



New South Wales

Albury Local Environmental Plan 2000 (Amendment No 9)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/01119/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 363

Clause 1 Albury Local Environmental Plan 2000 (Amendment No 9)

Albury Local Environmental Plan 2000 (Amendment No 9)

1 Name of plan

This plan is *Albury Local Environmental Plan 2000 (Amendment No 9)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies (being Council-owned land) from the Open Space Zone to the Living Area Zone under *Albury Local Environmental Plan 2000*, and
- (b) to reclassify the land from community to operational land within the meaning of the *Local Government Act 1993*, with the effect that its public reserve status will cease, and
- (c) to restrict development of the land to aged care accommodation, and
- (d) to impose development requirements for the Kremur Street Reserve.

3 Land to which plan applies

This plan applies to land situated in the City of Albury, being Lot 2001, DP 702800, Kremur Street, West Albury, as shown distinctively coloured on the map marked “Albury Local Environmental Plan 2000 (Amendment No 9)” deposited in the offices of Albury City Council.

4 Amendment of Albury Local Environmental Plan 2000

Albury Local Environmental Plan 2000 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order in the definition of *the map* in clause 5 (1):

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[2] Clause 63A

Insert after clause 63:

63A Aged care accommodation, Kremur Street, West Albury

- (1) This clause applies to Lot 2001, DP 702800, Kremur Street, West Albury, as shown distinctively coloured on the map marked “Albury Local Environmental Plan 2000 (Amendment No 9)”.
- (2) Despite any other provision of this plan, the consent authority must not grant consent to development on land to which this clause applies except for the purpose of aged care accommodation.
- (3) The consent authority must not grant consent to the development of the land for that purpose until:
 - (a) a development control plan relating to the land has been approved by the consent authority, and
 - (b) the consent authority has taken the provisions of the development control plan into consideration.
- (4) The development control plan must make provision for at least the following matters:
 - (a) the building site coverage on the land is not to exceed 50%,
 - (b) the height of buildings is to be limited to two storeys on lower areas of the site and one storey on rising ground,
 - (c) building envelopes are to be defined so as to provide for side and rear boundary setbacks with buffer zone landscaping,

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Schedule 1 Amendments

- (d) suitable pedestrian access is to be provided from Bonnie Doon Park across Pemberton Street to the Kremur Street Reserve,
 - (e) the Kremur Street Reserve is to be improved, with such improvements to include a children's playground, an off-the-leash area for dogs and extensive landscaping,
 - (f) a pedestrian link is to be provided from Park Lane, across the land to which this clause applies to the Kremur Street Reserve.
- (5) In this clause, *Kremur Street Reserve* means the land edged with a heavy black broken line on the map referred to in subclause (1).

[3] Schedule 7 Classification or reclassification of public land as operational

Insert at the end of Part 2 of the Schedule:

Lot 2001, DP 702800, Kremur Street, West Albury—*Albury Local Environmental Plan 2000 (Amendment No 9)*

BY AUTHORITY
