



New South Wales

# **North Sydney Local Environmental Plan 2013 (Amendment No 24)**

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*.

**STEPHEN MURRAY**

As delegate for the Minister for Planning and Public Spaces

## **North Sydney Local Environmental Plan 2013 (Amendment No 24)**

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### **1 Name of Plan**

This Plan is *North Sydney Local Environmental Plan 2013 (Amendment No 24)*.

### **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 at 617–621 Pacific Highway, St Leonards, being Lot 1, DP 1022881, Lot 1, DP 577070 and Lots 1 and 2, DP 455937.

### **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]    Clause 4.6 Exceptions to development standards**

Insert after clause 4.6 (8) (cb):

- (cc)    clause 6.20.

### **[2]    Part 6 Additional local provisions**

Insert after Division 2:

## **Division 3      Intensive urban development areas**

### **6.20    Arrangements for designated State public infrastructure**

- (1)    The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the development of land wholly or partly for residential purposes, to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (2)    Despite all other provisions of this Plan, development consent must not be granted for development for the purposes of residential accommodation (whether as part of a mixed use development or otherwise) in an intensive urban development area that results in an increase in the number of dwellings in that area, unless the Planning Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development is to be carried out.
- (3)    This clause does not apply to a development application to carry out development on land in an intensive urban development area if all or any part of the land to which the application applies is a special contributions area (as defined by section 7.1 of the Act).
- (4)    In this Division:  
*designated State public infrastructure* means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:
  - (a)    State and regional roads,
  - (b)    bus interchanges and bus lanes,
  - (c)    land required for regional open space,
  - (d)    social infrastructure and facilities (such as schools, hospitals, emergency services and justice purposes).

*intensive urban development area* means the area of land identified as “Intensive Urban Development Area” on the Intensive Urban Development Area Map.

*Intensive Urban Development Area Map* means the North Sydney Local Environmental Plan 2013 Intensive Urban Development Area Map.

### **6.21    Relationship between Division and remainder of Plan**

A provision of this Division prevails over any other provision of this Plan to the extent of any inconsistency.

**[3] Schedule 1 Additional permitted uses**

Insert at the end of the Schedule, with appropriate clause numbering:

**Use of certain land at 617–621 Pacific Highway, St Leonards**

- (1) This clause applies to land at 617–621 Pacific Highway, St Leonards, being Lot 1, DP 1022881, Lot 1, DP 577070 and Lots 1 and 2, DP 455937.
- (2) Development for the purposes of shop top housing is permitted with development consent.