



New South Wales

Manly Local Environmental Plan 2013 (Amendment No 13)

under the

Environmental Planning and Assessment Act 1979

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

MARK FERGUSON, GENERAL MANAGER, NORTHERN BEACHES COUNCIL
As delegate for the Greater Sydney Commission

Manly Local Environmental Plan 2013 (Amendment No 13)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Manly Local Environmental Plan 2013 (Amendment No 13)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land in the following zones under *Manly Local Environmental Plan 2013*:

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone E3 Environmental Management,
- (e) Zone E4 Environmental Living.

Schedule 1 Amendment of Manly Local Environmental Plan 2013

[1] Land Use Table

Insert “Secondary dwellings;” in appropriate order in item 3 of Zone R1 General Residential.

[2] Land Use Table, Zone R2

Insert “Secondary dwellings;” in appropriate order in item 3.

[3] Land Use Table, Zone R3

Insert “Secondary dwellings;” in appropriate order in item 3.

[4] Clause 6.17 Health consulting rooms in Zones E3 and E4

Omit “certain development in certain environmental protection zones” from clause 6.17 (1).
Insert instead “development for the purpose of health consulting rooms in certain environment protection zones”.

[5] Clause 6.17 (3)

Omit “a health consulting room or a secondary dwelling”.
Insert instead “the purpose of health consulting rooms”.

[6] Clause 6.22

Insert after clause 6.21:

6.22 Development for the purposes of secondary dwellings in certain residential and environment protection zones

- (1) The objective of this clause is to ensure that secondary dwellings on land to which this clause applies are of low impact and without adverse effects on the specific ecological, social and aesthetic values of the land.
- (2) This clause applies to land in the following zones:
 - (a) Zone R1 General Residential,
 - (b) Zone R2 Low Density Residential,
 - (c) Zone R3 Medium Density Residential,
 - (d) Zone E3 Environmental Management,
 - (e) Zone E4 Environmental Living.
- (3) Despite clause 5.4 (9), development consent may be granted for development for the purposes of a secondary dwelling on land to which this clause applies if:
 - (a) the total floor area of the secondary dwelling does not exceed 75 square metres, and
 - (b) the consent authority is satisfied that the secondary dwelling will be located entirely within an existing principal dwelling on a site that contains no other secondary dwelling.
- (4) Despite any other provision of this Plan, development consent must not be granted for development for the purposes of a secondary dwelling on land in Zone E3 Environmental Management or Zone E4 Environmental Living unless the consent authority is satisfied that the secondary dwelling will be

located entirely within an existing principal dwelling on a site that contains no other secondary dwelling.

(5) In this clause:

development for the purposes of a secondary dwelling includes the following:

- (a) the erection of, or alterations or additions to, a secondary dwelling,
- (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

Note. See also Division 2 of Part 2 of *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

[7] Dictionary

Omit “Manly Council” from the definition of ***Council***.

Insert instead “Northern Beaches Council”.