



New South Wales

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Amendment No 3)

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.

FRANK SARTOR, M.P.,
Minister for Planning

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1 Name of Policy

This Policy is *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Amendment No 3)*.

2 Aim of Policy

The aim of this Policy is to re-insert (with some minor renumbering) the provisions of Schedule 2 (Special provisions relating to certain land) in *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, which were unintentionally repealed on 1 January 2008 as a result of an incorrect amending reference in Schedule 5.44 to *State Environmental Planning Policy (Infrastructure) 2007*.

3 Land to which Policy applies

This Policy applies to the land to which Schedule 2 to *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, as inserted by this Policy, applies.

4 Amendment of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Schedule 2

Insert after Schedule 1:

Schedule 2 Special provisions relating to certain land

(Clause 20)

1 Development in Kogarah

An application to carry out development allowed by Chapter 3, 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 social housing provider.

2 Development in Blue Mountains

An application to carry out development allowed by Chapter 3 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 social housing provider, or
- (b) in relation to land in an accessible housing area (within the meaning of *Blue Mountains Local Environmental Plan 2005*), or
- (c) in relation to land in a zone under the *Blue Mountains Local Environmental Plan 2005* in which development of land for the purpose of a dwelling house is permitted, with or without development consent, for:
 - (i) the purpose of a residential care facility, or
 - (ii) the purpose of a hostel, or
 - (iii) a purpose of the kind referred to in clause 114 (“Self-sustained” development outside the accessible housing area) of that Plan.

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Schedule 1 Amendment

3 **Development in Ashfield**

An application to carry out development allowed by Chapter 3 on land within the Ashfield local government area may be made only by or on behalf of:

- (a) the Director-General of the Department of Housing, or
- (b) a social housing provider.

4 **Development in Hurstville**

An application to carry out development allowed by Chapter 3 on land within the City of Hurstville may be made only:

- (a) by or on behalf of the Director-General of the Department of Housing, or
- (b) by or on behalf of a social housing provider, or
- (c) for the purpose of a residential care facility.

5 **Development in North Sydney**

An application to carry out development allowed by Chapter 3 on land within the North Sydney area may be made only:

- (a) by or on behalf of the Director-General of the Department of Housing, or
- (b) by or on behalf of a social housing provider.

6 **Development in Strathfield**

An application to carry out development allowed by Chapter 3 on land within the Strathfield area may be made only:

- (a) by or on behalf of the Director-General of the Department of Housing, or
- (b) by or on behalf of a social housing provider, or
- (c) for the purpose of a residential care facility.

BY AUTHORITY
