



New South Wales

## **Mosman Local Environmental Plan 1998 (Amendment No 21)**

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*. (S02/01214/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

## 2005 No 432

Clause 1 Mosman Local Environmental Plan 1998 (Amendment No 21)

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# Mosman Local Environmental Plan 1998 (Amendment No 21)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Mosman Local Environmental Plan 1998 (Amendment No 21)*.

### 2 Aims of plan

The aims of this plan are to amend the *Mosman Local Environmental Plan 1998*:

- (a) to enable a tree preservation order to prohibit root pruning, and
- (b) to require the Council, when assessing an application for consent to the use of premises as a brothel, to consider the distance between the premises and any residential development, and
- (c) to amend certain mapping anomalies relating to the foreshore building line, and
- (d) to amend certain mapping anomalies relating to heritage items, and
- (e) to replace the definition of *tree*, and
- (f) to amend certain mapping anomalies relating to zoning, and
- (g) to vary the list of heritage items.

### 3 Land to which plan applies

This plan applies:

- (a) in relation to the matter set out in clause 2 (a), (b) and (e)—to all land to which the *Mosman Local Environmental Plan 1998* applies, and
- (b) in relation to the matter set out in clause 2 (c)—to 8 Hopetoun Avenue, 1–11 Raglan Street, 1, 2, 4, 6 and 22A Musgrave Street and 10 McLeod Street, and
- (c) in relation to the matter set out in clause 2 (d)—to Lot 1, DP 848503, and

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- (d) in relation to the matter set out in clause 2 (f)—to Avenue Road, and
  - (e) in relation to the matter set out in clause 2 (g)—to 65 Parriwi Road, 49 Prince Street, 4 Glover Street and 70A Vista Street.

**4 Amendment of Mosman Local Environmental Plan 1998**

*Mosman Local Environmental Plan 1998* is amended as set out in Schedule 1.

## 2005 No 432

Mosman Local Environmental Plan 1998 (Amendment No 21)

Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 4)

**[1] Clause 9 How are trees preserved?**

Insert “root pruning,” after “pruning,” in clause 9 (2).

**[2] Clause 20 Brothels**

Insert “residential development,” after “community facility,” in clause 20 (1) (a).

**[3] Schedule 1 Definitions**

Insert in appropriate order in the definition of *foreshore protection map*:

Mosman Local Environmental Plan 1998 (Amendment No 21)—  
Sheets 1–4

**[4] Schedule 1, definition of “heritage conservation map”**

Insert in appropriate order:

Mosman Local Environmental Plan 1998 (Amendment No 21)—  
Sheets 5–8

**[5] Schedule 1**

Insert in alphabetical order:

*root pruning* means cutting or severing a tree root that is larger than 75 millimetres in diameter.

**[6] Schedule 1, definition of “tree”**

Omit the definition. Insert instead:

*tree* means a perennial plant with at least one self-supporting woody or fibrous stem.

**[7] Schedule 1, definition of “zoning map”**

Insert in appropriate order:

Mosman Local Environmental Plan 1998 (Amendment No 21)—  
Sheet 9

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**[8] Schedule 2 Heritage items**

Insert in alphabetical and numerical order of street name and number in Columns 1, 2, 3, 4 and 5, respectively:

Glover Street	4	Lot C, DP 300401	Front fence	Local
Parriwi Road	65	Lot 17, DP 71366	House	State

**[9] Schedule 2**

Omit the matter relating to 49A Prince Street from Columns 1, 2, 3, 4 and 5.

Insert instead:

Prince Street	49 and 49A	Lots 1 and 2, DP 590014	House (divided into 2 dwellings)	Local
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**[10] Schedule 2**

Omit the matter relating to 70A Vista Street from Columns 1, 2, 3, 4 and 5.