



New South Wales

State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

His 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 Urban Affairs and Planning. (S97/00449/001)

CRAIG KNOWLES MP

Minister for Urban Affairs and Planning

1 Name of Policy

This Policy is the *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 2)*.

2 Aims, objectives etc

This Policy aims:

- (a) to give effect to the aims and objectives of the Principal Policy by providing an exemption from the Principal Policy for a council that has adopted a satisfactory residential development strategy, and
- (b) to enable, for a limited period, the consideration and determination, in accordance with the provisions of the environmental planning instruments that were repealed by the Principal Policy, of development applications in certain local government areas that are not otherwise subject to the Principal Policy.

1998 No 196

Clause 2 State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 2)

3 Principal Policy

In this Policy, *State Environmental Planning Policy No 53—Metropolitan Residential Development* is referred to as the Principal Policy.

4 Amendment of Principal Policy

The Principal Policy is amended as set out in Schedule 1.

Schedule 1 Amendments**(Clause 4)****[1] Clauses 37 and 38**

Insert after clause 36:

37 Certain development applications relating to land within Holroyd

A development application in relation to land within the Holroyd area that was made but not finally determined before the date on which this clause took effect is to be dealt with and determined in accordance with the provisions of this Policy.

38 Determination of certain development applications

- (1) Despite this Policy, a development application that is made in respect of land within an area specified in Column 1 of the Table to this clause not later than the date specified opposite the area in Column 2 of the Table may be dealt with and determined in accordance with the provisions of an environmental planning instrument specified opposite the area in Column 3 of the Table rather than in accordance with this Policy as if those provisions had not been repealed by this Policy but continued in force.
- (2) This clause applies, except in relation to land within the City of Blue Mountains, to a development application made before, on or after the date on which this clause took effect.
- (3) This clause applies, in relation to land within the City of Blue Mountains, to a development application made not later than 30 October 1997 but not finally determined before the date on which this clause took effect.
- (4) In this clause, SREP 12 means Sydney Regional *Environmental Plan No 12—Dual Occupancy* as in force immediately before its repeal.

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State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 2)

Schedule1 Amendments

Table

Column 1
Area

Column 2
Date

Column 3
Provisions of
environmental
planning
instruments

City of Bankstown	30 September 1998	The environmental planning instruments repealed by clause 5 (1)
Baulkham Hills	30 September 1998	SREP 12
City of Blue Mountains	30 October 1997	SREP 12
Camden	30 September 1998	SREP 12
City of Campbelltown	30 March 1999	SREP 12
Kogarah	30 September 1998	SREP 12, except clause 8 (c)
Marrickville	30 September 1998	SREP 12
City of Parramatta	30 September 1998	SREP 12

[2] Schedule 1 Local Government areas

Omit "Holroyd".