



Warringah Local Environmental Plan 2000 (Amendment No 11)

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*. (S03/03424/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2005 No 561

Clause 1 Warringah Local Environmental Plan 2000 (Amendment No 11)

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under the

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1 Name of plan

This plan is *Warringah Local Environmental Plan 2000 (Amendment No 11)*.

2 Aims of plan

The aims of this plan are:

- (a) to amend provisions of *Warringah Local Environmental Plan 2000* about the control of development, including certain existing development, advertised development, local retail centres, noise, flood affected land, safety and security, fences, environmental features on sites, sloping land, landscaped open space, rear building setbacks, private open space, conservation of energy and water, accessibility, parking, management of water and landfill, and
- (b) to amend provisions in the Schedules to that plan about exempt development, State Policies, traffic generating development, subdivision, site analysis and complying development, and
- (c) to amend the definitions of various terms used in that plan, and
- (d) to amend provisions of the Locality Statements in the Appendices to that plan about the control of development, including desired future character statements, land use categories and built form controls, and
- (e) to amend the definition of *the map* in that plan by incorporating an amendment to the map that makes various changes, including the following:
 - (i) correcting mapping anomalies in the current map,
 - (ii) amending the location of boundaries between various localities,
 - (iii) reflecting the removal of various open space reservations, and

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- (f) to apply that plan to an area previously classified as “Deferred Matter”, namely to the Collaroy Hospital site, corner Brissenden Avenue and Beach Road, Collaroy.

3 Land to which plan applies

This plan applies to all land within the Warringah local government area.

4 Amendment of Warringah Local Environmental Plan 2000

Warringah Local Environmental Plan 2000 is amended as set out in Schedule 1.

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 14A

Insert after clause 14:

14A How is existing Category One or Category Two development dealt with?

(1) In this clause:

existing Category One development:

- (a) means development that:
 - (i) is classified as Category One, and
 - (ii) was being lawfully carried out when this plan came into force, and
 - (iii) has continued (without abandonment) since this plan came into force and is continuing at the time a development application is lodged, and
- (b) includes development to which paragraph (a) applies that has been changed in accordance with a development consent granted pursuant to this clause.

existing Category Two development:

- (a) means development that:
 - (i) is classified as Category Two, and
 - (ii) was being lawfully carried out when this plan came into force, and
 - (iii) has continued (without abandonment) since this plan came into force and is continuing at the time a development application is lodged, and
- (b) includes development to which paragraph (a) applies that has been changed in accordance with a development consent granted pursuant to this clause.

(2) This clause applies to development that involves:

- (a) alterations or additions to a building the use of which is existing Category One development or existing Category Two development, or
- (b) the expansion or intensification of existing Category One development or existing Category Two development, or

- (c) the rebuilding of a building the use of which is existing Category One development or existing Category Two development, or
 - (d) any combination of paragraph (a), (b) or (c).
- (3) This clause does not apply to development that involves a change of use of a building the use of which is existing Category One development or existing Category Two development.
- (4) Despite clauses 12 (2) (b) and (3) and 20 (1) and (3), the consent authority may consent to the carrying out of development to which this clause applies, but only if the consent authority is satisfied that the development:
- (a) is of minor environmental impact, and
 - (b) does not, to any significant extent, alter the bulk, size or scale of any existing building or existing land use, and
 - (c) results in an improvement to the existing character of the locality in which it occurs, and
 - (d) is confined to the current lot (or lots) on which the existing Category One development or existing Category Two development is being carried out.

[2] Clause 20 Can development be approved if it does not comply with a development standard?

Insert “(in such a way that does not comply with the development standards)” after “granting consent” in clause 20 (3).

[3] Clause 23 What development is advertised development?

Omit “Clause 15 (2)–(4)” from clause 23 (2). Insert instead “Clause 15”.

[4] Clause 30

Insert after clause 29:

30 What applications have to be referred to the Roads and Traffic Authority?

- (1) Before granting consent to development of the types listed in Schedule 10 (Traffic generating development), the consent authority must provide a copy of the application to the Roads and Traffic Authority of New South Wales, within 7 days of receiving the application, and take into consideration any views expressed by the Roads and Traffic Authority.
- (2) In the event that the Roads and Traffic Authority has not made its views known within 21 days of receiving the application, or has

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advised that it does not have any views on the application, the consent authority may proceed to determine the application.

- (3) Upon granting consent to development of a type listed in Schedule 10 (Traffic generating development), the consent authority must forward a copy of the consent to the Roads and Traffic Authority.

[5] Clause 39 Local retail centres

Insert “shops and” after “small-scale” in the first paragraph.

[6] Clause 43 Noise

Omit the first dot point to the second paragraph. Insert instead:

- noise from the combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise level by more than 5 dB (A) when measured in accordance with the Environment Protection Authority’s Industrial Noise Policy at the receiving boundary of residential and other noise-sensitive land uses, and

[7] Clause 47 Flood affected land

Omit “flood plain land” from the first paragraph.

Insert instead “flood affected land”.

[8] Clause 47

Insert at the end of the clause (as a new paragraph):

For the purposes of this clause, *flood affected land* means land below the 1 per cent annual exceedance probability flood level.

[9] Clause 50 Safety and security

Omit “, and” from the sixth dot point to the second paragraph.

[10] Clause 50

Omit the seventh dot point to the second paragraph.

[11] Clause 56 Retaining distinctive environmental features on sites

Omit “unique” from the first paragraph. Insert instead “distinctive”.

[12] Clause 57 Development on sloping land

Insert at the end of the second dot point to the second paragraph:

- , and
- excavation of the landform is to be minimised.

[13] Clause 63 Landscaped open space

Insert after the seventh dot point:

- enable the establishment of indigenous vegetation and habitat for native fauna, and

[14] Clause 63A

Insert after clause 63:

63A Rear building setback

In localities where a rear building setback applies, the objectives of the rear building setback controls are:

- to create a sense of openness in rear yards, and
- to preserve the amenity of adjacent land, and
- to maintain the visual continuity and pattern of buildings, rear gardens and landscape elements, and
- to provide opportunities to maintain privacy between dwellings, and
- in medium density areas, to minimise the visual effect of podiums and to control the density of development, and
- to provide opportunities for the planting of substantial native trees.

[15] Clause 64 Private open space

Insert “(excluding town houses and villa homes)” after “Apartment style housing” in the Table in the first dot point to the second paragraph.

[16] Clause 64

Omit “a total of” from the matter relating to “Apartment style housing” in the second column of the Table in the first dot point to the second paragraph.

[17] Clause 64

Omit “, but does not include housing commonly referred to as town houses, villa homes and the like” from the third paragraph.

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[18] Clause 68 Conservation of energy and water

Insert after the fourth dot point to the second paragraph:

- reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks,

[19] Clause 69

Omit the clause. Insert instead:

69 Accessibility—premises available to the public

The siting, design and construction of premises available to the public are to ensure an accessible continuous path of travel, so that all people can enter and use the premises. Such access is to comply with the requirements of the *Disability Discrimination Act 1992* of the Commonwealth and with Australian Standard AS 1428.2—1992, *Design for access and mobility—Enhanced and additional requirements—Buildings and facilities*.

[20] Clause 71 Parking facilities (visual impact)

Omit “behind the front facades of housing where the topography of the site allows” from the first dot point to the second paragraph.

Insert instead “integrated into the house design where topography and other constraints of the site allow”.

[21] Clause 71

Omit the second and sixth dot points to the second paragraph.

[22] Clause 71

Omit “, and” from the fifth dot point to the second paragraph.

[23] Clause 74 Provision of carparking

Omit “to serve a development” from the first paragraph.

Insert instead “within the subject property boundaries”.

[24] Clause 74

Omit “number or spaces” from paragraph (a) of the second paragraph.

Insert instead “number of spaces”.

[25] Clause 75 Design of carparking areas

Insert before the first dot point to the first paragraph:

- avoid the use of mechanical car stacking devices, and

[26] Clause 75

Insert after the fourth dot point to the first paragraph (before it is amended by this Schedule):

- incorporate unobstructed access to visitor parking spaces, and

[27] Clause 75

Insert “, where appropriate” after “stormwater” in the sixth dot point to the first paragraph (before it is amended by this Schedule).

[28] Clause 76 Management of stormwater

Insert “Water quality control measures are to be provided in accordance with the Northern Beaches Stormwater Management Plan.” after “the like.” in the first paragraph.

[29] Clause 76

Insert after the first dot point to the second paragraph:

- the design of the stormwater drainage system is in accordance with the Council’s standard specification for engineering works (AUSPEC 1), or

[30] Clause 76

Omit “not subject to on-site stormwater detention requirements” from the fourth paragraph.

[31] Clause 77 Landfill

Insert after the fourth dot point to the second paragraph:

- where filling to create a building platform is proposed, all fill is to be contained within the footprint of the building, and

[32] Schedule 1 Exempt development

Transfer the third paragraph of the matter relating to “FENCE” under the heading “**ERECTION OF A BUILDING OR STRUCTURE**” in the Table to after the first paragraph of that matter.

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[33] Schedule 1, Table

Insert “per allotment” after “20m²” in the second paragraph of the matter relating to “PATIO” under the heading “**ERECTION OF A BUILDING OR STRUCTURE**”.

[34] Schedule 1, Table

Insert “per allotment” after “20m²” in the second paragraph of the matter relating to “PERGOLA” under the heading “**ERECTION OF A BUILDING OR STRUCTURE**”.

[35] Schedule 1, Table

Insert after the matter relating to “PORTABLE CLASSROOMS AND PORTABLE SCHOOL BUILDINGS” under the heading “**ERECTION OF A BUILDING OR STRUCTURE**”:

PORTABLE SPA POOL	Located at least 900mm from side boundaries. Cover is provided in accordance with the requirements of the <i>Swimming Pools Act 1992</i> and <i>Swimming Pools Regulation 1998</i> .
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[36] Schedule 1, Table

Omit the matter relating to “WATER TANKS” under the heading “**ERECTION OF A BUILDING OR STRUCTURE**”.

Insert instead:

WATER TANKS	The capacity of the tank to be installed (or the total capacity of tanks to be installed) does not exceed 10,000 litres and each tank: <ul style="list-style-type: none">• is designed to collect roof water only, but can be topped up from a water supply service pipe, and• is fitted with a first-flush device, and• is prefabricated, is enclosed and has any inlet screened, is structurally sound and is installed in accordance with its manufacturer’s instructions, and• complies with any requirements of the local water supply authority (as does any stand for the tank), and
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- does not require excavation or filling of more than 1m from natural ground level in order for it to be installed, and
 - does not exceed a height of 2.4m from ground level (including any stand for the tank), and
 - is located behind the front building alignment (and also the side alignment for corner blocks), and
 - is located at least 450mm from any property boundary, and
 - does not rest (in full or in part) on the footing of any building or structure or on a retaining wall, and
 - has a sign affixed stating 'rainwater', and
 - has overflow directed into an existing stormwater system, and
 - is maintained to prevent mosquito breeding and overflow, and
 - has had any plumbing work required to connect the tank to a water supply service pipe or water main done by a licensed plumber, in accordance with the *New South Wales Code of Practice—Plumbing and Drainage*, where that plumbing work has the consent of the public authority responsible for the water supply service pipe or water main and meet any requirements of that authority, and
 - has had any motorised or electric pumps installed by a licensed electrician, and
 - does not have motorised or electric pumps that create an offensive noise.

[37] Schedule 1, Table

Insert “and AS 2156.1 and AS 2156.2 (for walking tracks)” after “(for concrete structures)” in the second paragraph of the matter relating to “STAIRCASES INSTALLED IN PUBLIC PARKS AND RECREATION SPACES” under the heading “**PUBLIC WORKS**”.

[38] Schedule 1, Table

Omit the third paragraph of the matter relating to “STAIRCASES INSTALLED IN PUBLIC PARKS AND RECREATION SPACES” under the heading “**PUBLIC WORKS**”.

[39] Schedule 5 State policies

Omit the heading and matter relating to “**Surplus public land**”.

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[40] Schedule 5

Insert at the end of the Schedule:

Traffic Generating Development

It is State policy to ensure that the Roads and Traffic Authority:

- (a) is made aware of, and
- (b) is given an opportunity to make representations in respect of, development referred to in Schedule 10.

[41] Schedule 7 Matters for consideration in a subdivision of land

Omit “pipeline” from the matter under the heading “**Drainage**”.

Insert instead “gravity”.

[42] Schedule 7

Insert “natural” after “direction of the” in the matter under the heading “**Drainage**”.

[43] Schedule 7

Omit “not allowed” from the Table to clause (3) of the matter under the heading “**Access**”.

Insert instead:

access should be provided by a private or public road constructed with a width that is in accordance with Council standard specifications for engineering works (AUSPEC 1)

[44] Schedule 7

Insert at the end of the matter under the heading “**Access**”:

- (4) Subdivisions must provide access for Council service vehicles, emergency vehicles and garbage collection vehicles.

[45] Schedule 7

Insert at the end of the matter under the heading “**Bushfire**”:

Asset protection zones identified in a bush fire risk management plan in force under the *Rural Fires Act 1997* should be contained within the property boundaries of the new subdivision.

[46] Schedule 8 Site analysis

Insert after the third dot point to the fourth paragraph:

- location of windows and private open space within adjoining properties,

[47] Schedule 8

Insert after the ninth dot point to the fourth paragraph (before it is amended by this Schedule):

- rock outcrops,
- flood affectation,
- bushfire hazard,

[48] Schedule 10

Insert after Schedule 9:

Schedule 10 Traffic generating development

(Clause 30 (1) and (3))

- (1) Development for the purpose of, or being:
- the erection of, or conversion of a building into, a residential flat building comprising 300 or more dwellings or the enlargement or extension of a residential flat building by the addition of 300 or more dwellings, or
 - the erection of a building for the purposes of shops, where the gross floor area of the building is or exceeds 2,000 square metres or the enlargement or extension of a building used for the purpose of shops, where the gross floor area of that enlargement or extension is or exceeds 2,000 square metres, or
 - the erection of a building for the purposes of shops and commercial premises, where the gross floor area of the building is or exceeds 4,000 square metres or the enlargement or extension of a building used for the purposes of shops and commercial premises, where the gross floor area of that enlargement or extension is or exceeds 4,000 square metres, or
 - the erection of a building for the purposes of commercial premises, where the gross floor area of the building is or exceeds 10,000 square metres or the enlargement or extension of a building used for the purposes of

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- commercial premises, where the gross floor area of that enlargement or extension is or exceeds 10,000 square metres, or
- (e) the erection of a building for the purposes of commercial premises and industry, where the gross floor area of the building is or exceeds 15,000 square metres or the enlargement or extension of a building used for the purposes of commercial premises and industry, where the gross floor area of that enlargement or extension is or exceeds 15,000 square metres, or
 - (f) the erection of a building for the purposes of industry, where the gross floor area of the building is or exceeds 20,000 square metres or the enlargement or extension of a building used for the purposes of industry, where the gross floor area of that enlargement or extension is or exceeds 20,000 square metres, or
 - (g) subdivision of land into 200 or more allotments, where the subdivision includes the opening of a public road, or
 - (h) drive-in theatres or the enlargement or extension of existing drive-in theatres so as to enable the accommodation of more than 200 motor vehicles, or
 - (i) educational establishments accommodating 50 or more students or the enlargement or extension of existing educational establishments to accommodate an additional 50 or more students, or
 - (j) transport terminals, bulk stores, container depots or liquid fuel depots or the enlargement or extension of any existing transport terminal, bulk store, container depot or liquid fuel depot by increasing by more than 8,000 square metres the area of land or the gross floor area of buildings used for that purpose, or
 - (k) junk yards (within the meaning of the *Environmental Planning and Assessment Model Provisions 1980*) or waste facilities (within the meaning of the *Waste Recycling and Processing Corporation Act 2001*), or
 - (l) heliports, airports or aerodromes, or
 - (m) extractive industry or mining, or
 - (n) areas used exclusively for parking or any other development having ancillary accommodation for 200 or more motor vehicles, or the enlargement or extension of a parking area, where the enlargement or extension accommodates 200 or more motor vehicles.

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- (2) The following development, if the site of the development has direct vehicular or pedestrian access to an arterial road (or a road connecting with an arterial road, where the access is within 90 metres, measured along the road alignment of the connecting road, of the arterial road):
- (a) the erection of, or the conversion of a building into, a residential flat building comprising 75 or more dwellings or the enlargement or extension of a residential flat building by the addition of 75 or more dwellings,
 - (b) the erection of a building for the purposes of shops, where the gross floor area of the building is or exceeds 500 square metres or the enlargement or extension of a building used for the purposes of shops, where the gross floor area of that enlargement or extension is or exceeds 500 square metres,
 - (c) the erection of a building for the purposes of shops and commercial premises, where the gross floor area of the building is or exceeds 1,000 square metres or the enlargement or extension of a building used for the purposes of shops and commercial premises, where the gross floor area of that enlargement or extension is or exceeds 1,000 square metres,
 - (d) the erection of a building for the purposes of commercial premises, where the gross floor area of the building is or exceeds 2,500 square metres or the enlargement or extension of a building used for the purposes of commercial premises, where the gross floor area of that enlargement or extension is or exceeds 2,500 square metres,
 - (e) the erection of a building for the purposes of commercial premises and industry, where the gross floor area of the building is or exceeds 4,000 square metres or the enlargement or extension of a building used for the purposes of commercial premises and industry, where the gross floor area of that enlargement or extension is or exceeds 4,000 square metres,
 - (f) the erection of a building for the purposes of industry, where the gross floor area of the building is or exceeds 5,000 square metres or the enlargement or extension of a building used for the purposes of industry, where the gross floor area of that enlargement or extension is or exceeds 5,000 square metres,
 - (g) subdivision of land into 50 or more allotments,
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- (h) tourist facilities, recreation facilities, showgrounds or sportsgrounds, in each case having accommodation for 50 or more motor vehicles or the enlargement or extension of any existing tourist facilities, recreation facilities, showgrounds or sportsgrounds, where that enlargement or extension includes accommodation for 50 or more motor vehicles,
 - (i) premises licensed under the *Liquor Act 1982* or the *Registered Clubs Act 1976*, in each case having accommodation for 50 or more motor vehicles, or the enlargement or extension of such premises where that enlargement or extension includes accommodation for 50 or more motor vehicles,
 - (j) places of assembly or places of worship, in each case having accommodation for 50 or more motor vehicles or the enlargement or extension of any existing places of assembly or places of worship, where that enlargement or extension includes accommodation for 50 or more vehicles,
 - (k) the erection of a building for the purposes of refreshment rooms, where the gross floor area of that building is or exceeds 300 square metres or the enlargement or extension of a building used for the purposes of refreshment rooms, where the gross floor area of that enlargement or extension is or exceeds 300 square metres,
 - (l) drive-in take-away food outlets,
 - (m) service stations (including service stations which have retail outlets),
 - (n) motor showrooms having accommodation for 50 or more motor vehicles or the enlargement or extension of any existing motor showrooms, where that enlargement or extension includes accommodation for 50 or more motor vehicles,
 - (o) the erection of a building for the purposes of a hospital having accommodation for 100 or more beds or the enlargement or extension of a building for the purposes of a hospital, where the enlargement or extension includes accommodation for 100 or more beds.
- (3) Development:
- (a) for the purpose of roadside stalls, or

- (b) within areas used exclusively for parking or any other development, in each case having ancillary accommodation for 50 or more motor vehicles.

- (4) The enlargement or extension of a parking area, where the enlargement or extension includes accommodation for 50 or more motor vehicles.

[49] Schedule 12 Requirements for complying development

Insert “existing” after “dispose of it to an” in the first dot point of the matter under the heading “**Water and soil management**” in Part A.

[50] Dictionary

Insert in alphabetical order:

boarding house:

- (a) means any premises that:
 - (i) are wholly or partly let as a lodging for the purposes of providing the occupants with a principal place of residence, and
 - (ii) are used and occupied by at least 4 long term unrelated residents, and
 - (iii) include a communal living space used for eating and recreation, and
 - (iv) are not licensed to sell liquor, and
- (b) does not include premises that have been subdivided or in which there is separate ownership of parts of the premises.

[51] Dictionary, definition of “business premises”

Omit the definition. Insert instead:

business premises means a building or place in which an occupation, profession, banking activities or similar activities is or are carried on providing a service directly and regularly to the public, but does not include a building or place elsewhere defined in this Dictionary.

[52] Dictionary, definitions of “OCA project” and “Olympic Games project”

Omit the definitions.

[53] Dictionary, definition of “the map”

Insert in appropriate order:

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[54] Appendix A Cowan Creek Catchment Locality Statements

Omit “detached housing” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality A1 Cottage Point.

Insert instead “detached style housing”.

[55] Appendices A–H

Insert after the second paragraph wherever occurring of the matter under the headings “**BUILT FORM**” and “**Housing density**” in the Locality Statement for localities A1 Cottage Point, B1 Frenchs Forest East, B3 Oxford Heights/Carnarvon Road, B5 Narrabeen Lakeside, B7 Narrabeen Lake Suburbs, B8 Red Hill, B11 Forest Way Village, B12 Perentie and Dawes Roads, C1 Middle Harbour Suburbs, D1 Collaroy/Narrabeen, D4 Collaroy Plateau, D5 Long Reef, E1 Dee Why North, E2 Dee Why Lagoon Suburbs, E15 Wingala Hill, F4 Brookvale Valley, F5 Curl Curl, G2 Riverview Parade, G3 Manly Lagoon Suburb, G7 Innes Road, G8 Queenscliff and H1 Freshwater Beach:

In calculating housing density, the area of any access corridor (including any right-of-carriageway, access handle, accessway or other area that provides for vehicle access) is to be excluded, whether that access corridor is to be created or is in existence at the time of application for subdivision.

[56] Appendices A–H

Omit the matter under the headings “**BUILT FORM**” and “**Building Height**” wherever occurring in the Locality Statement for localities A1 Cottage Point, A2 Booralie Road, A3 Terrey Hills Village, A4 Myoora Road, A5 McCarrs Creek Road, A7 Mona Vale Road North, B1 Frenchs Forest East, B2 Oxford Falls Valley, B3 Oxford Heights/Carnarvon Drive, B7 Narrabeen Lake Suburbs, B8 Red Hill, B9 Mona Vale Road East, B11 Forest Way Village, B12 Perentie and Dawes Roads, C8 Belrose North, C10 Mona Vale Road West, D4 Collaroy Plateau, E1 Dee Why North E15 Wingala Hill, F5 Curl Curl, G11 Aquatic Drive and H1 Freshwater Beach.

Insert instead:

Buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.

Buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes

greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

[57] Appendix A

Omit “houses” wherever occurring in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for localities A2 Booralie Road and A5 McCarrs Creek Road.

Insert instead “detached style housing”.

[58] Appendices A and B

Insert after the fourth paragraph wherever occurring of the matter under the headings “**BUILT FORM**” and “**Housing density**” in the Locality Statement for localities A2 Booralie Road, A4 Myoora Road, A5 McCarrs Creek Road, A7 Mona Vale Road North, B2 Oxford Falls Valley, B9 Mona Vale Road East, C8 Belrose North and C10 Mona Vale Road West:

In calculating housing density, the area of any access corridor (including any right-of-carriageway, access handle, accessway or other area that provides for vehicle access) is to be excluded, whether that access corridor is to be created or is in existence at the time of application for subdivision.

[59] Appendix A

Insert after the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality A2 Booralie Road:

Front building setback for properties with frontage to “The Greenway”

Development is to maintain a minimum front building setback of 10 metres.

The front building setback area is to be landscaped and generally free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

However, consent may be granted to development that will contravene the minimum front setback on allotments constrained by the location and use of existing buildings, or by topography, for the provision of carparking.

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Side boundary envelope and side setback for properties with frontage to “The Greenway”

Buildings must be sited within an envelope determined by projecting planes at 45 degrees from a height of 4 metres above natural ground level at the side boundaries.

The minimum setback from a building to a side boundary is 0.9 metre.

Fascias, gutters, downpipes, eaves up to 0.675 metre from the boundary, masonry chimneys, flues, pipes, or other services infrastructure may encroach beyond the side boundary envelope.

Screens or sunblinds, light fittings, electricity or gas meters or other services infrastructure and structures not more than 1 metre above natural ground level such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback.

However, consent may be granted for development that, to a minor extent, does not comply with:

- the side boundary envelope, to allow the addition of a second storey to an existing dwelling, or
- the side setback, to allow a single storey outbuilding, carport, pergola or the like.

Rear building setback for properties with frontage to “The Greenway”

The minimum rear building setback is 6 metres.

The rear building setback area is to be landscaped and free of any structures.

To measure the rear building setback, the rear building setback is the distance measured perpendicular to the boundary furthest from a public street up to any structure on the allotment.

The rear building setback may be encroached by exempt development, swimming pools and outbuildings that, in total, do not exceed 50 per cent of the rear setback areas.

[60] Appendices A, B, D, E, F, G and H

Omit “detached housing” wherever occurring in the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for localities A3 Terrey Hills Village, B3 Oxford Heights/Carnarvon Drive, B5 Narrabeen Lakeside, B7 Narrabeen Lake Suburbs, D4 Collaroy Plateau, D5 Long Reef, E2 Dee Why Lagoon Suburbs, F4 Brookvale Valley, F5 Curl Curl, G2 Riverview Parade and H1 Freshwater Beach.

Insert instead “detached style housing”.

[61] Appendix A

Insert “(that is, all land with frontage to Tepko Road, including Lot 2 DP 530175 and Lot 4 547022)” after “industrial area” in the fourth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality A3 Terrey Hills Village.

[62] Appendix A

Insert “Where development in this area adjoins residential land, it is not to reduce the amenity enjoyed by adjoining occupants. In this regard, the built form of the development within the Tepko Road industrial area is to provide a transition to adjacent residential development, including reasonable landscaped setbacks from rear boundaries.” at the end of the fourth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality A3 Terrey Hills Village.

[63] Appendix A

Omit “(including Lot 2 DP530175 and Lot 4 DP 547022)” wherever occurring in the first and third paragraphs of the matter under the headings “**LAND USE**” and “**Category One**” in the Locality Statement for locality A3 Terrey Hills Village.

[64] Appendix A

Omit “(including Lot 2 DP530175 and Lot 4 DP 547022)” from the first paragraph of the matter under the headings “**LAND USE**” and “**Category Two**” in the Locality Statement for locality A3 Terrey Hills Village.

[65] Appendices A and D

Insert after the first paragraph of the matter under the headings “**BUILT FORM**” and “**Housing density**” wherever occurring in the Locality Statement for localities A3 Terrey Hills Village and D3 Collaroy Footslopes:

In calculating housing density, the area of any access corridor (including any right-of-carriageway, access handle, accessway or other area that provides for vehicle access) is to be excluded, whether that access corridor is to be created or is in existence at the time of application for subdivision.

[66] Appendix A

Insert “(other than Tepko Road industrial area)” after “setback” in the heading to the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality A3 Terrey Hills Village.

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[67] Appendices A and B

Omit the second paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” wherever occurring in the Locality Statement for localities A3 Terrey Hills Village and B1 Frenchs Forest East (before their amendment by this Schedule).

Insert instead:

The maximum front setback is 6.5 metres.

[68] Appendices A and B

Omit the first dot point to the fourth paragraph under the headings “**BUILT FORM**” and “**Front building setback**” wherever occurring in the Locality Statement for locality A3 Terrey Hills Village and B1 Frenchs Forest East (before their amendment by this Schedule).

Insert instead:

- on corner blocks or blocks with double street frontage, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street setback variations must consider the character of the secondary street and the predominant setbacks existing to that street, or

[69] Appendix A

Insert after the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality A3 Terrey Hills Village (before its amendment by this Schedule):

Front building setback for Tepko Road industrial area

Development is to maintain a minimum front building setback of 4.5 metres.

The minimum front building setback area is to be landscaped and generally free of any structures, car parking or site facilities other than driveways.

[70] Appendix A

Insert “**(other than Tepko Road industrial area)**” after “**setback**” in the heading to the matter under the headings “**BUILT FORM**” and “**Rear building setback**” in the Locality Statement for locality A3 Terrey Hills Village.

[71] Appendix A

Insert after the matter under the headings “**BUILT FORM**” and “**Rear building setback**” in the Locality Statement for locality A3 Terrey Hills Village (before its amendment by this Schedule):

Rear building setback for Tepko Road industrial area

Where industrial development adjoins residential land, a minimum rear building setback is required.

The minimum rear building setback is 2 metres for 50 per cent of the length of the building wall and a minimum of 4 metres for the remaining 50 per cent of the building wall.

The rear building setback is to be landscaped and is not to be used for industrial purposes or vehicle access.

To measure the rear building setback, the rear building setback is the distance measured perpendicular to the boundary furthest from a public street up to any structure on the allotment.

[72] Appendix A

Omit “houses” from the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality A7 Mona Vale Road North.

Insert instead “detached style housing”.

[73] Appendices B and G

Omit “houses” wherever occurring from the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for localities B1 Frenchs Forest East and G3 Manly Lagoon Suburbs.

Insert instead “style housing”.

[74] Appendix B Narrabeen Lagoon Catchment Locality Statements

Insert “Fencing is not to detract from the landscaped vista of the streetscape.” after “Parkway.” in the fourth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality B2 Oxford Falls Valley.

[75] Appendix B

Omit “houses” from the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality B2 Oxford Falls Valley.

Insert instead “detached style housing”.

[76] Appendix B

Insert “and its catchment and will ensure that ecological values of natural watercourses are maintained” after “Lagoon” wherever occurring in the fifth paragraph of the matter under the heading “**DESIRED FUTURE**”

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CHARACTER” in the Locality Statement for localities B2 Oxford Falls Valley and B9 Mona Vale Road East.

[77] Appendix B

Omit the second and third paragraphs of the matter under the headings **“BUILT FORM”** and **“Front building setback”** in the Locality Statement for locality B3 Oxford Heights/Carnarvon Drive.

Insert instead:

The minimum front building setback is 6.5 metres.

The street setback area is to be landscaped and generally free of any structures, carparking or site facilities other than driveways, letterboxes or fences.

Consent may be granted for development to be carried out within the minimum front setback area:

- on corner blocks or blocks with double street frontage, where the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street setback variations must consider the character of the secondary street and the predominant setbacks existing to that street, or
- on allotments constrained by the location and use of existing buildings, or by the topography, if it is for the provision of carparking.

[78] Appendices B and E

Omit “apartment buildings” wherever occurring in the first and second paragraphs of the matter under the heading **“DESIRED FUTURE CHARACTER”** in the Locality Statement for localities B5 Narrabeen Lakeside and E16 Pittwater Road North.

Insert instead “apartment style housing”.

[79] Appendix B

Omit the first paragraph of the matter under the headings **“BUILT FORM”** and **“Building height”** in the Locality Statement for locality B5 Narrabeen Lakeside.

Insert instead:

Except within the areas shown as “medium density areas” on the map:

- buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the

topmost point of the building (not being a vent or chimney or the like) and the natural ground level below, and

- buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

Within the areas shown as “medium density areas” on the map, buildings are neither to exceed 3 storeys nor 11 metres.

[80] Appendix B

Omit the fourth paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality B5 Narrabeen Lakeside.

[81] Appendix B

Insert “The minimum front setback is 6.5 metres.” after “setback.” in the first paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality B5 Narrabeen Lakeside.

[82] Appendix B

Omit the third paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality B5 Narrabeen Lakeside.

[83] Appendices B–H

Omit the first dot point to the fourth paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” wherever occurring in the Locality Statement for localities B5 Narrabeen Lakeside, B7 Narrabeen Lake Suburbs, C1 Middle Harbour Suburbs, D1 Collaroy/Narrabeen, D3 Collaroy Footslopes, D4 Collaroy Plateau, D5 Long Reef, E1 Dee Why North, E2 Dee Why Lagoon Suburbs, E13 Dee Why Park, E14 Dee Why Basin, E15 Wingala Hill, E16 Pittwater Road North, E19 Delmar Parade, E20 Mooramba West, F4 Brookvale Valley, F5 Curl Curl, G2 Riverview Parade, G3 Manly Lagoon Suburbs, G7 Innes Road, G8 Queenscliff and H1 Freshwater Beach.

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Insert instead:

- on corner blocks or blocks with double street frontage the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street setback variations must consider the character of the secondary street and the predominant setbacks existing to that street, or

[84] Appendices B–G

Insert at the end of the matter wherever occurring under the headings “**BUILT FORM**” and “**Rear building setback**” in the Locality Statement for localities B5 Narrabeen Lakeside, D1 Collaroy/Narrabeen, D3 Collaroy Footslopes, E2 Dee Why Lagoon Suburbs, F4 Brookvale Valley, G3 Manly Lagoon Suburbs, G7 Innes Road and G8 Queenscliff:

Within medium density areas, above and below ground structures and private open space (including basement carparking, balconies, terraces and the like) must not encroach the rear boundary setback, except:

- light fittings, electricity or gas meters, or other services, infrastructure and structures not more than 1 metre above natural ground level (including steps, landings, ramps and stormwater structures) may encroach beyond the required setback to within a minimum distance of 2 metres of a rear boundary, and
- entrance and stair lobbies at ground floor level may encroach beyond the required setback to within a minimum of 2 metres of a rear boundary.

[85] Appendices B, D, E, F and G

Insert “vehicle access ramps,” after “basement carparking,” wherever occurring in the eighth paragraph of the matter under the headings “**BUILT FORM**” and “**Side boundary envelope and side setback**” in the Locality Statement for localities B5 Narrabeen Lakeside, D1 Collaroy/Narrabeen, D3 Collaroy Footslopes, E2 Dee Why Lagoon Suburbs, F4 Brookvale Valley, G3 Manly Lagoon Suburbs and G7 Innes Road.

[86] Appendices B–G

Insert “pedestrian” after “natural ground level including steps, landings,” wherever occurring in the first dot point to the eighth paragraph of the matter under the headings “**BUILT FORM**” and “**Side boundary envelope and side setback**” in the Locality Statement for localities B5 Narrabeen Lakeside, D1 Collaroy/Narrabeen, D3 Collaroy Footslopes, E2 Dee Why Lagoon Suburbs, F4 Brookvale Valley, G3 Manly Lagoon Suburbs and G7 Innes Road.

[87] Appendices B–H

Insert after the first paragraph of the matter wherever occurring under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for localities B7 Narrabeen Lake Suburbs, C1 Middle Harbour Suburbs, D1 Collaroy/Narrabeen, D3 Collaroy Footslopes, D4 Collaroy Plateau, D5 Long Reef, E1 Dee Why North, E2 Dee Why Lagoon Suburbs, E13 Dee Why Park, E14 Dee Why Basin, E15 Wingala Hill, E16 Pittwater Road North, E19 Delmar Parade, E20 Mooramba West, F4 Brookvale Valley, F5 Curl Curl, G2 Riverview Parade, G3 Manly Lagoon Suburbs, G7 Innes Road, G8 Queenscliff and H1 Freshwater Beach:

The minimum front building setback is 6.5 metres.

[88] Appendices B–H

Omit the third paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” wherever occurring in the Locality Statement for localities B7 Narrabeen Lake Suburbs, C1 Middle Harbour Suburbs, D1 Collaroy/Narrabeen, D3 Collaroy Footslopes, D4 Collaroy Plateau, D5 Long Reef, E1 Dee Why North, E2 Dee Why Lagoon Suburbs, E13 Dee Why Park, E14 Dee Why Basin, E15 Wingala Hill, E16 Pittwater Road North, E19 Delmar Parade, E20 Mooramba West, F4 Brookvale Valley, F5 Curl Curl, G2 Riverview Parade, G3 Manly Lagoon Suburbs, G7 Innes Road, G8 Queenscliff and H1 Freshwater Beach (before their amendment by this Schedule).

[89] Appendix B

Omit “where adjoining land has no dwelling on it. Where adjoining properties contain dwellings, the minimum front building setback is to be equal to the average setback of the adjoining dwellings” from the first paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality B8 Red Hill.

[90] Appendix B

Omit the first dot point of the third paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality B8 Red Hill:

Insert instead:

- on corner blocks or blocks with double street frontage, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street setback variations must consider the character of the secondary street and the predominant setbacks existing to that street, or

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[91] Appendix B

Omit “new houses” from the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality B9 Mona Vale Road East.

Insert instead “new detached style housing”.

[92] Appendix B

Insert at the end of the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality B11 Forest Way Village:

Residential development will be interspersed by a range of complementary and compatible uses.

[93] Appendix B

Insert at the end of the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality B11 Forest Way Village:

Fencing adjacent to Forest Way is not to detract from the landscaped vista of the streetscape.

[94] Appendix B

Omit the second paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality B12 Perentie and Dawes Roads.

[95] Appendix B

Omit the first dot point of the third paragraph of the matter under the headings “**BUILT FORM**” and “**Front building setback**” in the Locality Statement for locality B12 Perentie and Dawes Roads:

Insert instead:

- on corner blocks or blocks with double street frontage, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street setback variations must consider the character of the secondary street and the predominant setbacks existing to that street, or

[96] Appendix C Middle Harbour Suburbs Locality Statements

Insert “and the land occupied by Belrose Bowling Club at Lot 2 DP 851739 on Forest Way” after “Tralee Avenue” in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality C1 Middle Harbour Suburbs.

[97] Appendix C

Omit “houses” from the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality C1 Middle Harbour Suburbs.

Insert instead “style housing”.

[98] Appendix C

Insert “and Lot 2 DP 851739, Belrose Bowling Club” after “Club” wherever occurring in the first paragraph of the matter under the headings “**LAND USE**” and “**Category One**” in the Locality Statement for locality C1 Middle Harbour Suburbs.

[99] Appendix C

Omit the first paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality C1 Middle Harbour Suburbs.

Insert instead:

Buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.

Buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

[100] Appendix C

Omit the sixth paragraph (counting the note as a paragraph) of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality C1 Middle Harbour Suburbs.

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[101] Appendix C

Omit “and business” from the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality C5 Forestway Shops.

Insert instead “, business, community and leisure”.

[102] Appendix C

Omit “11 metres” from the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality C5 Forestway Shops.

Insert instead “12 metres”.

[103] Appendix C

Omit “(except within LRC where not on ground floor)” from the twelfth dot point to the first paragraph of the matter under the headings “**LAND USE**” and “**Category Three**” in the Locality Statement for locality C7 Bare Creek.

[104] Appendix C

Omit “houses” wherever occurring in the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for localities C8 Belrose North and C10 Mona Vale Road West.

Insert instead “detached style housing”.

[105] Appendix C

Insert “Fencing is not to detract from the landscaped vista of the streetscape.” at the end of the fourth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality C8 Belrose North.

[106] Appendix C

Insert after the matter under the headings “**BUILT FORM**” and “**Minimum front building setback to other roads**” in the Locality Statement for locality C9 Austlink Business Park:

Side boundary building setback

Development is to maintain a minimum side boundary building setback.

The minimum setback from a building to a side boundary within an allotment less than one hectare in area is 5 metres.

The minimum setback from a building to a side boundary within an allotment greater than one hectare in area is 10 metres.

[107] Appendix D Collaroy Beach Catchment Locality Statements

Omit “apartments” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality D1 Collaroy/Narrabeen.

Insert instead “apartment style housing”.

[108] Appendix D

Omit “houses” from the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality D1 Collaroy/Narrabeen.

Insert instead “style housing”.

[109] Appendix D

Omit “New” from the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality D1 Collaroy/Narrabeen.

Insert instead “All new”.

[110] Appendix D

Omit the first paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality D1 Collaroy/Narrabeen.

Insert instead:

Except within the areas shown as “medium density areas” on the map:

- buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below, and
- buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

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Within the areas shown as “medium density areas” on the map, buildings are neither to exceed 2 storeys nor 8.5 metres except within the area of land bounded by Pittwater Road and Narrabeen, Ocean and Robertson Streets Narrabeen, where buildings are neither to exceed 3 storeys nor 11 metres.

[111] Appendices D, E and F

Omit the fourth paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” wherever occurring in the Locality Statement for localities D1 Collaroy/Narrabeen, E2 Dee Why Lagoon Suburbs and F4 Brookvale Valley.

[112] Appendix D

Omit “the Zone of Wave Impact as “WI”, the zone of Slope adjustment as “SA” and the Zone of Reduced Foundation Capacity as “RF”” wherever occurring in the matter under the headings “**BUILT FORM**” and “**Setback to beach**” in the Locality Statement for localities D1 Collaroy/Narrabeen, D2 Collaroy Village and D5 Long Reef.

Insert instead “setback lines which are the Zone of Wave Impact, the Zone of Slope Adjustment and the Zone of Reduced Foundation Capacity as shown on the Council’s Collaroy/Narrabeen/Fishermans beach line hazard maps—A1 8634, sheets 1–3”.

[113] Appendix D

Insert after the seventh dot point to the first paragraph of the matter under the heading “**HERITAGE ITEMS**” in the Locality Statement for locality D1 Collaroy/Narrabeen:

- Street trees and plaque, Pittwater Road, near the corner of Birdwood Avenue, Collaroy.

[114] Appendix D

Omit the third dot point to the first paragraph of the matter under the heading “**HERITAGE ITEMS**” in the Locality Statement for locality D2 Collaroy Village.

[115] Appendices D, E, F, G and H

Omit “apartment buildings” wherever occurring in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for localities D3 Collaroy Footslopes, E2 Dee Why Lagoon Suburbs, E15 Wingala Hill, E20 Mooramba West, F4 Brookvale Valley, F5 Curl Curl, G3 Manly Lagoon Suburbs, G8 Queenscliff and H1 Freshwater Beach.

Insert instead “apartment style housing”.

[116] Appendices D and E

Omit “apartment development” wherever occurring in the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for localities D3 Collaroy Footslopes, E13 Dee Why Park and E20 Mooramba West.

Insert instead “apartment style housing”.

[117] Appendix D

Omit “Apartment buildings” from the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality D3 Collaroy Footslopes.

Insert instead “Apartment style housing”.

[118] Appendices D and G

Omit the first paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” wherever occurring in the Locality Statement for localities D3 Collaroy Footslopes and G7 Innes Road.

Insert instead:

Except within the areas shown as “medium density areas” on the map:

- buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below, and
- buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

[119] Appendix D

Omit the fifth paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality D3 Collaroy Footslopes.

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[120] Appendix D

Insert after the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” as a new paragraph in the Locality Statement for locality D5 Long Reef:

Development on the site of the “Old Collaroy Hospital” located on land known as Lots 1, 2, 3, 8 and 9 on DP 6777, Lot 1 DP 954105, Lot 1 DP 953769 and Lot B DP 398645 will continue to be used only for health related uses. The northern portion of this site, adjacent to Birdwood Avenue, will be dedicated for the purposes of public open space. Any future development of the old Collaroy Hospital Site will be sympathetic to the pattern, scale and landscape character of the street and surrounding development. In addition any development of the site will address the heritage significance of the existing building known as the “Beach House” located at the corner of Beach Road and Brissenden Avenue.

[121] Appendix D

Insert at the end of the matter under the headings “**LAND USE** and “**Category One**” in the Locality Statement for locality D5 Long Reef:

Development for the purpose of health related uses on property known as the “Old Collaroy Hospital” site (Lots 1, 2, 3, 8 and 9 on DP 6777, Lot 1 DP 954105, Lot 1 DP 953769 and Lot B DP 398645).

[122] Appendix D

Omit the first paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality D5 Long Reef.

Insert instead:

Except within the local retail centre:

- buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below, and
- buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5

metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

Within the local retail centre buildings are neither to exceed 3 storeys nor 11 metres.

[123] Appendix D

Omit the fourth and fifth paragraphs of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality D5 Long Reef.

[124] Appendix D

Insert at the end of paragraph (c) of the third paragraph of the matter under the headings “**BUILT FORM**” and “**Housing density**” in the Locality Statement for locality D5 Long Reef:

, and

- (d) for health related uses on property known as the “Old Collaroy Hospital” site (Lots 1, 2, 3, 8 and 9 on DP 6777, Lot 1 DP 954105, Lot 1 DP 953769 and Lot B DP 398645).

[125] Appendix D

Insert before the first paragraph of the matter under the headings “**BUILT FORM**” and “**Landscaped open space**” in the Locality Statement for locality D5 Long Reef:

The minimum area of landscaped open space is 50 per cent of the site area for each development lot on land known as the “Old Collaroy Hospital” site (Lots 1, 2, 3, 8 and 9 on DP 6777, Lot 1 DP 954105, Lot 1 DP 953769 and Lot B DP 398645).

[126] Appendix D

Insert “for the remainder of the locality” after “open space” in the first paragraph of the matter under the headings “**BUILT FORM**” and “**Landscaped open space**” in the Locality Statement for locality D5 Long Reef (before its amendment by this Schedule).

[127] Appendix E

Omit “houses” from the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E1 Dee Why North.

Insert instead “style housing”.

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[128] Appendix E

Omit “apartment development” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E2 Dee Why Lagoon Suburbs.

Insert instead “apartment style housing”.

[129] Appendices E and F

Omit the first paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” wherever occurring in the Locality Statement for localities E2 Dee Why Lagoon Suburbs and F4 Brookvale Valley.

Insert instead:

Except within the areas shown as “medium density areas” on the map:

- buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below, and
- buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

Within the areas shown as “medium density areas” on the map, buildings are neither to exceed 2 storeys nor 8.5 metres.

[130] Appendix E

Insert “vehicle access ramps,” after “basement carparking,” wherever occurring in the fifth paragraph of the matter under the headings “**BUILT FORM**” and “**Side boundary envelope and side setback**” in the Locality Statement for localities E4 Dee Why Parade, E7 Pacific Parade, E10 Civic Centre, E13 Dee Why Park, E14 Dee Why Basin, E19 Delmar Parade and E20 Mooramba West.

[131] Appendix E

Omit “housing” where secondly occurring in the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E4 Dee Why Parade.

Insert instead “apartment style housing”.

[132] Appendix E

Omit the sixth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E4 Dee Why Parade.

Insert instead:

Building layout and access are to be in accordance with Map E, available at the office of the Council.

[133] Appendix E

Insert after the tenth dot point in the matter under the headings “**LAND USE**” and “**Category Two**” wherever occurring in the Locality Statement for localities E4 Dee Why Parade and E11 Fisher Road:

- veterinary hospitals

[134] Appendix E

Omit the eleventh dot point in the matter under the headings “**LAND USE**” and “**Category Three**” wherever occurring in the Locality Statement for localities E4 Dee Why Parade and E11 Fisher Road.

[135] Appendix E

Insert after the fourth dot point in the matter under the headings “**LAND USE**” and “**Category Two**” in the Locality Statement for locality E5 Howard Avenue:

- veterinary hospitals

[136] Appendix E

Insert “pedestrian” after “natural ground level including steps, landings,” wherever occurring in the first dot point to the fifth paragraph of the matter under the headings “**BUILT FORM**” and “**Side boundary envelope and side setback**” in the Locality Statement for localities E4 Dee Why Parade, E7 Pacific Parade, E10 Civic Centre, E13 Dee Why Park, E14 Dee Why Basin, E19 Delmar Parade and E20 Mooramba West.

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[137] Appendix E

Omit “apartment buildings” wherever occurring in the second and third paragraphs of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for localities E4 Dee Why Parade, E7 Pacific Parade and E8 Sturdee Parade.

Insert instead “apartment style housing”.

[138] Appendix E

Insert “a range of community uses and” after “interspersed with” in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E7 Pacific Parade.

[139] Appendix E

Insert after the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E7 Pacific Parade:

Building layout and access are to be in accordance with Map E available from the office of the Council such that the spaces behind buildings combine to form central courts with vehicle access limited to a restricted number of places generally in the locations shown on Map E.

[140] Appendix E

Omit the twelfth dot point in the matter under the headings “**LAND USE**” and “**Category Three**” wherever occurring in the Locality Statement for localities E5 Howard Avenue, E6 Oaks Avenue, E9 Pittwater Road and E12 Mooramba Road.

[141] Appendix E

Insert after the ninth dot point in the matter under the headings “**LAND USE**” and “**Category Two**” wherever occurring in the Locality Statement for localities E6 Oaks Avenue and E12 Mooramba Road:

- veterinary hospitals

[142] Appendix E

Omit “fragmented” from the fourth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E8 Sturdee Parade.

Insert instead “modulated”.

[143] Appendix E

Omit “Sites are to be amalgamated where necessary” from the sixth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E8 Sturdee Parade.

Insert instead “Site amalgamation will be encouraged”.

[144] Appendix E

Insert after the eighth dot point in the matter under the headings “**LAND USE**” and “**Category Two**” in the Locality Statement for locality E9 Pittwater Road:

- veterinary hospitals

[145] Appendices E and G

Omit “apartment buildings” wherever occurring in the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for localities E10 Civic Centre, E14 Dee Why Basin and G7 Innes Road.

Insert instead “apartment style housing”.

[146] Appendix E

Insert after the third paragraph of the matter under the headings “**BUILT FORM**” and “**Minimum front building setbacks**” in the Locality Statement for locality E10 Civic Centre:

For residential development the front setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letterboxes and garbage storage areas.

Rear building setback

The minimum rear building setback is 6 metres.

The rear building setback area is to be landscaped and free of any structures.

To measure the rear building setback the rear building setback is the distance measured perpendicular to the boundary furthest from a public street up to any structure on the allotment.

The rear building setback does not apply to corner allotments.

The rear building setback may be encroached by exempt development, swimming pools and outbuildings which, in total, do not exceed 50 per cent of the rear setback area.

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[147] Appendix E

Omit “and uses which are compatible with housing” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E13 Dee Why Park.

Insert instead “interspersed by a range of complementary and compatible uses”.

[148] Appendix E

Omit “apartment buildings” from the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E13 Dee Why Park.

Insert instead “apartment style housing”.

[149] Appendix E

Omit “apartment buildings and houses” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E14 Dee Why Basin.

Insert instead “apartment style housing and detached style housing”.

[150] Appendix E

Omit “apartment buildings” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E19 Delmar Parade.

Insert instead “apartment style housing and detached style housing”.

[151] Appendix E

Insert “complementary and” after “which are” in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E14 Dee Why Basin.

[152] Appendix E

Omit “existing houses” from the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E15 Wingala Hill.

Insert instead “existing detached style housing”.

[153] Appendix E

Omit “apartment buildings” wherever occurring in the first and second paragraphs of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E16 Pittwater Road North.

Insert instead “apartment style housing”.

[154] Appendix E

Insert “and community” after “mix of business” in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E17 Town Centre South.

[155] Appendix E

Insert “, interspersed by a range of complementary and compatible uses” after “residential uses” in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E18 The Strand.

[156] Appendix E

Insert after the first dot point of the matter under the headings “**LAND USE**” and “**Category Two**” in the Locality Statement for locality E18 The Strand:

- housing for older people or people with disabilities

[157] Appendix E

Omit the twelfth dot point of the matter under the headings “**LAND USE**” and “**Category Three**” in the Locality Statement for locality E18 The Strand.

[158] Appendix E

Insert “in landscaped settings interspersed by a range of complementary and compatible uses” after “apartment style housing” in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E19 Delmar Parade.

[159] Appendix E

Insert “, provided the visual impact is minimised when viewed from the street and surrounding development” after “sites” in the third paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality E19 Delmar Parade.

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[160] Appendix E

Omit “and uses which are compatible with housing” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality E20 Mooramba West.

Insert instead “, interspersed by a range of complementary and compatible uses”.

[161] Appendix F

Insert at the end of the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality F2 Brookvale Service Centre.

The land at Lot 11 DP1009998, 7–9 Federal Parade Brookvale may be occupied by an office building.

[162] Appendix F

Insert after the sixth dot point of the matter under the headings “**LAND USE**” and “**Category Two**” in the Locality Statement for locality F2 Brookvale Service Centre:

- offices (only at Lot 11 DP 1009998, No 7–9 Federal Parade Brookvale)

[163] Appendix F

Insert after the tenth dot point of the matter under the headings “**LAND USE**” and “**Category Two**” in the Locality Statement for locality F2 Brookvale Service Centre (before its amendment by this Schedule):

- short term accommodation

[164] Appendix F

Omit the fifteenth dot point of the matter under the headings “**LAND USE**” and “**Category Three**” in the Locality Statement for locality F2 Brookvale Service Centre.

[165] Appendix G

Omit the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality G2 Riverview Parade:

Insert instead:

The Riverview Parade locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complementary and compatible uses.

[166] Appendix G

Omit the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality G2 Riverview Parade.

Insert instead:

Buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.

Buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space).

[167] Appendix G

Omit “apartment style development” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality G3 Manly Lagoon Suburbs.

Insert instead “apartment style housing”.

[168] Appendix G

Omit “Outside the “medium density areas”, future” from the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality G3 Manly Lagoon Suburbs.

Insert instead “Future”.

[169] Appendix G

Insert “except in areas marked as “medium density areas” on the map” after “locality” where firstly occurring in the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality G3 Manly Lagoon Suburbs.

[170] Appendix G

Omit the first paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality G3 Manly Lagoon Suburbs.

Insert instead:

Except within the areas shown as “medium density areas” on the map:

- buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the

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topmost point of the building (not being a vent or chimney or the like) and the natural ground level below, and

- buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20 per cent within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

Within the medium density area, buildings are neither to exceed 2 storeys nor 8.5 metres.

[171] Appendix G

Omit the fourth paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality G3 Manly Lagoon Suburbs.

[172] Appendix G

Omit “detached housing” wherever occurring in the first and second paragraphs of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality G7 Innes Road.

Insert instead “detached style housing”.

[173] Appendix G

Omit “apartment development” in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality G7 Innes Road.

Insert instead “apartment style housing”.

[174] Appendix G

Omit the fifth paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality G7 Innes Road.

[175] Appendix G

Omit “apartments” from the fifth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in the Locality Statement for locality G8 Queenscliff.

Insert instead “apartment style housing”.

[176] Appendix G

Omit the first paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality G8 Queenscliff.

Insert instead:

Except within the areas shown as “medium density areas” on the map:

- buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below, and
- buildings are not to exceed 7.2 metres from natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space), but this standard may be relaxed on sites with slopes greater than 20% within the building platform (measured at the base of the walls of the building), provided the building does not exceed the 8.5 metre height standard, is designed and located to minimise the bulk of the building and has minimal visual impact when viewed from the downslope sides of the land.

[177] Appendix G

Omit the sixth paragraph of the matter under the headings “**BUILT FORM**” and “**Building height**” in the Locality Statement for locality G8 Queenscliff.

[178] Appendix G

Omit “Above” from the eighth paragraph of the matter under the headings “**BUILT FORM**” and “**Side boundary envelope and side setback**” in the Locality Statement for locality G8 Queenscliff.

Insert instead “Within medium density areas, above”.

[179] Appendix G

Insert “vehicle access ramps,” after “basement carparking,” in the eighth paragraph of the matter under the headings “**BUILT FORM**” and “**Side boundary envelope and side setback**” in the Locality Statement for locality G8 Queenscliff.

[180] Appendix G

Insert “pedestrian” after “landings,” in the first dot point to the eighth paragraph of the matter under the headings “**BUILT FORM**” and “**Side boundary envelope and side setback**” in the Locality Statement for locality G8 Queenscliff.