



New South Wales

Ku-ring-gai Local Environmental Plan No 219

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

SAM HADDAD

As delegate for the Minister for Planning and Infrastructure

2013 No 24

Clause 1 Ku-ring-gai Local Environmental Plan No 219

Ku-ring-gai Local Environmental Plan No 219

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Ku-ring-gai Local Environmental Plan No 219*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

- (1) To the extent that this Plan rezones land, it applies to the land shown on the map marked “Ku-ring-gai Local Environmental Plan No 219 (Pymble Business Park)—Land Zoning Map” deposited in the office of Ku-ring-gai Council.
- (2) To the extent that this Plan amends the schedule of heritage items in the Ku-ring-gai Planning Scheme Ordinance, it applies to land referred to in Schedule 1 [3].

Schedule 1 Amendment of Ku-ring-gai Planning Scheme Ordinance

[1] Clause 4 Interpretation

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

Ku-ring-gai Local Environmental Plan No 219 (Pymble Business Park)—Sheet 1

[2] Part IVA

Insert after Part IV:

Part IVA Pymble Business Park Provisions

30E Land to which this Part applies

This Part applies to the land shown edged heavy black on the map marked “Ku-ring-gai Local Environmental Plan No 219 (Pymble Business Park)—Sheet 1” deposited in the office of the Council.

30F Interpretation

For the purpose of this Part only, a word or expression used in this Part has the same meaning as it has in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006* unless it is otherwise defined in this Part.

30G Zoning of land to which Part applies

For the purposes of this Ordinance, land to which this Part applies is within the zone shown on the map marked “Ku-ring-gai Local Environmental Plan No 219 (Pymble Business Park)—Land Zoning Map” deposited in the office of the Council.

30H Zone objectives and Table

- (1) The Table at the end of this clause specifies for each zone:
 - (a) the objectives for development, and
 - (b) development that may be carried out without development consent, and
 - (c) development that may be carried out only with development consent, and
 - (d) development that is prohibited.

2013 No 24

Ku-ring-gai Local Environmental Plan No 219

Schedule 1 Amendment of Ku-ring-gai Planning Scheme Ordinance

- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Table at the end of this clause:
 - (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
 - (b) a reference to a type of building or other thing does not include (despite any definition applying for the purposes of this Part) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.
- (4) This clause is subject to the other provisions of this Part.

TABLE

ZONE B7 (BUSINESS PARK)

1 Objectives of zone

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2 Permitted without consent

Nil

3 Permitted with consent

Business premises; Child care centres; Food and drink premises; Light industries; General industries; Hotel or motel accommodation; Neighbourhood shops; Office premises; Passenger transport facilities; Respite day care centres; Warehouse or distribution centres; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional

centres; Crematoria; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

30I Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) to ensure that the height of development is appropriate for the scale of the different centres within the hierarchy of Ku-ring-gai town centres,
 - (b) to establish a transition in scale between the centres and the adjoining lower density residential and open space zones to protect local amenity,
 - (c) to enable development with a built form that is compatible with the size of the land to be developed.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the map marked “Ku-ring-gai Local Environmental Plan No 219 (Pymble Business Park)—Height of Buildings Map” deposited in the office of the Council.

30J Floor space ratio

- (1) The objectives of this clause are as follows:
 - (a) to ensure that development density is appropriate for the scale of the different centres within the hierarchy of Ku-ring-gai town centres,
 - (b) to enable development with a built form and density compatible with the size of the land to be developed, its environmental constraints and its contextual relationship,
 - (c) to provide an appropriate correlation between the extent of any residential development and the environmental constraints of a site,

2013 No 24

Ku-ring-gai Local Environmental Plan No 219

Schedule 1 Amendment of Ku-ring-gai Planning Scheme Ordinance

- (d) to ensure that development density provides a balanced mix of uses in buildings in the business zones.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the map marked “Ku-ring-gai Local Environmental Plan No 219 (Pymble Business Park)—Floor Space Ratio Map” deposited in the office of the Council.

[3] Schedule 7 Heritage items

Insert “982–984 (Substation),” after “818 (Council Chambers),” in the matter relating to Pacific Highway in Part 2.