



New South Wales

Lane Cove Local Environmental Plan 2009 (Amendment No 18)

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*.

MARCUS RAY

As delegate for the Minister for Planning

Lane Cove Local Environmental Plan 2009 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Lane Cove Local Environmental Plan 2009 (Amendment No 18)*.

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 the land at 472–484, 486–494, 496–498, 500 and 504 Pacific Highway, St Leonards.

4 Maps

The maps adopted by *Lane Cove Local Environmental Plan 2009* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Lane Cove Local Environmental Plan 2009

Clauses 6.6 and 6.7

Insert after clause 6.5:

6.6 Development at Pacific Highway, St Leonards

- (1) This clause applies to the following land at St Leonards:
 - (a) 472–484 Pacific Highway, being Lot 1, DP 628513 (*Site A*),
 - (b) 486–494 Pacific Highway, being SP 73071 (*Site B*),
 - (c) 496–498 Pacific Highway, being Lot 1, DP 1179636 (*Site C*),
 - (d) 500 Pacific Highway, being SP 82937 (*Site D*),
 - (e) 504 Pacific Highway, being Lot 1, DP 1203289 (*Site E*).
- (2) Despite clause 4.3 (2), the maximum height for a building on Site A or Site B is:
 - (a) the height shown for the land on the Height of Buildings Map, but only if Site A and Site B are consolidated into a single lot, or
 - (b) 65 metres.
- (3) Despite clause 4.3 (2), the maximum height for a building on Site D is:
 - (a) the height shown for the land on the Height of Buildings Map, but only if Site D and Site E are consolidated into a single lot, or
 - (b) 72 metres.
- (4) Development consent must not be granted to the erection of a building on land to which this clause applies unless the building includes development for a purpose other than residential accommodation and that development has a floor space ratio of at least 1.5:1.

6.7 Airspace operations

- (1) The objective of this clause is to protect airspace around airports.
- (2) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the *Airports Act 1996* of the Commonwealth unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.

Note. Controlled activities include the construction or alteration of buildings or other structures that causes an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the *Airports Act 1996* of the Commonwealth.