



State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 10)

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 Infrastructure and Planning.

CRAIG KNOWLES, M.P.,

Minister for Infrastructure and Planning, Minister for Natural Resources

2003 No 980

Clause 1

State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 10)

**State Environmental Planning Policy No 53—
Metropolitan Residential Development (Amendment
No 10)**

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 10)*.

2 Aim of Policy

The aim of this Policy is to exclude certain bush fire prone land and land where there is an evacuation risk in the event of bushfire from the operation of Part 3 of *State Environmental Planning Policy No 53—Metropolitan Residential Development*.

3 Land to which Policy applies

This Policy applies to certain land within Ku-ring-gai that may be affected by bush fire.

**4 Amendment of State Environmental Planning Policy No 53—
Metropolitan Residential Development**

State Environmental Planning Policy No 53—Metropolitan Residential Development is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 44

Insert after clause 43:

44 Determination of certain development applications—effect of SEPP 53 (Amdt 10)

Despite clause 33, this clause and the amendments made to this Policy by *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 10)* extend to development applications, and to the determination of development applications, made, but not finally determined, before the commencement of *State Environmental Planning Policy No 53—Metropolitan Residential Development (Amendment No 10)*.

[2] Schedule 3 Areas excepted from Part 3 (Dual occupancy)

Omit the note. Insert instead:

Land that is:

- (a) identified on a bush fire prone land map certified under section 146 of the Act as “Bush fire prone land—vegetation category 1”, or
- (b) shown cross-hatched on the map marked “State Environmental Planning Policy No 5—Housing for Older People or People with a Disability (Amendment No 5) Bush Fire Evacuation Risk Map” deposited within the Department of Infrastructure, Planning and Natural Resources.