



New South Wales

State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

Her 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 Planning.

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 1022

Clause 1 State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (Amendment No 1)

State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (Amendment No 1)

1 Name of this Policy

This Policy is *State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (Amendment No 1)*.

2 Principal Policy

In this Policy, *State Environmental Planning Policy No 65—Design Quality of Residential Flat Development* is referred to as the Principal Policy.

3 Aims, objectives etc

This Policy aims to amend the Principal Policy to require consideration to be given:

- (a) in the preparation of environmental planning instruments, development control plans and master plans and the like relating to residential flat development, and
- (b) in the determination of development applications for consent to carry out residential flat development,

to the publication *Residential Flat Design Code* (a publication of the Department of Planning, September 2002) in place of the publication *Better Urban Living Guidelines for Urban Housing in NSW* (Department of Urban Affairs and Planning and NSW Government Architect 1998).

4 Land to which this Policy applies

This Policy applies to the land to which the Principal Policy applies.

5 Amendment of Principal Policy

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

Schedule 1 Amendments

(Clause 5)

[1] Clause 28 Preparation of instruments

Insert “and have regard to the publication *Residential Flat Design Code* (a publication of the Department of Planning, September 2002)” after “principles”.

[2] Clause 30 Determination of development applications

Omit clause 30 (2) (c). Insert instead:

- (c) the publication *Residential Flat Design Code* (a publication of the Department of Planning, September 2002).

[3] Clause 32

Insert after clause 31:

32 Effect of Amendment No 1

The amendments made to this Policy by *State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (Amendment No 1)* do not apply to a development application made but not finally determined before the commencement of those amendments.