



Section 73A EP&A Act submission

Part A. Council to complete

Subject:

Pittwater Local Environmental Plan 2014 *(Insert name of amending LEP)*

Report requesting the making of amending local environmental plan under section 70 and section 73A.

Background:

Pittwater Council *(Insert name of council)* resolved on 5th November 2007, to amend Pittwater Local Environmental Plan 1993 *(Insert name of LEP)* and to request that the Minister for Planning make the plan under section 70 and section 73A of the *Environmental Planning and Assessment Act 1979*.

The draft amending plan is attached. *(Attach copy of resolution.)*

The land to which this amendment applies is the land identified on the Urban Release Area Map (Map numbers 12, 13, 18, 19). Maps attached

(Specify area. Attach map if appropriate)

Why there is a need for the amendment:

The amendment to Clause 6.1(1)(c) and the associated Urban Release Area Map (Map No 12, 13, 18, 19) is required to ensure that Clause 6.1 Warriewood Valley Release Area operates as intended and drafted so the identified planning outcomes are delivered.

(Please attach a separate sheet if necessary)

What the amendment does:

The amendment incorporates the following:

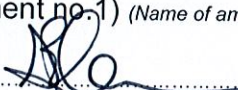
1. Remove clause 6.1(1)(c) – this objective is no longer required given the removal of the Sydney Water provision;
2. Reinstate the creek line corridor area (as per Council's mapping submitted to the Department on the 23/12/13) on all relevant Urban Release Area Map (being Map No. 12, 13, 18, 19);
3. Reinstate all labels associated with sectors, buffer area or address (as per Council's mapping submitted to the Department on the 23/12/13) on Urban Release Area Map (being Map No. 12, 13, 18, 19)

(Please attach a separate sheet if necessary)

Why the amending plan is suitable to be made in accordance with section 73A:

The amendment satisfies the provisions of section 73A and is considered to be a correction of an obvious error in the principal instrument *(Please attach a separate sheet if necessary)*

The council requests that the Minister agree to make draft Pittwater Local Environmental Plan 2014 (Amendment no.1) *(Name of amending LEP)*

Signed: 

Date: 6 June, 2014

Name: Steve Evans

Position: Director Environmental Planning and Community

On behalf of :Pittwater Council *(Name of council)*



Section 73A EP&A Act submission

Part B. Planning & Infrastructure's use only

Date of referral to LEP Review Panel: (Insert date)

Planning & Infrastructure's position:

The draft LEP amendment has been considered by the Department and it is satisfied that the amendment can be considered as a minor amendment under section 73A (see advice tagged 'A').

Parliamentary Counsel opinion:

The Parliamentary Counsel has provided an opinion indicating that the plan may legally be made (tagged 'B').

Recommendation:

It is recommended that the Minister:

- (a) under sections 70(1)(a) and (8) and section 73A of the *Environmental Planning and Assessment Act 1979* maketagged 'B')
(Name of LEP)
- (b) authorise the Planning & Infrastructure to advise council of the Minister's decision.

Date:

Signed: Name:

Position:
for Director-General

C9.5 Pittwater draft Local Environmental Plan 2011

Meeting: Environment and Planning Committee

Date: 5 November 2007

COUNCIL DECISION (By Exception)

1. That Council resolve to commence the statutory process under section 54 of the Environmental Planning and Assessment Act 1979 to prepare the draft Pittwater Local Environmental Plan 2011 in accordance with the Standard Instrument – Principal Local Environmental Plan.
2. That Council resolve to advise the Director-General of the Department of Planning of its resolution to prepare a draft LEP
3. That a further report be made following feedback from the Department of Planning and following preparation of a draft Standard LEP for Pittwater.
4. That this further report provide a program for consultation with the community consistent with Council's Community Engagement Policy.

(Cr Hegarty / Cr Giles)



Whole title | Parent Act | Historical versions | Historical notes | Search title | Maps |

Pittwater Local Environmental Plan 2014

Current version for 30 May 2014 to date (accessed 6 June 2014 at 12:47)

Part 6 > Clause 6.1

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6.1 Warriewood Valley Release Area

(1) The objectives of this clause are as follows:

- (a) to permit development in the Warriewood Valley Release Area in accordance with the Warriewood Valley Strategic Review,
- (b) to ensure that development in that area does not adversely impact on waterways and creek line corridors, protects existing native riparian vegetation and rehabilitates the creek line corridors,

~~(c) to facilitate the mitigation of odours from the Warriewood Sewage Treatment Plant on the users and occupiers of residential development in a buffer area.~~

(2) This clause applies to the land in the Warriewood Valley Release Area.

(3) Development consent must not be granted for development on land in a buffer area or sector or at an address mentioned in Column 1 of the table to this clause unless the consent authority is satisfied that the total number of dwellings shown opposite that buffer area, sector or address in Column 2 of that table will be erected.

Column 1	Column 2
Buffer area, sector or address	Number of dwellings to be erected
Sector 1	Not more than 209 dwellings or less than 195 dwellings
Sector 101	Not more than 4 dwellings
Sector 2	Not more than 54 dwellings or less than 49 dwellings
Sector 3	Not more than 34 dwellings
Sector 301	Not more than 53 dwellings or less than 42 dwellings
Sector 302	Not more than 84 dwellings or less than 66 dwellings
Sector 303	Not more than 29 dwellings or less than 23 dwellings
Sector 5	Not more than 94 dwellings or less than 75 dwellings
Sector 8	Not more than 140 dwellings
Sector 801	Not more than 38 dwellings or less than 19 dwellings
Sector 901A	Not more than 192 dwellings or less than 156 dwellings
Sector 901B	Not more than 36 dwellings or less than 12 dwellings
Sector 901C	Not more than 22 dwellings or less than 17 dwellings
Sectors 901D and 901E	Not more than 16 dwellings
Sector 901F	Not more than 14 dwellings
Sector 901G	Not more than 6 dwellings

Sector 10	Not more than 134 dwellings
Sector 10B	Not more than 45 dwellings or less than 28 dwellings
Sector 11	Not more than 163 dwellings or less than 147 dwellings
Sector 12	Not more than 180 dwellings or less than 163 dwellings
Sector 12A	Not more than 19 dwellings
Sector 20	Not more than 72 dwellings
Buffer area 1a	Not more than 17 dwellings or less than 15 dwellings
Buffer area 1b	Not more than 24 dwellings or less than 17 dwellings
Buffer area 1c	Not more than 18 dwellings or less than 13 dwellings
Buffer area 1d	Not more than 1 dwelling
Buffer area 1e	Not more than 15 dwellings or less than 11 dwellings
Buffer area 1f	Not more than 21 dwellings or less than 14 dwellings
Buffer area 1g	Not more than 23 dwellings or less than 17 dwellings
Buffer area 1h	Not more than 1 dwelling
Buffer area 1i	Not more than 39 dwellings or less than 27 dwellings
Buffer area 1j	Not more than 40 dwellings or less than 26 dwellings
Buffer area 1k	Not more than 21 dwellings or less than 14 dwellings
Buffer area 1l	Not more than 67 dwellings or less than 43 dwellings
Buffer area 1m	No dwellings
Buffer area 2	Not more than 113 dwellings
Buffer area 2a	Not more than 29 dwellings or less than 20 dwellings
Buffer area 3a	Not more than 186 dwellings
Buffer area 3b	Not more than 9 dwellings or less than 7 dwellings
9 Fern Creek Road	No dwellings

(4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the proposed development will not have any significant adverse impact on any of the following:

- (a) opportunities for rehabilitation of aquatic and riparian vegetation, habitats and ecosystems within creek line corridors,
- (b) the water quality and flows within creek line corridors,
- (c) the stability of the bed, shore, and banks of any watercourse within creek line corridors.

(5) In this clause:

buffer area means land identified as “buffer area” on the Urban Release Area Map.

creek line corridor means land identified as “creek line corridor” on the Urban Release Area Map.

sector means land identified as “sector” on the Urban Release Area Map.

Warriewood Valley Release Area means the land identified as Warriewood Valley Release Area on the Urban Release Area Map.

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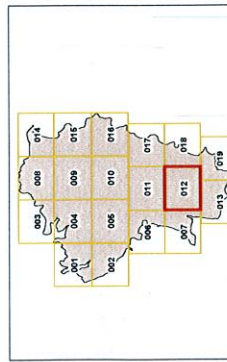
Pittwater Local Environmental Plan 2014

Urban Release Area Map -
Sheet URA_012

Warriewood Valley Release Area

Cadastre

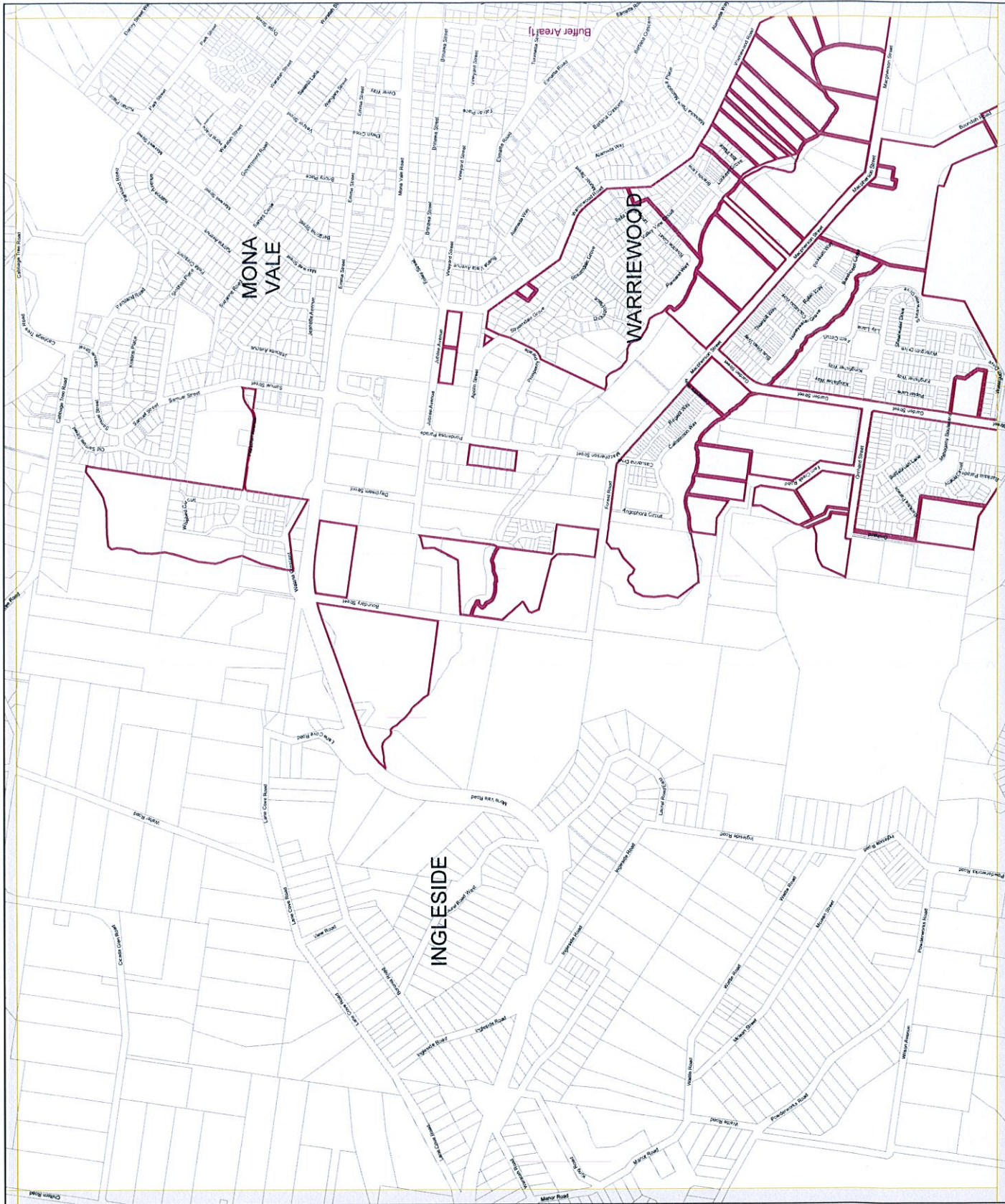
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Projection GDA 1994
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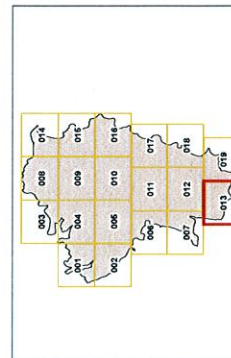
Urban Release Area Map - Sheet URA_013



Warriewood Valley Release Area

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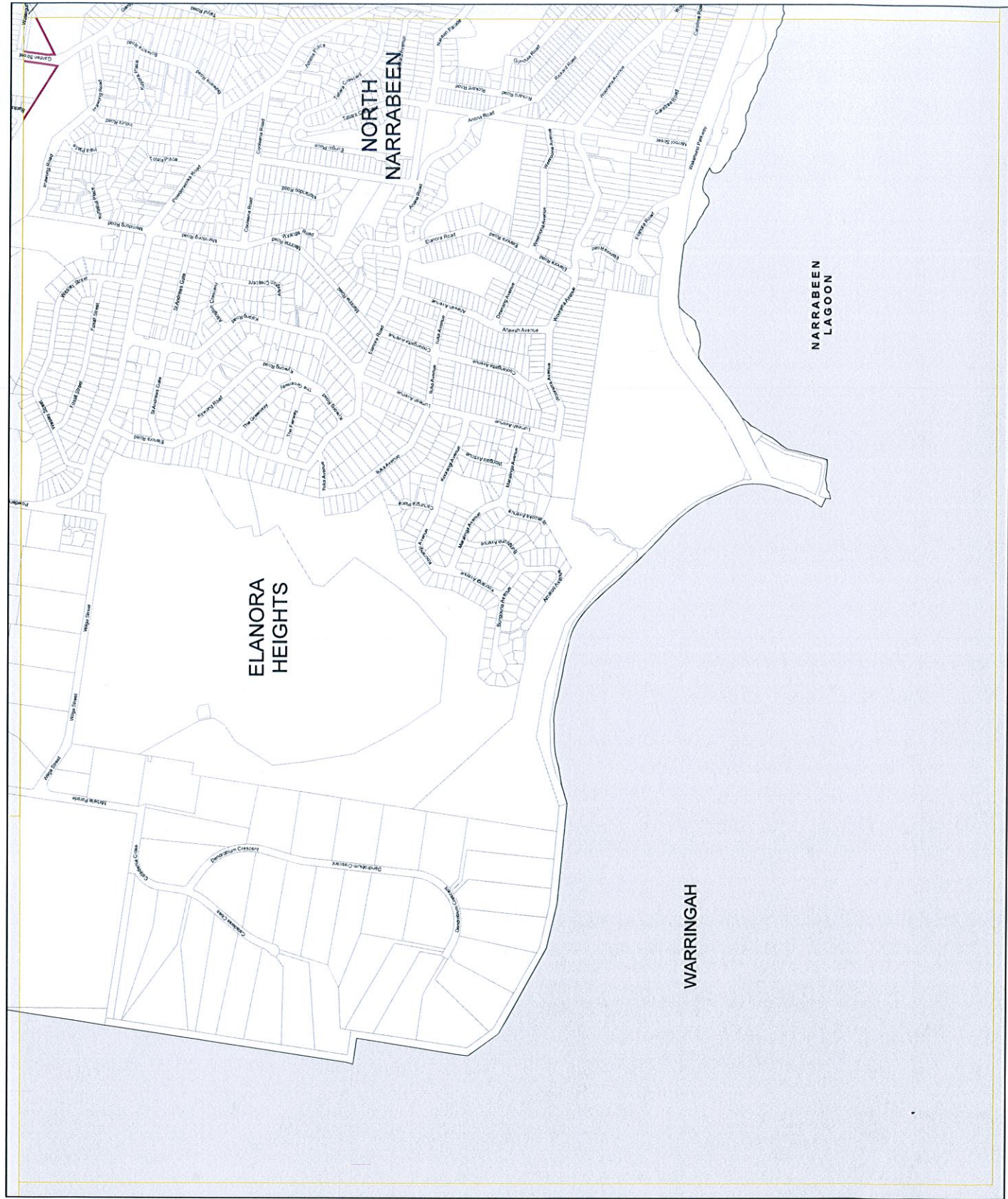
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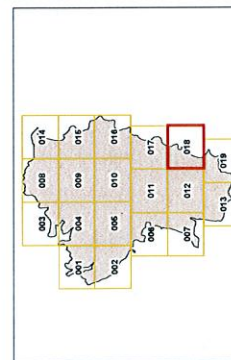
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Urban Release Area Map -
Sheet URA_018

Warriewood Valley Release Area

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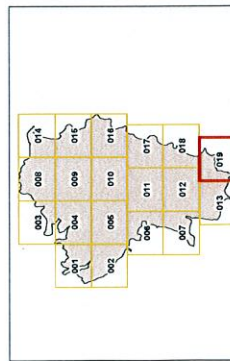
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Urban Release Area Map -
Sheet URA_019

Warriewood Valley Release Area

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