



New South Wales

Pittwater Local Environmental Plan 1993 (Amendment No 87)

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*. (9041247/PC)

FRANK SARTOR, M.P.,
Minister for Planning

2008 No 154

Clause 1 Pittwater Local Environmental Plan 1993 (Amendment No 87)

Pittwater Local Environmental Plan 1993 (Amendment No 87)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Pittwater Local Environmental Plan 1993 (Amendment No 87)*.

2 Aims of plan

The aims of this plan are as follows:

- (a) to permit the development of the land for urban mixed residential purposes in accordance with the State Government's Urban Development Program,
- (b) to enable the Warriewood Valley Urban Land Release to be implemented in stages in accordance with a planned strategy to provide adequate physical and social infrastructure,
- (c) to provide opportunities for a range of housing types and wider housing choice,
- (d) to enable development to be carried out in accordance with a planning strategy prepared for the area.

3 Land to which plan applies

This plan applies to land in the Pittwater local government area, as shown edged heavy black on Sheet 1 of the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 87)", deposited in the office of Pittwater Council.

4 Amendment of Pittwater Local Environmental Plan 1993

Pittwater Local Environmental Plan 1993 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

Insert at the end of the definition of *the Zoning Map* in clause 5 (1):

Pittwater Local Environmental Plan 1993 (Amendment No 87)—
Sheet 2.

[2] Clause 30B Development of UDP land in Warriewood Valley

Insert at the end of clause 30B (1):

Land at Warriewood within Sector 3 of the Warriewood Valley
Urban Land Release shown edged heavy black on Sheet 1 of the
map marked “Pittwater Local Environmental Plan 1993
(Amendment No 87)”

[3] Clause 30C Dwelling yield

Insert after the matter relating to Sector 2:

Sector 3—not more than 165 dwellings.

[4] Clause 30E

Insert after clause 30D:

30E Public infrastructure in urban release areas

(1) Aims

The aims of this clause are:

- (a) to allow for future urban development and the conservation of ecological and riparian corridors and areas of visual significance on land in urban release areas, and
- (b) to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of such land to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes, and
- (c) to ensure that development on such land occurs in a logical and cost-effective manner in accordance with a staging plan.

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Schedule 1 Amendments

(2) **Application**

This clause applies to land in an urban release area, but does not apply to any such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).

(3) This clause prevails over any other provision of this plan to the extent of any inconsistency.

(4) **Designated State public infrastructure**

Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.

(5) Subclause (4) does not apply to:

- (a) any lot identified in the certificate as a residue lot, or
- (b) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose, or
- (c) a subdivision for the purpose only of rectifying an encroachment on any existing lot.

(6) **Public utility infrastructure**

Development consent must not be granted for development on land in an urban release area unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

(7) Subclause (6) does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

(8) **Interpretation**

In this clause:

designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided

or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) rail infrastructure and land,
- (d) land required for regional open space,
- (e) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

public utility infrastructure means infrastructure for any of the following purposes:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage.

urban release area means the following:

Sector 3 of the Warriewood Valley Urban Land Release shown edged heavy black on Sheet 1 of the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 87)".