



New South Wales

North Sydney Local Environmental Plan 2013 (Amendment No 30)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

BRENDAN METCALFE

As delegate for the Minister for Planning and Public Spaces

North Sydney Local Environmental Plan 2013 (Amendment No 30)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *North Sydney Local Environmental Plan 2013 (Amendment No 30)*.

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 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 local plan-making authority on the making of this Plan.

Schedule 1 Amendment of North Sydney Local Environmental Plan 2013

- [1] **Land Use Table**
Insert “Residential flat buildings;” in alphabetical order in item 3 of Zone R3 Medium Density Residential.
- [2] **Land Use Table, Zone B1 Neighbourhood Centre, item 3**
Insert “Veterinary hospitals;” in alphabetical order.
- [3] **Clause 4.3 Height of buildings**
Insert after clause 4.3(1)(f)—
 (g) to maintain a built form of mainly 1 or 2 storeys in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone E4 Environmental Living.
- [4] **Clause 4.6 Exceptions to development standards**
Omit clause 4.6(8)(ca) and (8A).
- [5] **Clause 5.3 Development near zone boundaries**
Re-number clause 5.3(3)(a1) as clause 5.3(3)(aa).
- [6] **Clause 6.12 Residential flat buildings**
Omit “or dual occupancies” from clause 6.12(1).
Insert instead “, dual occupancies or semi-detached dwellings”.
- [7] **Clause 6.12(3)**
Omit “or dual occupancy”. Insert instead “, dual occupancy or semi-detached dwelling”.
- [8] **Schedule 1 Additional permitted uses**
Omit clauses 21 and 27.
- [9] **Schedule 1, clause 22**
Insert after clause 22(2)(b)—
 (c) a function centre.
- [10] **Schedule 1, clause 22(3)**
Omit the subclause.
- [11] **Schedule 1, clause 23(2)**
Omit clause 23(2). Insert instead—
 (2) Development for the purposes of markets is permitted with development consent.
- [12] **Schedule 1, clause 24(1)**
Omit “Lot 1, DP 182655”. Insert instead “Lot 2, DP 1168334”.
- [13] **Schedule 1, clause 31**
Omit “part Crown land 316–3000”. Insert instead “Crown Lot 7321, DP 1149783”.

- [14] **Schedule 1, clause 36, heading**
Omit “40 Ridge Street”. Insert instead “264 Miller Street”.
- [15] **Schedule 1, clause 36(1)**
Omit “40 Ridge Street, North Sydney, being Lots 8 and 9, DP 758790”.
Insert instead “264 Miller Street, North Sydney, being Lots 8–10, DP 1137247”.
- [16] **Schedule 1, clause 40(1)**
Omit “Lot 1, DP 115703”. Insert instead “Crown Lot 1205, DP 752067”.
- [17] **Schedule 1, clause 41, heading**
Omit “Milray Avenue”. Insert instead “Russell Street”.
- [18] **Schedule 1, clause 41(1)**
Omit “Milray Avenue”. Insert instead “Russell Street”.
- [19] **Schedule 1, clause 41(1)**
Omit “Lot A, DP 6622”. Insert instead “Lot 1, DP 134132”.
- [20] **Schedule 2 Exempt development**
Omit the matters relating to **Outdoor dining areas, Signage (other than signs for home occupations (sex services), sex services premises or restricted premises) and Tree removal or pruning.**
- [21] **Schedule 3 Complying development**
Omit the matter relating to **Strata subdivision of dual occupancies** from Part 1.
- [22] **Schedule 5 Environmental heritage**
Omit “Crown reserve (Tunks Park); Lot 1, Section 7, DP 2407” from the matter relating to item I0025 in Part 1.
Insert instead “Crown Lot 7349, DP 1166085; Lot 1, DP 1038592”.
- [23] **Schedule 5, Part 1, item I0024**
Omit “Lots 2–4, DP 244543; Closed road; Crown reserve”.
Insert instead “Lot 1, DP 166171; Lots 2–6, DP 244543; Closed road; Crown Lots 7302 and 7303, DP 1136001”.
- [24] **Schedule 5, Part 1, item I0064**
Omit “219 Military Road”. Insert instead “213 Military Road”.
- [25] **Schedule 5, Part 1, item I0064**
Omit “Lot 12”. Insert instead “Lot 11”.
- [26] **Schedule 5, Part 1, item I0580**
Insert “; part of Crown Lot 7337, DP 113982” after “DP 974533”.
- [27] **Schedule 5, Part 1, item I0102**
Omit “Lot 7033, DP 1060232”. Insert instead “Part of Crown Lot 7339, DP 1139892”.

[28] Schedule 5, Part 1, item I0129

Omit the property description. Insert instead “Part of Crown Lot 7338, DP 1139892”.

[29] Schedule 5, Part 1, item I0130

Omit the property description.

Insert instead “Milson Road reserve, south of 4 Milson Road”.

[30] Schedule 5, Part 1, item I0135

Omit “2 storey residence”. Insert instead “Former 3 storey residence”.

[31] Schedule 5, Part 1, item I0136

Omit the property description.

Insert instead “Lot 1, DP 974533; Crown Lots 7337–7341, DP 1139892; Lot 1, DP 911147; Lot 93, DP 1206495; Lot 1, DP 449844; part of Lot 1, DP 1086010; Lot 2, DP 1086010; Lot 1, DP 911459; McCallum Pool”.

[32] Schedule 5, Part 1, item I0186

Omit the matter relating to the item. Insert in appropriate order—

Kirribilli	The Fantasia Preschool	5 Broughton Street	Lots 9 and 10, Section B, DP 1537	Local	I0186
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[33] Schedule 5, Part 1, item I0193

Omit the property description. Insert instead “Lot 101, DP 1154168”.

[34] Schedule 5, Part 1, item I0194

Omit the property description. Insert instead “Lot 100, DP 1154168”.

[35] Schedule 5, Part 1, item I0243

Omit the property description. Insert instead “Part of Lot 20, DP 1215745”.

[36] Schedule 5, Part 1, item I0244

Omit the property description. Insert instead “Part of Lot 20, DP 1215745”.

[37] Schedule 5, Part 1, item I0264

Insert “Lot 109, DP 1151872” in the column headed **Property Description**.

[38] Schedule 5, Part 1, item I0688

Omit the property description. Insert instead “Lot 1, DP 1196925”.

[39] Schedule 5, Part 1, item I0736

Omit “(19 Wycombe Road)”.

Insert instead “(17 Lower Wycombe Road and 3 Warringah Avenue)”.

[40] Schedule 5, Part 1, item I0736

Insert “SP 84353;” after “SP 75886;”.

[41] Schedule 5, Part 1, item I0740

Omit the matter relating to the item. Insert in appropriate order—

Kurraba Point	House	23A Lower Wycombe Road	Lot 33, DP 3183; Lot 31, DP 68342	Local	I0740
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[42] Schedule 5, Part 1, item I0322

Omit the matter relating to the item. Insert in appropriate order—

Lavender Bay	Stone retaining wall	2, 4, 6, 10, 12, 12A, 12B, 16, 18 and 38 Bay View Street and 21 King George Street	Lots 101 and 102, DP 1248227; Lot 2, DP 312181; Lot 10, DP 1196777; SP 10075; Lot 5, DP 11282; SP 75267; Lot 1, DP 810493; Lot 1, DP 316373; Bay View Street road reserve; Lot 7, DP 520996	Local	I0322
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[43] Schedule 5, Part 1, items I0314, I0315, I0316, I0317, I0318, I0319, I0320 and I0321

Omit “Bayview Street” wherever occurring. Insert instead “Bay View Street”.

[44] Schedule 5, Part 1, item I0385

Omit “Crown Land Plan No 2137–3000; unidentified Crown land”.

Insert instead “Lot 11, DP 1165235; Crown Lots 7325 and 7326, DP 1165248”.

[45] Schedule 5, Part 1, item I0360

Omit the matter relating to the item. Insert in appropriate order—

Lavender Bay	Brett Whitely House and visual curtilage	1 Walker Street	Lot 1, DP 931832; Crown Lots 1–3, DP 931990; Crown Lots 7325 and 7326, DP 1165248; part of Lot 1, DP 917865; part of Lot 62, DP 3756; part of Lot 123, DP 870371; Lot 1, DP 1220077; part of Lot 2, DP 1220077; part of Lot 100, DP 1103512; part of Lot 1187, DP 48335; Lot 1136, DP 752067; Lot 1, DP 175422; part of Lot 1, DP 868707; Lot 31, DP 12668; Crown Lot 11, DP 1165235; Lot 1, DP 599474	State	I0360
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[46] Schedule 5, Part 1, item I0387

Omit the property description.

Insert instead “Lot 100, DP 1103512; Lot 123, DP 870371; Lot 1187, DP 48335; Lots 1 and 2, DP 1220077”.

[47] Schedule 5, Part 1, item I0423

Insert “; Lots 1 and 2, DP 230594; Lot 1, DP 902933; Lot 1, DP 1159898; Lot 1, DP 581992; Lots 1 and 2, DP 1146537; Lot 14 and part of Lot 15, Section D, DP 8; Crown Lots 1007, 1008, 1134 and 1135, DP 752067” after “(southern end)”.

[48] Schedule 5, Part 1, item I0483

Insert “; Lot 1, DP 449731” after “DP 775853”.

[49] Schedule 5, Part 1, item I0484

Omit the matter relating to the item. Insert in appropriate order—

McMahons Point	Stannard Bros Shipyard and associated industrial buildings	6 John Street and 16–18 Munro Street, Boatbuilders Walk	Lots A and B, DP 420377; Lot 1, DP 127195; Lots 1–4, DP 179730; Lot 1, DP 182585; Lot 1, DP 449731; Lot 1, DP 849188; Lot 2, DP 77853; Lot 987, DP 752067; Lot 102, DP 1005413; SP 63626	Local	I0484
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[50] Schedule 5, Part 1, item I0522

Omit the property description. Insert instead “SP 83350”.

[51] Schedule 5, Part 1, item I0523

Omit the property description. Insert instead “SP 83350”.

[52] Schedule 5, Part 1, item I0530

Omit “2–4 Ennis Road and 2–74 Middlemiss Street”.

Insert instead “2–44 Ennis Road and 32–76 Middlemiss Street”.

[53] Schedule 5, Part 1, item I0554

Omit the matter relating to the item. Insert in appropriate order—

Neutral Bay	Plaques commemorating Ben Boyd	Ben Boyd Road	Ben Boyd Road road reserve, adjacent to 6 Ben Boyd Road	Local	I0554
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[54] Schedule 5, Part 1, items I0737, I0738 and I0741

Omit the matter relating to the items. Insert in appropriate order, respectively—

Neutral Bay	House	2 Lower Wycombe Road	SP 41344	Local	I0737
Neutral Bay	Flat building	18 Lower Wycombe Road	SP 13441	Local	I0738
Neutral Bay	Wycombe Private Hotel	28 Lower Wycombe Road	SP 22240	Local	I0741

[55] Schedule 5, Part 1, items I0796 and I0797

Omit the matter relating to the items.

Insert in appropriate order, respectively—

North Sydney	House	14 The Avenue	Lot 1, DP 940094	Local	I0796
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North Sydney House 16 The Avenue Lot 5, DP
940093 Local I0797

- [56] **Schedule 5, Part 1, item I0864**
Omit the property description. Insert instead “Lot 100, DP 1233008”.
- [57] **Schedule 5, Part 1, item I0865**
Omit the property description. Insert instead “Lot 101, DP 1233008”.
- [58] **Schedule 5, Part 1, item I0866**
Omit the property description. Insert instead “Lot 102, DP 1233008”.
- [59] **Schedule 5, Part 1, item I0867**
Omit the property description. Insert instead “Lot 103, DP 1233008”.
- [60] **Schedule 5, Part 1, item I0868**
Omit the property description. Insert instead “Lot 104, DP 1233008”.
- [61] **Schedule 5, Part 1, item I0869**
Omit the property description. Insert instead “Lot 105, DP 1233008”.
- [62] **Schedule 5, Part 1, item I0870**
Omit the property description. Insert instead “Lot 106, DP 1233008”.
- [63] **Schedule 5, Part 1, item I1125**
Omit “Local”. Insert instead “State”.
- [64] **Schedule 5, Part 1, item I0916**
Omit “Part Crown Land Plan 316–3000”.
Insert instead “Lot 1, DP 560566; Lot 7321, DP 11497983”.
- [65] **Schedule 5, Part 1, item I0916**
Omit “Local”. Insert instead “State”.
- [66] **Schedule 5, Part 1, item I0893**
Omit “Local”. Insert instead “State”.
- [67] **Schedule 5, Part 1, items I0898, I0922 and I1030**
Omit the items.
- [68] **Schedule 5, Part 1, item I0961**
Omit the property description. Insert instead “Lot 1, DP 1244831; SP 96408”.
- [69] **Schedule 5, Part 1, item I1123**
Omit the property description. Insert instead “Part of Crown Lot 7321, DP 1149783”.
- [70] **Schedule 5, Part 1, item I1124**
Omit the property description. Insert instead “Part of Crown Lot 7321, DP 1149783”.

[71] Schedule 5, Part 1, item I1051

Omit the property description. Insert instead “Part of Lots 80 and 81, DP 1208186”.

[72] Schedule 5, Part 1, item I1055

Omit the address and property description.

Insert instead “37 Carr Street” and “Lot 1, DP 1138299”, respectively.

[73] Schedule 5, Part 1, items I1070 and I1071

Omit “House” wherever occurring. Insert instead “Flat building”.

[74] Dictionary

Omit the definition of *Exceptions to Development Standards Map*.