be considered by the consent authority.

Planning Certificates

An approved interim use is temporary and should be identified as such on Planning Certificates to ensure future landowners are cognisant of this interim use and applicable conditions of consent that may be applied.

Where an interim use is approved, the relevant planning certificate will need to be updated to include the application of the interim use and the period for which the interim use is permitted. The Planning Certificate should reference the development approval to enable prospective landowners with direction to find conditions of consent that may apply to the interim use.

Matters of consideration for relevant infrastructure agency

Duration of interim use

A reasonable timeframe for interim use duration should be established to enable continued economic use of the land prior to infrastructure delivery. A balance should be sought between facilitating a landowner to profit from the interim use (either financially or from the social benefit from community infrastructure provision) and its discontinuation to enable the site to be acquired by the relevant acquisition authority (typically the relevant infrastructure agency responsible for delivering the future infrastructure).

Timing for future infrastructure delivery

The relevant infrastructure agency is to consider the interim use development in relation to the prospective delivery timeframe for the future infrastructure. Consideration should also be given to the proposed access arrangements.

Timeframes must be considerate of the acquisition of the land and any remedial works that must be undertaken to rectify changes caused by the interim use and enable future infrastructure delivery.

Impacts of proposed interim development on delivery of future infrastructure

The impacts of proposed interim development on the land should be considered, having regard to advice from the relevant infrastructure agency, to ensure that future infrastructure delivery is not unreasonably constrained.

The proposed interim use must clearly identify any proposed changes the development may make to the land including (but not limited to), changes to landform, surface treatments such as concreting and bitumen, and potential land contaminants such as chemical storage.

The relevant infrastructure agency must identify any impacts that would threaten the delivery of the future infrastructure.

Mitigation of impacts of interim development on delivery of future infrastructure

The proposed interim use must demonstrate to the relevant infrastructure agency that proposed interim use development will not negatively impact future infrastructure, or alternatively, how any identified impacts will be mitigated and addressed prior to the conclusion of the interim use, including through restoration where required.

The relevant infrastructure agency should work with the proponent of the proposed interim use to enable a balanced outcome to enable the proposed interim use in a manner that will not inhibit the future infrastructure.

Appropriate conditions of consent should be informed by advice from the relevant infrastructure agency and imposed by the consent authority to protect the land for future infrastructure delivery.

Access arrangements for future infrastructure investigations

The relevant infrastructure agency should consider whether additional access arrangements are required beyond those already provided through applicable legislation or conditions imposed by the consent authority. Where necessary, these arrangements can be secured through appropriate conditions of consent.

Removal of interim development

Any proposed interim use development must be temporary in nature and therefore be removed prior to the expiration of the interim use consent. The proposed interim use must detail how the development will be removed prior to its consent expiration including removal of surface treatments and built structures.

The relevant infrastructure agency must review the proposed interim use development with context to the future infrastructure delivery and the need to remove any treatments or built structures that

are proposed. There may be some situations where not all surface treatments or build structures need to be removed, as they may not hinder future infrastructure delivery. The relevant infrastructure agency will be required to work with the proponent of the proposed interim use to ensure relevant arrangements are addressed by the proponent and detailed in conditions of consent.

Restoration of land prior to interim development

Changes to land form and potential contamination of land may impact on the delivery of future infrastructure. In line with the consideration of the proposed interim development (i.e. build structures and surface treatments), changes to the land must also be detailed by the proponent. Proposals should outline how the land will be rehabilitated or remediated, having regard to advice from the relevant infrastructure agency, to ensure future infrastructure delivery is not unreasonably impacted.

Works required to return the land to an appropriate condition will be detailed in conditions of consent imposed by the consent authority, informed by advice from the relevant infrastructure agency.

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