



## **Warringah Local Environmental Plan 2000 (Amendment No 8)**

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*. (S97/00568/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Planning

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## **2003 No 84**

Clause 1

Warringah Local Environmental Plan 2000 (Amendment No 8)

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# **Warringah Local Environmental Plan 2000 (Amendment No 8)**

## **1 Name of plan**

This plan is *Warringah Local Environmental Plan 2000 (Amendment No 8)*.

## **2 Aims of plan**

- (1) This plan aims:
  - (a) to amend non-urban Locality Statements under *Warringah Local Environmental Plan 2000*, and
  - (b) to remove the public open space designation from land known as Lot 210 DP 752017, Kulgoa Road, Terrey Hills.
- (2) Provisions relating to the protection of environmentally sensitive land have been deferred from this plan.

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

This plan applies:

- (a) to land to which Locality Statements A2 Booralie Road, A4 Myoora Road, A5 McCarrs Creek Road, B2 Oxford Falls Valley, B9 Mona Vale Road East, C8 Belrose North and C10 Mona Vale Road West apply, and
- (b) to Lot 210 DP 752017, Kulgoa Road, Terrey Hills.

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

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

## Schedule 1 Amendments

(Clause 4)

### [1] Dictionary

Insert in appropriate order in the definition of *the map*:

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### [2] Appendix A Cowan Creek Catchment Locality Statements

Insert “low intensity, low impact” after “settings and occasionally” in the matter under the heading “DESIRED FUTURE CHARACTER” in the statement relating to Locality A2 Booralie Road.

### [3] Appendices A and B

Insert immediately before the heading “COMPLYING DEVELOPMENT” in the statements relating to Locality A2 Booralie Road, Locality A5 McCarrs Creek Road and Locality B2 Oxford Falls Valley:

#### **Rear and side building setback**

Development is to maintain minimum rear and side building setbacks.

The minimum rear and side building setback is 10 metres.

The rear and side setback areas are to be landscaped and free of any structures, carparking or site facilities other than driveways and fences.

#### **Landscaped open space**

The minimum area of landscaped open space is 30 per cent of the site area.

To measure an area of landscaped open space:

- (a) impervious surfaces such as driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks and the like and any areas with a width or length of less than 2 metres are excluded from the landscaped open space area, and

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- (b) the water surface of swimming pools and impervious surfaces that occur naturally such as rock outcrops are included in the landscaped open space area, and
- (c) landscaped open space must be at ground level, and
- (d) the minimum soil depth of land that can be included as landscaped open space is 1 metre.

### **National Park setback**

Development is to maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area is to be fire fuel reduced and landscaped with local species.

### **[4] Appendix A**

Insert “retained or” after “bushland buffer will be” in paragraph 1 of the matter under the heading “DESIRED FUTURE CHARACTER” in the statement relating to Locality A4 Myoora Road.

### **[5] Appendix A**

Omit “Signs will not be permitted where they are visible from Mona Vale Road.” from paragraph 2 of the matter under the heading “DESIRED FUTURE CHARACTER” in the statement relating to Locality A4 Myoora Road.

Insert after the second paragraph of that matter:

Only small, non obtrusive and non illuminated signs that identify the use of a site are to be visible from Mona Vale Road. Signs that are designed of such size, height or visual appearance so as to attract passing trade will not be permitted. All signs are to be in keeping with the colour and textures of the natural landscape.

### **[6] Appendix A**

Insert after the matter under the heading “Front building setback” that is under the heading “BUILT FORM” in the statement relating to Locality A4 Myoora Road:

### **Rear and side building setback**

Development is to maintain minimum rear and side building setbacks.

The minimum rear and side building setback is 7.5 metres.

The rear and side setback areas are to be landscaped and free of any structures, carparking or site facilities other than driveways and fences.

**[7] Appendices B and C**

Insert immediately before the heading “COMPLYING DEVELOPMENT” in the statements relating to Locality B9 Mona Vale Road East, Locality C8 Belrose North and Locality C10 Mona Vale Road West:

**Rear and side building setback**

Development is to maintain minimum rear and side building setbacks.

The minimum rear and side building setback is 10 metres.

The rear and side setback areas are to be landscaped and free of any structures, carparking or site facilities other than driveways and fences.

**Bushland setting**

A minimum of 50 per cent of the site area is to be kept as natural bushland or landscaped with local species.

**National Park setback**

Development is to maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area is to be fire fuel reduced and landscaped with local species.

**[8] Appendix B**

Insert as a new paragraph after the third paragraph of the matter under the heading “DESIRED FUTURE CHARACTER” in the statement relating to Locality B2 Oxford Falls Valley:

A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway.

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### [9] Appendix B

Omit “The minimum front building setback from the street alignment is 20 metres.” from under the heading “Front building setback” that is under the heading “BUILT FORM” in the statement relating to Locality B2 Oxford Falls Valley.

Insert instead:

The minimum front building setback to all roads is 20 metres. On corner allotments fronting Forest Way or Wakehurst Parkway the minimum front building setback is to apply to those roads and the side setback is to apply to the secondary road.

### [10] Appendix B

Omit “landscaped and” from the third paragraph of the matter under the heading “Front building setback” that is under the heading “BUILT FORM” in the statement relating to Locality B2 Oxford Falls Valley.

Insert instead “densely landscaped using locally occurring species of canopy trees and shrubs and be”.

### [11] Appendix B

Insert as a new paragraph after the third paragraph of the matter under the heading “DESIRED FUTURE CHARACTER” in the statement relating to Locality B9 Mona Vale Road East:

A dense bushland buffer will be retained or established along Mona Vale Road.

### [12] Appendix B

Omit “landscaped and” from the third paragraph of the matter under the heading “Front building setback” that is under the heading “BUILT FORM” statement relating to Locality B9 Mona Vale Road East.

Insert instead “densely landscaped using locally occurring species of canopy trees and shrubs and be”

**[13] Appendix C**

Insert as a new paragraph after the third paragraph of the matter under the heading “DESIRED FUTURE CHARACTER” in the statement relating to Locality C8 Belrose North:

A dense bushland buffer will be retained or established along Forest Way.

**[14] Appendix C**

Omit “The minimum front building setback from Forest Way is 20 metres. Otherwise, the minimum front building setback is 10 metres.” from under the heading “Front building setback” that is under the heading “BUILT FORM” in the statement relating to Locality C8 Belrose North.

Insert instead:

The minimum front building setback to all roads is 20 metres. On corner allotments fronting Forest Way the minimum front building setback is to apply to this road and the side setback is to apply to the secondary road.

**[15] Appendix C**

Omit “landscaped and” from under the heading “Front building setback” that is under the heading “BUILT FORM” in the statement relating to Locality C8 Belrose North.

Insert instead “densely landscaped using locally occurring species of canopy trees and shrubs and be”

**[16] Appendix C**

Insert after the third paragraph under the heading “DESIRED FUTURE CHARACTER” in the statement relating to Locality C10 Mona Vale Road West:

A dense bushland buffer will be retained or established along Mona Vale Road West.

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Schedule 1

Amendments

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**[17] Appendix C**

Omit “Forest Way” from under the heading “Front building setback” that is under the heading “BUILT FORM” in the statement relating to Locality C10 Mona Vale Road West.

Insert instead “Mona Vale Road”.

**[18] Appendix C**

Omit “landscaped and” from the fourth paragraph of the matter under the heading “Front building setback” that is under the heading “BUILT FORM” in the statement relating to Locality C10 Mona Vale Road West.

Insert instead “densely landscaped using locally occurring species of canopy trees and shrubs and be”.

BY AUTHORITY