



New South Wales

State Environmental Planning Policy No 50—Canal Estate 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. (S06/00583)

FRANK SARTOR, M.P.,
Minister for Planning

2008 No 99

Clause 1

State Environmental Planning Policy No 50—Canal Estate Development
(Amendment No 1)

**State Environmental Planning Policy No 50—Canal
Estate Development (Amendment No 1)**

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy No 50—Canal Estate Development (Amendment No 1)*.

2 Aim of Policy

The aim of this Policy is to amend *State Environmental Planning Policy No 50—Canal Estate Development (the Principal Policy)* by extending the definition of *canal estate development* to include certain developments which involve excavation to create waterways (in addition to those which involve filling to comply with requirements relating to residential development on flood prone land).

3 Land to which Policy applies

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

4 Amendment of State Environmental Planning Policy No 50—Canal Estate Development

State Environmental Planning Policy No 50—Canal Estate Development is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Clause 3 Definition

Omit clause 3 (c). Insert instead:

- (c) requires or includes:
 - (i) the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land, or
 - (ii) excavation to create waterways primarily for the purposes of providing water access to dwellings, or both.