



New South Wales

State Environmental Planning Policy No 5—Housing for Older People or People with a Disability (Amendment No 2)

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 320

Clause 1 State Environmental Planning Policy No 5—Housing for Older People or
People with a Disability (Amendment No 2)

State Environmental Planning Policy No 5—Housing for Older People or People with a Disability (Amendment No 2)

1 Name of this Policy

This Policy is *State Environmental Planning Policy No 5—Housing for Older People or People with a Disability (Amendment No 2)*.

2 Commencement

This Policy commences on 1 June 2002.

3 Principal Policy

In this Policy, *State Environmental Planning Policy No 5—Housing for Older People or People with a Disability* is referred to as the Principal Policy.

4 Aims, objectives etc

This Policy aims to allow development under the Principal Policy in the Kogarah local government area only if the development is carried out by the Department of Housing or a local government or community housing provider.

5 Land to which this Policy applies

This Policy applies to land within the Kogarah local government area.

6 Amendment of Principal Policy

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

Schedule 1 Amendments

(Clause 6)

[1] Clause 4 Where this Policy applies

Insert at the end of the clause:

Note. In the Kogarah local government area, an application to carry out development allowed by Part 2 can be made only by the Director-General of the Department of Housing or a local government or community housing provider (see clause 27).

[2] Part 4, heading

Omit “Transitional provision”. Insert instead “Miscellaneous”.

[3] Clause 27

Insert after clause 26:

27 Development in Kogarah

- (1) An application to carry out development allowed by Part 2, if the development is to be carried out on land within the Kogarah local government area, may be made only by or on behalf of:
 - (a) the Director-General of the Department of Housing, or
 - (b) a local government or community housing provider.
- (2) Despite clause 26, this clause extends to a development application made, but not finally determined, before the commencement of this clause.