

1992—No. 501

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979  
SYDNEY REGIONAL ENVIRONMENTAL PLAN No. 24—  
HOMEBUSH BAY DEVELOPMENT AREA  
(AMENDMENT No. 3)**

NEW SOUTH WALES



*[Published in Gazette No. 105 of 28 August 1992]*

I, the Minister for Planning, in pursuance of section 51 of the Environmental Planning and Assessment Act 1979, make the regional environmental plan set out hereunder. (P91/00777/004)

ROBERT WEBSTER  
Minister for Planning.

Sydney, 21 August, 1992.

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**Citation**

1. This plan may be cited as Sydney Regional Environmental Plan No. 24—Homebush Bay Development Area (Amendment No. 3).

**Principal Plan**

2. Sydney Regional Environmental Plan No. 24—Homebush Bay Development Area is referred to in this plan as the Principal Plan.

**Aims, objectives etc.**

3. The aims of this plan are:
- (a) to allow land that is within the Commercial Zone under the Principal Plan to be used for commercial premises; and
  - (b) to make provision for the carrying out of earthworks on certain of the land to which Sydney Regional Environmental Plan No. 4—(Homebush Bay) applies and for the remediation and rehabilitation of that land and the land to which the Principal Plan applies.

**Land to which plan applies**

4. This plan applies to the land to which the Principal Plan applies and to the land shown coloured yellow, lettered “5(a)” and edged heavy black on the map marked “Sydney Regional Environmental Plan No. 4—(Homebush Bay)” deposited in the Head Office of the Department of Planning.

**Relationship between environmental planning instruments**

5. (1) This plan amends the Principal Plan in the manner set out in clause 6.

(2) The Principal Plan has been amended by Sydney Regional Environmental Plan No. 24—Homebush Bay Development Area (Amendment No. 2). For the purpose of removal of any doubt, paragraphs (e), (f) and (g) of clause 4 of that amending plan apply to all of the land to which Part 2 of the Principal Plan applies.

**Amendment of the Principal Plan**

6. The Principal Plan is amended:

(a) by inserting in clause 5 (1) after the definition of “relic” the following definition:

“**remediation of land**” means:

- (a) removing the cause of contamination from the land;  
or
- (b) reducing contamination of the land; or
- (c) eliminating or reducing any danger arising from the contamination of the land; or
- (d) rehabilitating the land.

Remediation of land may be achieved by any one or more of the following:

- \* erecting or displaying, on or near the land or any part of it, any sign or notice containing directions to persons not to enter the land or not to use the land in a specified manner or for a specified purpose or containing other directions of that kind or any other kind;
- \* erecting a fence, wall, bund or other barrier on the land;
- \* removing from the land, or relocating on the land, any soil, sand, rock, water or other solid or liquid material of any kind;
- \* the use of any other technique;

- (b) by omitting clause 8 and by inserting instead the following clause:

**Land to which Part 2 applies**

8. This Part applies:

- (a) to the land shown coloured, hatched or cross-hatched and (in each case) edged black on sheet 1 of the map; and
  - (b) to the land within 100 metres of the boundary of the land shown hatched and edged black on that sheet; and
  - (c) to the land shown coloured yellow, lettered “5 (a)” and edged heavy black on the map marked “Sydney Regional Environmental Plan No. 4—(Homebush Bay)” deposited in the Head Office of the Department of Planning.
- (c) by omitting paragraph (f) of the matter relating to Zone No. 3 from the Table to clause 11 and by inserting instead the following paragraph:

(f) to provide for development for the purpose of commercial premises.

- (d) by omitting clause 17 (1) (b) (i);

- (e) by omitting clause 19 and by inserting instead the following clause:

**Earthworks and remediation of land**

19. (1) Development for the purpose of earthworks may, with the consent of the consent authority, be carried out on any land to which this Part applies.

(2) In subclause (1), “earthworks” may consist of or include earthworks carried out in the course of remediation of land.

(3) In considering whether to grant consent as referred to in subclause (1), the consent authority must take into consideration:

- (a) whether the earthworks are in accordance with the Homebush Bay Landscaping Strategy; and
- (b) whether the earthworks will prejudice future development of the land; and
- (c) the visual, ecological and public health impact of the earthworks; and
- (d) whether the earthworks will change the flow of groundwater and surface water so as to cause contaminated water to reach the surface of the land.

(4) Development for the purpose of remediation of land to which this Part applies may, with the consent of the consent authority, be carried out on any such land, whether or not that development consists of or includes earthworks.

- (5) In considering whether to grant consent as referred to in subclause (4), the consent authority must take into consideration:
- (a) whether the intended remediation is part of a remediation strategy approved by the Environment Protection Authority; and
  - (b) whether the intended remediation is in accordance with a master plan, plan of management, landscape plan, development control code, urban design or development guidelines or any other guidelines that have been adopted by the consent authority and notified to the public; and
  - (c) the visual, ecological and public health impact of the intended remediation.
- (f) by inserting at the end of clause 20 (3) (c) the following matter:
- ; or
  - (d) the remediation of land.
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