

Key changes summary – with indexing

Index (#) and page (p.) numbers in red text below relate to tables within Part 2 – Explanation of provisions (commencing on page 21). An Appendix list is included on page 120.

This Planning Proposal will result in changes to land use planning in the LGA, including:

- Amended zoning tables to consolidate current zones in existing LEPs
- Applying “standard instrument” zones to the deferred lands (WLEP2000) area
- New provisions based on research from Technical Studies, best practice and other LEP precedents
- Applying existing provisions to more areas within the LGA
- Removal of certain provisions which are no longer considered necessary.

More specifically, the key changes include:

- **Part 2 Permitted or prohibited development:**
 - Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables, including:
 - Permitting **dual occupancy development** in all R2 low density residential zones subject to minimum allotment size and frontage requirements. #61 (p.46), #63 (p.47), #123 (p.71), Appendix J-1
 - Permitting a range of **infrastructure related land uses** to align with permissibility under various State Environmental Planning Policies (SEPPs), such as SEPP (Transport and Infrastructure) 2021. #52 (p.42), Appendix B
 - Changes to the zoning of certain land, including:
 - Rezoning certain land to a **Conservation (environmental) zone** because of the **Conservation Zones Review**, including land in existing low density residential zones (Zone R2 and R5), Conservation Zones (Zones C2, C3 and C4), rural zones (Zone RU2 and RU4), Zone RE1 Public Recreation, Zone W1 Natural Waterways and land within the Deferred Lands (WLEP2000). #43-45 (p.35-37), p.39, Appendix H
 - Rezoning land within the ‘**Deferred Lands**’ (Belrose North and Oxford Falls Valley) in WLEP2000 to an RU4 Rural, C3 Environmental Management, R5 Large Lot Residential, R2 Low Density Residential, RE1 Public Recreation or SP2 Infrastructure Zone under the new LEP based on the Conservation Zones Review and analysis of land use and character and consideration of the directions of the Northern Beaches Local Strategic Planning Statement – *Towards 2040*. p.40, Appendix I

- **Part 4 Principal development standards:** Vary or introduce new development standards regulating the bulk and scale of buildings:
 - **Density controls** in MLEP2013 and PLEP2014 replaced with minimum allotment size and frontage controls for dual occupancies, manor houses, attached dwellings, multi dwellings, residential flat buildings, seniors housing and the like across the LGA (except for Warriewood Valley). #63 (p.47), Appendix J-1
 - **Height of buildings** controls varied as follows:
 - In centres: #66 (p.49), Appendix J-4
 - Local centres excluding Mona Vale: Increase for floor to ceiling heights from 8.5m to 9.3m, & 11m to 12.4m;
 - Brookvale Industrial Area: Increase from 11m to 18m;
 - Warringah Mall: Include height control in LEP (currently in DCP) and increase to 30m;
 - Frenchs Forest Business Park: Include height control in LEP of 11m generally & 21m for 'employment generating development'.
 - On flood prone land and steeply sloping land (>30%), existing special considerations clauses in PLEP2014 extended to apply to such land throughout the LGA. #66 (p.49)
 - Restrict the height of detached secondary dwellings (i.e. granny flats) to 5.5m in C4 and RU2 zones throughout the LGA (as per PLEP2014). #67 (p.50)
 - **Floor space ratio (FSR)** control introduced for all low-density residential areas, with the maximum permitted FSR varied by lot size and location based on a detailed analysis of new dwelling-house developments on over 2,100 properties across the LGA, replacing existing FSR controls in MLEP2013. #68 (p.50), Appendix J-3
- **Part 5 Miscellaneous Provisions:**
 - Adopt **optional standard clauses** not currently applied in the Northern Beaches, including:
 - 5.16 Subdivisions of, or dwellings on, land in certain rural, residential or conservation areas #88 (p.57)
 - 5.24 Farm Stay Accommodation #96 (p.59)
 - 5.25 Farm Gate Premises #97 (p.60)
 - Apply **special flood considerations** to certain development on flood prone land within the 'deferred lands' area (Belrose North and Oxford Falls Valley). #94 (p.59)

- **Part 6 Local Provisions for Centres:**
 - **Active Street Frontages** clause in MLEP2013 extended to apply to additional centres, including Avalon Beach, Newport, North Narrabeen, Narrabeen, Collaroy, the Strand at Dee Why, Freshwater, Forestville and Manly Vale, based on mapping from the Urban Design Study. #99 (p.60)
 - **Local Centres** clause introduced to apply to smaller neighbourhood centres (zoned B1 Neighbourhood Centres prior to State Government Employment Zones Reforms) to enable consideration of desired character, centre hierarchy and nearby residential areas. #100 (p.61)

- **Part 6 Local Provisions for Character:**
 - Clause for **Registered clubs in the RE1 Public Recreation zone and RE2 Private Recreation zone** applied to ensure that clubs are ‘incidental or ancillary’ to a recreation facility on land zoned RE1/RE2 Private Recreation. #104 (p.62)
 - Existing **Design Excellence** considerations applied more broadly to most Strategic Centres being: Manly, Dee Why, Frenchs Forest, Brookvale and Mona Vale; to Warringah Mall; and to larger local centres including in Avalon, Balgowlah, Belrose, Collaroy, Dee Why-The Strand, Elanora Heights, Forestville, Frenchs Forest, Freshwater, Manly Vale, Mona Vale, Narrabeen, North Narrabeen, Newport, Palm Beach, Seaforth and Warriewood. #107 (p.63)
 - **Scenic Protection** clause requiring consideration of **views** to key natural landforms to protect the scenic and environmental qualities of ridgelines and escarpments and natural landforms including rock outcrops. #109 (p.64)

- **Part 6 Local Provisions for the Deferred Lands** to translate and incorporate relevant parts of WLEP2000 relating to Oxford Falls Valley and Belrose North into new LEP. #110 (p.64), Appendix I

- **Part 6 Local Provisions for Environment:**
 - **Bushland and Biodiversity** clause updated to apply to the entire LGA based on new mapping from the Biodiversity Planning Review and Deferred Lands Biodiversity Assessment. #112 (p.65)
 - **Limited development below the foreshore building line** clause amended to retain foreshore building line mapping and establish additional objectives and landscaped area requirements in foreshore building line area. #114 (p.66)
 - **Stormwater management and Water Sensitive Urban Design** clause updated based on work completed in the Stormwater Study and implementing the risk-based framework for waterway health, which includes different priorities and outcomes for different catchments. #115 (p.67)
 - New **Landscaped area** clause introduced with a map outlining the required minimum percentage of landscaped areas for all residential land, with

existing controls carried over from DCPs with some revision based on a detailed analysis of recent dwelling-house approvals. #116 (p.67), Appendix J-6

- **Waterways Wetlands and Riparian Land** clause updated to apply to the entire LGA based on updated mapping from the Watercourse, wetlands and riparian lands study. #117 (p.68)
- **Part 6 Local Provisions for Hazards:**
 - **Coastal management** clause updated to include existing adopted maps from LEP and DCP, the adopted Manly Coastal Risk Planning maps and new mapping identified through the Estuarine Planning Level studies for Cowan Creek and North and Middle Harbour. #119 (p.69), Appendix K
 - **Geotechnical hazard** updated as per the Geotechnical Review and Planning Controls study, to apply to all land within the LGA with land designated a planning class (G1 to G7) based on its geology, topography, position and slope, and with updated mapping of landslip areas identified as 'G5 Narrabeen Slopes >15 degrees' and 'G7 Coastal Cliff Zone'. #121 (p.70)
- **Part 6 Local Provisions for Housing:**
 - New **Dual Occupancies** clause to control the location of dual occupancies (by prohibiting such development on an existing battle-axe lot, and permitting detached dual occupancies only on properties with two street frontages or corner lots) and providing flexibility for properties containing a heritage item. #123 (p.71), Appendix J-1
 - New **Housing Mix** clause to ensure diversity in dwelling types and promote housing choices for various demographics, living needs, and budgets, requiring minimum 20% 3 bedroom and 20% 1-bedroom apartments for developments over 10 dwellings. #124 (p.72), Appendix J-5
 - **Secondary dwellings** applying current MLEP2013 and WLEP2011 clause with some revision to allow additional floorspace for secondary dwellings (from 60sqm to 75sqm) if attached to the principal dwelling and extending clause to apply throughout the LGA. Detached secondary dwellings will be permitted in the C4 zone (previously prohibited under MLEP 2013) #125 (p.72)
- **Part 6 Local Provisions for Sustainable Development**, to include a new clause for: **Sustainable Buildings** requiring developments greater than 1,500sqm in gross floor area in Strategic Centres and Employment Zones to adhere to environmentally sustainable design principles. #128 (p.73), Appendix J-2
- **Schedule 1 Additional permitted uses** including:
 - To permit **boarding houses and hostels** in low density residential zones within 400 metres of local centres at of Avalon, Newport, North Narrabeen, Freshwater and Belrose ('Housing Diversity Areas') subject to minimum allotment size (consistent with Local Housing Strategy). #139 (p.77), Appendix D

- To permit a number of additional uses for land proposed to be zoned **RU4 zoned land** within the **Deferred Lands** of Oxford Falls Valley and Belrose North in proximity to Wakehurst Parkway and Forest Way, to support development similar to that which currently exists and is permissible with consent under WLEP2000. [p.40, Appendix D, Appendix I](#)
- To retain a range of land uses for certain strategic purposes for land currently under **MLEP2013** including **tourist related development** in the R3 Medium Density Residential zone; more **diverse housing choice** in R2 Low Density Residential and C4 Environmental Living zones and **shops** in the E3 Productivity Support zone. [#140-144 \(p.77-78\), Appendix D](#)
- **Schedule 2 Exempt development** new item to allow certain advertising structures on public infrastructure e.g. bus shelters subject to controls including limitation on size. [#147 \(p. 79\)](#)
- **Schedule 5 Environmental Heritage** consolidate list of current heritage items, omit redundant items, and identify in consistent manner in new schedule and on Heritage Map. [#153 \(p. 80\), Appendix E](#)