



New South Wales

North Sydney Local Environmental Plan 2001 (Amendment No 17)

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*. (SRE0000063/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2007 No 101

Clause 1 North Sydney Local Environmental Plan 2001 (Amendment No 17)

North Sydney Local Environmental Plan 2001 (Amendment No 17)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *North Sydney Local Environmental Plan 2001 (Amendment No 17)*.

2 Aims of plan

This plan aims to amend *North Sydney Local Environmental Plan 2001* as follows:

- (a) to rezone part of the land to which this plan applies to the Commercial Zone,
- (b) to rezone part of the land to the Residential A2 Zone,
- (c) to rezone part of the land to the Residential C Zone and reclassify it from community land to operational land within the meaning of the *Local Government Act 1993*,
- (d) to rezone part of the land to the Residential D Zone (Neighbourhood Business),
- (e) to adjust the open space building line area for part of the land,
- (f) to amend the minor internal alterations provisions in the exempt development schedule to exclude works to heritage items,
- (g) to amend the rainwater tank provisions in the exempt development schedule in respect of water tanks in conservation areas.

3 Land to which plan applies

- (1) In respect of the aim referred to in clause 2 (a), this plan applies to Lot Y, DP 441127, being a part of 50 Miller Street, North Sydney, as shown distinctively coloured on Sheet 1 of the map marked "North Sydney Local Environmental Plan 2001 (Amendment No 17)" deposited in the office of North Sydney Council.

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- (2) In respect of the aim referred to in clause 2 (b), this plan applies to Lot 1, DP 181967, 61 Bay Road, Waverton and Lot 6, Section 1, DP 1098, 63 Bay Road, Waverton, as shown distinctively coloured and edged heavy black on Sheet 3 of that map.
 - (3) In respect of the aim referred to in clause 2 (c), this plan applies to Lot 1, DP 793871, 57 Kirribilli Avenue, Kirribilli, as shown distinctively coloured and edged heavy black on Sheet 4 of that map.
 - (4) In respect of the aim referred to in clause 2 (d), this plan applies to Lot 1, DP 189990, 71 Bay Road, Waverton, as shown distinctively coloured and edged heavy black on Sheet 3 of that map.
 - (5) In respect of the aim referred to in clause 2 (e), this plan applies to Lot 8, Section 3, DP 4319, 31 Belmont Avenue, Wollstonecraft, as shown distinctively coloured, hatched by distinctive coloured lines and edged heavy black on Sheet 2 of that map.
 - (6) In respect of the aims referred to in clause 2 (f) and (g), this plan applies to all land under *North Sydney Local Environmental Plan 2001*.

4 Amendment of North Sydney Local Environmental Plan 2001

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

2007 No 101

North Sydney Local Environmental Plan 2001 (Amendment No 17)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Schedule 2 Definitions

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

North Sydney Local Environmental Plan 2001 (Amendment No 17)

[2] Schedule 6 Exempt development

Insert in Column 2 of the matter relating to “**Minor internal alterations**” and “**1 Residential premises**” before the matter relating to “Type”:

Heritage

Not to a heritage item.

[3] Schedule 6

Insert “(other than in conservation areas)” after “**Water tanks**” in Column 1.

[4] Schedule 6

Insert after the matter relating to Water tanks (as amended by Schedule 1 [3]):

Water tanks in conservation areas	Heritage	Not to a heritage item.
	Siting	At or above ground level. Located in the rear yard or positioned so as not to be visible from a public place or cause impact on a neighbour’s amenity.
	Size	Maximum installed height 1.8m above ground level (including any stand). Must comply with clause 16 (1) (a)–(l) and (p)–(u) of <i>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</i> .

[5] Schedule 11 Operational land

Insert in alphabetical order of street name in Part 2 of the Schedule under the heading "**Kirribilli**":

Lot 1, DP 793871, 57 Kirribilli Avenue