



New South Wales

Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)

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*. (10/08081)

TONY KELLY, MLC
Minister for Planning

2010 No 403

Clause 1 Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)

Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to all land to which *Sutherland Shire Local Environmental Plan 2006* applies and, in particular, to the following land:

- (a) Lot 13, DP 28541, 25 Baringa Road, Engadine, as shown edged heavy red and coloured red on Sheet 1 of the map marked “Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)” deposited in the office of Sutherland Shire Council (the **Map**),
- (b) Part Lot 1 and Part Lot 2, DP 336599, 2 and 4 Stapleton Avenue, Sutherland, as shown edged heavy red on Sheet 2 of the Map,
- (c) Lot 15, Section 37, DP 802 and Lot 1, DP 1088040, 123–125 Flora Street, Sutherland, as shown edged heavy red on Sheet 3 of the Map,
- (d) Lot 22, DP 1024670 and part of an unmade road reserve, 6 Fowler Road, Illawong, as shown edged heavy red and coloured red on Sheet 4 of the Map,
- (e) Lot 1, DP 339673, 14 Kurrajong Street, Sutherland, as shown edged heavy red and coloured red on Sheet 5 of the Map,
- (f) Part Lot 118, DP 5179, 40 Saunders Bay Road, Caringbah South and Lot 982, DP 1103191, 24 Rawson Parade, Caringbah South, as shown edged heavy red and coloured red on Sheet 6 of the Map.

Schedule 1 Amendment of Sutherland Shire Local Environmental Plan 2006

[1] Schedule 4 Classification and reclassification of public land

Insert in Part 1 in Columns 1 and 2, respectively:

Sutherland

123–125 Flora Street	Lot 15, Section 37, DP 802 and Lot 1, DP 1088040, as shown edged heavy red on Sheet 3 of the map marked “Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)”
2 Stapleton Avenue	Part Lot 1, DP 336599, as shown edged heavy red on Sheet 2 of the map marked “Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)”
4 Stapleton Avenue	Part Lot 2, DP 336599, as shown edged heavy red on Sheet 2 of the map marked “Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)”

[2] Schedule 6 Heritage items

Insert after the matter relating to Kingsway under the heading “Gymea”:

North West Arm Road
Natural sandstone arch bridge—L141

[3] Dictionary

Insert in alphabetical order:

attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

basement means the space of a building where the floor level of that space is predominantly below ground level and where the floor level of the storey immediately above is less than 1 metre above ground level.

mezzanine means an intermediate floor within a room.

[4] Dictionary, definition of “gross floor area”

Omit the definition. Insert instead:

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any

2010 No 403

Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)

Schedule 1 Amendment of Sutherland Shire Local Environmental Plan 2006

other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

[5] Dictionary, definition of “the map”

Insert in appropriate order:

Sutherland Shire Local Environmental Plan 2006 (Amendment No 8)—Sheets 1 and 4–6