



New South Wales

## **Warringah Local Environmental Plan 2000 (Amendment No 2)**

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 803**

Clause 1                    Warringah Local Environmental Plan 2000 (Amendment No 2)

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# **Warringah Local Environmental Plan 2000 (Amendment No 2)**

## **1 Name of plan**

This plan is *Warringah Local Environmental Plan 2000 (Amendment No 2)*.

## **2 Aims of plan**

This plan aims to remove various anomalies within *Warringah Local Environmental Plan 2000*.

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

This plan applies to all land within Warringah.

## **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 5 What effect has this plan on other environmental planning instruments?**

Omit “, 55” from clause 5 (1).

**[2] Clauses 34, 35 and 36**

Omit “local” from “local public open space” wherever occurring.

**[3] Clauses 34, 35 and 36**

Omit “public” from “regional public open space” wherever occurring.

**[4] Clause 35 How will reserved land be acquired?**

Insert at the end of the clause before the note:

- (2) Upon receipt of a notice referred to in subclause (1), the public authority concerned shall acquire any reserved land to which it applies, subject to subclauses (3) and (4).
- (3) The Council need not take any action to acquire land referred to in subclause (1) (a) for 90 days (or for such other period as may be agreed between the owner and the Council before that period expires) after receiving the notice if the Council, within 14 days after receiving the notice, notifies the owner that it is reviewing the planning controls applying to the land.
- (4) The Council need not acquire land referred to in subclause (1) (a) pursuant to the notice if the land has ceased to be reserved land, or the Council has decided to prepare a local environmental plan to remove the reservation of the land, before the period of 90 days (or the agreed period) expires.

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Schedule 1

Amendments

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### [5] Clause 68 Conservation of energy and water

Omit the fifth dot point. Insert instead:

- the consent authority must consider a certificate of energy rating prepared by an accredited certifier under the *National House Energy Rating Scheme* (NatHERS) for new housing as well as major alterations and additions to housing that increase the existing floor space by more than 40%. New housing (subject to the following) and major alterations and additions to housing that increase the floor space by more than 40% are to achieve a 3.5 star rating pursuant to NatHERS. At least 80% of new houses, where proposals contain 5 or more attached houses, are to achieve a minimum 3.5 star rating. Where there are less than 5 new attached houses, each house is to achieve a minimum of 3.5 stars. For a subdivision creating 10 or more parcels of land, at least 80% of all created lots are to achieve at least a 5 star rating, with the rest achieving a minimum of 3 stars, pursuant to an Energy Performance Report (Guidelines for Solar Efficient Residential Subdivision in NSW),
- Hot water systems installed into new housing are to achieve a minimum 3.5 rating based on the Greenhouse Scorecard developed by the Sustainable Energy Development Authority (SEDA). Clothes dryers installed into new multi-unit housing are to achieve a minimum 3.5 rating as determined by the Sustainable Energy Development Authority (SEDA).

**[6] Schedule 2 Other development not requiring consent**

Insert after the matter relating to maintenance dredging in Schedule 2:

PUBLIC UTILITY  
UNDERTAKINGS,  
being water, sewerage,  
drainage or  
telecommunication  
services, or electricity or  
gas undertakings

Development of any description at or below the surface of the ground.  
The installation of any plant inside an existing building or the installation or erection within the premises of an existing generating station or substation of any plant or other structures or erections required in connection with the station or substation. Additions, extensions or replacement of structures already installed or erected, including the installation in an electrical transmission line of substations, feeder pillars or transformer housing, but not including the erection of overhead power lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder pillars or transformer housings of stone, concrete or brickworks.  
Provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity, or to provide telecommunication services.  
Erection of service reservoirs on land acquired for that purpose provided reasonable notice is given to the Council.

**[7] Dictionary**

Insert at the end of the definition of *the map*:

Warringah Local Environmental Plan 2000 (Amendment No 2)

**[8] Appendices C and F**

Omit “(except within LRC where not on ground floor)” wherever occurring after the word “housing” in the matter under the heading “**Category Three**” for the following localities:

C6 Cook Street

C9 Austlink Business Park

F3 Brookvale Industrial

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Schedule 1 Amendments

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### [9] Appendices D, E, F and G

Omit “Future” wherever occurring in the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” for the following localities:

- D1 Collaroy/Narrabeen
- E2 Dee Why Lagoon Suburbs
- F4 Brookvale Valley
- G3 Manly Lagoon Suburbs

Insert instead “Outside the ‘medium density areas’, future”.

### [10] Appendices E and G

Omit “(within LRC where not on ground floor)” wherever occurring after the word “housing” in the matter under the heading “**Category Three**” for the following localities:

- E3 Cromer Industrial
- G1 Harbord Industrial
- G4 Rodborough Road
- G10 Brookvale Industrial West
- G11 Aquatic Drive

### [11] Appendix E Dee Why Locality Statements

Omit “Pacific Parade” from the matter under the heading “**Building height**” for locality E4 Dee Why Parade.

Insert instead “Dee Why Parade”.

### [12] Appendix E

Omit “hotel” wherever occurring in the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” for locality E8 Sturdee Parade.

Insert instead “motel”.

**[13] Appendix E**

Omit “tourist hotel” from the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” for locality E8 Sturdee Parade.

Insert instead “new tourist motel”.

**[14] Appendix E**

Omit “Map E” wherever occurring from the second and third dot points of the matter under the heading “**Building height (mid-block)**” for locality E8 Sturdee Parade.

Insert instead “Diagram E8”.

**[15] Appendix E**

Omit “A build-to line has” from the first paragraph of the matter under the heading “**Build-to lines**” for locality E8 Sturdee Parade.

Insert instead “Build-to lines have”.

**[16] Appendix E**

Omit the second paragraph of the matter under the heading “**Build-to lines**” for locality E8 Sturdee Parade.

**[17] Appendix E**

Omit the first and second dot points of the matter under the heading “**Build-to lines**” for locality E8 Sturdee Parade.

Insert instead:

- Where a proposed building, or part of a proposed building, adjoins a 100% build-to line the whole of the relevant building façade is to be built on this line. Variations of up to 300 mm may be permitted to add visual interest and allow articulation of building façades.
- Where a proposed building, or part of a proposed building, adjoins a 40–60% build-to line, between 40–60% of the relevant building façade is to be built on this line. Variations of up to 300 mm may be permitted to add visual interest and allow articulation of building façades within the 40–60% component of the building.

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Schedule 1 Amendments

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### [18] Appendix E

Omit “5” from the fourth dot point of the matter under the heading “**Build-to lines**” for locality E8 Sturdee Parade.

Insert instead “9”.

### [19] Appendix E

Insert at the end of the matter under the heading “**Build-to lines**” for locality E8 Sturdee Parade:

The 100% build-to line is 5 metres from the kerb. The 40–60% build-to line is 8 metres from the kerb.

### [20] Appendix E

Omit “Map E” from the first paragraph of the matter under the heading “**Building massing and buildable area**” for locality E8 Sturdee Parade.

Insert instead “Diagram E8.2 available from the office of the Council”.

### [21] Appendix E

Omit “Map E” wherever occurring from the first and third dot points of the matter under the heading “**Landscaped open space**” and the dot point of the matter under the heading “**Access**” for locality E8 Sturdee Parade.

Insert instead “Diagram E8.3 available from the office of the Council”.

### [22] Appendix E

Insert at the end of the matter under the heading “**DESIRED FUTURE CHARACTER**” for locality E9 Pittwater Road:

Site amalgamation will be encouraged to facilitate new development and enable all carparking to be provided below ground or behind buildings using shared driveways where possible.

BY AUTHORITY

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