



New South Wales

## **Warringah Local Environmental Plan 2000 (Amendment No 3)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(S01/00429/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

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## **2001 No 605**

Clause 1                      Warringah Local Environmental Plan 2000 (Amendment No 3)

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# **Warringah Local Environmental Plan 2000 (Amendment No 3)**

## **1 Name of plan**

This plan is *Warringah Local Environmental Plan 2000 (Amendment No 3)*.

## **2 Aims of plan**

This plan aims to:

- (a) provide environmental planning controls that will result in the management of any disturbance to acid sulfate soils in the Warringah local government area so as to minimise impacts on natural waterbodies and wetlands and on agricultural, fishing, aquaculture, urban and infrastructure activities, and
- (b) minimise damage from acid sulfate soils to structures on properties, and
- (c) require special assessment of certain development on land identified as being subject to risks associated with the disturbance of acid sulfate soils, and
- (d) require special assessment of certain development on land identified as being subject to the risk of landslip.

## **3 Land to which plan applies**

This plan applies to:

- (a) land shown as being within Classes 1–5 on the map marked “Warringah Local Environmental Plan 2000—Hazard Map 1—Acid Sulfate Soils” deposited in the office of Warringah Council, and
- (b) land shown as being potentially subject to landslip on the map marked “Warringah Local Environmental Plan 2000—Hazard Map 2—Landslip” deposited in the office of Warringah Council.

## **4 Amendment of Warringah Local Environmental Plan 2000**

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

## Schedule 1 Amendments

(Clause 4)

### [1] Clause 8 What development is complying development?

Insert at the end of clause 8 (2) (d):

, or

- (e) on land identified as Class 1, 2, 3, 4 or 5 on the Acid Sulfate Soils Hazard Map, where the development involves any works specified for that land in clause 49A.

### [2] Clause 49A

Insert after clause 49:

#### **49A Acid sulfate soils**

Development on land identified as Class 1, 2, 3, 4 or 5 on the Acid Sulfate Soils Hazard Map is to be carried out in a manner that manages any disturbance to acid sulfate soils so as to minimise impacts on natural waterbodies and wetlands, and on agriculture, fishing, aquaculture, urban activities and infrastructure.

In particular:

Consent must not be granted to proposed works outlined below for the Class of land concerned, that disturb more than one tonne of soil or that are likely to lower the watertable, unless the consent authority has considered an acid sulfate soils management plan prepared in accordance with the *Acid Sulfate Soils Assessment Guidelines*. However, an acid sulfate soils management plan is not required where a preliminary assessment of the proposed works undertaken in accordance with these guidelines indicates that the proposed works need not be carried out pursuant to an acid sulfate soils management plan, and a copy of the assessment has been given to the Council.

## 2001 No 605

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Schedule 1 Amendments

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<b>Class of land as shown on Acid Sulfate Soils Hazard Map</b>	<b>Works</b>
1	Any works
2	Works below natural ground surface Works by which the watertable is likely to be lowered
3	Works beyond 1 metre below natural ground surface Works by which the watertable is likely to be lowered beyond 1 metre below natural ground surface
4	Works beyond 2 metres below natural ground surface Works by which the watertable is likely to be lowered beyond 2 metres below natural ground surface
5	Works on land below the 10 metre AHD contour and within 500 metres of adjacent Class 1, 2, 3 or 4 land which are likely to lower the watertable below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land

**Note.** The works may occur in the carrying out of agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial waterbodies (including canals, dams and detention basins), foundations, flood mitigation works or other works that are likely to lower the watertable.

### [3] Clause 57 Development on sloping land

Insert at the end of clause 57:

Consent must not be granted for development involving the erection of a structure, including additions to an existing structure, on land identified as being potentially subject to landslip on the Landslip Hazard Map unless the consent authority has considered a report from a suitably qualified engineer as to the geotechnical stability of the land to support such development and an assessment of stormwater prepared by a suitably qualified hydraulic engineer.

**[4] Schedule 1 Exempt development**

Insert at the end of clause 1 (g) in Schedule 1:

, or

- (h) is on land identified as Class 1, 2, 3, 4 or 5 on the Acid Sulfate Soils Hazard Map, where the development involves works specified for that land in clause 49A.

**[5] Dictionary**

Insert in alphabetical order:

***acid sulfate soils*** means actual or potential acid sulfate soils, as defined in the *Acid Sulfate Soils Assessment Guidelines*.

***Acid Sulfate Soils Assessment Guidelines*** means the *Acid Sulfate Soils Assessment Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted for the time being by the Director-General.

***Acid Sulfate Soils Hazard Map*** means the map marked “Warringah Local Environmental Plan 2000—Hazard Map 1—Acid Sulfate Soils”.

***Landslip Hazard Map*** means the map marked “Warringah Local Environmental Plan 2000—Hazard Map 2—Landslip”.