



New South Wales

Warringah Local Environmental Plan 2011 (Amendment No 16)

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*.

DAVID KERR, GROUP MANAGER STRATEGIC PLANNING, WARRINGAH COUNCIL
As delegate for the Greater Sydney Commission

Warringah Local Environmental Plan 2011 (Amendment No 16)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Warringah Local Environmental Plan 2011 (Amendment No 16)*.

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 *Warringah Local Environmental Plan 2011*:

- (a) Zone R2 Low Density Residential,
- (b) Zone R3 Medium Density Residential.

Schedule 1 Amendment of Warringah Local Environmental Plan 2011

[1] Land Use Table

Insert “Secondary dwellings;” in alphabetical order in item 3 of the matter relating to Zone R2 Low Density Residential.

[2] Land Use Table, Zone R3 Medium Density Residential

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

[3] Clause 6.10

Insert after clause 6.9:

6.10 Development for the purposes of secondary dwellings in Zones R2 and R3

- (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 R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential.
- (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 that contains no other secondary dwelling.
- (4) 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*.