



New South Wales

Sutherland Shire Local Environmental Plan 2000 (Amendment No 7)

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*. (S01/00026/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 935

Clause 1 Sutherland Shire Local Environmental Plan 2000 (Amendment No 7)

Sutherland Shire Local Environmental Plan 2000 (Amendment No 7)

1 Name of plan

This plan is *Sutherland Shire Local Environmental Plan 2000 (Amendment No 7)*.

2 Aims of plan

This plan aims:

- (a) to apply the provisions of *Sutherland Shire Local Environmental Plan 2000* to the land bounded by the Georges River and Deadman's Creek and known as the village of Sandy Point, and
- (b) to zone that land under that plan, and
- (c) to limit future residential development in the locality of Sandy Point.

3 Land to which plan applies

This plan applies to land known as Sandy Point and shown edged heavy black on the map marked "Sutherland Shire Local Environmental Plan 2000 (Amendment No 7)" deposited in the office of Sutherland Shire Council.

4 Partial repeal of County of Cumberland Planning Scheme Ordinance

The *County of Cumberland Planning Scheme Ordinance* is repealed to the extent that it applies to the land to which this plan applies.

5 Amendment of Sutherland Shire Local Environmental Plan 2000

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

Schedule 1 Amendments

(Clause 5)

[1] Clause 3 Where does this plan apply?

Omit paragraph (c).

[2] Clause 5 Definitions

Omit the definition of *Acid Sulfate Soils Planning Maps* from clause 5 (1).

Insert instead:

Acid Sulfate Soils Planning Maps means the series of maps marked “Sutherland Local Environmental Plan 2000—Acid Sulfate Soils Planning Maps” which are kept in the office of the Council of Sutherland Shire as amended from time to time by the maps so kept and listed in Part 2 of Schedule 7.

[3] Clause 5 (1)

Insert in alphabetical order:

land at Sandy Point means the land known as the village of Sandy Point, being land bounded by the Georges River and Deadman’s Creek and shown edged heavy black on the map marked “Sutherland Shire Local Environmental Plan 2000 (Amendment No 7)” deposited in the office of Sutherland Shire Council.

[4] Clause 20 Foreshore building lines and waterfront development

Insert after “for the time being” where secondly occurring in clause 20 (2) (b) the following:

(except in respect of land at Sandy Point, where the line is taken to be the greater of the following distances from the tidal water:

- (i) the 1% Annual Exceedance Probability flood line, or
- (ii) a line across the allotment parallel to and 7.5 metres from the mean high water mark for the time being)

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Schedule 1 Amendments

[5] Clause 20 (4A)

Insert after clause 20 (4):

- (4A) Additionally, in respect of land at Sandy Point that is located on the landward side of a line parallel to and 7.5 metres from the mean high water mark, subclause (3) does not apply in relation to the following:
- (a) development for the purpose of tennis courts and ancillary development (but only if any structures resulting from the ancillary development are non-habitable),
 - (b) development for the purposes of a dwelling-house to be partially located on flood liable land, but only if the Council is satisfied that:
 - (i) the land is categorised as low hazard by a flood study undertaken in accordance with the *Floodplain Management Manual* prepared by the New South Wales Government, and
 - (ii) the development will not have a significant effect on the depth, velocity or distribution of floodwaters, and
 - (iii) all pedestrian and vehicular access to the dwelling-house will be provided to the part of the dwelling-house that is located above the 1% Annual Exceedance Probability flood line, and
 - (iv) the dwelling-house will be designed and constructed to reduce or eliminate flood damage, and
 - (v) the relevant height limit imposed by clause 34 (2) will not be exceeded, and
 - (vi) the dwelling-house will not unreasonably restrict views from buildings on adjoining lots, and
 - (vii) the appearance of the escarpment defining the limit of the flood plain will not be adversely affected by the cumulative impact of dwelling-house construction.

[6] Clause 33 What development is allowed in each zone?

Insert “and on land at Sandy Point” in item 3 of the development control table relating to Zone 2 (e1) Residential after “dual occupancy housing, except on internal allotments”

[7] Clause 35 What floorspace ratios apply in residential zones?

Insert after the Table to clause 35 (2):

- (3) Despite the other provisions of this plan, for the purpose of calculating the floorspace ratio for land at Sandy Point the following are to be excluded from the area of the site on any allotment created in accordance with a development consent for which application was made on or after 1 January 2002:
 - (a) the area of any land between the 1% Annual Exceedance Probability flood line and a line parallel to and 30 metres above the mean high water mark for the time being, but only if the 1% Annual Exceedance Probability flood line is more than 30 metres from that mean high water mark,
 - (b) any area of right of carriageway that affects the allotment.

[8] Clause 37 What minimum allotment sizes apply in residential zones?

Insert after clause 37 (4):

- (5) Despite the other provisions of this plan, for the purpose of calculating the minimum allotment size for land at Sandy Point the following are to be excluded from the area of the site:
 - (a) the area of any land between the 1% Annual Exceedance Probability flood line and a line parallel to and 7.5 metres above the mean high water mark for the time being, and
 - (b) any area of any right of carriageway that affects the allotment.

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Schedule 1 Amendments

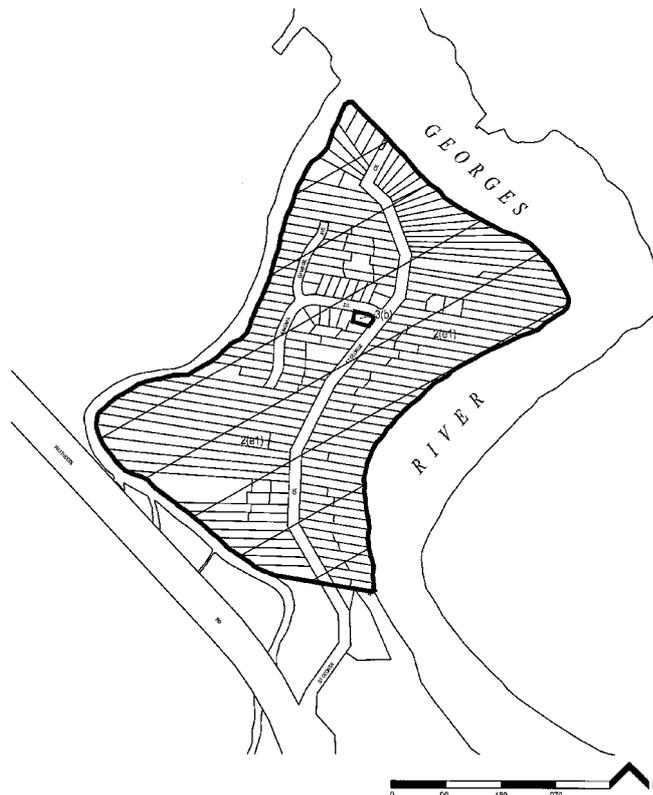
[9] Schedule 7 Maps

Insert before Map 1:

Part 1 Rezoning maps and maps relating to additional uses

[10] Schedule 7, Map 24

Insert in numerical order of maps:



Map 24: Sandy Point

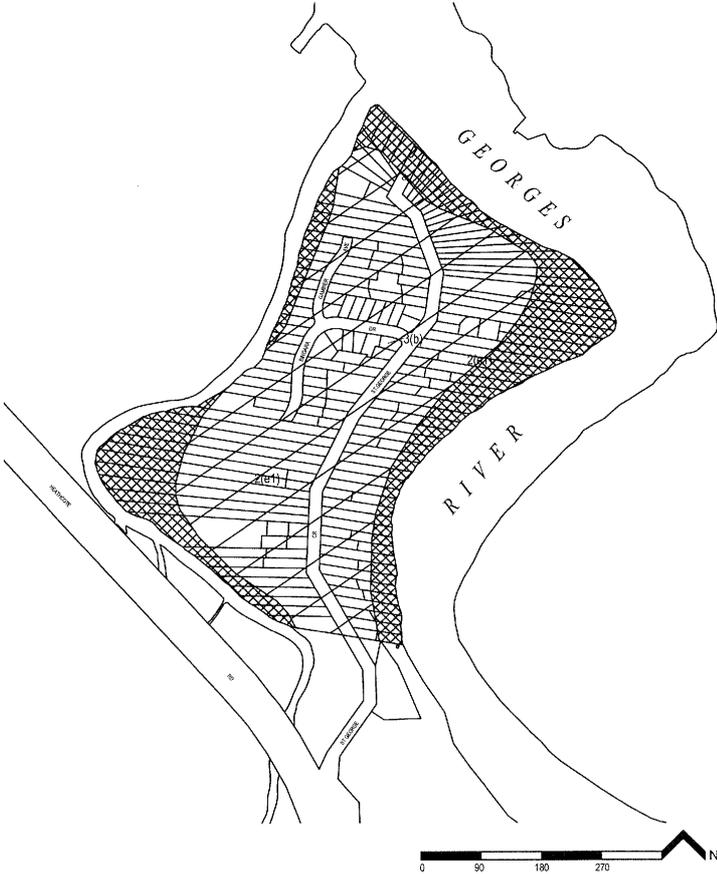
Location SANDY POINT

-  2 (e1) Residential
-  3 (b) Neighbourhood Business
-  F.S.P.A

[11] Schedule 7, Part 2

Insert at the end of Schedule 7:

Part 2 Maps amending the acid sulfate soil planning maps



Map 1: Sandy Point

Location SANDY POINT

-  Acid Sulfate Soils Class 3
-  Acid Sulfate Soils Class 5

BY AUTHORITY