

3. STATUTORY CONTEXT

The subject site is currently zoned Mixed Use under the North Sydney Local Environmental Plan 2001 (NSLEP 2001), gazetted on 1 June 2001 and last amended in July 2010.

The site will continue to be zoned for Mixed Use under the Draft amending the LEP of 2009.

Clause 9 of NSLEP 2001 outlines the objectives of the zone and includes a Development Control Table for land uses in the zone. As prescribed by the clause, permissible development with consent includes residential apartment buildings, commercial premises, community facilities, medical centres, refreshment rooms, retail, showrooms, take away food shops and taverns.

The particular objectives of the Mixed Use Zone are to:

- "1(a) Encourage a diverse range of living, employment, recreational and social opportunities, which do not adversely affect the amenity of residential areas, and*
- (b) Create interesting and vibrant neighborhood centres with safe, high quality urban environments with residential amenity, and*
- (c) Maintain existing commercial space and allow for residential development in mixed use buildings with non-residential uses at lower levels and residential above, and*
- (d) Promote affordable housing."*

As can be seen from the extract of the North Sydney Zoning Map below, the site is surrounded by a variety of land use zones and allotment sizes and therefore development potential on any one site is extremely varied.

