



New South Wales

# **Pittwater Local Environmental Plan 2014 (Amendment No 9)**

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, CHIEF EXECUTIVE OFFICER, NORTHERN BEACHES COUNCIL**  
As delegate for the Greater Sydney Commission

## **Pittwater Local Environmental Plan 2014 (Amendment No 9)**

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### **1 Name of Plan**

This Plan is *Pittwater Local Environmental Plan 2014 (Amendment No 9)*.

### **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 all the land to which *Pittwater Local Environmental Plan 2014* applies.

### **4 Maps**

The maps adopted by *Pittwater Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the Greater Sydney Commission on the making of this Plan.

## **Schedule 1      Amendment of Pittwater Local Environmental Plan 2014**

### **[1]    Clause 4.3 Height of buildings**

Omit “at the street frontage” from clause 4.3 (2F).

Insert instead “within the area that is 12.5 metres measured from the boundary of any property fronting Orchard Street, Macpherson Street, Warriewood Road or Garden Street”.

### **[2]    Clause 4.3 (2FA) and (2FB)**

Insert after clause 4.3 (2F):

(2FA)    Despite subclause (2), the maximum height for a secondary dwelling or a rural worker’s dwelling in Zone E4 Environmental Living or Zone RU2 Rural Landscape is 5.5 metres if the secondary dwelling or rural worker’s dwelling is separate from the principal dwelling.

(2FB)    Despite subclause (2), in the case of a dual occupancy (detached), the maximum height for the dwelling that is furthest back from the primary street frontage of the lot is 5.5 metres.

### **[3]    Clause 6.1 Warriewood Valley Release Area**

Omit clause 6.1 (1) (c).

### **[4]    Clause 7.8 Limited development on foreshore area**

Omit “if the levels, depth or other exceptional features of the site make it appropriate to do so” from clause 7.8 (2) (a).

Insert instead “but only if the development will not result in the footprint of the building extending further into the foreshore area”.

### **[5]    Schedule 1 Additional permitted uses**

Omit clause 19 (1). Insert instead:

(1)    This clause applies to 1191 and 1193 Barrenjoey Road, Palm Beach, being Lot 298, DP 721572 and Lot 7005, DP 1117451 and identified as “Area 19” on the Additional Permitted Uses Map.

### **[6]    Schedule 1, clause 24**

Insert at the end of the Schedule:

#### **24    Use of certain land in Zone SP2 Infrastructure intended to be acquired for public purposes**

(1)    This clause applies to land in Zone SP2 Infrastructure and marked “Classified road” and identified as “Area 24” on the Additional Permitted Uses Map.

(2)    Development for the purposes of enabling access to a dwelling house is permitted with development consent, but only if the consent authority has considered the following:

- (a)    the effect of the proposed development on the costs of acquisition of the land,
- (b)    the imminence of the acquisition,
- (c)    the costs associated with the reinstatement of the land for the purposes for which it is to be acquired.