



New South Wales

North Sydney Local Environmental Plan 2001 (Amendment No 1)

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*. (S01/01666/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 453

Clause 1 North Sydney Local Environmental Plan 2001 (Amendment No 1)

North Sydney Local Environmental Plan 2001 (Amendment No 1)

1 Name of plan

This plan is *North Sydney Local Environmental Plan 2001 (Amendment No 1)*.

2 Aims of plan

This plan aims:

- (a) to restrict the use of land within the Special Use Zone, shown edged heavy black on the map marked “North Sydney Local Environmental Plan 2002 (Amendment No 1)” deposited in the office of North Sydney Council, for the purposes of housing for aged and disabled persons and nursing homes, and
- (b) to place specific controls on the Special Uses land for building height and landscaping, and
- (c) to amend sheets 1 and 2 of the *map* (as defined in Schedule 2 to the *North Sydney Local Environmental Plan 2001*).

3 Land to which plan applies

This plan applies to Lots 1 and 2 DP 215942, Lot 1 DP 540282, Lot 2 DP 594966, Lot 8 DP 17717 and Lot 1 DP 524258, Clark Road, North Sydney, being land known as “James Milson Village”, shown edged heavy black on the map marked “North Sydney Local Environmental Plan 2001 (Amendment No 1)” deposited in the office of North Sydney Council.

4 Amendment of North Sydney Local Environmental Plan 2001

North Sydney Local Environmental Plan 2001 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 62

Insert after clause 61:

62 James Milson Village

(1) **Subject land**

This clause applies to Lots 1 and 2 DP 215942, Lot 1 DP 540282, Lot 2 DP 594966, Lot 8 DP 17717 and Lot 1 DP 524258, Clark Road, North Sydney, being land known as “James Milson Village”, shown edged heavy black on the map marked “North Sydney Local Environmental Plan 2001 (Amendment No 1)” deposited in the office of the Council.

(2) **Objectives**

The specific objectives of the controls in relation to the land are:

- (a) to provide aged care accommodation within North Sydney, and
- (b) to ensure the site will only be used for housing for aged and disabled persons and nursing homes, and
- (c) to provide for increased development of the land shown cross-hatched on the map referred to in subclause (1), while restricting the height of new development on the remainder of the subject land.

(3) **Development that may be carried out on subject land**

Despite the Table to Part 2, the only purposes for which development is permitted, with development consent, on the subject land are the following:

housing for aged or disabled persons; nursing homes.

(4) **Controls**

A building must not exceed 8 storeys on the part of the land shown cross-hatched on the map referred to in subclause (1).

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Schedule 1 Amendments

- (5) A building must not be erected on the part of the land not shown cross-hatched on the map referred to in subclause (1) if the building is greater than the existing height of the building approved before the appointed day.
- (6) A building must not be erected on the land if the landscaped area is less than 30% of the whole site shown edged heavy black on the map referred to in subclause (1).
- (7) Development on the land is prohibited development if:
 - (a) it is not for a purpose specified in subclause (3), and
 - (b) it is not in accordance with subclause (4).
- (8) Clause 34 (3) (b) does not apply to the land to which this clause applies.
- (9) In this clause:
 - storey* means any floor, or part of a floor, regardless of use but does not include the following:
 - (a) an attic,
 - (b) a parking area that is contained wholly below RL 15.

[2] Schedule 2 Definitions

Insert in appropriate order in the definition of *map*:

North Sydney Local Environmental Plan 2001 (Amendment No 1)

BY AUTHORITY
