



New South Wales

Ashfield Local Environmental Plan 1985 (Amendment No 91)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/01570/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 851

Clause 1 Ashfield Local Environmental Plan 1985 (Amendment No 91)

Ashfield Local Environmental Plan 1985 (Amendment No 91)

1 Name of plan

This plan is *Ashfield Local Environmental Plan 1985 (Amendment No 91)*.

2 Aims of plan

This plan aims:

- (a) to insert a clause into Part 5 (Provisions relating to specific sites) of *Ashfield Local Environmental Plan 1985* to allow vacant land formerly used for a service station to be redeveloped for commercial and retail purposes, and
- (b) to ensure that the use of the site does not detrimentally affect neighbourhood amenity, and that building design and siting complements Algie Park and the character of adjoining houses.

3 Land to which plan applies

This plan applies to land known as 191 Ramsay Street, Haberfield, comprising Lots 75–77, DP 4502.

4 Amendment of Ashfield Local Environmental Plan 1985

Ashfield Local Environmental Plan 1985 is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Clause 49

Insert after clause 48:

49 Development of land known as 191 Ramsay Street, Haberfield

- (1) This clause applies to the land to which *Ashfield Local Environmental Plan 1985 (Amendment No 91)* applies.
- (2) Despite any other provision of this plan, the Council may grant consent to development of the land to which this clause applies if:
 - (a) the proposed development is development for the purpose of any one or more of the following:
 - (i) health consulting rooms (being a room or a number of rooms used to provide professional medical treatment or other health care services to members of the public),
 - (ii) commercial premises,
 - (iii) a refreshment room that is to be operated as an ancillary to health consulting rooms or commercial premises, and is to be operated only during the hours of operation of those rooms or premises,
 - (iv) shops that meet the criteria set out in subclause (3), and
 - (b) any building resulting from the carrying out of the development:
 - (i) will not exceed 3.5 metres in height (measured from natural ground level to the ceiling), and
 - (ii) will have a floor space ratio of no more than 0.6:1.
- (3) The criteria to be met by shops are the following:
 - (a) the shops will occupy no more than 40% of the gross floor area of any building resulting from the development,

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Schedule 1 Amendment

- (b) no shop will have an area of more than 300 square metres,
- (c) no drive-through facilities will be provided.

BY AUTHORITY