



New South Wales

State Environmental Planning Policy No 53—Metropolitan Residential Development Amendment (Ku-ring-gai) 2010

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*. (09/02537-1)

TONY KELLY, MLC
Minister for Planning

State Environmental Planning Policy No 53— Metropolitan Residential Development Amendment (Ku-ring-gai) 2010

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 (Ku-ring-gai) 2010*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Schedule 1 Amendment of State Environmental Planning Policy No 53—Metropolitan Residential Development

[1] Clause 4 Where this Policy applies

Insert after clause 4 (2):

- (3) This Policy does not apply to the land to which *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* applies.

[2] Schedule 4 Amendments allowing multi unit housing

Omit clause 1 (1). Insert instead:

- (1) Part 4 of this Policy applies to the land comprising Nos 1500 and 1502 Pacific Highway, and Nos 2 and 2A Marshall Avenue, Warrawee (*the site*), being the land shown edged heavy black on Sheet 11 of the Ku-ring-gai Reference Plan, so as to allow development for the purposes of multi unit housing to be carried out on the site.

[3] Schedule 4, clause 1, Ku-ring-gai site

Omit “a site” from subclauses (2), (4), (5), (6) and (7) wherever occurring.

Insert instead “the site”.

[4] Schedule 4, clause 1 (8)

Omit the subclause.

[5] Schedule 4, clause 1 (10)

Omit “, and includes, in relation to site 4 specified in subclause (1) (d), development for the purpose of multi unit housing and development for retail or commercial purposes” from the definition of *development for multi unit housing*.

2010 No 281

State Environmental Planning Policy No 53—Metropolitan Residential
Development Amendment (Ku-ring-gai) 2010

Schedule 2 Amendment of State Environmental Planning Policy (Major Development)
2005

**Schedule 2 Amendment of State Environmental
Planning Policy (Major Development)
2005**

Schedule 2 Part 3A projects—specified sites

Omit clause 15.