



New South Wales

North Sydney Local Environmental Plan 2013 (Amendment No 10)

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*.

MARCELO OCCHIUZZI, MANAGER STRATEGIC PLANNING,
NORTH SYDNEY COUNCIL
As delegate for the Minister for Planning

North Sydney Local Environmental Plan 2013 (Amendment No 10)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *North Sydney Local Environmental Plan 2013 (Amendment No 10)*.

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 to which *North Sydney Local Environmental Plan 2013* applies.

4 Maps

The maps adopted by *North Sydney Local Environmental Plan 2013* 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 North Sydney Local Environmental Plan 2013

[1] Land Use Table

Omit “on the lower levels and residential uses above those levels” from the fourth dot point in item 1 of the matter relating to Zone B4 Mixed Use.

Insert instead “concentrated on the lower levels and residential uses predominantly on the higher levels”.

[2] Land Use Table, Zone B4 Mixed Use

Insert “Residential flat buildings;” in alphabetical order in item 3.

[3] Clause 4.4A Non-residential floor space ratios

Insert “promote employment and” after “space is provided to” in clause 4.4A (1) (d).

[4] Clause 4.4A (2)

Omit clause 4.4A (2)–(4). Insert instead:

- (2) The non-residential floor space ratio for all buildings within a site on any land must not be less than the ratio shown for the land on the Non-Residential Floor Space Ratio Map.

[5] Clause 4.4A (5)

Omit “identified as Area 1–14 or Area 15 on the Non-Residential Floor Space Ratio Range Map”.

Insert instead “in Zone B1 Neighbourhood Centre or Zone B4 Mixed Use”.

[6] Clause 4.4A (8)

Omit the subclause. Insert instead:

- (8) In this clause, *non-residential floor space ratio* means the ratio of the gross floor area of that part of a building used or proposed to be used for any purpose in all buildings within a site to the site area, other than for any of the following purposes:
 - (a) residential accommodation,
 - (b) serviced apartments, if less than 50 serviced apartments are or will be contained within the site,
 - (c) a car park,
 - (d) a telecommunications facility.

[7] Clause 6.12A

Insert after clause 6.12:

6.12A Residential flat buildings in Zone B4 Mixed Use

- (1) The objective of this clause is to ensure that development for residential flat buildings on land in Zone B4 Mixed Use forms part of mixed use developments and does not impact on the activation of street frontages.
- (2) This clause applies to land in Zone B4 Mixed Use.

- (3) Development consent must not be granted for development for the purpose of a residential flat building on land to which this clause applies unless the consent authority is satisfied that:
- (a) the residential flat building is part of a mixed use development, and
 - (b) no part of the ground floor of the building that is facing a street is used for residential accommodation.

[8] Dictionary

Omit the definition of *Non-Residential Floor Space Ratio Range Map*.

Insert instead:

Non-Residential Floor Space Ratio Map means the North Sydney Local Environmental Plan 2013 Non-Residential Floor Space Ratio Map.