



New South Wales

Ku-ring-gai Local Environmental Plan No 204

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (SRE0000045/S69)

DIANE BEAMER, M.P.,
Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2005 No 401

Clause 1 Ku-ring-gai Local Environmental Plan No 204

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1 Name of plan

This plan is *Ku-ring-gai Local Environmental Plan No 204*.

2 Aims of plan

This plan aims:

- (a) to allow the strata subdivision of certain dual occupancies, and
- (b) to allow the carrying out of development for the purpose of child care centres, and
- (c) to rezone certain land to Zone No 2 (d3) under the *Ku-ring-gai Planning Scheme Ordinance (the Ordinance)*.

3 Land to which plan applies

- (1) To the extent that this plan allows strata subdivision of certain dual occupancies, it applies to land within Zone Nos 2 (c1), 2 (c2) and 2 (d3) under the Ordinance that is the subject of a development consent for development allowed by Part 3 of *State Environmental Planning Policy No 53—Metropolitan Residential Development*.
- (2) To the extent that this plan allows child care centres, it applies to all land within Zone Nos 2 (c1), 2 (c2) and 2 (d3) under the Ordinance.
- (3) To the extent that this plan rezones land, it applies to land fronting 26–28 Turramurra Avenue, Turramurra and 33–35 Gilroy Road, Turramurra, as shown coloured light scarlet, with dark red edging and lettered “2 (d3)” on the map marked “Ku-ring-gai Local Environmental Plan No 204” deposited in the office of Ku-ring-gai Council.

4 Amendment of Ku-ring-gai Planning Scheme Ordinance

The *Ku-ring-gai Planning Scheme Ordinance* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Interpretation

Insert in appropriate order in the definition of *Scheme map* in clause 4 (1):

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[2] Clause 23 Development control table

Insert “child care centres;” after “boarding-houses;” wherever occurring in Column 3 of the matter relating to Zone Nos 2 (c1), 2 (c2) and 2 (d3) in the Table to the clause.

[3] Clause 25NA

Insert at the end of Part 3A:

25NA Strata subdivision of dual occupancies

Despite any other provision of this Ordinance, the Council may grant consent to the subdivision, under the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*, of any land within Zone No 2 (c1), 2 (c2) or 2 (d3) that is the subject of a development consent for development allowed by Part 3 of *State Environmental Planning Policy No 53—Metropolitan Residential Development*.