



New South Wales

# **State Environmental Planning Policy No 5—Housing for Older People or People with a Disability (Amendment No 4)**

under the

**Environmental Planning and Assessment Act 1979**

His Excellency the Lieutenant-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 848**

Clause 1                    State Environmental Planning Policy No 5—Housing for Older People or  
People with a Disability (Amendment No 4)

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# **State Environmental Planning Policy No 5—Housing for Older People or People with a Disability (Amendment No 4)**

### **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 4)*.

### **2 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.

### **3 Aims, objectives etc**

This Policy aims to specify the development that may be carried out under the Principal Policy in the City of Blue Mountains.

### **4 Land to which this Policy applies**

This Policy applies to land within the City of Blue Mountains.

### **5 Amendment of Principal Policy**

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

## Schedule 1 Amendments

(Clause 5)

### [1] Clause 4 Where this Policy applies

Insert at the end of the note to clause 4:

In the City of Blue Mountains, an application to carry out development allowed by Part 2 can be made only in the circumstances set out in clause 29.

### [2] Clause 29

Insert after clause 28:

#### 29 Development in Blue Mountains

- (1) An application to carry out development allowed by Part 2 on land within the City of Blue Mountains may be made only:
  - (a) by or on behalf of:
    - (i) the Director-General of the Department of Housing, or
    - (ii) a local government or community housing provider, or
  - (b) in relation to land shown as being within an accessible housing area on the maps exhibited under section 66 of the Act with the draft *Blue Mountains Local Environmental Plan 2002*, or
  - (c) in relation to a zone in which, if the draft *Blue Mountains Local Environmental Plan 2002*, as exhibited, were to be made, development of land for the purpose of a dwelling house would be permitted with or without development consent, for the purpose of:
    - (i) a residential care facility, or
    - (ii) a hostel, or
    - (iii) a self-sustained development within the meaning of the draft *Blue Mountains Local Environmental Plan 2002*.

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Schedule 1      Amendments

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- (2) This clause does not apply to or in respect of the determination of a development application made, but not finally determined, before the commencement of this clause.

BY AUTHORITY